



LAWS
OF
NEW HAMPSHIRE

INCLUDING

PUBLIC AND PRIVATE ACTS, RESOLVES,
VOTES, ETC.

EDITED AND PUBLISHED UNDER THE DIRECTION OF THE
SECRETARY OF STATE

VOLUME TEN
SECOND CONSTITUTIONAL PERIOD
1829-1835

CONCORD, N. H.
EVANS PRINTING CO.
1922

JOINT RESOLUTION RELATING TO THE PRESERVATION AND PUBLICATION OF THE EARLY STATE AND PROVINCIAL RECORDS AND OTHER STATE PAPERS OF NEW HAMPSHIRE.

Resolved by the Senate and House of Representatives in General Court Convened:

That His Excellency the Governor be hereby authorized and empowered, with the advice and consent of the Council, to employ some suitable person—and fix his compensation, to be paid out of any money in the treasury not otherwise appropriated—to collect, arrange, transcribe and superintend the publication of such portions of the early state and provincial records and other state papers of New Hampshire as the Governor may deem proper; and that eight hundred copies of each volume of the same be printed by the state printer, and distributed as follows: namely one copy to each [city and town in the state, one copy to such of public libraries in the state as the Governor may designate]¹ *public library in the state, and to each town in the state having no public library, which shall request the same, and to such publishers of newspapers requesting the same as keep such open to public use,*² fifty copies to the New Hampshire Historical Society, and the remainder placed in the custody of the state librarian, who is hereby authorized to exchange the same for similar publications by other states.

³The governor and council may authorize the secretary of state from time to time to collect, arrange, transcribe, and publish such portions of the early state and provincial records and other state papers of New Hampshire as they shall deem proper. Eight hundred copies of each volume shall be printed.

On publication the secretary of state shall send one copy to each of the following officers and bodies: To the governor and members of the council; to the judges of the supreme and superior courts; to each free public library in the state; to the town clerks of towns having no free public library for the use of the town; to such other officers and bodies as the governor and council shall designate. He shall send fifty copies to the New Hampshire Historical Society and deposit the residue in the state library.

⁴The secretary of state, with the approval of the governor and council, may from time to time collect, arrange, transcribe and cause to be printed such portions of the early state and provincial records as he may deem expedient. He shall determine the style, form and quantity to be printed.

One copy of each publication..... shall be sent by the department responsible for its issue, free of charge, to each of the following officers and bodies: Governor, each member of the council, each department and institution of the state, the justices and clerks of the supreme and superior courts, each free public library established under the laws of the state, the town clerk of each town having no free public library, the library of Congress, the state or territorial library of each state and territory in the United States. Said departments may make such further free distribution of such publications as they may deem wise, or as the governor and council may direct.

¹The words enclosed in brackets were stricken out of the Joint Resolution of August 4, 1881, by the act of March 20, 1901, Session Laws, new series, vol. 7, part 2, chapter 71, sect. 3, p. 558.

²By the same act, the words in italics were inserted as a substitute for the words stricken out, as above stated.

³Chapter 29, sections 27 and 28, Laws of 1917.

⁴Chapter 3, sections 8 and 9, Laws of 1919.

STATE OF NEW HAMPSHIRE.

TO THE SECRETARY OF STATE:

You are hereby authorized to arrange, transcribe and superintend the publication of the Laws of New Hampshire, public and private, in chronological order, from the period when the Constitution of 1792 took effect, till the time when the regular annual publication of the Statutes commenced.

You will also cause such explanatory notes, citations, tables of contents and indexes as you may deem useful to be prepared and made a part of the work.

This I deem proper to be done, and directions are given in accordance with the authority vested in me as Governor by the provisions of the joint resolution relating to the preservation and publication of portions of the state and provincial records and other state papers of New Hampshire approved August 4, 1881, and also by the act of February 27, 1917, Chapter 29, Sections 27 and 28.

Given under my hand at Concord this 27th day of July, 1917.

HENRY W. KEYES,
Governor.

With the advice and consent of the council.

EXECUTIVE COUNCIL CHAMBER,
CONCORD, September 9, 1919.

Voted, that the Secretary of State be authorized to publish such portion of the Provincial Laws and Records of New Hampshire as shall continue the publication of said laws from vol. 7, until the time when the regular annual publication of the Statutes commence, dividing the same into volumes of convenient size and numbered in consecutive order.

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INTRODUCTORY NOTE.

This volume completes the publication of the old laws as contemplated by the joint resolution of the legislature approved August 4, 1881, and brings the publication, in bound form, down to 1835, when the publication in such form was regularly begun. Thus we now have all the laws of New Hampshire, from the beginning of an organized form of government down through the colonial period and the government under the constitution, in an enduring form available for research and study.

Many interesting events occurred during the seven years of the state's history embraced within this volume. It is to be noted that there were thirteen savings banks chartered during this time within the state, two at least are doing business to-day, viz., the New Hampshire Savings Bank of Concord, incorporated June 25, 1830, and the Lancaster Savings Bank of Lancaster, January 1, 1833.

It was a time when railroads began to give evidence of later usefulness that meant so much to the public welfare. The Concord Railroad was incorporated June 27, 1835, and on the same date the Boston & Maine and the Keene Railroad Company were given official standing within the state and four days prior, on June 23, 1835, the Nashua and Lowell Railroad came into legal existence.

On July 1, 1831, the legislature passed a resolution relative to the boundary line between Vermont and New Hampshire, which action foreshadowed a long and tedious controversy that has not been settled to this day, although the matter is in the United States Court and efforts are being made to bring it to a final issue at an early date. July 1, 1831, a resolution was passed by the legislature for a new state's prison, and July 4 of the same year, resolutions on the death of General Lafayette were unanimously adopted.

About seventy-five business corporations were established during the seven years, nine of which were located in the town of Claremont and seven in the town of Meredith. Among some of the prominent ones were the Amoskeag Manufacturing Company, of Goffstown, incorporated July 1, 1831; The Sullivan Manufacturing Company of Claremont, July 2, 1833 and the Winnipiseogee Lake Cotton and Woolen Manufacturing Company of Meredith, June 28, 1831.

July 1, 1829, the name of the town of Berlin was adopted in place of the name Maynesborough, and the town of Jackson was

changed to Adams, July 4, 1829. West Nottingham became Hudson July 1, 1830, and likewise Bretton Woods became Carroll June 22, 1832. Allenstown was incorporated July 2, 1831 and North Effingham became Freedom on December 6, 1832. Percy was changed to Stark December 28, 1832, and Albany was named in the place of Burton July 2, 1833.

It was in January, 1830, that Daniel Webster, a son of New Hampshire, made his great reply to Hayne in the United States Senate. This speech of Webster's, together with others that he made along the same line, doubtless exerted as great an influence upon the minds of the people of this country as any other speech ever delivered before or since. By his powerful logic the people became convinced that the United States Constitution was a vital and living force in the formation and maintenance of government and this sentiment was essential in order to sustain that unity of action by the northern states necessary to maintain four years of civil war and bring it to a victorious end.

EDWIN C. BEAN,

Secretary of State.

Concord, June 26, 1922.

LAWS OF NEW HAMPSHIRE.

[THIRTY-EIGHTH GENERAL COURT.]

[*Held at Concord, one session, June 3, 1829, to July 4, 1829.*]

[OFFICERS OF THE GOVERNMENT.]

BENJAMIN PIERCE, GOVERNOR.

DUDLEY S. PALMER, SECRETARY OF STATE.

JOSEPH ROBINSON, DEPUTY SECRETARY OF STATE.

WILLIAM PICKERING, TREASURER.

GEORGE SULLIVAN, ATTORNEY GENERAL.

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JAMES B. THORNTON, SPEAKER OF THE HOUSE.

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Benning M. Bean,	Moultonborough.
Matthew Harvey,	Hopkinton.
Joseph Healy,	Washington.
Stephen P. Webster,	Haverhill.

[MEMBERS OF THE SENATE.]

Abner Greenleaf,	Portsmouth.
Jacob Freese,	Deerfield.
David Steele,	Goffstown.
Joseph M. Harper,	Canterbury.
John Chadwick,	Middleton.
Ezekiel Wentworth,	Ossipee.
William Bixby,	Francestown.
Bodwell Emerson,	Hopkinton.
Levi Chamberlain.	Fitzwilliam.
Horace Hall,	Charlestown.
Elijah Miller,	Hanover.
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[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and	}	Amos Sawyer.
Plaistow,		Simon Fellows.
Brentwood,		Henry F. Eaton.
Candia,		John Bryant.
Chester,		John Folsom.
Deerfield,		Benjamin Jenness.
Derry,		Winthrop Hilton.
		John Porter.
		Alanson Tucker.
East Kingston and	}	John Stevens.
South Hampton,		John Dow,
Epping,		Nathaniel Connor.
Exeter,		Samuel F. Gilman.
		Oliver W. B. Peabody
Greenland,		Alfred Metcalf.
Hampstead,		Amos Hoyt.
Hampton,		Joshua Lane.
Hampton Falls,		David Chase.
Hawke and	}	Abraham S. French.
Sandown,		Smith Lamprey.
Kensington,		Frederick G. Nichols.
Kingston,		George Beil.
Newcastle,		Hanson Hoit.
Newington,		James B. Creighton.
Newmarket,		John Bartlett.
Newton,		Cotton W. Marston.
North Hampton,		James Batchelder.
Northwood,		Ebenezer Butler.
Nottingham,		Squire B. Hascall.
Poplin,		William Claggett.
Portsmouth,		John Langdon Elwyn.
		John Gregory.
		Ezra Young.
Raymond,		Moses Dudley.
Rye,		Samuel Jenness.
Salem,		Thornton Betton.
Seabrook,		John Locke.
Stratham,		Noah Piper.
Windham,		Isaac McGaw.

STRAFFORD COUNTY.

Barnstead,	Isaac O. Barnes.
	Samuel Webster.
Barrington,	Isaac Daniels.
Brookfield,	Dudley Pike.
Burton and } Chatham, }	Samuel Dearing.
Center Harbor,	Jonathan S. Moulton.
Conway,	Samuel Stark, Jr.
Dover,	James Bartlett.
	John Riley.
	Walter Sawyer.
	John Wheeler.
Durham,	Benjamin Kelly.
Eaton,	Stephen Danforth.
Effingham,	John Colley.
Farmington,	Joseph Hammond.
Gilford,	Lyman B. Walker.
Gilmanton,	Peter Clark.
	Stephen L. Greeley.
	Rufus Parish.
Lee,	Silas Noble.
Madbury,	Sargent Hanson.
Meredith,	Warren Lovell.
	Stephen Perley.
Middleton,	Jacob R. Pilsbury.
Milton,	Thomas Chapman.
Moultonborough,	Thomas Shannon.
New Durham,	Reuben Hayes, Jr.
New Hampton,	Washington Mooney.
Ossipee,	Moses Colby.
Rochester,	Joseph Cross.
	James Farrington.
Sanbornton,	Charles Lane.
	Samuel Tilton.
Sandwich,	Neal McGaffey.
	Johnson D. Quimby.
Somersworth,	John G. Chase.
	William W. Rollins.
Strafford,	Benning W. Jenness.
	Amos Tebbets.
Tamworth,	Benjamin Gilman, Jr.
Tuftonborough,	Jacob Burley.
Wakefield,	William Sawyer.
Wolfeborough,	Henry B. Rust.

MERRIMACK COUNTY.

Allenstown,	Sterling Sargent.
Andover,	James Tucker.
Boscawen,	John Farmer.
	John Greenough.
Bow,	Philip Colby.
Bradford,	Jason H. Ames.
Canterbury,	Joseph Lyford, Jr.
Chichester,	Samuel Sargent.
Concord,	Robert Ambrose.
	Richard Bradley.
	Samuel Herbert.
Dunbarton,	Edward Gould.
Epsom,	Hanover Dickey.
Fishersfield,	Israel Putnam.
Franklin,	Parker Noyes.
Henniker,	Jacob Rice.
Hooksett,	Asa Sawyer.
Hopkinton,	Horace Chase.
	Phinehas Clough.
Loudon,	Cyrus Tucker.
New London,	Anthony Colby.
Northfield,	Thomas Lyford.
Pembroke,	James Haselton.
Pittsfield,	John Jenness.
Salisbury,	Matthew P. Webster.
Sutton,	John Pressey.
Warner,	Nathan S. Colby.
	Abner B. Kelly.
Wilmot,	William Gay.

HILLSBOROUGH COUNTY.

Amherst,	David M. G. Means.
Antrim,	Samuel Fletcher.
Bedford,	Joseph Colley.
Brookline,	William S. Crosby.
Deering,	Robert Goodale.
Dunstable,	Benjamin F. French.
	James Osgood.
Francestown,	Daniel Fuller, Jr.
Goffstown,	Jesse Carr.
	Eliphalet Richards.
Greenfield,	Ephraim Holt.
Hancock,	Thatcher Bradford.

Hillsborough,	Franklin Pierce.
Hollis,	Benjamin M. Farley.
Litchfield,	Josiah Richardson.
Lyndeborough,	Samuel Hartshorn.
Manchester,	Amos Weston, Jr.
Mason,	John Stevens.
Merrimack,	James B. Thornton.
Milford,	Solomon K. Livermore.
Mont Vernon,	Aaron F. Sawyer.
New Boston,	Andrew Beard.
New Ipswich,	Stephen Wheeler.
Nottingham West,	Reuben Greeley.
Pelham,	Nehemiah Butler.
Peterborough,	John H. Steele.
Sharon,	James Law.
Society Land and)	James Perkins.
Windsor,)	Simon Farrar.
Temple,	Simon P. Colby.
Weare,	Daniel Paige, Jr.
Wilton,	Jonathan Burton.

CHESHIRE COUNTY.

Alstead,	Asa Wentworth, Jr.
Chesterfield,	Orlo Richardson.
Dublin,	Rufus Piper.
Fitzwilliam,	David Stone.
Gilsum,	Aaron Day.
Hinsdale,	Obed Slate.
Jaffrey,	William Ainsworth.
Keene,	Aaron Hall.
Marlborough,	James Wilson, Jr.
Marlow,	Joseph Frost.
Nelson,	Bethuel Farley.
Richmond,	Ezra Wardwell.
Rindge,	Jonathan Rawson.
Roxbury,	Samuel L. Wilder.
Stoddard,	Samuel Griffin.
Sullivan,	Danforth Taylor.
Surry,	Amos Wardwell.
Swanzy,	Samuel Robinson.
Troy,	Elijah Carpenter.
Walpole,	Daniel W. Farrar.
Westmoreland,	William G. Field.
Winchester,	Gaius Hall.
	Evi Pierce.

SULLIVAN COUNTY.

Acworth,	Stephen Carleton.
Charlestown,	Vryling Lovell.
Claremont,	Timothy Grannis.
	Godfrey Stevens.
Cornish,	Benjamin Chapman
Croydon,	Zina Goldthwait.
Goshen,	Reuben Willey.
Grantham,	Abiel Howard.
Langdon,	Joseph Currier.
Lempster,	Alvah Smith.
Newport,	Oliver Jencks.
Plainfield,	Charles Flanders.
Springfield,	John Quimby.
Unity,	James Neal.
Washington,	Alfred Gordon.
Wendell,	Joseph George.

GRAFTON COUNTY.

Bath,	John H. Carbee.
Bethlehem, Franconia } and Lincoln, }	William Kennedy.
Bridgewater,	Joseph Prescott.
Bristol,	Walter Sleeper.
Campton,	Ebenezer Little, Jr.
Canaan,	Nathaniel Currier.
Coventry,	Enos Wells.
Danbury,	Samuel Clifford.
Dorchester,	Caleb Blodgett.
Enfield,	John Jones.
Grafton,	Peter Sweatt.
Groton,	William Caldwell.
Hanover,	Jonathan Freeman, 2d
	Mills Olcott.
Haverhill,	Joseph Bell.
	Caleb Morse.
Hebron,	Robert Burns.
Holderness,	Benjamin Burlleigh.
Landaff,	Jonathan Brownson.
Lebanon,	Alpheus Baker.
	Roswell Sartwell.
Lisbon,	Cyrus Barclay.
Littleton,	David Rankin.
Lyman,	Barron Moulton.

Lyme,	David C. Churchill
	David Culver.
New Chester,	Samuel Murray.
Orange,	Azel Washburn.
Orford,	Lecnard Wilcox.
Peeling and } Ellsworth, }	Matthias Kimball.
Piermont,	Joseph Sawyer.
Plymouth,	Stevens Merrill.
Rumney,	Edward Webber.
Thornton,	William Thornton.
Warren,	Moses H. Clement.
Wentworth,	Aaron Currier.

COOS COUNTY.

Adams and } Bartlett, }	Robert P. Hodgdon.
Colebrook and } Columbia, }	Roswell Hobart.
Jefferson, Kilkenny, } Randolph, Bretton } Woods, and Nash and } Sawyer's Location, }	George P. Plaisted.
Lancaster,	Richard Eastman.
Milan, Northumberland } Piercy and Stratford, }	Samuel Porter.
Shelburne, Shelburne } Addition, Success and } Maynesborough, }	Barker Burbank.
Stewartstown, Dixville, } Millsfield, Errol and } College Grant, }	Jeremiah Lovering.
Whitefield and } Dalton, }	Asa Taylor.

[*First Session, Held at Concord, June 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 30, July 1, 2, 3, 4, 1829.*]

*CHAPTER 1.

State of }
New Hampshire. }

AN ACT IN FAVOUR OF PETER CHADWICK AND W. H. Y. HACKETT.

[Approved June 18, 1829. Acts, vol. 27, p. 1.]

Be it enacted by the Senate and House of Representatives in General Court convened, that Peter Chadwick be allowed the sum of three hundred & thirty six dollars & ninety nine cents in full of his account. And that W. H. Y. Hackett be allowed the sum of two hundred & twenty six dollars & thirty nine cents in full of his account and that said sums be paid out of the Treasury

CHAPTER 2.

State of }
New Hampshire. }

AN ACT IN FAVOR OF SAMUEL MORRILL.

[Approved June 18, 1829. Acts, vol. 27, p. 2.]

Be it enacted by the Senate and House of Representatives in General Court convened, that Samuel Morrill be allowed the sum of seventy four dollars and thirty eight cents in full of his account, and that said sum be paid out of the Treasury.

*The chapter numbers of acts for the years 1829, 1830 and 1831 are taken from the original acts. No chapter numbers are given in the original acts for the years 1832, 1833, 1834 and 1835.

CHAPTER 3.

State of }
New Hampshire. }

AN ACT DEFINING THE DUTIES OF COUNTY SOLICITORS.

[Approved June 22, 1829. Acts, vol. 27, p. 3. Session Laws, 1829, Chap. 3. Laws, 1830 ed., p. 71. This act repeals act of December 22, 1824, Laws of New Hampshire, vol. 9, p. 370. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That it shall be the duty of the several County Solicitors in this State, to take charge of all suits and prosecutions instituted in the name of the State, which may be pending in the Court of Common Pleas in their respective Counties; to prosecute or defend any suit in which the County to which they respectively belong may be a party or interested; to examine and audit all claims, which may be presented for allowance against their respective counties, and to tax all bills of cost in any suit or prosecution, in which their respective Counties or the State may be a party and to certify the same to the Court, which may be re-examined by the Court, and increased or diminished as justice may require, for which services the Solicitors shall receive by an order on the Treasurers of their respective counties such reasonable compensation as the Justices of the respective Courts at each term thereof shall direct.

Sec. 2. And be it further enacted, that an Act passed December 22, 1824, entitled "an act empowering the Justices of the Superior Court of Judicature to appoint Commissioners in certain cases, be, and the same hereby is repealed.

CHAPTER 4.

State of }
New Hampshire. }

AN ACT IN FAVOR OF EPHRAIM H. MAHURIN AND THOMAS BELLOWS.

[Approved June 22, 1829. Acts, vol. 27, p. 5.]

Be it enacted by the Senate and House of Representatives in General Court convened, that Ephraim H. Mahurin be allowed the sum of twenty one dollars and thirty six cents in full of his account, and that Thomas Bellows be allowed the sum of two dollars and sixty cents in full of his account, and that said sums be paid out of the Treasury.

CHAPTER 5.

State of)
New Hampshire.)

AN ACT IN FAVOR OF JOHN KELLY AND BENJAMIN B. FRENCH.

[Approved June 22, 1829. Acts, vol. 27, p. 6.]

Be it enacted by the Senate and House of Representatives in General Court convened, that John Kelly be allowed the sum of seven dollars and ten cents in full of his account, and Benjamin B. French be allowed the sum of ten dollars and fifty cents in full of his account, and that said sums be paid out of the Treasury.

CHAPTER 6.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE PROPRIETORS OF THE NORTH HAVERHILL SOCIAL LIBRARY.

[Approved June 22, 1829. Acts, vol. 27, p. 7.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Kimball, David Worthen and John C. Morse and their associates, be and hereby are made a corporation by the name of the Proprietors of the North Haverhill social Library to be established and kept at a place in Haverhill in the County of Grafton, commonly called North Haverhill, with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that John Kimball, David Worthen and John C. Morse or either two of them, may call the first meeting of said Corporation by advertisement to be posted up at two or more publick places in said Town of Haverhill, fourteen days before the day of holding such meeting, and the said Corporation may elect such officers and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the Government of said Corporation.

CHAPTER 7.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF CENTRE HARBOUR SOCIAL LIBRARY.

[Approved June 22, 1829. Acts, vol. 27, p. 8.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joshua Norris, John Thompson and Joseph Sturtevant and their associates be, and hereby are made a corporation, by the name of the Proprietors of Centre Harbour Social Library, to be established and kept in the Town of Centre Harbour, with all the powers and privileges incident to Corporations of a similar nature.

Sec. 2. And be it further enacted, That Joshua Norris, John Thompson and Joseph Sturtevant or any two of them, may call the first meeting of said Corporation, by advertisement, to be posted up at two or more publick places in said Centre Harbour, fourteen days before the day of such meeting—And the said Corporation may elect such officers and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said Corporation.

CHAPTER 8.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE EAST BOSCAWEN SOCIAL LIBRARY SOCIETY.

[Approved June 22, 1829. Acts, vol. 27, p. 9.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Wood, Benjamin Morrill and Jarvis Gregg and their associates, be and hereby are made a corporation by the name of the East Boscawen Social Library Society, to be established and kept in the easterly part of Boscawen, with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Samuel Wood, Benjamin Morrill, Jarvis Gregg or any two of them, may call the first meeting of said Corporation, by an advertisement to be posted up,

at two or more publick places in said Boscawen fourteen days before the day of such meeting—And the said Corporation may elect such officers and make and establish such by-laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said Corporation.

CHAPTER 9.

State of)
New Hampshire. \

AN ACT TO INCORPORATE THE LONDONDERRY UNION LIBRARY.

[Approved June 25, 1829. Acts, vol. 27, p. 11.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Fisher, John Holmes, Hugh Bartley, William Anderson 3rd and Robert Mack, their associates and successors are hereby made a corporation, by the name of the Proprietors of the Londonderry Union Library with power to hold personal estate, not exceeding one thousand dollars in value for the support of said library, and with all the powers incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that John Fisher, John Holmes, Hugh Bartley, William Anderson 3rd and Robert Mack or either three of them, may call the first meeting of said corporation by posting up a notice thereof at two public places in the town of Londonderry ten days prior to the time of holding the same.

CHAPTER 10.

State of)
New Hampshire. \

AN ACT TO INCORPORATE THE PROPRIETORS OF THE FIRST METHODIST MEETING HOUSE IN MARLOW.

[Approved June 25, 1829. Acts, vol. 27, p. 12.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Bethuel Farley, Peter Fox, Isaac Baker, Newell Brown, Jonathan Butler and their associates, proprietors of the first Methodist Meeting House in Marlow, be and hereby are incorporated and made a body corporate and politic, by the name of the proprietors of the first Methodist Meeting House in Marlow; and by that name may sue and be sued, prosecute and defend, to final judgement and execution; and shall

be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that said Bethuel Farley, Peter Fox, and Isaac Baker or any two of them, may call the first meeting of said corporation by posting a notice, expressing the time, place and design of said meeting, at two or more public places in said Marlow, at least three weeks prior to the day of holding the same—And said Corporation may at the same or any subsequent meeting, make such by laws, not repugnant to the constitution and laws of the State, and elect and appoint such officers and Agents, as they may think proper—provided that said corporation shall not have or exercise any powers or transact any business, other than to erect and keep in repair a Meeting house in Marlow and to use, occupy or alienate the same.

CHAPTER 11.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE JAFFREY FIRE ENGINE COMPANY.

[Approved June 25, 1829. Acts, vol. 27, p. 13.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Cutter, Luke How, David Gilmore, Isaac J. Fox their associates and successors be, and they hereby are incorporated and made a body politic by the name of the Jaffrey Fire Engine Company and by that name may sue and be sued, prosecute and defend to final judgement and execution and be known and distinguished in all their acts and proceedings; and they are hereby vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that said Company be, and hereby is authorised and empowered to purchase and hold real and personal estate, for the purposes of their association to any amount not exceeding one thousand dollars, and the same may sell, convey and dispose of at pleasure.

Sec. 3. And be it further enacted, That John Cutter, Luke How, Isaac, J. Fox or either two of them may call the first meeting of said Company at any suitable time and place in the town of Jaffrey in the County of Cheshire, by posting up notice thereof at three public places in said town fourteen days previous to said meeting, At which meeting the said members may choose a Clerk and agree on the manner of calling their annual and other meetings and the times and places of holding the same, and at the same time or at any subsequent meeting, may elect their officers and prescribe their

duties, may order assessments and fix the time of their payment; may pass by laws not repugnant to the laws of this State and annex penalties to the breach thereof, not exceeding five dollars for any one offence, and may do and transact any other business necessary to carry into effect the purposes of this act.

CHAPTER 12.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE FIRST UNION CONGREGATIONAL SINGING SOCIETY IN CHICHESTER.

[Approved June 25, 1829. Acts, vol. 27, p. 15.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ebenezer Lane Jun, Josiah S Staniels, Jonathan Marden and their associates be and hereby are made a corporation, by the name of the first Union Congregational Singing Society in Chichester, with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted that Ebenezer Lane Jun, Josiah S. Staniels and Jonathan Marden or any two of them may call the first meeting of said corporation, by advertisement to be posted up at two or more public places in said Chichester fourteen days prior to the day of such meeting, and the said corporation may elect such officers and establish such by laws and regulations, which may be by them deemed for the well government of the Society, not repugnant to the laws of this State.

CHAPTER 13.

State of)
New Hampshire. }

AN ACT TO ESTABLISH TIMES AND PLACES FOR HOLDING COURTS OF PROBATE IN THE COUNTY OF HILLSBOROUGH

[Approved June 25, 1829, Acts, vol. 27, p. 16. Session Laws, 1829, Chap. 9, Laws, 1830 ed. p. 562. See also acts of December 21, 1824, Laws of New Hampshire, vol. 9, p. 359; January 3, 1829, id., p. 930; July 4, 1833, *post*, and July 3, 1841, Session Laws, 1841, Chap. 626. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a Court of Probate in

and for the County of Hillsborough, shall be holden at the times and places following in every year. viz. At Amherst on the Monday preceding the first tuesday in May and on the first tuesdays of every month in the Year—At Francestown on the Wednesdays next after the first tuesdays of January, April, July and October—At Dunstable on the Wednesdays next after the first tuesdays of December and February—At Temple on the Wednesday next after the third tuesday of May and on the Wednesday next after the first tuesday of August—And at Goffstown on the Wednesdays next after the first tuesdays of June and September.

Sec. 2. And be it further enacted, that all acts and parts of acts heretofore passed so far as they establish other times and places for holding Courts of Probate in said County, be and the same are hereby repealed, after the first day of September next, at which time this act shall take effect and not before.

CHAPTER 14.

State of)
New Hampshire.)

AN ACT TO INCORPORATE WENDELL SOCIAL LIBRARY.

[Approved June 25, 1829. Acts, vol. 27, p. 17. See also act of December 1, 1804, Laws of New Hampshire, vol. 7, p. 317.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joseph George, Elijah George 2nd, John Colby and John Hopkins and their associates be and hereby are made a corporation by the name of Wendell Social Library to be established and kept in Wendell, with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. Be it further enacted, that Joseph George, Elijah George 2nd, John Colby and John Hopkins, or any three of them may call the first meeting of said corporation, by advertisements to be posted up in two or more public places in said Wendell, fourteen days before the day of such meeting, and the said corporation may elect such officers and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 15.

State of)
New Hampshire.)

AN ACT TO INCORPORATE JOHN L. CORLISS AND HIS ASSOCIATES BY
 THE NAME OF THE SOUTH HAVERHILL SOCIAL LIBRARY.

[Approved June 25, 1829. Acts, vol. 27, p. 18.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John L. Corliss, Stephen Farnsworth and Robert Ford and their associates, successors and assigns be and they hereby are made and constituted a corporation by the name of the South Haverhill Social Library in the town of Haverhill, and that said corporation have and enjoy all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that the said John L. Corliss, Stephen Farnsworth and Robert Ford or any two of them, shall have power to call the first meeting of said corporation by publishing a notice thereof stating the time and place of holding the same, in either of the Newspapers printed in Haverhill, fifteen days before said meeting, and the said Corporation shall have power to elect all such Officers and make and establish all such by laws, not inconsistent with the Constitution of this State, as may be necessary for the well-ordering and conducting the affairs of said corporation.

CHAPTER 16.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE WILTON MANUFACTURING COMPANY.

[Approved June 25, 1829. Acts, vol. 27, p. 19.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Adam Dickey, Abiel Lovejoy, Silas Bullard, Royal Wallace and Abraham Whittemore and their associates and successors, be and they hereby are, incorporated and made a body politic forever, by the name of the Wilton Manufacturing Company and in that name may sue, and be sued, prosecute and defend to final judgement and execution, and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature; and also may have and use a common seal, which they may break, alter or renew at pleasure.

Sec. 2. And be it further enacted, that the said Corporation be and the same is hereby authorised and empowered to carry on the manufacture of cotton, woollen and other goods, and such other branches of trade and manufacture as may be usefully carried on by said Corporation at Wilton in the County of Hillsborough, and may erect such mills, dams, works, machines and buildings as may be necessary for carrying on these useful manufactures and branches of business.

Sec. 3. And be it further enacted, that the said Corporation be, and the same is hereby authorised, to acquire by purchase or otherwise, and to hold and enjoy such real or personal estate as may be necessary or useful in conducting the business of said corporation and the same to sell, convey and dispose of at pleasure; provided the estate held by said corporation shall not exceed one hundred thousand dollars. And the said capital or joint stock may be divided into as many shares as the proprietors at any legal meeting shall agree and decide; and in like manner the proprietors may agree on the manner of transferring them; and may elect an Agent or Agents, and such other officers and servants as may be deemed necessary, and prescribe their respective duties; may order assessments and fix the time of their payment; may limit the amount which said assessments shall not exceed without the consent of all the proprietors; may pass by laws for their regulation and government, and may do and transact any other business in relation to the concerns and for the benefit of said corporation. All elections and all other questions, if required, shall be determined by a majority of votes present, or represented at any meeting, accounting and allowing one vote to each share in all cases, and all representations, shall be in writing signed by the person represented and filed with the clerk—provided however, that the stockholders may by their bye-laws limit the number of votes, to which any stockholder shall be entitled.

Sec. 4. And be it further enacted, that the shares in said corporation shall be liable and holden for all assessments legally made thereon, and upon the nonpayment of such assessments or any part thereof, within the time fixed for their payment, the Treasurer may proceed in the manner prescribed in the bye-laws of said corporation, to advertise and sell at public auction such delinquent shares, or so many of them as may be necessary to pay the sums due thereon, with incidental charges.

Sec. 5. And be it further enacted, that the said Adam Dickey, Abiel Lovejoy, or Silas Bullard may call the first meeting of the members of said corporation to be holden at any suitable time and place, by publishing a notice thereof in the Newspaper printed in Amherst in the County aforesaid, at least ten days before said meeting or by giving to said members personal notice thereof, at least five days prior thereto.

CHAPTER 17.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE WEARE UNION LIBRARY.

[Approved June 25, 1829. Acts, vol. 27, p. 22.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Osborn 2nd, Daniel Page Jun, Daniel Osborn and their associates and successors are hereby made a corporation by the name of the Weare Union Library, with powers to hold personal estate not exceeding one thousand dollars in value for the support of said Library, with all the powers incident to corporations of a similar nature.

Sec. 2. And be it further enacted that Samuel Osborn 2nd, Daniel Page Jun, and Daniel Osborn or either two of them may call the first meeting of said corporation by posting up a notice thereof at two public places in the town of Weare, at least ten days prior to the time of holding the same, and the said corporation may elect such officers, and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 18.

State of)
New Hampshire.)

AN ACT PRESCRIBING THE DUTY AND REGULATING THE OFFICE OF SHERIFF.

[Approved June 29, 1829. Acts, vol. 27, p. 23. Session Laws, 1829, Chap. 18. Laws, 1830 ed., p. 527. This act repeals acts of February 8, 1791, Laws of New Hampshire, vol. 5, p. 608; December 10, 1791, id., p. 785; December 13, 1796, id., vol. 6, p. 370; June 24, 1813, id., vol. 8, p. 259, and June 22, 1814, id., p. 331. See also acts of July 4, 1837, Session Laws, 1837, Chap. 323, and December 23, 1840, id., 1840, November session, Chap. 565. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That every Sheriff, who may hereafter be appointed, shall give a bond to the County, for which he may be appointed, in the sum of thirty thousand dollars, with sufficient sureties to be approved by the Justices of the Court of Common Pleas, for the faithful performance of the duties of his office; and such bond shall be deposited in the office of the Clerk of said Court for the same County—And no Sheriff shall be deemed

qualified to perform any duty of his office, untill he shall have given security as aforesaid. Provided however. that the Sheriff of the County of Grafton shall give such bond in the sum of twenty thousand dollars, and the Sheriff of the County of Coos in the sum of ten thousand dollars only.

Sec. 2. And be it further enacted, That the Justices of the Court of Common Pleas, at the term of said Court, which shall be holden in each County next after the first day of August annually, shall consider the sufficiency of the security given by the Sheriff of such County, now appointed, or who may be hereafter appointed, and if they shall determine the same to be insufficient, they shall cause a record of such determination to be made and a certified copy thereof to be forthwith served on such Sheriff; and if such sheriff shall neglect to give new security, which shall be made payable to the County, for which he is sheriff, to the satisfaction of said Justices, at or before the next term of said court for the same County, they shall forthwith certify the same to the Governor and Council; and the Governor, with advice of the Council, shall remove such sheriff from office; unless he shall, within twenty days after such certificate shall be made, give such new security to the satisfaction of the Governor and Council.

Sec. 3. And be it further enacted, That every sheriff shall have power to appoint so many deputies, as he shall think proper, by deputation in writing under his hand and seal, and not otherwise; and every such Deputy sheriff shall be sworn to the faithful discharge of the duties of his office, before some Justice of the peace, who shall certify the same upon such deputation—And the said deputation and certificate shall be recorded at length, in a book to be kept for that purpose by the Clerk of the Court of Common Pleas for the County, whose duty it shall be to record the same, upon request and payment or tender of twenty five cents; and no act of a Deputy sheriff, as such, shall be valid, until his deputation and the certificate thereon shall have been recorded as aforesaid; provided however that a service and return of any legal precept may be made by any person, by virtue of a special deputation endorsed on such precept, in such manner as has been heretofore in practice in this State.

Sec. 4. And be it further enacted, That any Sheriff may discharge from office any Deputy by him appointed, by writing under his hand and seal, which shall be served by some other Deputy Sheriff by reading the same or giving an attested copy thereof to the Deputy so discharged. And such discharge, with a certificate of the service thereof, shall be recorded in the same manner, and for the same fee, as is prescribed for the recording of deputations. And every sheriff shall be responsible for the official conduct of his deputies respectively, until such discharge and certificate of the service thereof shall have been recorded as aforesaid.

Sec. 5. And be it further enacted, That the Sheriff of every County, by himself or his Deputy shall serve and execute within his County all writs and precepts to him directed, issuing from lawful authority. And any Sheriff, deputy sheriff, or constable, who shall refuse or neglect to serve any legal precept, to him directed and delivered to serve and execute, his legal fees for serving and executing the same being tendered him in all civil cases, shall forfeit the sum of fifty dollars, to any person, who will sue for the same, and in case no person shall sue therefor within three months after such neglect or refusal, then the same may be recovered by indictment, for the use of the county, at any time within one year afterwards.

Sec. 6. And be it further enacted, That if any Sheriff or deputy sheriff shall, on demand made, refuse to pay to the creditor in any execution, all such sums of money, as the said Sheriff or Deputy shall have received on such execution, he shall forfeit and pay to the person, to whose use he received such money, five times the lawful interest thereof, so long as he shall detain the same after demand made.

Sec. 7. And be it further enacted, That every Sheriff, deputy sheriff, or other officer, in the execution of his office, for the preservation of the Peace or for apprehending or securing any person or persons violating the same, or for any other criminal matter or cause, be and hereby is empowered to require suitable aid and assistance in the execution of his said office; and if any person, when so required, shall neglect or refuse to give such aid or assistance, such person, on conviction thereof before any Justice of the peace, shall be fined to the use of the town, where the offence is committed, in a sum not exceeding ten dollars.

Sec. 8. And be it further enacted, That the Sheriff of each county shall have the custody, charge, and keeping of the gaol or gaols in his county, and of the prisoners therein, and shall keep the same, either by himself or his deputy, for whose doings he shall be responsible; and it shall be his duty to appoint one or more gaolkeepers, as occasion may require, with full power and whose duty it shall be, in case of the absence, death or other disability of such sheriff, to take all necessary care of the gaols and prisoners confined therein, as fully and amply to all intents and purposes, as such sheriff might or ought to do.

Sec. 9. And be it further enacted, That in case of the resignation, or removal from office of any sheriff or of the expiration of his term of office, he may execute all precepts then in his hands, and shall be held answerable for completing all business, which may have been committed to his care, and for the delivery to his successor of all prisoners, who may be in his custody; and for that purpose may detain such prisoners in his custody.

Sec. 10. And be it further enacted, That whenever a vacancy from any cause whatever shall happen in the office of sheriff of any

county, the deputies and gaolkeepers, appointed by him, shall continue in office and shall execute the same in the name of the said sheriff, until another is appointed and duly qualified and until they have completed all business, which may have been entrusted to them, before the person so appointed shall have been so qualified—Provided such appointment shall be made at the next meeting of the Governor and Council, after such vacancy shall happen. Provided also, that no deputy sheriff shall receive any business after the expiration of thirty days from the time such appointment shall have been made as aforesaid. And the defaults and misfeasances of such deputies and gaolkeepers, during the time aforesaid, shall be deemed a breach of their respective bonds to the sheriff, who shall have deceased, resigned, or otherwise ceased to hold his office: And the executor or administrator of a deceased sheriff shall have like remedy for such defaults and misfeasances, as such sheriff would have had, if he had continued in life and in the exercise of his office.

Sec. 11. And be it further enacted, That actions for the malfeasance, misfeasance or nonfeasance of any sheriff, or of any deputy sheriff, may be sued and prosecuted against the executors and administrators of such sheriff, or deputy sheriff, in the same manner, as if the cause of action survived against such executors or administrators at the common law.

Sec. 12. And be it further enacted, That when judgement shall be rendered against any person, holding the office of sheriff, either in his official or private capacity, for any sum of money, the execution thereon shall be against his goods, chattels and lands, and not against his body; and if such execution be returned unsatisfied, the creditor may file a certified copy of such execution, and the return thereon, with the Secretary of State, who shall thereupon issue a notification to said sheriff, informing him thereof, and of the day, when the same was filed. And if such execution remain ninety days unsatisfied, after such notification is served on said sheriff, the Governor, with advice of the council shall forthwith remove such sheriff from his office: And when any sheriff shall cease to hold his office, execution may issue against his goods lands and body, as in other cases.

Sec. 13. And be it further enacted, That any person injured by the breach of any sheriffs bond to the County, may cause a suit to be instituted on such bond, at his own cost, in the name of the county. Provided however, that no such suit shall be instituted on such bond by any person for his own use, until such person shall have recovered judgement against the sheriff, his executors or administrators, in an action brought for the default, malfeasance, misfeasance or nonfeasance of such sheriff, or his deputy.

Sec. 14. And be it further enacted, That it shall be the duty of the clerk of the court of Common pleas to deliver an attested copy of

any sheriff's bond, filed in his office, to any person applying and paying for the same, and such attested copy shall be received as evidence in any case. Provided nevertheless, that if in any suit the execution of the bond shall be disputed, the court may order the clerk to bring the original bond with him into court.

Sec. 15. And be it further enacted, That in every suit on such sheriffs bond, the declaration shall set forth the condition of the bond and assign the breach or breaches relied upon in the action and judgement in such suit shall not be a bar to any other action on such bond, assigning other breaches, and if, in any such suit, the defendant or defendants shall recover judgement for costs, execution shall not issue therefor against the county, but the endorser of the writ shall be liable to pay the same, and scire facias may be forthwith sued out against him; and if the plaintiff shall recover the judgement shall be rendered in favor of the County for the use of the person alleged in the declaration to be injured by the breach or breaches assigned therein, and such person shall be taken and deemed to be the creditor for every purpose whatever.

Sec. 16. And be it further enacted, That the sheriff of each county shall be accountable to the Treasurer thereof, for all fines and forfeitures set and imposed by the court of Common Pleas and by the Superior Court of Judicature. And the said sheriff shall, immediately on the receipt of such fine or forfeiture or immediately upon his voluntarily or negligently permitting any prisoner on whom the same was set or imposed, to escape, pay the same to the Treasurer of said county. And upon his neglect or refusal so to do, he shall forfeit and pay treble the amount of such fine or forfeiture, on action brought by such treasurer with double costs of suit, and such neglect of payment, notwithstanding such recovery by action shall be considered as a good ground of removal of such Sheriff from office. And the Clerks of each of said Courts shall, immediately on the rising thereof, make out and attest a list of all such fines and forfeitures, and deliver the same to the Sheriff, and a like attested list to such Treasurer; And when it shall appear to the Court of Common Pleas, that the fine or forfeiture for which any person shall be committed to the custody of the Sheriff, hath not been, and cannot be recovered of such person, they shall certify the respective Treasurers thereof, and such certificate shall bar any prosecution therefor. And if any clerk shall neglect his duty herein he shall forfeit the sum of twenty dollars, to any person, who will sue for the same, in the of Common Pleas to the sole use of the person suing therefor.

Sec. 17. And be it further enacted, That the sheriff of each county shall annually lay before the Justices of the Court of Common Pleas his account for all services, done by himself, or his deputies, for dispersing venires and proclamations and for all other services, by law to be paid out of the County Treasury, and such allow-

ance shall be made to him, as justice may require; and no account for any service of any sheriff or deputy sheriff, shall be considered as good against the County, unless the same be presented as aforesaid, within one year from the time of performing such service.

Sec. 18. And be it further enacted, That if any person, not being a sheriff, deputy sheriff, or other officer, whose duty it is to keep the peace, or apprehend persons for violating the same, shall falsely pretend to be any or either of said officers, and shall presume to act as such, or to require any other person or persons to aid or assist him, in any matter or thing belonging to the duty of a sheriff, deputy sheriff, or other officer as aforesaid, he shall, upon conviction of such offence, forfeit and pay a fine, not exceeding the sum of three hundred dollars, according to the nature and circumstances of his offence, at the discretion of the Court, before whom the conviction may be, one moiety to the use of the county, in which the offence is committed, and the other moiety to him or them, who shall prosecute for the same.

Sec. 19. And be it further enacted, That no Sheriff or deputy sheriff shall be suffered to appear in any court, or before any justice of the peace, as attorney to any party in a suit. And if any sheriff, or deputy sheriff shall make any process, writ, declaration, or plea, for any other person, the same shall be void.

Sec. 20. And be it further enacted, That an Act entitled "An Act prescribing the duty and regulating the office of Sheriff, passed February 8th 1791," an act entitled "An Act in addition to an act, entitled, An Act prescribing the duty and regulating the office of sheriff, passed June 24th 1813 an act, entitled, "An Act regulating suits on sheriffs bonds, passed June 22. 1814" an act, entitled, "An Act making provision in case of the death, resignation, or removal from office of the Sheriff of any county, passed December 10, 1791," and an act, entitled, "An Act to direct the mode of appointment of deputy Sheriffs within this State, and of their dismissal from office, passed December 13 1796" be and they hereby are repealed. Provided however, that any person injured, or who may be hereafter injured, by the breach of any sheriffs bond, to the Treasurer of this state, shall have the same remedy thereon, as if this act had not been passed; and all rights acquired, and all acts done, under and in pursuance of the acts aforesaid, shall remain unimpaired and in force, in the same manner, they would and ought, if said acts had not been repealed.

Sec. 21. And be it further enacted, That this act shall not take effect, untill the first day of December next.

CHAPTER 19.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NEW HAMPSHIRE SALT MANUFACTURING COMPANY.

[Approved June 29, 1829. Acts, vol. 27, p. 33.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Roswell Sartwell, Erastus Clark, Benjamin Green, their associates, successors and assigns, be, and they hereby are incorporated and made a body politic and corporate by the name of the New Hampshire Salt manufacturing Company; and by that name may sue and be sued, prosecute and defend to final judgement and execution; and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and hereby is authorised and empowered to purchase and hold real and personal estate, not exceeding in value one hundred thousand dollars, and the same to alienate and dispose of at pleasure; and also to purchase, construct and use such machinery and apparatus as may be necessary and useful in boring for salt water, and for the manufacture of salt, either by boiling, evaporation or otherwise.

Sec. 3. And be it further enacted, That any two of the persons herein before named may call the first meeting of said corporation, to be holden at any suitable time and place in Lebanon in the County of Grafton, by advertisement published in any of the Newspapers printed in Concord in the County of Merrimack, giving notice of the time, place and design of said meeting, at least twenty days prior thereto, or by personal notice given at least six days before said meeting. At which said first meeting, or at any future meeting, the said corporation may choose a clerk, who shall also be the clerk of the board of Directors appointed in pursuance of this act; and at the same or any subsequent meeting duly holden, may agree on the time of holding their annual meetings, and the manner of calling their annual and other meetings; may elect a board of Directors to consist of not less than three nor more than seven, to hold their Offices one year and until others shall be chosen in their stead; may elect a treasurer and such other subordinate officers and servants as may be deemed necessary for the prudent management of the affairs of said corporation; may divide their capital or joint stock into shares, and agree on the manner of transferring them; order assessments and fix the time of their payment; pass by laws for the regu-

lation and government of said corporation; provided they are not repugnant to the constitution and laws of this State, and do and transact any business necessary to carry into effect the purposes contemplated by this act. All questions shall be determined by a majority of votes, allowing one vote to each share, provided, no one stockholder shall be entitled to more than twelve votes and absent members may vote by proxy authorised by writing signed by the person represented, which writing shall be filed with the clerk.

Sec. 4. And be it further enacted, That the Directors chosen by virtue of this act, shall elect one of their own number to act as president to hold his office one year and untill another shall be chosen, and shall fill all vacancies happening in their board by death, resignation or otherwise; and shall have the general superintendence, care and management of the property, funds and affairs of the corporation; subject always to such regulations and restrictions as the said corporation may prescribe.

Sec. 5. And be it further enacted, That the shares in said corporation, shall be liable and holden for the payment of all assessments duly made thereon; and upon the nonpayment thereof within the time fixed therefor, the delinquent share or shares may be advertised and sold at public auction or so many of them as may be necessary to pay such assessments, with incidental charges under such regulations as the corporation by its by laws may prescribe.

Sec. 6. And be it further enacted, That the capital stock of said corporation actually employed for the purposes herein contemplated, and not exceeding the sum of twenty thousand dollars, shall be, and the same hereby is exempted from taxation for and during the term of twenty years from the passing hereof; and within that period there shall be no excise or duty imposed upon the salt manufactured by said corporation; and no excise or duty on such salt shall exceed ten cents a bushel thereafter.

CHAPTER 20.

State of }
New Hampshire. }

AN ACT IN FAVOR OF ROBERT E. PECKER.

[Approved June 29, 1829. Acts, vol. 27, p. 37.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Robert E. Pecker be allowed the sum of thirty dollars in full of his account, and that said sum be paid out of the Treasury.

CHAPTER 21.

State of }
New Hampshire. }

AN ACT DEFINING THE DUTIES OF TOWN CLERKS IN CERTAIN CASES.

[Approved June 29, 1829. Acts, vol. 27, p. 38. Session Laws, 1829, Chap. 20. Laws, 1830 ed., p. 424. See also act of July 1, 1825, Laws of New Hampshire, vol. 9, p. 443. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any town in this State shall not contain the constitutional number of legal voters to entitle such town to send a representative to the General Court—And when such town has been authorized by a special act of the Legislature to elect a representative, it shall be the duty of the town clerk of such town, authorized as aforesaid, to note on the margin of the certificate given to the Representative so elected, the time when said act was passed.

CHAPTER 22.

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF THE CIVIL LIST.

[Approved June 29, 1829. Acts, vol. 27, p. 39. Session Laws, 1829, Chap. 19.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor have and receive as a salary from June 1829 to June 1830 the sum of twelve hundred

dollars. That the Secretary have and receive as a salary for the same term, eight hundred dollars, in full compensation for all services by him rendered in the capacity of Secretary; and that all fees allowed him by law be paid into the Treasury, excepting those received for copies and certificates made by him for individuals for private purposes. That the Treasurer have and receive as a salary for the same term six hundred dollars. That the Adjutant and Inspector General have and receive as a salary for the same term four hundred dollars. That the Commissary General have and receive as a salary for the same term forty dollars. That each member of the Honorable Council receive two dollars per day during the session of the General Court; and two dollars and fifty cents per day, when the members shall be called together during the recess thereof and ten cents per mile for travel to and from the place of meeting. That the President of the Senate and Speaker of the House of Representatives each, receive two dollars and fifty cents per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting. That the members of the Senate and of the House of Representatives receive two dollars each per day during the sitting of the General Court and ten cents per mile for travel to and from the place of sitting. That the Clerks and Assistant Clerks of the Senate and of the House of Representatives receive two dollars and fifty cents each per day during the session of the General Court and be allowed one day extra for making up the rolls and filing the papers, and ten cents per mile for travel to and from the place of sitting.

CHAPTER 23.

State of)
New Hampshire.)

AN ACT TO INCORPORATE MERIDIAN SUN CHAPTER.

[Approved June 29, 1829. Acts, vol. 27, p. 41.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Prentice Cushing, Adam Dickey, Ira Bliss, Leonard W. Noyes, James Osgood and their associates and companions, and those who may hereafter become companions of Meridian Sun Chapter, be, and they hereby are made and constituted a body politic and corporate, forever, by the name and style of Meridian Sun Chapter at Dunstable, and by that name may sue and be sued, prosecute and defend to final judgement and execution, and may hold by purchase, gift, devise, or otherwise, real and personal estate, not exceeding in value five thousand dollars, and may

have and exercise all the privileges and be subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that Prentice Cushing, Adam Dickey, Ira Bliss, or any two of them may call the first meeting of said corporation, by publishing notice thereof in the *Nashua Gazette* a newspaper printed at Dunstable, at least ten days before said meeting, at which meeting or any other meeting, the said Corporation may adopt such regulations and by laws, as may be necessary to carry into effect the objects intended by this Act, and not repugnant to the constitution and laws of this State.

CHAPTER 24.

State of)
New Hampshire.)

AN ACT IN FAVOR OF WILLIAM BADGER AND OTHERS.

[Approved June 29, 1829. Acts, vol. 27, p. 42.]

Be it enacted by the Senate and House of Representatives in General Court convened, That William Badger be allowed the sum of four dollars and thirty two cents in full of his account, That Amos A. Brewster be allowed the sum of ten dollars in full of his account. That Jacob Whittemore be allowed the sum of three dollars and fifteen cents. in full of his account. That Gawen Gilmore be allowed the sum of five dollars and ten cents in full of his account. and that Clement Storer be allowed the sum of five dollars and twenty eight cents in full of his account. and that said sums be paid out of the Treasury.

CHAPTER 25.

State of)
New Hampshire.)

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED "AN ACT REGULATING LICENSED HOUSES" PASSED JULY 7. 1827.

[Approved June 29, 1829. Acts, vol. 27, p. 43. Session Laws, 1829, Chap. 27. Laws, 1830 ed., p. 485. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 684. See also acts of June 14, 1791, id., vol. 5, p. 752, and December 23, 1820, id., vol. 8, p. 999. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That every Justice of the Peace within his own County, be, and he hereby is authorized and empowered,

upon complaint to him duly made upon oath or affirmation for any violation of the Act, to which this is in addition, to issue his warrant, founded upon such complaint, under his hand and seal for the arrest and examination of any person or persons thus complained against—And it shall be the duty of such Justice, if he shall be of opinion after due examination, that said person thus arraigned is guilty to order such offender to enter into recognizance with two sufficient sureties in a sum not less than fifty dollars, nor more than one hundred dollars, to appear before the Superior Court of Judicature then next to be holden in the same County, and there to abide the order of said Court thereon; and to commit such defendant for a non-compliance with said order to the common Gaol in the same County.

Sec. 2. And be it further enacted, that the fifth section of said act to which this is an addition be, and the same is hereby repealed provided however, that all licences granted and all things done or processes pending by virtue of said section of said Act hereby repealed, shall be of the same force and validity and be carried on and completed in the same manner as if the said fifth section of said act, had not been hereby repealed.

CHAPTER 26.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT DEFINING THE JURISDICTION, POWERS AND DUTIES OF A JUDGE OF PROBATE—AND THE DUTIES, EXEMPTIONS AND LIABILITIES OF EXECUTORS, ADMINISTRATORS AND GUARDIANS IN CERTAIN CASES" PASSED JULY 2. 1822.

[Approved June 29, 1829. Acts, vol. 27, p. 45. Session Laws, 1829, Chap. 26. Laws, 1830 ed., p. 350. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 110. See also acts of June 21, 1820, id., vol. 8, p. 902; December 2, 1820, id., p. 923; July 3, 1822, id., vol. 9, p. 155; July 1, 1825, id., p. 438, June 30, 1826, id., p. 517, and June 27, 1835, *post*. Partly repealed by act of January 13, 1837, Session Laws, 1836, November session, Chap. 276. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any person holding the office of Judge of Probate in any County, shall be interested in any estate under administration in said County, as heir or legatee, the account of the executor or administrator on said estate shall be rendered before the judge of Probate of any adjoining County and settled by him in the same manner it would have been before said Judge of Probate if he had not been interested—And if any person appointed

executor or administrator on any estate, has been, or hereafter may be, appointed Judge of Probate for the County in which said estate is administered, before the same is fully settled, the said administration shall not thereby be revoked; but all matters and things whatever, relating to the administration and settlement of said estates shall be heard and determined by the Judge of Probate in any adjoining County in the same manner as they would have been heard and determined by said Judge of Probate, if he had not been interested.

Sec. 2. And be it further enacted, that any Judge of Probate in any County adjoining the County where the Judge of Probate may be interested or appointed as aforesaid on application to him made, be, and he hereby is authorised, empowered and required to hear and determine all matters brought before him in the cases before mentioned, at the times and places and with the same forms and effect, that the Judge of Probate for the County would have heard and determined the same, in case he were not disqualified as aforesaid— And the records in all such cases shall be kept and appeals claimed and allowed in the same manner, as if all such proceedings were had before the Judge of Probate in the County, where such matters may arise and be pending.

CHAPTER 27.

State of }
New Hampshire. }

AN ACT DECLARING THE MODE OF CONVEYANCE BY DEED.

[Approved June 29, 1829. Acts, vol. 27, p. 47. Session Laws, 1829, Chap. 25. Laws, 1830 ed., p. 533. This act repeals acts of February 10, 1791, Laws of New Hampshire, vol. 5, p. 652; December 24, 1799, id., vol. 6, p. 589, and July 2, 1822, id., vol. 9, p. 98. See also acts of July 1, 1829, *post*; June 22, 1832, *post*, and June 30, 1837, Session Laws, 1837, Chap. 340. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, Thatt all deeds or other conveyances of any lands, tenements, or hereditaments, lying in this State, signed and sealed by the party granting the same, having good and lawful authority thereunto, and signed by two or more witnessess, and acknowledged by such grantor or grantors before a Justice of the Peace, and recorded at length in the Registry of Deeds in the county where such lands, tenements or hereditaments lie, shall be valid to pass the same without any other act or ceremony in law whatever. And no deed of bargain and sale, mortgage or other conveyance in fee-simple, fee-tail or for term of life, or any lease for more than seven years from the making thereof, of any lands, tenements, or

hereditaments, in this State, shall be good and effectual in law to hold such lands, tenements or hereditaments, unless executed in manner aforesaid nor shall the same be good and effectual in law to hold such lands, tenements and hereditaments, against any other person or persons but the grantor or grantors, and their heirs only, unless the deed or deeds thereof be acknowledged and recorded in manner aforesaid. Provided nevertheless, That if any grantor or lessor of any lands, tenements, or hereditaments, refuse to acknowledge any deed by him or her subscribed, it shall be lawful for the grantee or lessee to put the same on record without any acknowledgement; and such deed, so recorded in the Registry of Deeds, shall be, for the space of sixty days from the time of recording, as good and effectual in law, to all intents and purposes, as though such deed were duly acknowledged. And provided further, That if any grantor or lessor of any lands, tenements or hereditaments, refuse to acknowledge any deed of bargain and sale, mortgage, or other conveyance as aforesaid, by him or her signed, or go beyond sea, remove out of the State, be dead, or non compos mentis, before the deed or conveyance by him or her signed be acknowledged as aforesaid; then, in every such case, the proof of such deed or conveyance, made by the oath of one or more of the subscribing witnesses, or in case such witnesses shall be dead, gone beyond sea, removed from the State, or be otherwise so situated that their testimony cannot be had, by the oath of two witnesses acquainted with the handwriting of the grantor or lessor, and of the subscribing witnesses, before the Justices of the Superior Court, or of the Court of Common Pleas, or before a Justice of the Peace and of the Quorum and a Clerk of either of said Courts, shall be equivalent to the acknowledgement of the grantor or lessor before a Justice of the Peace. But no deed shall be so proved, in any case where the grantor or lessor, residing in this State, has refused to acknowledge the same, unless notice, in writing, of the time and place of proving the same deed, signed by some Justice of the Peace, shall have been delivered to such grantor or lessor, or left at his last and usual place of abode, fifteen days prior to such time.

Sec. 2. And be it further enacted, That when any deed of bargain and sale, mortgage, or other conveyance of any lands, tenements, or hereditaments, shall be made by virtue of any power of Attorney, or instrument authorising any person to execute such deed or other conveyance, the said power or instrument being recorded in the office where the deed made by virtue thereof by law should be recorded, such power having been signed, sealed, and acknowledged, before a Justice of the Peace, by the party having lawful right to make the same, a copy thereof from the records shall be read in evidence in all cases where a copy of the deed made thereby may by law be admitted in evidence.

Sec. 3. And be it further enacted, That any purchaser or purchasers of any real estate, within any of the Counties in this State, may record his or their deed or deeds in any county, besides recording it in the County where such estate lies; and in case of misfortune to the original deed, and destruction of the records in the County where such estate lies, then an attested copy of such deed or deeds, produced from any of the other County records, shall be as authentic as copies from the Register's office in the county where such estate is situate.

Sec. 4. And be it further enacted, That the act entitled "An act declaring the mode of conveyance by deed" passed on the tenth day of February A. D. 1791, the act, entitled, "An act in addition to an act declaring the mode of conveyance by deed" passed on the twenty fourth day of December A. D. 1799, and the act, entitled, "An act in addition to and in amendment of an act declaring the mode of conveyance by deed, passed the tenth day of February A. D 1791" passed on the second day of July, A. D. 1822 be and the same hereby are repealed. Provided nevertheless, That the same acts shall continue and be in force in relation to all matters and things whatever, done and transacted before the passing of this act.

CHAPTER 28.

State of }
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITIA OF THIS STATE.

[Approved July 1, 1829. Acts, vol. 27, p. 51. Session Laws, 1829, Chap. 30.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the following sums be appropriated for the purposes herein mentioned; for the annual allowance to the companies of artillery four hundred and eighty dollars, for making regimental returns eighty dollars, for standards and colors twenty five dollars, for instruments of music one hundred dollars, for blanks and stationary one hundred dollars—And that said sums be paid out of any money in the Treasury not otherwise appropriated—And the Governor, with advice of the Council, is hereby authorised to issue his warrant on the Treasury in favor of the Adjutant General for the sums aforesaid; who is hereby required to apply the same for the purposes above specified, so far as may be necessary—and to render an account thereof to the Legislature.

CHAPTER 29.

State of {
New Hampshire. }

AN ACT TO INCORPORATE A TOWN BY THE NAME OF BERLIN.

[Approved July 1, 1829. Acts, vol. 27, p. 52. Session Laws, 1829, Chap. 29. Laws, 1830 ed., p. 314.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the tract of land now known and called by the name of Maynesborough situate in the County of Coos, shall hereafter be known by the name of Berlin and shall be a town by that name.

Sec. 2. And be it further enacted that the inhabitants of said township be, and they hereby are made a body politic and corporate, with all and the same rights, powers, privileges, immunities and liabilities of similar corporations in this State—And the said town of Berlin shall be classed for the purpose of electing a representative and shall be annexed to the same counsellor and senatorial districts, as the said Maynesborough was previous to the passage of this act.

Sec. 3. And be it further enacted, That for the purpose of duly organising said town a meeting of the inhabitants thereof legally qualified to vote in town affairs, shall be holden in said town on the first tuesday of September next, at which meeting Selectmen and all other necessary officers may be elected to continue in office untill others are chosen agreeably to the laws of this State—And that Benjamin Thompson, Thomas Ordway and Thomas Wheeler Jun. or any two of them be authorised to call said meeting of said inhabitants by giving such notice as is required for annual town meetings and it shall be the duty of said Thompson, Ordway and Wheeler or some one of them to attend and open said meeting and preside therein untill a Moderator be chosen.

CHAPTER 30.

State of)
New Hampshire.)

AN ACT RELATING TO THE POWERS OF PUBLIC NOTARIES AND THE
 PRESERVATION OF THEIR RECORDS.

[Approved July 1, 1829. Acts, vol. 27, p. 54. Session Laws, 1829, Chap. 36. Laws, 1830 ed., p. 536. This act repeals act of June 17, 1802, Laws of New Hampshire, vol. 7, p. 93. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all public notaries hereafter appointed shall be commissioned for the term of five years, and shall hold their office subject to be removed by the Senate upon an impeachment, or by the Governor with the consent of the Council, on the address of both houses of the Legislature, and shall be under oath for the faithful performance of the duties of the office.

Sec. 2. And be it further enacted, That all public notaries shall have in this State a concurrent power and authority with Justices of the peace to take and certify the taking of depositions in all cases, and to notify parties of the time and place of taking the same; and like power and authority to take acknowledgements of deeds and other instruments in writing; and their certificates of such acts shall have like validity and the same legal effect, to all intents, as certificates, of such official acts, made by Justices of the peace, now have, any law, usage or custom to the contrary notwithstanding.

Sec. 3. And be it further enacted, That when any public notary, practising, or who has practised in this State, shall remove out of the same, or resign his office, or from any cause, cease practising therein, it shall be his duty to deposit his notarial records, and papers filed in his office, in the office of the secretary of the State, where they shall thereafter be safely kept. And in case of the death of any notary, it shall be the duty of his heirs, executors or administrators, so to deposit his records and files; and on failure herein by any of the persons aforesaid, the Secretary of the state shall have power to demand and receive such records and papers, in whosever possession the same may be, and if any person possessed of such official records and papers, shall refuse to deliver them, when so demanded, he shall forfeit and pay the sum of one thousand dollars, to be recovered in a plea of debt in any court proper to try the same; one moiety to the use of the person, who shall sue for the same, the other moiety to the use of the county of which such notary was last an inhabitant. And all persons shall have free access to such records and files, when lodged in the office

of the Secretary of State, who is hereby authorized and required, to grant and certify copies of them under the seal of the State, which shall have the like validity and effect, as they would have, had they been certified under the seal of the notary himself.

Sec. 4. And be it further enacted, That an Act, entitled "An Act for providing for the preservation of the records and papers of public notaries, and for giving them further powers in certain cases, passed June 17, 1802. be and the same hereby is repealed, provided however, that this act shall not take effect untill the first day of December next.

CHAPTER 31.

State of }
New Hampshire. }

AN ACT TO PREVENT FRAUDS AND PERJURIES

[Approved July 1, 1829. Acts, vol. 27, p. 56. Session Laws, 1829, Chap. 35. Laws, 1830 ed., p. 535. This act partly repeals act of February 10, 1791, Laws of New Hampshire, vol. 5, p. 652. and wholly repeals preceding act of same date, id., p. 652. See also acts of June 29, 1829, *ante*, p. 30; June 22, 1832, *post*, and July 2, 1841, Session Laws, 1841, Chap. 600. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all leases, estates, interest of freeholds, or term of years, or any uncertain interest of, in or out of any messuages, lands, tenements or hereditaments made and created by livery and seizin only or by parcel and not in writing signed by the parties so making or creating the same or by their agents, thereunto lawfully authorized by writing, shall have the force and effect of leases or estates at will only and shall not either in law or equity be deemed or taken to have any other or greater force. And no leases, estates, or interests either of freehold or term of years or any uncertain interest of, in or out of any messuages, lands, tenements or hereditaments shall be assigned, granted or surrendered unless by deed or note in writing signed by the party so assigning, granting or surrendering or by their agents thereunto lawfully authorized and empowered, by writing, or by act or operation of law.

Sec. 2. And be it further enacted, That all grants and assignments and all declarations and creations of trusts or confidences of any lands, tenements or hereditaments shall be manifested and proved by some writing signed by the party, who is by law enabled to declare such trust or by his last will in writing, or else they shall be utterly void and of no effect. Provided always, That where any conveyance shall be made of any land, tenements, or hereditaments,

by which a trust or confidence shall arise or result by the implication or construction of law or be transferred or extinguished by act or operation of law, then, and in every such case, such trust or confidence shall be of the like force and effect, as the same would have been if this act had not been made: any thing therein contained to the contrary notwithstanding.

Sec. 3. And be it further enacted, That no action shall be maintained upon any contract for the sale of lands, tenements, or hereditaments, or any interest in or concerning them, unless the agreement upon which, such action shall be brought, or some memorandum thereof be in writing, and signed by the parties to be charged therewith, or signed by some other person thereunto lawfully authorized by writing.

Sec. 4. And be it further enacted, That no action shall be brought, whereby to charge any executor or administrator upon any special promise to answer damages out of his own estate or whereby to charge the defendant upon any special promise to answer for the debt, default or miscarriage of another person, or to charge any person upon an agreement made upon consideration of marriage, or upon any agreement that is not to be performed within the space of one year from the time of making it, unless such promise or agreement, or some memorandum or note thereof, be in writing and signed by the party to be charged therewith, or by some other person thereunto by him lawfully authorized.

Sec. 5. And be it further enacted, That no contract for the sale of any goods, wares, and merchandise, for the price of thirty three dollars and thirty three cents or upwards, shall be allowed to be good, except the buyer shall accept part of the goods so sold, and actually receive the same, or give something in earnest to bind the bargain, or in part payment, or unless some note or memorandum in writing of the said bargain be made and signed by the parties to be charged by such contract, or their agents thereunto lawfully authorized.

Sec. 6. And be it further enacted, That the three first sections of the act, entitled "An Act declaring the mode of conveyance by deed" passed on the tenth day of February, A. D. 1791, and the act, entitled, "An act to prevent frauds and perjuries" passed on the tenth day of February A. D. 1791, be and the same hereby are repealed. Provided nevertheless, That the same shall continue and be in force, in relation to all matters and things whatever done and transacted before the passing of this act.

CHAPTER 32.

State of }
New Hampshire. }

AN ACT INCORPORATING CERTAIN PERSONS BY THE NAME OF THE
 FRANCETOWN ENGINE COMPANY.

[Approved July 1, 1829. Acts, vol. 27, p. 60.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Peter Woodbury, James W. Hazeltine, Peter Clark, Herbert Vose, Isaac Guild, Sidney Bingham, Daniel Bixby, their associates and successors be, and hereby are incorporated and made a body politic and corporate forever, by the name of the Francetown Engine Company, and by that name may sue and be sued, plead and be impleaded and shall be and hereby are vested with all the powers and privileges, which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation be and hereby are authorized and empowered to purchase and hold in fee simple or otherwise in the town of Francetown so much real estate as may be necessary for the erection of suitable buildings, and other property or estate not exceeding in value one thousand dollars for purchasing, maintaining and keeping in repair suitable engines and apparatus for the extinguishing of fires and carrying into effect the objects of said corporation.

Sec. 3. And be it further enacted, That the said Peter Woodbury, James W. Hazeltine and Peter Clark or either two of them be, and they hereby are authorized and empowered to call the first meeting of said corporation by giving three days personal notice to the members thereof, or by posting up in some public place in said Francetown a notification of said meeting at least seven days previous thereto—And the said corporation at that, or at any subsequent meeting may agree upon the times and places of holding future meetings, and the method of calling the same, and may also elect such officers, make and establish such by laws, rules and regulations as they may think necessary and proper for their government and for the management of their concerns—provided such rules and by laws be not repugnant to the constitution and laws of this State.

CHAPTER 33.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE TOWN OF WATERVILLE.

[Approved July 1, 1829. Acts, vol. 27, p. 62. Session Laws, 1829, Chap. 28. Laws, 1830 ed., p. 314.]

Whereas a number of the inhabitants of Gilliss and Foss grant, have presented to the General Court a petition for an act to be incorporated as a separate town and the prayer thereof appearing reasonable, therefore;

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court, convened, That there be and hereby is a town erected and incorporated by the name of Waterville with the following bounds, viz, beginning at the Northwest corner of the town of Sandwich, thence east on said Sandwich north line seven hundred and sixty two chains and fifty links to a stone standing on the west line of the town of Burton, marked S. and B. thence, north on said Burton west line four hundred and eighteen chains to a spruce tree marked, thence west seven hundred and ninety chains and fifty links to the north east corner of a peice of land granted by the State of New Hampshire to John Raymond, which corner is on the southerly line of a peice of land granted by said State to Hatch and Cleave's, thence south eighteen degrees east one hundred and twenty eight chains to a spruce tree marked, thence south seventy two degrees west eighty chains to the easterly line of Thornton, thence south ten degrees east on said Thornton line three hundred and seventy six chains to the north east corner of the town of Campton, adjoining the west line of Sandwich, thence north on said Sandwich west line ninety five chains to the bound began at; and that the inhabitants, who now reside or may hereafter reside within those bounds aforesaid, be and hereby are made and constituted a distinct body politic and corporate by the name of Waterville to have continuance and succession forever and vested with all the rights, powers, privileges and immunities which other towns in this State enjoy.

Sec. 2. And be it further enacted, That Moses Foss Junior, Hugh M^cCauley, Ayers Worth, Noah Danford and Elias Swain or any three of them may call the first meeting of said Waterville by giving such notice of the time, place and design of said meeting as the law requires for calling town meetings, and either of said persons may preside at such meeting until a moderator shall be chosen and all town officers necessary and proper may be chosen at such meeting, who shall be sworn and have all the powers and

be subject to all the liabilities by law appertaining to such town officers.

Sec. 3. And be it further enacted, That the proportion of public taxes for said town of Waterville shall be the same as is now fixed by law as the proportion of "Foss and Gillis' grant"; and that said town is hereby annexed to the County of Grafton, and shall constitute a part thereof; shall be annexed to the Senatorial District numbered twelve, and to the District for the choice of Counsellor numbered five; and the companies in said town shall constitute a part of the fourteenth regiment of militia in this State.

CHAPTER 34.

State of)
New Hampshire. }

AN ACT FURTHER TO EXEMPT THE NEW HAMPSHIRE IRON FACTORY COMPANY FROM TAXES, EXCEPT IN CERTAIN CASES FOR THE TERM OF FIVE YEARS FROM AND AFTER THE EIGHTEENTH DAY OF JUNE 1830.

[Approved July 1, 1829. Acts, vol. 27, p. 64. See also acts of December 21, 1805, Laws of New Hampshire, vol. 7, p. 440; June 18, 1810, id., p. 868; June 16, 1814, id., vol. 8, p. 305; June 29, 1818, id., p. 740; June 11, 1819, id., p. 755; June 29, 1819, id., p. 808; June 14, 1825, id., vol. 9, p. 389; June 30, 1860, Session Laws, 1860, Chap. 2447; July 4, 1861, id., 1861, Chap. 2560, and August 9, 1881, id., 1877-81; p. 598.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the forges, furnaces and machinery which said company have erected and now own, or may hereafter erect and own together with the ore hill, or mine from which supplies of ore may be taken for the use of said company, be and the same hereby are exempted from taxation for the term of five years from and after the eighteenth day of June A. D. one thousand eight hundred and thirty

CHAPTER 35.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE HANDEL AND HAYDN MUSICK SOCIETY IN BRADFORD.

[Approved July 1, 1829. Acts, vol. 27, p. 65.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Bartholomew Smith, Joel Gay and Jonathan Hoyt and their associates and successors be, and

hereby are made a corporation by the name of Handel and Haydn Musick Society in Bradford and the said corporation is hereby empowered to hold and possess personal estate not exceeding five hundred dollars in value and is vested with all the powers, rights and privileges incident to such corporations.

Sec. 2. And be it further enacted that Bartholomew Smith, Joel Gay and Jonathan Hoyt or any two of them, may call the first meeting of said corporation, by advertisement to be posted up at two or more public places in said Bradford ten days prior to the day of such meeting; and the said corporation may elect such officers and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 36.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE CHESHIRE COUNTY LIBRARY.

[Approved July 1, 1829. Acts, vol. 27, p. 66.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joel Parker, Charles G. Adams, Elijah Parker and their associates be, and hereby are made a corporation by the name of the Cheshire County Library to be established and kept in Keene with all the powers and privileges incident to corporations of a similar nature.

Sec. 2 And be it further enacted, That Joel Parker, Charles G. Adams, Elijah Parker or any two of them may call the first meeting of said corporation by advertisement inserted in either of the newspapers published in Keene ten days before the day of such meeting, and the said corporation may elect such officers and make and establish such by laws and regulations not repugnant to the laws of this State as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 37.

State of)
New Hampshire.)

AN ACT TO INCORPORATE BELKNAP CHAPTER No. 8.

[Approved July 2, 1829. Acts, vol. 27, p. 67.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Dunster, John H. White, James B. Varney, John Tapley, Moses Paul and Cyrus Goss and their associates and companions, and those who may hereafter become companions of Belknap Chapter, be and they hereby are made and constituted a body politic and corporate forever, by the name and style of Belknap Chapter N^o eight, and by that name may sue, and be sued, prosecute and defend to final judgement, and execution and may hold by purchase, gift, devise or otherwise, real and personal estate, not exceeding in value, five thousand dollars, and may have and exercise all the privileges, and be subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Samuel Dunster, John H. White and James B. Varney, or any two of them, may call the first meeting of said corporation by publishing notice thereof, in one of the Newspapers printed at Dover, at least ten days before said meeting, at which meeting or any other legal meeting, the said corporation, may adopt such regulations and by laws as may be necessary to carry into effect the objects intended by this act and not repugnant to the laws and constitution of this State.

CHAPTER 38.

State of)
New Hampshire.)

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE LITERARY ADELPHI OF THE ACADEMICAL AND THEOLOGICAL INSTITUTION AT NEW HAMPTON.

[Approved July 2, 1829. Acts, vol. 27, p. 69. See also act of June 27, 1853, Session Laws, 1853, Chap. 1491.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Jonathan E. Farnum, Edmund Worth Junior, John W. Rand and their associates and successors be and they hereby are made a corporation by the name of the Literary Adelphi of the Academical and Theological Institution

at New Hampton and by that name may sue and be sued, plead and be impleaded and shall have power to take, receive, and hold and to dispose of at pleasure, books and other property designed for the mutual improvement of the members of said corporation in literature, science and morals not exceeding in value at any one time the sum of one thousand dollars and said corporation may elect all such officers and make and establish all such by laws not repugnant to the laws of this State, as may be deemed necessary for the government and regulation thereof and shall have and enjoy all the powers, privileges and immunities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Jonathan E. Farnum, Edmund Worth Junior and John W. Rand or any two of them may call the first meeting of said corporation by posting up advertisements thereof at three or more public places in the town of New Hampton at least twenty days prior to the time of holding the same.

CHAPTER 39.

State of }
New Hampshire. }

AN ACT TO INCORPORATE LIBANUS LODGE N^o FORTY NINE IN SOMERSWORTH.

[Approved July 2, 1829. Acts, vol. 27, p. 70.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Asa Perkins, Noah Martin and Zenas Crowell and their associates, and all persons who may hereafter become members of said Lodge be, and they hereby are incorporated and made a body corporate and politic forever by the name of Libanus Lodge, number forty nine in Somersworth—And the said body corporate is hereby empowered to hold and possess real and personal estate not exceeding one thousand dollars in value and is vested with all the powers, rights and privileges incident to such corporations.

Sec. 2. And be it further enacted, That said Asa Perkins, Noah Martin and Zenas Crowell or any two of them may call the first meeting of said corporation at such time and place, and in such manner as they may think proper, and said corporation may at said meeting, elect such officers and establish such by laws, rules and regulations, as may be deemed necessary for the government of said Lodge, and for carrying into effect the objects of this act not inconsistent with the constitution and laws of this State.

CHAPTER 40.

State of {
New Hampshire. }

AN ACT TO INCORPORATE THE CONCORD AQUEDUCT ASSOCIATION.

[Approved July 2, 1829. Acts, vol. 27, p. 71.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Low, Jacob B. Moore, Stephen Brown, Joseph Low, their associates, successors and assigns be, and they hereby are incorporated and made a body politic and corporate by the name of the Concord Aqueduct Association, and by that name may sue and be sued, prosecute and defend to final judgement and execution, and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and hereby is authorized and empowered to take water from any fountain or fountains in the vicinity of Concord Village in the County of Merrimack and to convey the same by subterranean pipes, or otherwise, to any house, or other place in said village, and for this purpose to purchase and hold real and personal estate not exceeding at any time two thousand dollars in value, and the same to alienate and dispose of at pleasure: Provided always, that said corporation, before taking the water from any fountain, or conveying it across any land not owned by said corporation, shall agree with the owner or owners of such fountain or land and make such compensation for the privilege or damage as the said corporation and the said owner or owners may mutually agree upon.

Sec. 3. And be it further enacted, That any three of the persons herein before named may call the first meeting of said corporation to be holden at any suitable time and place in Concord aforesaid by advertisement in either of the newspapers published therein, giving notice of the time, place and design of said meeting at least seven days prior thereto, or by giving personal notice at least three days before said meeting: At which said first meeting, or at any adjournment thereof, the said corporation may choose a clerk, and at the same or any subsequent meeting, duly holden, may agree on the time of holding their annual meeting, and the manner of calling the same and other occasional meetings, may elect all necessary officers, agents and servants, may divide their capital or joint stock into shares, and agree on the manner of transferring them, may order assessments and fix the time of their payment, may pass by laws and annex penalties to the breach thereof, not exceeding five dollars for any one offence, and do and transact any business

necessary to carry into effect the purposes of this act. All questions shall be determined by a majority of votes, accounting one vote to each share, and absent members may vote by proxy authorised in writing signed by the person represented, which writing shall be filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments, duly made thereon, and upon the nonpayment thereof within the time fixed therefor, the delinquent share or shares may be sold at public auction, or so many of them as may be necessary to pay such assessments with incidental charges under such regulations as the corporation by its by laws may prescribe

CHAPTER 41.

State of }
New Hampshire. }

AN ACT REGULATING THE ASSIGNMENT OF DOWER.

[Approved July 2, 1829. Acts, vol. 27, p. 74. Session Laws, 1829, Chap. 37. Laws, 1830 ed., p. 538. This act repeals acts of February 9, 1791, Laws of New Hampshire, vol. 5, p. 647, and December 13, 1804, id., vol. 7, p. 348. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when the heir or other person having the freehold shall not set out and assign to the widow of any deceased husband her dower or just third part of and in all lands, tenements and hereditaments; whereof she is by law dowable within one month after she shall have demanded the same; then such widow may sue for and recover the same by writ of dower, to be therefor sued out against the tenant in possession or such person or persons as have or claim to have right as aforesaid in such lands, tenements or hereditaments in manner and form following, (viz)

The State of New Hampshire

R ss To the sheriff of said County of R or his Deputy.
 Greeting

We command you that you summon A. B of (if he may be found in your precinct, to appear before our Justices of our to be holden at within and for our said County of R on the tuesday of then and there in our said Court to answer unto C. D. of who was the wife of E. F. late of deceased, in a plea of dower wherein the said C. D. demands against the said A. B. her reasonable dower of the endowment of the said E. F. of and in a certain whereupon the said C. D. complains and

says that the said E. F. deceased, heretofore the husband of the said C. D was seised in his demesne as of fee of the premises during the coveture of her the said C. D with the said E. F. (viz) on and that since the decease of the said E. F. and more than one month before the suing out of this writ, (viz) on she the said C. D. demanded of.....to set out and assign to her the said C. D. her reasonable dower of the endowment of the said E. F. deceased in the premises, yet the said.....hath not hitherto set out and assigned to her the said C. D her reasonable dower aforesaid but hath defered and and still defereth her thereof. To the damage of the said C. D. as she says the sum of dollars, which shall then and there be made to appear with other due damages and have you there this writ with your doings therein. Witness at the day of..... in the year of our Lord 18 N. A. Clerk

Sec. 2. And be it further enacted, That upon judgment being given for any woman to recover her dower in any lands, tenements or hereditaments reasonable damages by her sustained by reason of such dower not being set out and assigned to her, after demand thereof being made, shall be adjudged to her and a writ of seizin shall issue in manner and form following, (viz)

The State of New Hampshire

R ss. To the Sheriff of said County of R
or his deputy.
Greeting

Whereas C. D of who was the wife of late of deceased by the consideration of our Justices of our Court of holden at within and for our said county of on the said tuesday of recovered against A. B of judgment for and seizin of such part of a certain with the appurtenances as will produce a yearly income equal to one third part of the yearly income thereof on the day of as her reasonable dower of the endowment of the said E. F. deceased her late husband. And also recovered judgement for the sum of damages by her sustained by reason of being kept out of her dower aforesaid and costs of suit taxed at of all which execution remains to be done. Therefore we command you that without delay you cause the said C. D. to have full seizin of such part of the premises as will produce a yearly income equal to one third part of the yearly income thereof on the said day of to hold to her in severalty by metes and bounds. We also command you that of the goods, chattels or lands of the said A. B. within your precinct at the value thereof in money you cause the said C. D. to be paid and satisfied the several sums aforesaid adjudged to the said C. D. for her damages and costs aforesaid together with

cents more for this writ: and thereof also to satisfy yourself for your own fees and charges; and for want of such goods, chattels or lands of the said A. B. to be by him shown unto you or found within your precinct to the acceptance of the said C. D. to satisfy the sums aforesaid, we command you to take the body of the said A. B. and him commit to our gaol in _____ and detain in your custody within our said gaol until he pay the several sums aforesaid with your fees or that he be discharged by the said C. D. or otherwise by order of law. Hereof fail not and make return of this writ with your doings therein unto our said Court of _____ to be holden at _____ within and for our said county of _____ upon the _____ day of _____ next

Witness _____ Esquire at _____ the _____ day
of _____ in the Year of our Lord 18 _____

N. A. Clerk

Sec. 3. And be it further enacted, That the sheriff or his deputy to whom such writ is directed shall cause such woman's dower or just third part of and in such lands, tenements or hereditaments to be set off by three reputable freeholders of the neighborhood who shall be sworn before a Justice of the Peace to set off the same equally and impartially and as convenient as may be to the respective parties. And the doings of any two of such freeholders in setting off such dower shall be valid and sufficient provided the three shall have attended and acted in the business.

Sec. 4. And be it further enacted, That no woman shall be entitled to dower in any lands whereof her husband was seized during the coverture unless such lands were in a state of cultivation during such seizin, or were used or kept as a wood or timber lot and occupied with or as appurtenant to some farm or tenement at the same time owned by such husband.

Sec. 5. And be it further enacted, That when any man, who has been seized of lands, tenements or hereditaments and has lost or parted with his title thereto shall die and leave a widow having right of dower therein, such widow shall be endowed of so much thereof and no more as will produce a yearly income equal to one third part of the yearly income thereof at the time her husband lost or parted with his title thereto. And every widow having right of dower in any lands, tenements or hereditaments, whereof her husband was seized at the time of his decease shall be endowed of so much thereof and no more as will produce a yearly income equal to one third part of the yearly income thereof at the time of her husband's decease.

Sec. 6. And be it further enacted, That where a woman can not be conveniently and equitably endowed by metes and bounds of any lands, tenements or hereditaments she shall be endowed thereof in a special and certain manner as of the third part of the rents,

issues, or profits thereof to be computed and ascertained in manner aforesaid. And no woman shall commit any strip or waste upon any lands, tenements or hereditaments whereof she shall be endowed: but every such woman shall maintain such lands, tenements and hereditaments with the appurtenances thereof in good and sufficient repair during her estate therein; and shall so leave the same at the expiration of her estate therein; and shall be liable to respond in damages to the owner or owners of the reversion, for any strip or waste by her done or suffered thereupon.

Sec. 7. And be it further enacted, That the act entitled "An act for the convenient and speedy assignment of dower" passed February 9. 1791 and the act entitled "an act relating to dower" passed December 13. 1804 be and the same are hereby repealed—provided however that all rights vested and all things done and process pending by virtue of the acts hereby repealed shall be of the same force and validity, and be carried on and completed in the same manner as if this act had not been passed.

CHAPTER 42.

State of }
New Hampshire. }

AN ACT IN FAVOR OF ELEAZER TAFT.

[Approved July 2, 1829. Acts, vol. 27, p. 80.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Eleazer Taft be allowed the sum of nine dollars in full of his account, and that said sum be paid out of the Treasury

CHAPTER 43.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF THE FIRST CONGREGATIONAL CHURCH FUND IN KEENE

[Approved July 2, 1829. Acts, vol. 27, p. 80.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Fisher, Eliiah Dunbar and Collins H. Jaquith their associates and successors be and hereby are made a body corporate and politic forever, by the name of the Trustees of the first congregational church fund in Keene

and by that name shall be known in law, and said corporation are hereby vested with all the powers, rights and privileges, and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation at any meeting duly notified and holden for that purpose may establish such rules and by laws for the government of said corporation as they may deem proper and expedient to carry into effect the objects intended by this act, provided the same are not repugnant to the laws of this State

Sec. 3. And be it further enacted, That said corporation be, and hereby is empowered to receive, hold and dispose of at pleasure real and personal estate not exceeding in value at any one time the sum of Three thousand dollars, for the uses following, (viz) for defraying the ordinary expenses of the church, for establishing and supporting a sabbath school library, for the releif of the unfortunate and such like charitable purposes.

Sec. 4. And be it further enacted, That Thomas Fisher, Elijah Dunbar and Collins H. Jaquith or any two of them may call the first meeting of said corporation at such time and place as they may deem proper, by publishing a notice thereof in either of the Newspapers printed in Keene, ten days previous to the time of holding said meeting.

CHAPTER 44.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE SEABROOK SOCIAL LIBRARY.

[Approved July 2, 1829. Acts, vol. 27, p. 82.]

Sec. 1. Be it enacted by the Senate and house of Representatives in General court convened that John Philbrick, Dudley S. Locke, Ebenezer French their associates and successors are hereby made a corporation by the name of the Seabrook social library with power to hold personal estate not exceeding five hundred dollars in value for the support of said library with all the powers incident to corporations of a similar nature.

Sec 2. And be it further enacted that John Philbrick Dudley S. Locke, Ebenezer French or either two of them may call the first meeting of said corporation by posting up a notice thereof at two public places in the town of Seabrook fifteen days prior to the time of holding the same and the said corporation may elect such officers and make and establish such by-laws and regulations not repugnant to the laws of this state as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 45.

State of {
New Hampshire. }

AN ACT PROVIDING FOR THE REGULATION AND GOVERNMENT OF THE
STATE PRISON.

[Approved July 3, 1829. Acts, vol. 27, p. 83. Session Laws, 1829, Chap. 51. Laws, 1830 ed., p. 518. This act repeals acts of June 19, 1812, Laws of New Hampshire, vol. 8, p. 115; June 27, 1818, id., p. 724, and June 22, 1820, id., p. 910. Partly repealed by act of January 13, 1837, Session Laws, 1836, November session, Chap. 301. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the senate and house of representatives in general court convened, That criminals, convicts, sentenced to confinement to hard labour, for life, or any other term, or to solitary imprisonment and hard labour, shall be imprisoned, restrained, and employed, in and within the precincts of the State prison, situate in Concord in the County of Merrimack: and the court, before whom such conviction may be, are hereby authorised and empowered, by their order on the Sheriff of the county, where any such conviction is had, to cause all such convicts, as soon as conveniently may be after sentence, to be removed from any gaol in said county to the State prison. And the Sheriff of the county, in which said conviction may be had, is hereby authorised, by himself or his deputies, to remove such convicts to the state prison accordingly, and deliver the same into the custody of the warden thereof: and the said Sheriff and his deputies shall have all the power of Sheriffs and deputies in all counties in this State, which he may enter into or pass through, for the purpose of conveying such convicts to the state prison as aforesaid: and it shall be the duty of the clerk of the court, before whom such conviction is had to make out and deliver to the Sheriff of the county, a copy of the said conviction, and judgment and order thereon, who shall have an attested copy thereof, with a copy of his return endorsed thereon, with the warden of the State prison: and the said Sheriff shall make due return to the court of his service of their said order.

Sect. 2. And be it further enacted, That it shall be the duty of the warden of said prison, to receive such persons, as may be convicted, and sentenced to confinement to hard labour, or solitary imprisonment or both, and all such convicts safely to keep pursuant to their sentence until the same be performed or they be otherwise discharged by due course of law.

Sect. 3. And be it further enacted, That the governor by and with the advice and consent of the council, be and hereby is authorised to appoint and commission during pleasure, a suitable person as warden of said prison, who shall have the care, custody, rule and

charge of the same, and of all persons confined therein, and of all lands, buildings, machines, implements, tools, materials stock and provisions, appurtenant, or belonging to the same, or the precincts thereof, And he shall also be commander of the military force for guarding said prison. And he shall be treasurer of said prison, and receive, pay out and be accountable for, all the money granted for maintaining the same, or derived from manufactures, and all other concerns of the prison; and he shall cause regular entries to be made by the clerk in the books of the prison of all the pecuniary and other necessary concerns, of the establishment; and it shall be his duty, at the commencement of every June session of the general court, to render to said court a fair account of all the expenses and disbursements, and of all the receipts and profits on account of said prison and a statement of its general affairs. And the said warden shall give bond to the state in the sum of twenty thousand dollars, with sufficient surety, to be approved by the governor and council, upon condition, that said warden shall faithfully perform all the duties incumbent on him as warden of said prison.

Sect. 4. And be it further enacted, That the governor and council for the time being may appoint during pleasure all such officers, agents and servants as they may deem necessary for the well ordering upholding and maintaining the state prison, and may define their powers, prescribe their duties and ascertain and fix their compensations, and may make, ordain, and establish all such rules, bylaws, orders and regulations not repugnant to the laws of the state as they may from time to time see fit, for the government and direction of the said warden and other officers, agents and servants of said prison, and as may be proper for the maintainance and instruction of the convicts, and for the purchase of all materials, machines tools and implements, provisions medicines and clothing for the use of the officers agents and convicts, and for the sale and disposition of any articles, tools, and manufactures, which belong to said prison: and they shall have the sole and exclusive power of directing all matters and things relating to said prison, the officers agents and servants thereof, and all convicts therein, and may make such contracts for boarding clothing and supporting the convicts in said prison and for the income and profit of their labour, as they see fit; and may make such additional buildings and alterations within the limits of the prison as they see fit.

Sect. 5. And be it further enacted, That the governor by and with the advice and consent of the council, be and hereby is authorised from time to time to draw his warrant upon the treasurer of this state in favour of said warden for such sum at any one time as they may deem proper for all monies which may be appropriated by the legislature for the support of the State prison. And the governor and council for the time being with the justices of the superior court of judicature, be and they are hereby constituted visitors of

the state prison, and it shall be their duty annually, and as much oftener as they think proper, to visit the prison, and to see, that all laws and resolutions bylaws and regulations, mad for the government and upholding of said prison, are duly observed and executed; and the governor and council are further, from time to time authorised to raise, appoint and employ a military guard, to consist of such officers and privates as they may deem requisite for the safe keeping and employment of the convicts.

Sect. 6. And be it further enacted, That if the warden or any other person employed in the government of the state prison aforesaid, shall fraudulently contrive, procure, aid, connive at or otherwise voluntarily suffer the escape of any convict therein committed under sentence of confinement as aforesaid, every such person on due conviction shall be punished by solitary confinement for a term not exceeding six months, and by confinement to hard labour for a term not exceeding twenty years, at the discretion of the court.

Sect. 7. And be it further enacted, That if the warden or any other person employed as aforesaid shall negligently suffer any convict committed and in custody as aforesaid under sentence of solitary imprisonment to be at large without the cell or apartment assigned to such convict or to be there visited, conversed with, comforted, or relieved contrary to the rules and regulations of said prison, or shall negligently suffer such convict, or any convict there committed, under sentence of confinement to hard labor, to be at large without the precincts of said prison, or, contrary to the rules thereof, to be out of close confinement, the warden or any other person, so neglecting his duty in the premises, being thereof duly convicted, shall be punished by a fine not exceeding five hundred dollars.

Sect. 8. And be it further enacted, That if any person shall forcibly or fraudulently rescue, or attempt to rescue any convict, from the custody of any officer, or other person authorised, or empowered by any order of commitment as aforesaid, or from the state prison, or from any other prison or gaol, when such convict may be lawfully committed, pursuant to any sentence of solitary imprisonment, or confinement to hard labor, or shall convey to any convict in custody or committed as aforesaid, or into said state prison, or any other prison, any tool, instrument, weapon or other aid with intent to enable such convict to escape, or to procure the escape of any convict; whether such escape be effected or not, every person so offending being duly convicted thereof shall be punished by solitary imprisonment not exceeding six months and by confinement to hard labor not exceeding ten years or at the discretion of the court, may be punished by a fine not exceeding five hundred dollars and by binding to good behaviour, for a term not exceeding three years according to the nature and aggravation of the offence.

Sect. 9. And be it further enacted, That if any convict, committed to said state prison under sentence of confinement to hard

labour during life, shall assault the warden, or other person employed in the government thereof, or shall forcibly attempt to break from said prison, every such convict so offending, upon due conviction thereof, shall and may be punished by solitary confinement, not exceeding six months, and shall be afterwards then holden in custody upon such former sentence; and every person being under confinement as aforesaid, who shall escape from said prison, shall for every such offence be further sentenced to solitary imprisonment for a term not exceeding six months.

Sect. 10. And be it further enacted, That if any convict, committed to said state prison under sentence for a limited time, shall assault the warden, or any other person employed in the care, custody, rule, or charge of said state prison, or shall attempt by violence to escape therefrom, every such convict so offending, upon due conviction thereof, shall be punished by solitary imprisonment, not exceeding six months, in addition to any former like sentence, or to precede the fulfilment of any former sentence to hard labor, as the case may be; and at the discretion of the court, may be further punished by hard labour for a term not exceeding ten years, to commence after such solitary imprisonment, or after any former sentence shall be fulfilled, as the case may be.

Sect. 11. And be it further enacted, That it shall be the duty of the said warden to receive such persons, as may be convicted before any Court of the United States, at any term thereof holden within this state, and sentenced to confinement and hard labour by any such court, and to the said warden delivered by the marshall of the district or his deputy, and all such convicts safely to keep, pursuant to their sentence, untill they shall be discharged by due course of the laws of the United States.

Sect. 12. And be it further enacted, That the Warden aforesaid shall receive eight hundred dollars annually in full compensation for all services by him rendered in that office and the governor and council shall receive a suitable compensation for their services.

Sect. 13. And be it further enacted, That it shall be the duty of the warden, by and with the advice and consent of the governor and council, to offer such encouragement and indulgences, as may be deemed consistent, to those convicts who distinguish themselves by a quiet and ready obedience to the rules and orders, made for the government of the prison, by submission to the officers thereof and by their industry and faithfulness, in executing the daily task assigned them, and the warden is hereby empowered, with the consent of the governor and council, to punish by solitary imprisonment, not exceeding thirty days at any one time, all such prisoners confined to hard labor, as shall be guilty of insolence and ill language to any of the officers of the prison, or of obstinate and refractory behaviour.

Sect. 14. And be it further enacted, That the warden of said prison shall by warrant under his hand appoint a deputy to exercise

and perform under his principal the powers and duties of warden, for whose acts and doings the said warden shall be answerable, and upon the death removed, or resignation of the warden, his deputy and all other officers concerned in the government, guard, and custody of said prison, shall continue to exercise their respective offices, and shall have full power and authority so to do, until a warden be duly appointed and commissioned.

Sect. 15. And be it further enacted, That, when judgment shall be rendered against any person, holding the office of warden of the State prison, for any sum of money, the execution thereon shall be against his goods, chattels, and lands, but not against his body: and if such execution be returned unsatisfied, the creditor may file a certified copy of such execution and the return thereon, with the secretary of the state, who shall thereupon issue a notification to said warden, informing him thereof, and of the day, when such execution was filed. And if such execution remain ninety days unsatisfied, after such notification is served on said warden, the governor and council shall forthwith remove such warden from his office: and when any warden shall cease to hold his office, execution may then issue against his goods, lands and body as in other cases.

Sect. 16. And be it further enacted, That if any convict sentenced to solitary imprisonment, or confinement to hard labor, shall, at the time of such sentence, be in custody of the sheriff on any civil process, either mesne or final, it shall be the duty of the Sheriff, on the delivery of such convict to the custody of the warden, to leave with the warden attested copies of any such process, by virtue of which said convict may be in his custody. And it shall be the duty of the warden to keep and detain said convict, by virtue of said process, as well as by virtue of the sentence to solitary imprisonment, or confinement to hard labor. And if at the expiration of the term, for which said convict was sentenced, such process shall not be withdrawn, discharged, satisfied, or annulled, the said warden shall still detain said convict thereon, until he be discharged or remanded, whence he came, by due course of law.

Sect. 17. And be it further enacted, That an act, entitled, An Act providing for the regulation and government of the state prison, passed June 19, 1812., an act, entitled, An Act in addition to an act, entitled, An Act providing for the regulation and government of the State prison, passed June 27, 1818, and an act, entitled, An act in amendment of an act, entitled, an act providing for the regulation and government of the state prison, passed June 22, 1820, be and they hereby are repealed: provided however, that all acts done and all rights acquired under or by virtue of said acts shall remain unimpaired and in force in the same manner as if this act had not been passed.

Sect. 18. And be it further enacted, That this act shall not take effect until the first day of December next.

CHAPTER 46.

State of ()
New Hampshire.)

AN ACT REGULATING THE OFFICE OF CORONER.—

[Approved July 3, 1829. Acts, vol. 27, p. 93. Session Laws, 1829, Chap. 45. Laws, 1830 ed., p. 541. This act repeals acts of June 10, 1791, Laws of New Hampshire, vol. 5, p. 547; June 19, 1817, id., vol. 8, p. 608; June 13, 1823, id., vol. 9, p. 179; June 20, 1827, id., p. 585, and June 28, 1827, id., p. 618. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the senate and house of Representatives, in General Court convened, That all Coroners, hereafter appointed, shall be commissioned for the term of five years, and shall hold their offices, subject to be removed upon an impeachment by the senate, or by the Governor with consent of the Council, on the address of both Houses of the Legislature.

Sect. 2. And be it further enacted, That every Coroner before he enters upon the duties of his office, shall be sworn to the faithful discharge thereof, and shall give a bond to the county for which he shall be commissioned, in the penal sum of five thousand dollars, conditioned for the faithful discharge of the duties of his office, with sufficient sureties to be approved by the justices of the Court of Common Pleas of the county, and to be kept by the Clerk of the same Court. And any person, injured by the breach of said bond, may commence and maintain an action thereon, in the same manner he might do, upon the bond given by the Sheriff of any county, if he were injured by the breach thereof.

Sect. 3. And be it further enacted, That it shall be the duty of the Coroner, and he is hereby empowered, to serve and execute all writs and processes, directed unto him, where the sheriff is a party; and the Coroner shall return talismen where the sheriff is a party interested, or related to either party and in all such causes, the Coroner shall attend the jury, and shall have for all services enjoined on him in this section, the same fees as are by law allowed to Sheriffs for similar services.

Sect. 4. And be it further enacted, That it shall be the duty of the Coroner to take inquests of the violent deaths committed, or casual deaths happening, within the county for which he is commissioned; but no such inquest shall be taken, except by the consent, in writing, of the major part of the Selectmen of the town in which the dead body of the person, supposed to have come to his or her death by violence or casualty, shall be found.

Sect. 5. And be it further enacted, That when any Coroner shall be informed of the dead body of any person, supposed to have come

to his death by violence or casualty, found or lying within his county, it shall be his duty, after having obtained the consent of the Selectmen as aforesaid to convene before him, by summons, at a certain time and place, three reputable freeholders, one of whom shall be a Justice of the Peace, as Jurors, to inquire in what manner the person, so found dead, came to his death. And every such freeholder, summoned as aforesaid, who shall, without reasonable excuse, fail of appearance, shall forfeit the sum of ten dollars, to be recovered by action of debt, before any Justice of the Peace in the county where the same shall accrue, one half to the use of the prosecutor, and the other half to the use of the county.

Sect. 6. And be it further enacted, That the Jurors, summoned as aforesaid, shall be sworn, in view of the body; and the Coroner shall give them a charge, upon their oaths, to declare of the death of the person, whether he died of felony, or mischance, or accident; and if of felony, whether of his own, or of another; and if of the felony of another, who were principals, and who were accessories; with what instrument he was struck or wounded, and so of all prevailing circumstances, that may come by presumption; and if he died of his own felony, then to inquire of the manner, means, or instrument, and of all circumstances concerning it; and if he died by mischance, or accident, whether by the act of man, and whether by hurt, fall, stroke, drowning, or otherwise; to inquire of the persons, who were present, the finders of the body, his relations, and neighbours, whether he was killed in the same place, where he was found; and if elsewhere, by whom, and how he was brought from thence; and of all the circumstances relating to the said death.

And the Jury, being charged, shall stand together; and the Coroner shall cause proclamation to be made, for all persons, who can give evidence, how and in what manner, the person, then and there lying dead, came to his death, to draw near, and they shall be heard.

And every Coroner is further empowered to summon and if necessary, to grant compulsory process for the appearance of witnesses, and to administer an oath to such witnesses; and the testimony of such witnesses shall be drawn up in writing, and subscribed by them; and if the testimony of any witness or witnesses charge any person with killing, or being in any way instrumental to the death, of the person, so found dead, the Coroner shall bind such witnesses, by recognizance, in a reasonable sum, for their personal appearance at the next Superior Court of Judicature, to be holden within and for the same County, there to give evidence accordingly; and if any such witness shall refuse to recognise as aforesaid, the Coroner shall and may commit such witness to the common gaol of the county.

And the Jury, having viewed the body, heard the evidence, and made all the inquiry within their power, shall draw up and deliver

to the Coroner their verdict upon the death under consideration, in writing, under their hands; and the Coroner shall set his hand and seal thereto.

And the Coroner shall return to the next Superior Court of Judicature, holden in the same County, the inquisition, written evidence, and recognizance, if any by him taken.

Sect. 7. And be it further enacted, That upon any inquisition, found before any Coroner, of the death of any person by the felony or misfortune of another, such Coroner shall speedily inform one or more of the Justices of the Peace of the same county thereof, to the intent, that the person killing, or being in any way instrumental to the death, may be apprehended, examined and secured, in order for trial.

Sect. 8. And be it further enacted, That the following forms, in substance shall be used in the cases to which they apply—

Form of summons to Jurors.

State of New Hampshire.

.....ss. To of in said county
 LS Greeting.

In the name of the State of New Hampshire, you are hereby required to appear before me one of the Coroners of the county of.....at the dwelling house of (or at a place called.....) in.....in said county, on the.....day of.....at.....o'clock in the noon; then and there to inquire upon a view of the body of , there lying dead, how and in what manner he came to his death. Fail not of appearance, at your peril.

Given under my hand and seal, at in said county, the day of A. D. 18.....

Form of the oath to be administered to the Jurors.

You solemnly swear, that you will diligently enquire, and due presentment make, in behalf of this State, how and in what mannerwho here lies dead, came to his death; and that you will deliver to me....., one of the Coroners of this County a true inquest thereof, according to such evidence as shall be laid before you, and according to your knowledge. So help you God.

Form of the oath to be administered to the witnesses.

You solemnly swear, that the testimony, which you shall give to this inquest, concerning the death of..... here lying dead, shall be the whole truth and nothing but the truth. So help you God.

Form of the Inquisition.

State of New Hampshire } An Inquisition, taken at _____, in
ss. } the county of _____, the _____ day of
 _____, in the year of our Lord _____, before _____,
 one of the Coroners of said county of _____, upon the view of
 the body of _____, there lying dead, by the oaths of _____,
 a Justice of the Peace for said county and of _____ and

_____, all reputable freeholders, who being sworn and charged
 to inquire for the State, when, how, and by what means, the said
came to his death, upon their oaths do say, (then insert,
 how, where, when, and by what means, with what instrument, he
 was killed; and if it appears, that he was murdered by a person
 known, then the inquisition should be concluded thus—)

So the Jurors aforesaid, upon their oaths aforesaid, do say, that
 the said _____, in manner and form aforesaid, the aforesaid
 _____, then and there, of his malice aforethought, did kill
 and murder against the peace and dignity of the state. (If it ap-
 pears to be self-murder, then the Inquisition shall conclude thus—)

And so the Jurors aforesaid, upon their oaths aforesaid, do say,
 that the said _____, in manner and form aforesaid, then and
 there voluntarily and feloniously, as a felon of himself, did kill and
 murder himself, against the peace and dignity of the State.

(If it appears, that the death was by misfortune, the Inquisition
 must conclude thus—)

And so the Jurors aforesaid, upon their oaths aforesaid, do say,
 that the said _____, in manner aforesaid, came to his death
 by misfortune.

(If the death was occasioned innocently, by the hands of another
 person, the Inquisition must conclude thus—)

And so the Jurors aforesaid, upon their oaths aforesaid, do say
 that the aforesaid _____, the aforesaid _____, by mis-
 fortune, and contrary to the will of the said _____, in mann-
 er and form aforesaid, did kill and slay.

In witness whereof, the said Jurors have hereunto set their hands,
 the day and year above written.

L. M.

N. O. &c

In witness of all above written, the said Coroner hath hereunto
 set his hand and seal, the same day and year. A. B. (Seal)

SECT 9. And be it further enacted, That every Coroner, within
 the county for which he is commissioned, after taking an inquest of
 the violent or casual death of any stranger, shall bury the dead body
 in a decent manner, and the expenses thereof shall be paid to said
 Coroner out of the treasury of the county, on his account for such

expenses being examined and allowed by the Justices of the Superior Court.

Sect. 10. And be it further enacted, That an act, entitled, "An Act regulating the office of Coroner," passed June 10, 1791—an act, entitled, "An Act declaring the tenure of the office of Coroner" passed June 19, 1817—an act, entitled, "An Act in addition to and in amendment of an act, passed June 10, 1791, entitled, "An Act regulating the office of Coroner" passed June 13, 1823—an act, entitled, "An Act in addition to the acts relating to the office of Coroner," passed June 20, 1827—and an act entitled, "An act limiting the term of the office of Coroner and Notary Public, and for other purposes," passed June 28, 1827—be, and they hereby are repealed.

Sect. 11. And be it further enacted, That this act shall not take effect until the first day of December next.

CHAPTER 47.

State of)
New Hampshire.)

AN ACT AUTHORIZING THE SUPERIOR COURT OF JUDICATURE TO MAKE PARTITION OF REAL ESTATE.

[Approved July 3, 1829. Acts, vol. 27, p. 101. Session Laws, 1829, Chap. 50. Laws, 1830, ed., p. 459. This act repeals act of June 26, 1810, Laws of New Hampshire, vol. 7, p. 900. See also acts of February 4, 1789, id., vol. 5, p. 392, and June 16, 1831, *post*. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Superior Court of Judicature be, and hereby is authorized and empowered upon the application of any persons or party interested with others in any real estate, made as herein after directed, at any term of said court in the county where such real estate lies; to cause partition thereof to be made and the share or shares of the persons or party making such application to be divided and set off from the rest by a committee of three or more freeholders, not exceeding five, resident in the county in which such real estate is situated. And such division and partition being made and returned to the court, under the hands of the committee or a majority of them upon oath to their fidelity and impartially therein, and approved and allowed by the Court, and recorded by the clerk thereof and also recorded in the registry of deeds in the County where such real estate lies shall be valid and effectual to all intents and purposes, it appearing that all the committee attended and acted in the business.

Sec. 2. And be it further enacted, That all applications for such partition shall be by petition in writing particularly describing the estate for the partition of which the application is made and the share or shares therein of the persons or party making such application. And if the persons or party interested in such estate with the persons or party applying for partition thereof be known to the persons or party so applying, they shall be named in the petition, but if unknown said estate shall be described in such petition in the same manner as the law requires in the case of taxing unimproved lands of non resident proprietors specifying the share or shares severally claimed by the persons or party petitioning and stating the same are held by such persons or party together with others to them unknown.

Sec. 3 And be it further enacted, That such petition shall be served upon the persons or party therein named as interested with the persons or party petitioning in the same manner that writs of summons may by law be served upon such persons or party. And if it shall appear by said petition, that the persons or party petitioning claim to hold any share or shares in the estate therein described together with others to them unknown, the court shall not proceed to order such partition to be made at the term of the Court, at which the application is made, but shall order the petition to be continued to the next term; and shall further order the persons or party petitioning to give notice to all interested, by causing a copy of the petition and order of court thereon to be published in some newspaper printed in the county where such estate lies or in some adjoining county, if no newspaper be printed in the County, where such estate lies, three weeks successively, the last publication to be at least six weeks, before the term of the court to which the petition is continued. And the Court shall not cause such partition to be made until such order of notice has been fully complied with.

Sec. 4. And be it further enacted, That if any persons or party interested in any such petition, shall appear and make answer thereto and object to the partition prayed for being made, such answer or objection shall be in writing in form, of a plea drawn up, with legal certainty, to which the persons or party petitioning may reply or demur, so that the matter in dispute may be reduced to an issue in law or fact, and receive a determination by the court or jury, in the same manner other issues are determined. And if such issue be determined in favor of the persons or party petitioning the court shall render judgment that partition be made, and shall cause the same to be done accordingly, and shall award costs to the persons or party petitioning against the adverse party, and issue execution therefor, in form by law prescribed in other cases. But if on trial of such issue, it be determined that the persons or party petitioning have no right or share in the estate described in such petition, or

hold a less right or share than is alleged in such petition, the adverse party shall recover costs against them. But in case it shall be determined, that the persons or party petitioning have any right or share in the estate described in the petition, the court may render judgment that partition be made, and cause the share or shares in such estate of right belonging to the persons or party petitioning to be set off and assigned to him or them, to hold the same in severalty, and in case the persons or party petitioning shall fail to enter such petition before the court at the term to which it is preferred; the court shall on complaint made allow costs to the persons or parties upon whom such petition shall have been duly served, and may issue execution or executions therefor. And if the persons or party petitioning, after the entry of any such petition, shall fail to prosecute the same the court shall allow costs to the adverse party or parties and issue execution or executions therefor.

Sec. 5. And be it further enacted, That if any infants or persons otherwise incapacitated to take care of their estates, shall be named in such petition, the court shall not proceed to order partition to be made, until guardians shall have been appointed for them according to law. And the court may, whenever in their opinion the circumstances of the case render it expedient, appoint an agent or agents to be aiding and advising in relation to such partition in behalf of such persons or parties as may be unknown. And when any persons or party named in such petition, shall be absent from home at the time, such petition shall have been served upon him or them by leaving a copy thereof at his or their last and usual place of abode, and shall not be returned before the sitting of the court to which the petition is preferred, and no one shall appear for him or them, the court shall order the petition to be continued to the next term of the court, and shall also order such further notice to be given of the pendency of such petition, as they, all circumstances considered, shall think proper; and shall not proceed to order partition to be made, until satisfactory evidence be produced that personal notice has been had.

Sec. 6. And be it further enacted, That every committee, appointed by virtue of this act shall, before they proceed to make partition, cause a notice in writing, signed by the chairman, in which shall be mentioned the time when and the place where they will proceed to make partition, to be given to or left at the last and usual place of abode of all persons or parties named in the petition or otherwise known to the committee seven days at least before the time appointed for making such partition. And when it shall appear by any such petition, that any persons or party interested were unknown to the persons or party petitioning, at the time of making the petition, and such then unknown persons or party shall not have been made known to the committee, the committee shall cause notice

as aforesaid to be published in some newspaper printed in the county where such estate lies, or if no newspaper be printed in the county where the estate lies, then in some newspaper printed in an adjoining county three weeks successively before the time appointed for making such partition.

Sec. 7. And be it further enacted, That it shall be the duty of every committee making such partition, to consider and adjust the costs and charges of making the same, and to apportion the same in such manner, as they may deem just and equitable, among or in favor of or against the several persons or parties interested, or any of them and to report thereon to the court, and their report being accepted, the court shall render judgment and issue execution accordingly.

Sec. 8. And be it further enacted, That in case it shall become necessary to give any notice required by this act to a corporation or body politic, it shall be sufficient if such notice be served upon the officer or officers thereof, or upon the person or persons upon whom the petition in the case wherein such notice is requisite, might legally be served.

Sec. 9. And be it further enacted, That the act entitled "An Act in addition to an act for the more easy partition of lands and other real estate passed the 26th day of June 1810 be and the same is hereby repealed. Provided nevertheless, that all things done, and all rights acquired, and process pending by virtue of said act, shall be of the same force and validity, and be carried on and completed in the same manner, as if this act had not been passed.

CHAPTER 48.

State of }
New Hampshire. }

AN ACT MAKING MEMBERS OF MUTUAL FIRE INSURANCE COMPANIES COMPETENT WITNESSES IN CERTAIN CASES.

[Approved July 3, 1829. Acts, vol. 27, p. 107. Session Laws, 1829, Chap. 56. Laws, 1830 ed., p. 44. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, any member of any incorporated Mutual Fire Insurance Company in this State, shall, and may be, admitted as a competent witness, and his deposition used, in any case, in which the company is interested, in the same manner as inhabitants of towns are now admitted, and their depositions used.

CHAPTER 49.

State of {
New Hampshire. }

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved July 3, 1829. Acts, vol. 27, p. 108. Session Laws, 1829, Chap. 53.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names, which by this act, they are respectively allowed to assume (viz) Sherburne Tilton Jun of Bridgewater may take the name of Sherburne Webster Tilton, and Jonathan Evans Dalton of Warner may take the name of John Evans Dalton, and Mary Leathers of Farmington may take the name of Mary Wilson; and Hannah Leathers of Farmington may take the name of Hannah Wilson; and Moses Greeley Jun. of Nottingham West may take the name of Moses Thomas Derbe Greeley; and Lois Keniston of Wolfborough may take the name of Lois Adams, And Ebenezer Keniston of Wolfborough may take the name of Ebenezer Adams: and David Keniston of Wolfborough may take the name of David Adams, and Jefferson Keniston of Wolfborough may take the name of Jefferson Adams; and Durell Keniston of Wolfborough may take the name of Durell Adams, and Mary Keniston of Wolfborough may take the name of Mary Adams, and Lucinda Keniston of Wolfborough may take the name of Lucinda Adams, and Daniel Leathers of Chichester may take the name of Daniel Wilson, and Betsy Leathers of Chichester may take the name of Betsy Wilson, and Isaac Leathers of Chichester may take the name of Isaac Wilson and Edward Leathers of Chichester may take the name of Edward Wilson, and Silas Leathers of Chichester may take the name of Silas Wilson, and Elizabeth Leathers of Chichester may take the name of Elizabeth Wilson; and Sargent Straw of Acworth may take the name of Sargent Symons, and Sally Straw of Acworth may take the name of Sally Symons; and John S. Straw of Acworth may take the name of John S. Symons, and Cynthia Straw of Acworth may take the name of Cynthia Symons; and Samuel F. Straw of Acworth may take the name of Samuel F. Symons, and Sylvester Straw of Acworth may take the name of Sylvester Symons, and Mary Ann Straw of Acworth may take the name of Mary Ann Symons, and Louisa Straw of Acworth may take the name of Louisa Symons, and Elmira Straw of Acworth may take the name of Elmira Symons, and Philip Currier of Portsmouth may take the name of Philip White Currier, and Harriet Frost of Marlow may take the name of Harriet Frost Farley and John Colman of Newington may take the name of John Wesley Colman.

CHAPTER 50.

State of }
New Hampshire. }

AN ACT TO REPEAL A PART OF THE ACT REGULATING FEES.

[Approved July 3, 1829. Acts, vol. 27, p. 110. Session Laws, 1829, Chap. 57. Laws, 1830 ed., p. 323. The act referred to is dated December 23, 1820, Laws of New Hampshire, vol. 8, p. 1003. See also act of July 2, 1831, *post.*]

Be it enacted by the Senate and House of Representatives in General Court convened, That so much of the act passed December 23, 1820, entitled an act regulating fees and repealing certain acts relative to the same, as requires fifty cents to be paid by the petitioners for every petition to the General Court, be and the same is hereby repealed.

CHAPTER 51.

State of }
New Hampshire. }

AN ACT RELATING TO THE TIMES AND PLACES OF HOLDING COURTS OF PROBATE IN THE COUNTY OF GRAFTON.

[Approved July 3, 1829. Acts, vol. 27, p. 111. Session Laws, 1829, Chap. 55. Laws, 1830 ed., p. 526. See acts of June 23, 1813, Laws of New Hampshire, vol. 8, p. 250, and January 3, 1829, *id.*, vol. 9, p. 930. Repealed by act of July 6, 1833, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That, in addition to the several courts of Probate now required by law to be holden in said County, there be held a Court of Probate at the office of the Judge of Probate for the time being, in and for said County on the first tuesday in every month from ten O.Clock in the forenoon to six O.Clock in the afternoon.

Sec. 2. And be it further enacted, That at any Probate Court holden in pursuance of the provisions of this act, on the first tuesday of the month, the Judge of Probate is empowered and required, in all cases proper for the same, to grant letters of administration, letters testamentary, licences for the personal estate and generally to transact all such other business relating to the probate of wills and settlement of estates, as may be done and transacted without notice previously given. And said Judge of Probate shall not be required at said Courts to transact any other business than such as is herein provided.

Sec. 3. And be it further enacted, That this act shall not take effect until the first day of January next.

CHAPTER 52.

State of |
New Hampshire. } .

AN ACT IN ADDITION TO, AND IN AMENDMENT OF AN ACT ENTITLED
 "AN ACT PROVIDING FOR THE PUBLICATION OF THE ACTS AND
 JOURNALS OF THE LEGISLATURE" PASSED JULY 7, 1826.

[Approved July 3, 1829. Acts, vol. 27, p. 112. Session Laws, 1829, Chap. 46, Laws, 1830 ed., p. 443. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 571. This act repeals acts of June 21, 1820, *id.*, vol. 8, p. 907, and November 30, 1820, *id.*, p. 923. See also acts of June 27, 1835, *post*, and January 7, 1837, Session Laws, 1836, November session, Chap. 310. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened. That from and after the passage of this act, there shall be allowed and paid out of the treasury of this State to the proprietors of the several newspapers in which the legislature shall from time to time direct the laws of this State to be published, the sum of forty cents for every printed page of the pamphlet of laws published at the close of each session.

Sec. 2. And be it further enacted. That the proprietors of every newspaper directed to print the laws shall be required to insert them on a type not less than the brevier size. And if it shall appear on examination of any account, that they have not so inserted them, or that there has been any unreasonable delay, or intentional omission the Treasurer is hereby authorized and required to deduct from such account such sum as shall be charged therein for the publication of any laws which have been otherwise inserted, unreasonably delayed or intentionally omitted.

Sec. 3. And Be it further enacted. That it shall be the duty of the several proprietors of newspapers who shall publish the acts and resolutions of this State agreeably to the provisions of this act, to furnish the Treasurer, together with his account, a file of the papers containing the acts and resolutions so published, and on being satisfied thereof, the Treasurer is hereby required to issue his certificate accordingly; and the Governor of this State is hereby authorized on the receipt of the Treasurers certificate aforesaid to grant his warrant on the treasury for the payment of each and every account so audited and settled by the Treasurer

Sec. 4. And be it further enacted. That it shall be the duty of the Secretary to cause the public acts and resolves of the present session of the Legislature to be published in the following newspapers in the State, and no others, to wit, in the New Hampshire Gazette printed at Portsmouth, in the Dover Gazette and Strafford Advertiser printed at Dover, in the New Hampshire Patriot and State Gazette and New Hampshire Statesman and Concord Register

printed at Concord, in the Farmers Cabinet printed at Amherst, in the Farmers Museum printed at Keene, in the New Hampshire Spectator printed at Newport, and in the Democrattick Republican printed at Haverhill.

Sec. 5. And be it further enacted, That an act entitled "An Act to fix the compensation for publishing the laws of this State, in the several newspapers to be designated for that purpose, passed June 21. 1820, And an Act entitled An act in addition to an act entitled "An Act to fix the compensation for publishing the laws of this State in the several newspapers to be designated for that purpose passed November 30. 1820, And also the seventh section of an Act entitled "An Act providing for the publication of the acts and journals of the Legislature passed July 7. 1826 be and the same are hereby repealed.

CHAPTER 53.

State of }
New Hampshire. }

AN ACT DIRECTING THE PROCEEDINGS AGAINST TRUSTEES OF DEBTORS

[Approved July 3, 1829. Acts, vol. 27, p. 115. Session Laws, 1829, Chap. 47. Laws, 1830 ed., p. 499. This act repeals acts of February 12, 1791, Laws of New Hampshire, vol. 5, p. 678; July 2, 1825, id., vol. 9, p. 469, and December 24, 1828, id., p. 787. See also acts of December 12, 1832, *post*, June 28, 1834, *post*, June 24, 1835, *post*, and June 30, 1841, Session Laws, 1841, Chap. 601. Partly repealed by act of December 17, 1840, id., 1840, November session, Chap. 548. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any person shall have in his possession money, goods, chattels, rights or credits of any debtor, such person shall be deemed and taken to be trustee of such debtor, and shall be liable to the suit of any creditor of such debtor; and process may issue against such trustee in form, and shall have effect as in this act is provided; and in such process a declaration of the demand against the principal debtor, drawn up with legal certainty, shall be inserted; and by the same process the goods and estate of the principal debtor may be attached, if any be found, and such process shall be served on the trustee in the same manner as writs of summons in other cases are by law required to be served, and shall in like manner be served on the principal debtor if he be an inhabitant or resident in this State; but if the principal debtor be not an inhabitant or resident in this State, the service of such process on him shall be in the same manner as by law is pro-

vided in other cases against defendants not inhabitants or residents in this State; and if the principal debtor be not an inhabitant or resident in this State, and no personal service be made on him, or if he be absent from this State, at the time of the commencement of the suit, and shall not have returned at the time appointed for the trial, the subsequent proceedings shall be the same as by law are provided in other suits against defendants in like circumstances—

Section 2. And be it further enacted, That if said trustee do not appear by himself or attorney at the term or court at which such process duly served on him is returnable, or at such after term to which the cause may be continued his default shall be recorded; and the charge of his having in his possession money, goods, chattels, rights or credits of the principal debtor to the amount alleged in such process, shall be deemed and taken to be true, and execution may issue against the trustee his proper goods and estate for such amount not exceeding the amount alleged in such process, as the Plaintiff shall prove and recover against the principal debtor in that process.

Section 3. And be it further enacted, That in case the principal debtor shall not appear by himself or attorney, at the term or court at which such process, duly served on him, is returnable, or at such after term to which such cause may be continued, his default shall be recorded, and judgment shall be rendered against him for such sum in damages as the creditor shall prove to be due with costs of suit; but such default shall be subject to be taken off in the same manner as defaults in other cases may be taken off—

Section 4. And be it further enacted, That if the said trustee shall appear at the first term by attorney, and pray a continuance on account of his not being able to attend in person, or for other sufficient cause, such, and any further reasonable continuance or continuances shall be granted unto him. And if it appear to the court that the said trustee is infirm and unable to attend in person at said court, the said court may appoint a commissioner to take the answer of said trustee to the interrogatories put to him, and to administer the oath to him; and the same proceedings may be had before said commissioner, as far as relates to the examination of the trustee, and his answering interrogatories upon oath, as are or may be had in court, when trustees personally appear and answer interrogatories upon oath. And the said commissioner shall cause the parties interested in such examination before him to have reasonable notice of the time and place, when and where he will proceed to the same, that they may be present at the same.

Section 5. And be it further enacted. That when the said trustee shall appear in his proper person at the court, he may if the Plaintiff request it, be put to answer interrogatories upon oath, as to the money, goods, chattels, rights or credits of the principal debtor in his hands or possession, at the time, or at any time after

the service of such process on him as aforesaid. And if it shall appear upon his oath, or on examination of the whole matter it be found, that such trustee had not at the time of the service of such process on him, or at the time of his having personal notice of such suit or at any time after, any money, goods, chattels, rights or credits of the principal debtor in his hands or possession, judgment shall thereupon be rendered in favor of such trustee for costs; and no further proceedings upon such process shall be had against the principal debtor, unless such debtor shall have been duly served with such process or shall have actually appeared and answered in such suit.

Section 6. And be it further enacted, That where it shall appear by the disclosure upon oath of such trustee, or upon sufficient evidence it be found, that he had money, goods, chattels, rights or credits of the principal debtor in his hands or possession at the time of the service of such process on him, or at the time of his having personal notice of such suit, or at any time after, a record thereof shall be made. And the said trustee shall be liable to the creditor for the money, goods, chattels, rights or credits, so found in his hands or possession, to the amount of the judgment recovered against the principal debtor, if so much there be, And in all cases except where it is otherwise specially provided and declared, execution shall issue against the trustee his proper goods or estate for the amount of the sums in his hands or possession belonging to the principal debtor, or so much thereof as will satisfy the judgment recovered against the principal debtor, if so much there be, in the same manner as execution would or ought to issue on a judgment rendered against such trustee for his own proper debt. And in case the sums in the hands or possession of the trustee, belonging to the principal debtor, be less than the amount of the judgment recovered, by the creditor against the principal debtor, the court may also issue execution for the residue of such judgment against the principal debtor.

Section 7. And be it further enacted, That in case goods or chattels of the principal debtor, shall be found in the hands or possession of the trustee, and the creditor shall have recovered judgment against the principal debtor, execution shall issue against the trustee for such goods or chattels in his hands or possession. And in case it shall appear that the trustee is under contract for the delivery of any specifick article or articles to the principal debtor or for payment in such articles execution shall issue against the trustee for such articles to be delivered or paid to the creditor according to such contract. And the creditor shall be the agent of the principal debtor for the purpose of receiving such goods and chattels, or specifick articles, and shall levy his execution thereon, to the amount of his debt and cost, and no more, except where division of such goods, and chattels or specifick articles cannot be made,

in which case the overpluss, if any, shall be returned to the principal debtor whenever he shall request the same. And in case it shall appear to the court that such goods and chattels, or specifick articles will not be sufficient to pay the whole sum recovered by the creditor against the principal debtor the court may issue execution against the trustee for such less sum to be levied upon such goods and chattels, or specifick articles, as they may deem just and proper, and at the same time issue execution against the principal debtor for the residue. And in case any execution issued against the trustee for such goods and chattels, or specifick articles, shall be levied thereon and shall not be fully satisfied thereby and it shall so appear by the return of such execution, by any proper officer, the court shall issue execution for the residue against the principal debtor. And in case the trustee shall refuse to expose such goods and chattels, or specifick articles, so that the creditor may levy his execution thereon, and return thereof being made by any proper officer, the court shall, on motion of the creditor, grant a rule to shew cause why execution should not issue against the trustee, his proper goods or estate. And such rule being duly served on the trustee, and no sufficient cause shown to the contrary the court may issue execution against the trustee his proper goods or estate, for such sum as shall appear to be just and proper.

Section 8. And be it further enacted, That in all cases where the trustee is indebted to the principal debtor and the time for payment be not expired the court shall suspend issuing execution against such trustee for such time as the exigences and justice of the case shall require. And in all cases not herein otherwise provided for the court shall have discretionary power to issue such execution or executions against the principal debtor as they may deem proper until the whole sum or sums recovered against him by the creditor shall be fully paid and satisfied.

Section 9. And be it further enacted, That the trustee shall in all cases be entitled to his costs; and the court may order the same to be deducted from the monies, goods, chattels, rights or credits of the principal debtor, in the hands or possession of such trustee, or may render such judgment and issue such execution therefor, or make such order touching the same as in their opinion the circumstances and justice of the case shall require—

Section 10. And be it further enacted, That in case it shall appear that the trustee hath money, goods, chattels, rights or credits of the principal debtor in his hands or possession and it shall not appear that the principal debtor hath had personal notice of such suit, the trustee may if he request it, be admitted to defend on the part and behalf of the principal debtor; and upon being so admitted, shall be entitled to one continuance of course, to notify the principal debtor, which it shall be his duty to do; and he shall

also be entitled to such further continuances, in order to prepare the defence on the part and behalf of the principal debtor as the court, all circumstances considered, shall think just and reasonable. And in case it shall appear to the court that there is fraud and collusion between the creditor and the trustee, the court may refuse to admit the trustee to defend in behalf of the principal debtor, or may admit him to defend under such restrictions as they may think proper; and may notwithstanding such admission, order the creditor to give such notice as they may think most likely to have effect to the principal debtor, before they proceed to try the merits of the creditors demand.

Section 11. And be it further enacted, That where two or more persons shall severally have in their hands or possession any money, goods, chattels, rights or credits of any debtor, each and every such person shall be liable to answer in the same process as the trustee of such debtor, and shall be subject to the same liabilities, and be entitled to the same privileges and immunities, as though such process had been sued out against one person as trustee only; and the court, wherein such process may be pending, may render several judgments either in favor of, or against any person or persons sued as such trustee, or trustees, as to right and justice shall appertain, and issue execution or executions accordingly.

Section 12. And be it further enacted, That where any corporation or body politick within this State shall be possessed of any money, goods, chattels rights or credits of any debtor, such corporation or body politick shall be liable to answer as the trustee of such debtor; and shall be proceeded against in the same way and manner as is herein provided for trustees in other cases. And such corporation or body politick may be required to disclose on oath by the Cashier, or agent, or person conducting the concerns thereof; and such disclosure shall have the same operation and effect as disclosure of trustees in other cases.

Section 13. And be it further enacted, That any trustee process may be brought and maintained before any Justice of the Peace, in the County where the trustee shall reside, in all cases where the sum demanded in damages against the principal debtor shall not exceed the sum of thirteen dollars and thirty three cents. And the several provisions herein contained, in relation to process against trustees, so far as the same shall be applicable to, and not inconsistent with, process before a Justice of the Peace, shall be taken and held to apply to any trustee process, and all proceedings thereon, before a Justice of the Peace. Provided nevertheless, that no person or party shall be liable to appear or answer to any trustee process, before a Justice of the Peace, unless the place appointed for the return and hearing of the same, shall be within the town where such person or party shall reside.

Section 14. And be it further enacted, That the money, goods, chattels, rights or credits of any debtor, taken by virtue of any provisions in this act, out of the possession of the trustee, by any creditor of such debtor, shall fully acquit and forever discharge, such trustee, his executors or administrators, of, from and against all actions, suits, damages, payments and demands whatsoever, to be asked, commenced, had claimed or brought, by the principal debtor, his executors or administrators, for the same: and if any such trustee be sued for any thing by him done or suffered pursuant to the provisions of this act, he may plead the general issue, and give this act, and the special matter in evidence.

Section 15. And be it further enacted, That the process against any person or party and his or their trustee or trustees shall be in substance in the form following (viz)

State of New Hampshire

R.....ss To the Sheriff of any County in this State
or his Deputy Greeting.

We command you to attach the goods or estate of A. B. of.....
to the value of.....dollars and to summon the said A. B.
(if they or either of them may be found within your precinct, to ap-
pear before our Justices of our.....to be holden at.....
within and for our said County of.....on the.....Tuesday
of.....then and there in our said court to answer unto C. D. of

.....
To the damage of the said C. D.as he say the sum of
.....dollars, which shall then and there be made to appear with
other due damages. We also command you that you summon E. F.
of

.....
Trustee of the said A. B.(if the said E. F.
may be found within your precinct) to appear before our Justices of
our.....aforsaid then and there to answer unto the
said C. D.upon.....declaration aforsaid
against the said A. B.for that the said E. F.

.....
ha in possession money, goods, chattels, rights and credits of the
said A. B.
to the value of.....dollars as the said C. D.
say which shall then and there be made to appear. And have you
there this writ with your doings thereon.

Witness.....Esquire at.....
the.....day of.....Anno Domini one thousand eight
hundred and.....N. A. Clerk.

And when any trustee process shall be instituted before a Justice of the Peace the form aforesaid shall be varied in such manner as the change or nature of the case, or jurisdiction shall render necessary and proper.

Section 16. And be it further enacted, That the act entitled "an act directing the proceedings against the trustees of absent or absconding debtors passed the 12th day of February 1791: the act entitled "an act in addition to an act entitled an act directing the proceedings against the trustees of absconding debtors passed Feby. 12. 1791. passed the 2^d day of July 1825. and the act entitled "an act in addition to an act entitled an act in addition to an act entitled an act directing the proceedings against the trustees of absconding debtors passed the 24th day of December 1828. be and the same are hereby repealed. Provided nevertheless, that all things done, and rights acquired, and process pending, by virtue of the acts hereby repealed, shall be of the same force and validity, and be carried on and completed in the same manner as if this act had not been passed.

CHAPTER 54.

State of)
New Hampshire. }

AN ACT FOR LAYING OUT HIGHWAYS.

[Approved July 3, 1829. Acts, vol. 27, p. 127. Session Laws, 1829, Chap. 52. Laws, 1830 ed., p. 573. See act of same date *post*. This act repeals acts of February 8, 1791, Laws of New Hampshire, vol. 5, p. 577; December 28, 1803, id., vol. 7, p. 227; December 11, 1804, id., p. 335; June 26, 1821, id., vol. 9, p. 17; June 27, 1821, id., p. 23; July 3, 1823, id., p. 250; July 3, 1826, id., p. 517, and June 29, 1827, id., p. 621. See also acts of January 3, 1829, id., p. 915; July 2, 1831, *post*; July 2, 1838, Session Laws, 1838, Chap. 379; June 20, 1840, id., 1840, June session, Chap. 500, and December 23, 1840, id., November session, Chap. 566. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, that whenever there shall be occasion for any new highway in any town in this State, the selectmen of such town be and hereby are authorized and empowered on application made to them in writing, to lay out the same, whether such new highway be for the accommodation of the public in general, or for the particular accommodation of the person or persons applying for the same. Provided that no highway shall be laid out by the selectmen of any town until a time and place shall have been by them appointed for hearing the owners of the land, through which such highway may be proposed to be laid out, and such own-

ers, if known, shall have had an opportunity to be heard on the subject.

And notice in writing of the time and place thus appointed shall be given to such owners if known, or left at their last and usual place of abode at least fourteen days before the day appointed.

And when such owners shall not be known, then notice shall be given as aforesaid to the persons having the possession of the land, if any such there be.

Provided that when the owner of any such land shall not be an inhabitant of this State, then notice given as aforesaid to the person having the care of the land shall be deemed sufficient notice to the owner.

Provided also that when such owners shall be infants under the age of twenty one years notice shall be given as aforesaid to their guardians. And when any such lands shall be holden by a tenant for life or for years, notice shall be given as aforesaid to such tenant, and also to the owner of the remainder or reversion

Section 2. And be it further enacted, that when the selectmen of any town shall lay out a highway they shall make a return thereof, in which the way shall be particularly described and the width thereof stated and shall cause the same to be recorded by the clerk. And such selectmen shall assess the damages thereby sustained by the owners of the land, and shall insert in the record the sums so assessed. And when a highway shall be so laid out through lands holden by a tenant for life or for years, the damage done to such tenant, and also the damage done to the owners of the reversion or remainder shall be separately assessed.

Section 3. And be it further enacted, that when a highway shall be laid out as aforesaid, for the accommodation of the public in general the damages shall be paid by the town. And when a highway shall be laid out as aforesaid for the particular accommodation of one or more individuals, the damages shall be paid by such individuals.

And no highway laid out for the particular accommodation of individuals or for the public in general shall be made, or used until the damages shall be paid to the owners of the land or tender thereof shall be made.

Section 4. And be it further enacted, that the selectmen of the several towns in this state, be authorized and empowered, on application made to them in writing for the purpose, to make any highway or street in their respective towns wider and straighter, in such manner and in such places as they shall judge proper. Provided that a day for hearing the owners of the land where any such alteration may be proposed, shall be appointed, and notice thereof be given and the damages done to the owners of the land by means of such alteration assessed, and a return of the doings of the selectmen

be made, in the same way and manner as is herein before provided in the case of new highways laid out by selectmen. And the damages so assessed shall be paid by the town.

Section 5. And be it further enacted, that any persons who may think himself aggrieved by the selectmen of any town in assessing the damages done to him by any new highway laid out as aforesaid, or by any alteration in a highway as aforesaid may apply by petition to the court of common pleas for redress; and the said court, due notice having been first given to the selectmen, shall enquire into the same by a committee and shall order such redress as justice may require; and may order either of the parties to pay costs as they may think just, and may issue execution for the damages and costs against the town, or for costs in favor of the town, and against the party making the application

Section 6. And be it further enacted, that the inhabitants of any town in this state at a legal meeting holden for the purpose may discontinue any highway laid out within the limits of such town. Provided that if such highway shall not have been laid out by the selectmen of such town, the same shall not be discontinued without the consent of the court of common pleas first had and obtained. And provided also that in all cases when on the neglect or refusal of the selectmen of any town to lay out any highway for which an application has been made to them, a petition shall be presented to the court of common pleas to lay out the same; and during the pendency of such petition in the common pleas, the selectmen of such town shall lay out the highway, the town shall not discontinue such highway without the consent of the court of common pleas. Nor shall it in any case be lawful for a town, when on the neglect of such town to make or repair any highway within the same, an indictment shall have been found against said town for such neglect, to discontinue such road without the consent of the court of common pleas.

Section 7. And be it further enacted, that whenever it shall be necessary to lay out a highway over land in two or more towns in the same County, or in different Counties; or whenever the selectmen of any town on due application to them for the purpose shall neglect or refuse to lay out a highway in such town; or whenever any town shall discontinue any highway laid out by the selectmen thereof within two years from the time when the same shall have been so laid out; or whenever there shall be occasion for a new highway through a tract of land not within any town; or when it shall be deemed necessary to make any highway leading from town to town in the same County, or in different counties wider and straighter; or when the selectmen of any town on application to them duly made for the purpose shall neglect or refuse to make any highway in the same town wider and straighter; in all such

cases the court of common pleas shall have full power and authority on petition duly presented to cause new highways to be laid out, or existing highways to be made wider and straighter, as the case may be.

Section 8. And be it further enacted, that whenever any petition shall be presented as aforesaid to the said court of common pleas praying that a highway may be laid out, or that any highway in any town or towns may be made wider and straighter, the court shall order notice thereof to be given to the selectmen of such town or towns. And when any petition shall be presented to said court praying that a new highway may be laid out over land not within the limits of any town, due notice thereof shall be given to the owners of such land if known; and in case such owners be not known, then the court shall order the substance of the petition and the order of the court thereon to be published in such newspaper or newspapers and in such manner as they may judge proper, and a compliance with such order shall be deemed sufficient notice to all such owners.

Section 9. And be it further enacted, that the said court of common pleas upon any petition presented to them for the purposes aforesaid shall if they deem the application reasonable and proper, appoint a committee of three persons to examine the ground proposed for a new highway, or the place or places in any highway proposed to be altered. And such committee having appointed a time and a place for hearing the owners of the land, and caused due notice thereof to be given to such owners in the same way and manner as is herein before directed in the case of highways laid out by selectmen; and having also caused due notice to be given of such time and place to the selectmen of the town or towns in which the highway is proposed to be laid out or altered, shall proceed at the time appointed to examine the ground and hear the parties, and if upon such examination and hearing, they shall judge it expedient they shall lay out a new highway, or make any necessary alterations in an existing highway and make a report thereof in writing to said court, in which report the new highway or any alterations made in an existing highway shall be particularly described, and the width of the new highway stated. And the said committee shall assess the damages done by such highway, or by such alterations in a highway to the owners of the land in the same way and manner that selectmen are herein before directed to assess the damages in such cases, and shall insert the sums so assessed in their report. And such report being returned to the court of common pleas and duly accepted, such new highway, or such alterations in an existing highway, shall be deemed to be duly established. Provided, that when a committee is appointed on any petition for a highway in any town, or from town to town, or for any alterations in a highway leading

from town to town, notice to the owners of the land and to the selectmen of the towns respectively of the time and place when and where the committee will begin the examination of the ground proposed for a new highway, or of the highway proposed to be altered shall be deemed sufficient.

Section 10. And be it further enacted, that whenever it shall be deemed necessary in order to make the highways leading from one town to another town in the same, or in a different County, more direct and convenient, that in some parts of the route existing highways should be made wider and straighter and that in other parts of the route a new highway, or new highways should be laid out, such alterations in existing highways shall and may be made, and such new highways shall and may be laid out in one and the same petition.

Section 11. And be it further enacted, that the damages assessed by any committee as aforesaid, shall be paid by the town within whose limits that part of the highway for which the damages are assessed may be. And when any highway shall be laid out through any tract of land owned by one person, or by two or more as tenants in common, or joint tenants, in such manner that part of the highway through the same tract shall be in one town, and part in another town, then the damages to be paid by such towns respectively shall be separately assessed.

And the costs of laying out highways from town to town, or through land not within the limits of any town, shall be paid by the county. And the costs of widening and straightening highways from town to town shall also be paid by the county. And each of the committee to be appointed as aforesaid, shall be allowed two dollars for each day actually and necessarily spent in such service, and no more.

Section 12. And be it further enacted, that an act entitled "an act for laying out highway" passed the eighth day of February 1791: an act entitled "an act in addition" to an act entitled an act for laying out highways" passed the eleventh day of December 1804; an act entitled "an act empowering the selectmen of any town" in this state to make roads and streets wider and straighter" passed the twenty eighth day of December 1803; an act entitled "an act authorizing the Superior Court of Judicature to cause highways to be established in certain cases passed on the twenty seventh day of June 1821: an act entitled "an act to establish the compensation of committees appointed by the Court of Sessions to examine routes and lay out highways" passed on the twenty sixth day of June 1821; an act entitled "an act in addition to, and in amendment of an act entitled an act for laying out highways" passed on the third day of July 1823; "an act in addition to an act empowering the selectmen of any town in this state to make roads and streets wider and

straighter" passed on the third day of July 1826; and "an act concerning the discontinuance of highways" passed on the twenty ninth day of June 1827. be, and the same hereby are repealed. Provided, that all things done under the said acts hereby repealed shall remain in the same force, and all proceedings under the same acts which may at the time of the passing of this act have been begun, but not completed, shall and may be carried on and completed in the same manner, as if this act had never been passed.

CHAPTER 55.

State of }
New Hampshire. }

AN ACT PRESCRIBING THE TIME AND MODE OF REDEEMING REAL ESTATE MORTGAGED, AND THE MODE OF FORECLOSING THE RIGHT TO REDEEM SUCH ESTATE.

[Approved July 3, 1829. Acts, vol. 27, p. 147. Session Laws, 1829, Chap. 49. Laws, 1830 ed., p. 486. This act wholly repeals acts of February 16, 1791, Laws of New Hampshire, vol. 5, p. 724, and January 16, 1795, id., vol. 6, p. 238, and partly repeals act of November 5, 1813, id., vol. 8, p. 274. See also acts of December 7, 1816, id., p. 531, and July 4, 1834, *post*. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all lands, tenements and hereditaments, which have been, or which shall hereafter be, conveyed in mortgage, may, after the condition of such conveyance is broken be redeemed by the mortgager, his heirs, executors, administrators, or assigns by the payment of all debts, demands and sums of money secured by such mortgage, and all damages and costs sustained and incurred by reason of the nonperformance of the conditions of the same. Provided nevertheless, that if the mortgagee or any person having his estate, shall after the condition is broken, enter peaceably into the mortgaged premises, either under process of law or without such process, or being in possession of such premises at the time the condition is broken shall give notice to the mortgager or the person having his right and estate, that the possession is holden for the purpose of foreclosing the right to redeem, and shall remain in the peaceable and continued actual possession of the premises for the space of one year after such entry or notice, then unless such payment as aforesaid or a legal tender thereof be made within the said year, the mortgager and all claiming under him shall be forever barred and foreclosed of the right to redeem the premises.

Sec. 2. And be it further enacted, That in all cases where the condition of any mortgage shall be well and truly performed, and

where payment of all debts demands and sums of money secured by any mortgage and all damages and costs sustained and incurred by reason of the nonperformance of the condition of the same shall be well and truly made, or where there shall be a legal tender of such performance or payment, the mortgage shall be void. And if after such performance or payment or a legal tender thereof, the mortgagee or person having his estate, being thereto duly requested and having his reasonable charges therefor tendered to him shall refuse to execute a release of his interest in the premises, or if the mortgagee or the person having his estate being requested, shall refuse to make out and deliver to the mortgager or his assignee a just and true account of all his debts and demands secured by the mortgage and all damages and costs sustained and incurred by reason of the nonperformance of the condition of the same and of all rents and profits by him received, the mortgager or person having his estate may apply by petition to the Justices of the Superior Court in the county, where the mortgaged estate lies, stating the conveyance of the estate, the condition of the conveyance and performance or payment as aforesaid or a legal tender thereof; or a request and refusal to make out and deliver an account as aforesaid; and thereupon the court shall order the adverse party to be served with a copy of the writ, petition and of the order of the court thereon, or that the same be left at his last and usual place of abode, fifteen days, prior to the next Court; or in case the adverse party be not an inhabitant of this or any adjoining state, then that such petition and the order thereon be published in such newspaper, or newspapers and for such period of time as the court may direct, the last publication to be at least thirty days before the said next court; and upon proof that notice has been given according to such order, the court shall proceed to hear such petition, and if it shall be found that the condition of the mortgage has been performed, or that all debts and demands secured by the mortgage and all damages and costs sustained and incurred by reason of the nonperformance of the condition of the same have been paid, or that there has been a legal tender of performance or payment as aforesaid, and that the amount of the debt and damages has been brought into court and lodged with the clerk thereof, the court shall decree that the mortgage be discharged, and an attested copy of such decree recorded in the office of the register of deeds in the county where such mortgaged estate is situate shall have the same force and effect as a release duly executed by the mortgagee or person claiming under him. And if it shall be found that the mortgagee or person having his estate has unreasonably refused to make out and deliver an account as aforesaid, the court shall determine the amount justly due and secured by the mortgage after deducting the rents and profits received by the mortgagee or his assigns, and the amount so found to be due and

secured being brought into court and lodged with the clerk thereof, the court shall decree that the mortgage be discharged and an attested copy of such decree recorded in the office of the register of deeds in the county where such mortgaged estate is situated, shall have the same force and effect as a release duly executed by the mortgagee or persons claiming under him.

Sec. 3. And be it further enacted, That if upon any hearing of a petition under this act, it shall be found that any matters of fact are in dispute between the parties, such matters shall at the election of either party, be tried and determined by a jury. And the party prevailing shall in all cases be entitled to his reasonable costs.

Sec. 4. And be it further enacted, That all conveyances which shall hereafter be made of any lands, tenements or hereditaments in this state, for the purpose of securing the payment of money or the performance of any other thing in the condition of such conveyance stated shall be deemed and taken to be mortgages within the meaning of this act—provided however, that no title or estate in fee simple, fee-tail, for term of life, or any lease for more than seven years from the making thereof, of any lands, tenements or hereditaments in this state, shall be defeated or incumbered by any agreement whatever unless such agreement or writing of defeasance shall be inserted in the condition of said conveyance, and become part thereof, stating the sum or sums of money to be secured or other thing or things to be performed—provided also, that no title, or estate in fee-simple, fee tail, for term of life, or any lease for more than seven years from the making thereof, of any lands, tenements, or hereditaments in this state; which shall hereafter be conveyed in mortgage as aforesaid, shall be held by the mortgagee for the payment of any sum or sums of money, or the performance of any other thing, the obligation or liability to the payment or performance of which, shall arise, be made, or contracted after the execution and delivery of such mortgage.

Sec. 5. And be it further enacted that the act entitled “An act prescribing the time and mode of redeeming real estate mortgaged or conveyed by deed of bargain and sale with defeasance”, passed on the sixteenth day of February A. D. 1791, the act entitled “An act in addition to an act prescribing the time and mode of redeeming real estate mortgaged or conveyed by deed of bargain and sale with defeasance” passed on the sixteenth day of January A. D. 1795. and the second and third sections of an Act entitled “An Act for preventing frauds in the transfer of real estate” passed on the fifth day of November A. D. 1813 be and the same are hereby repealed—Provided nevertheless, that the said acts shall be and continue in force in relation to all proceedings had and instituted and all rights acquired under them before the passing of this act—Provided also that this act shall not take effect and be in force until the first day of January next.

CHAPTER 56.

State of)
New Hampshire.)

AN ACT FOR MENDING AND REPAIRING HIGHWAYS.

[Approved July 3, 1829. Acts, vol. 27, p. 152. Session Laws, 1829, Chap. 48. Laws, 1830, ed., p. 578. See act of same date *ante* p. 71. This act repeals acts of February 27, 1786, Laws of New Hampshire, vol. 5, p. 117; July 3, 1823, *id.*, vol. 9, p. 248, and June 20, 1825, *id.*, p. 400. See also acts of July 5, 1834, *post*, and July 6, 1837, Session Laws, 1837, Chap. 361. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the inhabitants of every town in this State shall at their annual meeting in the month of March or at any other legal meeting vote such sum or sums of money as they shall judge necessary for the making, mending and repairing of the several highways and bridges in the same town for that year. And the said inhabitants may from time to time determine the price, which shall be allowed for labor, utensils and materials employed in mending or making highways, otherwise the said price shall be determined by the selectmen. And the selectmen of said towns shall assess the sum or sums so voted upon the polls and estates of the inhabitants of their respective towns in the same way and manner as state taxes are assessed.

Sec. 2. And be it further enacted, That the said towns shall at their annual meetings choose as many surveyors of highways as they shall judge proper, who shall enter upon the duties of their office on the first day of May. And the selectmen shall on or before the first day of May after the choice of such surveyors, limit their several districts and give to each surveyor a list of the several persons in his district, with a list of each persons proportion of the sums voted, and a warrant to collect the same. Provided that in case of a vacancy in said office, the selectmen shall have authority to fill the same.

Sec. 3. And be it further enacted, That the said surveyors shall warn the several persons named in their respective lists to work upon the highways within their respective districts, each person his proportion of the sums voted to be raised, at the prices determined by the town or by the Selectmen as aforesaid. And every surveyor shall give to every person, he shall warn personal notice or leave at his last and usual place of residence notice in writing, of the time, place and tools, when, where and with which each person shall attend, four days before the day appointed. Provided however, that in cases of sudden emergencies, which may require immediate remedy it shall be lawful for the surveyor to warn them or any of them to attend

forthwith. And if any person shall neglect or refuse to work or send a sufficient hand or hands, the said surveyor is hereby authorized and required to levy the delinquents proportion of the money voted to be raised by distress in the same manner as collectors of taxes are by law authorized to do in collecting the State tax. Provided however, that if such delinquent shall make to the surveyor within four days after the time set for said labor a sufficient excuse, he shall be notified to work at some other time.

Sec. 4. And be it further enacted, That it shall be the duty of the surveyors of highways to settle accounts with, and pay the balance if any there be in their hands, to the Selectmen or town Treasurer, agreeably to the warrants, or directions given to them for that purpose. And if any surveyor shall neglect his duty in this respect, the Selectmen, or treasurer for the time being, are hereby authorized to proceed with such surveyor in the same manner as they are by law authorized to proceed with collectors of taxes who are delinquent in collecting and paying the taxes committed to them to collect.

Sec. 5. And be it further enacted, That whenever it shall happen, that by some unforeseen accident the sum or sums allotted to a particular district shall be found insufficient, in all such cases the selectmen may order the surveyor or surveyors of any district or districts with such persons in his or their lists as have not worked out their respective rates, to work where such accident shall happen, and in case such rates are insufficient to repair any highway or bridge, the Selectmen at the charge of such town shall forthwith cause such repairs to be made, as will [r] ender such road or bridge safe and passable.

Sec. 6. And be it further enacted, That any town in this State at any legal meeting, at which such town may vote to raise any money for making, mending and repairing the highways and bridges therein, may order and direct that the money so voted to be raised, shall be collected by the collector of taxes in the same way and manner as the state tax is collected. And such highway tax when collected by the collector, shall be by him paid over to the selectmen or the treasurer of the town for the purpose of repairing the highways in such town, and shall be expended for that purpose under the direction of the Selectmen, or the surveyors of highways as the town shall direct. And collectors shall have the same authority in collecting such highway taxes as they have by law for the collection of the State tax.

Sec. 7. And be it further enacted, That all highways already laid out or hereafter to be laid out, through any tract of land not within the limits of any town, shall be made passable and kept in repair by the owner or owners of the lands through which they run, and all the proprietors or owners of any such tract of land holding under one title derived from the government of the state or the province, shall

be holden to pay their proportion according to their interest of all cost of making and repairing the highways through any part of such tract. And the court of Common Pleas, whenever they shall cause any new highway to be laid out through any such tract of land, shall cause an advertisement thereof to be published in some newspaper four weeks successively, stating the return or laying out of the highway and requiring the owners of the land to make the same passable within such reasonable time, as the said court shall order. And in case the same shall not be made as required, the said Court shall proceed to assess the said tract of land so much by the acre as they may judge necessary to make such highway through the same. And the treasurer of the County in which such land may be shall cause such tax to be advertized in the manner aforesaid requiring each of the owners of any part of said land to pay said tax to said Treasurer in sixty days from the first publishing of said advertisement and notifying the proprietors and owners that the same land will otherwise be sold at vendue at a certain time and place, And every owner of any part of such tract shall pay said tax, for his part of the same and take a receipt describing the land for which he pays. And the remaining part of said tract for which said tax is not paid by the expiration of said sixty days may be sold by such treasurer or his successor at public vendue, at the time and place that shall be mentioned in said advertisement, or so much thereof as may be necessary to pay said tax with incidental charges. And such treasurer or his successor is hereby authorized to make and execute a good deed or deeds thereof. And the same time for redeeming the land thus sold shall be allowed as is by law allowed in other cases of land sold for taxes. And the money so raised shall be applied under the direction of said court, to make and repair such highways. And a similar method shall be pursued from time to time by said court to keep in repair highways running through such lands in case the owners of such lands shall neglect the same. And the owners and proprietors of such lands, are hereby authorized to call meetings for the purpose of voting such sums of money from time to time as they may think necessary for making and repairing said highways and choosing officers for levying and collecting the same as fully to all intents and purposes as proprietors of common and undivided lands are by law authorized to do.

Sec. 8. And be it further enacted, That in case any special damage shall happen to any person or persons or to his or their teams or carriages by means of the insufficiency or want of repairs of any highways or bridges in any town in this State the party aggrieved shall recover his or their damage in an action against such town. And the town shall have a remedy over against any surveyor or surveyors through whose fault or neglect the same happened. And surveyors of highways are hereby authorized and empowered

to purchase at the cost and charge of their respective towns all such timber, plank and other materials as are necessary for mending and repairing the highways and bridges in their respective districts.

Sec. 9. And be it further enacted, That the act entitled "An act for mending and repairing the highways in this State passed on the twenty seventh day of February 1786" the act entitled "An Act in addition to an Act entitled an act for mending and repairing the highways in this State" passed on the third day of July 1823. And the act entitled "an act in addition to an act entitled an act for mending and repairing highways in this State passed on the twentieth day of June 1825 be and the same are hereby repealed. Provided however that nothing herein shall affect the collection of any sum heretofore voted to be raised under the acts which are hereby repealed.

CHAPTER 57.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF THE SOUTH CHURCH CHARITY FUND IN PORTSMOUTH.

[Approved July 3, 1829. Acts, vol. 27, p. 159.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Nathan Parker, Joseph Haven, Thomas Sheafe, William Haven and John W. Foster and their successors be and they hereby are made a body corporate and politic forever by the name of the Trustees of the South Church Charity Fund in Portsmouth, with power to fill all vacancies which may occur in their own board; and said corporation are hereby empowered to hold and possess real and personal estate not exceeding ten thousand dollars in value and the same to sell and dispose of at pleasure, for the uses following. viz. to relieve the wants of the indigent members of the church, to support the sunday school, the formation of a church library and to the promotion of charities in and out of the church. And said corporation is hereby vested with all the powers, rights and privileges and subject to the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said Trustees at any meeting duly notified and holden for that purpose may establish such rules and by laws for the government of said corporation, and for the purpose of carrying into effect the object of their appointment, as they may deem proper—provided the same are not repugnant to the Constitution and laws of this State and provided they do not

divert the fund entrusted to their care from the objects for which it was created; may appoint such officers and agents as they may consider necessary and prescribe their powers and duties.

Sec. 3. And be it further enacted, That John W. Foster may call the first meeting of said Trustees by personal notice to each Trustee one week previous to said meeting.

CHAPTER 58.

State of }
New Hampshire. }

AN ACT TO ENCOURAGE THE MANUFACTURE OF LEATHER, AND TO PREVENT FRAUDS THEREIN.

[Approved July 3, 1829. Acts, vol. 27, p. 161. Session Laws, 1829, Chap. 54. Laws, 1830 ed., p. 73. Partly repealed by act of June 28, 1841, Session Laws, 1841, Chap. 609. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That each manufacturer of leather, shall have the exclusive right of stamping leather, by him manufactured, with the initial letter or letters, of his christian name, and his surname at large, and the name of the town or place of his abode; and such stamping, shall be considered as a warranty, that the leather so stamped is merchantabl, being made of good materials and well manufactured.

Sec. 2. And be it further enacted, That no leather shall be considered as merchantable, unless stamped as aforesaid

Sec. 3 And be it further enacted, That any person who shall fraudulently stamp, or aid and abet in fraudulently stamping, any leather with the name or stamp of any other person, on conviction thereof, shall be punished by fine, not exceeding one hundred dollars, or by imprisonment not exceeding six months, or by both, at the discretion of the Court having cognizance thereof.

Sec. 4. And be it further enacted, That so much of any law of this State, as requires towns to choose sealers of leather, be and the same is hereby repealed.

CHAPTER 59.

State of }
New Hampshire. }

AN ACT IN FAVOR OF WILLIAM M. RICHARDSON, JOHN PORTER AND
 SAMUL D BELL

[Approved July 3, 1829. Acts, vol. 27, p. 162.]

Be it enacted by the Senate and House of Representatives in General Court convened, That William M. Richardson, John Porter and Samul D Bell have and receive out of the Treasury of this State the sum of seventy eight dollars in full for their services in examining, revising, amending and arranging the existing acts and resolves of this State as reported by them at the June session of the Legislature in the Year of our Lord one thousand eight hundred and twenty nine and that the Governor be and he hereby is authorized to draw his warrant on the Treasurer for the same.

CHAPTER 60.

State of }
New Hampshire. }

AN ACT TO RAISE FORTY THOUSAND DOLLARS FOR THE USE OF THE
 STATE.

[Approved July 4, 1829. Acts, vol. 27, p. 163. Session Laws, 1829, Chap. 61.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of forty thousand dollars shall be raised for the use of the State, which sum shall be assessed, collected and paid into the Treasury on or before the first day of December, which will be in the Year or our Lord eighteen hundred and thirty. And the treasurer is hereby directed seasonably to issue his warrant to the Selectmen of the several towns and places within this State according to the apportionment of the public taxes made November session A. D. 1828, and the Selectmen and assessors are hereby respectively required to assess the sums specified in the said warrants, and to cause the same to be paid into the treasury, on or before the first day of December, which will be in the year of our Lord eighteen hundred and thirty. And the treasurer is hereby authorized to issue extents for all taxes which shall then remain unpaid.

CHAPTER 61.

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND IN AMENDMENT OF AN ACT ENTITLED
 “AN ACT FOR THE SUPPORT AND REGULATION OF PRIMARY SCHOOLS,
 PASSED JULY 6. 1827.”

[Approved July 4, 1829. Acts, vol. 27, p. 164. Session Laws, 1829, Chap. 77. Laws, 1830 ed., p. 436. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 661. See also acts of January 4, 1833, *post*; July 5, 1833, *post*; January 13, 1837, Session Laws, 1836, November session, Chap. 311, and December 23, 1840, *id.*, 1840, November session, Chap. 578. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That there shall be chosen annually in the month of March, by each school district in the several towns in this State, except in the town of Portsmouth, in such manner as such district may determine, a committee consisting of one or more persons, not exceeding three, who shall be resident in the district for which he or they shall be chosen, and be called the prudential committee thereof; whose duty it shall be, to select and contract with teachers for his or their district, to provide for them board, to furnish the necessary fuel for the school and immediately on the commencement of any such school in his or their district, to give information thereof to the superintending committee of the town, and it shall also be the duty of the prudential committee in each district to give such information and assistance to the superintending committee, as may be necessary to aid them in the discharge of the duties required of them by the act to which this is an amendment. provided always, that when any district shall neglect to choose a committee, it shall be the duty of the selectmen, upon application made to them for that purpose, by three or more freeholders residing in said district, to appoint a committee for such district so applying. And it shall be the duty of the prudential committee to notify or cause to be notified all district meetings by posting up a notification, at one or more public places in his or their district at least seven days prior to the time of holding said meeting.

Sec. 2. And be it further enacted, That the fifth section of an act entitled “An Act for the support and regulation of primary schools passed July 6. 1827 be and the same is hereby repealed.

CHAPTER 62.

State of }
New Hampshire. }

AN ACT IN FAVOR OF EDWARD PHILBRICK.

[Approved July 4, 1829. Acts, vol. 27, p. 166.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Edward Philbrick be allowed the sum of one hundred and twelve dollars and eighty eight cents, in full of his account. and that said sum be paid out of the Treasury.

CHAPTER 63.

State of }
New Hampshire. }

AN ACT IN FAVOR OF JACOB B. MOORE AND HORATIO HILL AND COMPANY.

[Approved July 4, 1829. Acts, vol. 27, p. 167.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Jacob B. Moore be allowed the sum of one hundred seventy dollars and ninety two cents in full of his account, and Horatio Hill and Co. be allowed the sum of two hundred eight dollars and eighty cents in full of their account. And that said sums be paid out of the Treasury.

CHAPTER 64.

State of }
New Hampshire. }

AN ACT IN FAVOR OF JOHN WHIPPLE.

[Approved July 4, 1829. Acts, vol. 27, p. 168.]

Be it enacted by the Senate and House of Representatives in General Court convened, That John Whipple be allowed the sum of thirty eight dollars and thirty cents in full of his account, as engrossing clerk, and that said sum be paid out of the Treasury.

CHAPTER 65.

State of }
New Hampshire. }

AN ACT IN FAVOR OF RICHARD BARTLETT

[Approved July 4, 1829. Acts, vol. 27, p. 169.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Richard Bartlett be allowed the sum of five hundred thirteen dollars and fifty three cents in full of his account, and that said sum be paid out of the Treasury

CHAPTER 66.

State of }
New Hampshire. }

AN ACT TO CHANGE THE NAME OF THE TOWN OF ADAMS.

[Approved July 4, 1829. Acts, vol. 27, p. 170. Session Laws, 1829, Chap. 59. See act of incorporation dated December 4, 1800, Laws of New Hampshire, vol. 6, p. 654.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the town of Adams in the County of Coos may assume and shall hereafter be known by the name of Jackson, any law, custom or usage to the contrary notwithstanding.

CHAPTER 67.

State of }
New Hampshire. }

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES ASSESSED UPON THE UNIMPROVED LANDS OF NONRESIDENTS.

[Approved July 4, 1829. Acts, vol. 27, p. 171. Session Laws, 1829, Chap. 65. Laws, 1830 ed., p. 563. This act repeals act of June 19, 1828, Laws of New Hampshire, vol. 9, p. 732. See also acts of December 10, 1796, id., vol. 6, p. 366, and vol. 7, p. 909; December 15, 1796, id., vol. 6, p. 375; December 9, 1800, id., p. 662; December 30, 1803, id., vol. 7, p. 248; December 21, 1808, id., p. 735; December 23, 1808, id., p. 784; June 25, 1816, id., vol. 8, p. 496; June 29, 1818, id., p. 739, and June 25, 1830, *post*. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the senate and house of representatives in general court convened, that the selectmen or assessors of the sev-

eral towns and places in this state, shall make out in writing under their hands, and deliver to the several collectors on or before the 30th day of May annually, a list of all taxes assessed upon the unimproved lands of nonresidents, and therein insert the name of the owner of the land, if known otherwise the name of the original proprietor, and the number of acres taxed, and the number of the lot and range; and the proportion of each assessment to each lot or tract of land taxed shall be set against said lot or tract of land in the list aforesaid, and if the name of the owner and the original proprietor of any such land be unknown the quantity of land the number of the range and lot if lotted, otherwise such description of the land taxed, as it is usually known by, being inserted in said list, shall be a sufficient description of said land.

Sec. 2. And be it further enacted, that every collector of said taxes shall, on or before the eighth day of the next session of the general court in June after the assessment of such taxes, deliver to the deputy secretary for the being a copy of his list of all such taxes made out as aforesaid and signed by the selectmen of the town or place for which he is collector, and the said deputy secretary shall for the inspection of all persons concerned keep said list during the remainder of said session, at the place where said court shall be holden and afterwards until the first day of September next following the said session in the town where he shall reside, and it shall be the duty of the said deputy secretary, while said lists shall be in his hands to receive of any non-resident his proportion of said taxes and give his receipt in discharge of the same to the said nonresident who shall pay to the said deputy secretary for his trouble, at the rate of ten per cent on the sum to be paid by the said nonresident to the deputy secretary for taxes. And the said deputy secretary shall at any time after the said first day of September on application made to him by any collector of the taxes aforesaid or by his order return to said collector a copy of his list aforesaid and the money which he shall have received thereon taking said collectors receipt for the same and after the said first day of September, any of the said collectors, who may have received copies of their lists from said deputy secretary shall publish an advertisement in the New-Hampshire Patriot and state Gazette printed at Concord in the county of Merrimack at the rate of one dollar per square for three insertions and also some newspaper published in the county where the said land is situated if any newspaper be printed in the county otherwise in some adjacent county at the rate of one dollar per square for three insertions and shall post up a similar advertisement in some public place in the town or place where the lands lie, three weeks successively, commencing eight weeks prior to the day of sale, that so much of each delinquent owners estate will be sold at public vendue, as will be sufficient to pay his said taxes, with incidental charges, unless prevented by

previous payment; and the said advertisement shall contain the same description of the land taxed, as this act requires should be made in the lists aforesaid; and also the time and place of sale. And if any of said owners shall neglect to pay their proportion of said taxes, with incidental charges, until the time of sale, the said Collector shall then sell at public auction, to the highest bidder, so much of each delinquents estate as will pay said taxes, with incidental charges. Provided, that every sale, by virtue of this act, shall be made in the town, or place, where the land sold shall be situated, and between the hours of ten of the clock, in the forenoon, and six of the clock in the afternoon; and, if necessary the sale may be adjourned from day to day, not exceeding three days, by public proclamation, made within the hours aforesaid, at the place of sale; and no person shall be holden to pay any part of the cost, which may accrue at said auction, after the tender of the payment of his own taxes, with his proportion of the costs, which shall have accrued before such tender.

Section 3. And be it further enacted, That if any more than one person shall be interested in any lot, or tract of land, each one may pay his proportion of taxes, according to his interest in the land, and the share of the delinquent only shall be sold.

Section 4. And be it further enacted, that each nonresident, his heirs or assigns, shall have the liberty of redeeming his land, sold as aforesaid, at any time within one year from the sale thereof, by paying or tendering, to the collector, his executor, or administrator, or in their absence, by tendering, at the usual place of abode of said collector, his executor, or administrator, a sum of money equal to that for which the land may have been sold, with interest at the rate of twelve per cent, per ann, for the same, until the time of payment, or tender, as aforesaid. And it shall be the duty of the said collector to deliver to the clerk of the town, where the land lies, an attested copy of the sale of land by him sold, in virtue of this act, with charges of sale, within, ten day after the sale thereof to be by him kept on file; and in case of the absence of said collector, his executor, or administrator on tender being made at his usual place of abode as aforesaid, said nonresident shall give information thereof to said town clerk, before the time of redemption expires, who shall without delay, record the same in his office, and the said nonresident shall leave the money so tendered, with said town clerk, at the time of giving such information, for the use of said collector.—And it shall be the duty of said collector, his executor, or administrator, on payment or tender, as aforesaid, or of the town clerk on the money being left with him, to give said nonresident a full discharge therefor, by receipt under his hand; and in case the money shall be received by the town clerk, as aforesaid, he shall be paid therefor by the said nonresident, ten per cent on the amount of the money so received.

Section 5. And be it further enacted, that every purchaser of the land to be sold, as aforesaid, shall, upon the redemption of the same, be entitled to receive twelve per cent, per annum, upon the purchase money.

Section 6. And be it further enacted, that when two or more persons are interested in any lot, or tract, of land which shall be sold as aforesaid, every individual may redeem his own part thereof, by paying, or tendering his proportion of the taxes and costs, for which the said land was sold, in the same manner that all the owners of such land may redeem their land, sold as aforesaid, by jointly paying the whole sum necessary to paid for the redemption of the same, and the same proportion shall be made according to the number of acres in the lot, or tract of land sold.

Section 7. And be it further enacted, that whenever any land shall be sold, at vendue, by any collector of taxes, agreeably to the provisions of this act, it shall be the duty of said collector to lodge with the town clerk of such town, within ten days, after the vendue and sale aforesaid, the newspapers containing the advertisement of such sale, and the advertisement, which may have been posted up in such town, with a certificate accompanying the same, under oath, that said advertisement was posted up according to law; which advertisement and certificate, shall be recorded by said town clerk, and a certified copy of said record shall be deemed sufficient evidence of those facts, in any court of law; and the said newspapers shall be kept on file by said clerk.

Section 8. And be it further enacted, that it shall be the duty of every collector, of taxes aforesaid, to lodge with the town clerk of said town, within ten days after the time of redemption from any sale by him made, as aforesaid, a correct list of the land so redeemed, to be recorded by said town clerk.

Section 9. And be it further enacted, that each town clerk shall receive the same fees for recording, copying and certifying as aforesaid, as clerks of the Court of Common Pleas are, by law entitled to receive for recording and certifying papers.

Section 10. And be it further enacted, That the fees of the several collectors, in the sale of lands as aforesaid, shall be as follows, to wit, for going to the Deputy Secretary for the copy of the list, thence to the place where the advertisements for the sale are to be printed, and returning home, five cents per mile; for advertising in the county paper and in the town, one dollar; for making sale, one dollar per day, and the same sum for a clerk; for each deed made and executed to purchasers, twenty five cents; and the sums of money actually paid to the printers and the Deputy Secretary for the copy of the list, shall be a legal charge; and it shall be the duty of each collector to make out an equal proportion of the costs as herein before directed to each lot or tract of land sold or advertised as aforesaid.

Section 11. And be it further enacted, That if any collector shall demand or take any greater fee or fees than is by law allowed for any of the services mentioned in this act, he shall forfeit five dollars to the person suing therefor, to be recovered by an action of debt.

Section 12. And be it further enacted, that each nonresident taxed as aforesaid, in any town or place in this state, shall at any time, between the first day of June of September, have liberty to pay any highway tax assessed upon his land, in labor, under the direction of the selectmen, at the same rate per hour and day as inhabitants may at the time be allowed.

And it shall be the duty of the selectmen of the several towns and places in this state, to see that all monies, arising by virtue of this act for the support of highways, be duly and seasonably appropriated to that purpose.

Section 13. And be it further enacted, That it shall be the duty of the Deputy Secretary, the town clerks, and collectors to receive from any person when tendered in behalf of himself or any other person whomsoever, in the manner and at the times pointed out in this act, the taxes assessed as aforesaid, and interest and cost thereon, if any.

Section 14. And be it further enacted, That when any estate of nonresidents shall be sold by virtue of this act, and the money necessary for the redemption thereof shall not have been paid or tendered within one year from the sale of the same, the collector who shall have sold said estate, if living, otherwise his executors or administrators shall then execute a good and sufficient deed of such estate to the purchasers of the same, if he shall then be living, otherwise to his heirs; which deed shall be in the form following, to wit;

Know all men by these presents, that I _____ collector of taxes for the town of _____ in the county of _____ in the State of New-Hampshire, for the year _____ do by virtue of the authority in me vested by the laws of this state, and in consideration of _____ to me in hand paid before the delivery hereof, paid by _____ of _____ in the county of _____ in the state of _____ hereby sell and convey to him the said _____ his heirs and assigns, (here describe the land sold) to have and to hold the said premises, with the appurtenances, to him the said _____ his heirs and assigns forever. And I the said _____ do hereby covenant with the said _____ that in making sale of the same, in my said capacity, I have in all things conformed to the directions and requisitions of the law in that behalf provided, and that as collector as aforesaid, I have good right, as far as that right may depend upon the regularity of my own acts and proceedings, to sell and convey the same in manner aforesaid,

In witness whereof I have hereunto set my hand and seal this
 day of Anno Domini
 Signed, sealed, and delivered in presence of us

.....

Section 15. And be it further enacted, That the act entitled an act providing for the assessment and collection of taxes on lands and buildings of nonresidents, passed June 18. 1828. and all other acts or parts of acts, inconsistent with the provisions of this act, shall be and the same hereby are repealed. Provided nevertheless, that nothing in this act contained shall be so construed as to effect the collection of any taxes heretofore assessed, or any suit commenced or to be commenced under the provisions of any act hereby repealed.

CHAPTER 68.

State of }
New Hampshire. }

AN ACT FOR ALLOWING A CERTAIN PREMIUM FOR KILLING WOLVES,
 AND TO REPEAL THE RESPECTIVE LAWS GIVING BOUNTIES FOR KILLING CROWS, WOLVES, BEARS AND WILD CATS.

[Approved July 4, 1829. Acts, vol. 27, p. 183. Session Laws, 1829, Chap. 63. Laws, 1830 ed., p. 211. This act repeals acts of June 12, 1801, Laws of New Hampshire, vol. 7, p. 10; June 27, 1809, id., p. 836; June 22, 1810, id., p. 898; December 16, 1828, id., vol. 9, p. 763. and December 25, 1828, id., p. 794. See also act of July 1, 1819, id., vol. 8, p. 869. Repealed by acts of July 2, 1831, *post.* and December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That if any person shall kill any wolf or wolf's whelp within this State, and shall bring the head of such wolf or wolfs whelp to the Selectmen of the town or place in which the same was killed, and if there be no Selectmen in the town or place where the same was killed, then to the Selectmen of the town or place, next to the town or place where the same was killed, and shall prove to the satisfaction of the said slectmen, that the wolf or wolf's whelp, the head of which he hath brought to them as aforesaid, was killed by him, or by his means, or any other person whose agent he is, the said Selectmen shall cut off the ears from the head so brought to them as aforesaid, and shall otherwise disfigure it so that it may never be produced for a like purpose again, and the said Selectmen shall give the person so producing the head as aforesaid, a receipt for the same, and the person receiving the same receipt on produ- it to the treasurer of this State shall receive out of the treasury of this State the sum of ten dollars, for every

wolf killed as aforesaid, and the sum of ten dollars for every wolfs whelp killed as aforesaid. Provided however, That the said treasurer shall not pay for any receipt produced as aforesaid untill the next session of the General Court, which shall happen after procur- ing the same, that he may have an opportunity of inquiring into the validity thereof, which, he is hereby directed to do.

Sec. 2. And be it further enacted, That an act entitled "an act allowing a certain premium for killing crows" passed December 16. A. D. 1828. And An Act, entitled "An Act allowing a certain premium for killing bears" passed December 25th A. D. 1828, And an act entitled "an act allowing a certain premium for killing wild cats" passed June 27. A. D. 1809, and an act entitled "an act in addition to, and amendment of an act, entitled "an act allowing a certain premium for killing wild cats" made and passed June 27. A. D. 1809. And also an act entitled "an act allowing a certain pre- mium for killing wolves" passed June 12th A. D. 1801. be and the same hereby are repealed. Provided that this act shall not take effect and be in force untill the first day of December next.

CHAPTER 69.

State of }
New Hampshire. }

AN ACT IN FAVOR OF PHILIP CARRIGAIN

[Approved July 4, 1829. Acts, vol. 27, p. 185.]

Be it enacted by the Senate and House of Representatives in Gen- eral Court convened, That Philip Carrigain be allowed the sum of thirty dollars in full of his account and that said sum be paid out of the Treasury.

CHAPTER 70.

State of }
New Hampshire. }

AN ACT IN FAVOR OF DAVID GEORGE AND OTHERS.

[Approved July 4, 1829. Acts, vol. 27, p. 186.]

Be it enacted by the Senate and House of Representatives in Gen- eral Court convened, That David George be allowed the sum of twelve dollars, Isaac C. Bradley fifteen dollars, Aaron Carter forty eight dollars, James Buswell forty eight dollars, and Edward Phil- brick fifty dollars in full of their accounts.

CHAPTER 71.

State of)
New Hampshire. }

AN ACT AUTHORIZING SCHOOL DISTRICT NUMBER TEN IN THE TOWN
 OF CONCORD TO HOLD ADDITIONAL LAND.

[Approved July 4, 1829. Acts, vol. 27, p. 187. See also act of June 26, 1823, Laws of New Hampshire, vol. 9, p. 205.]

Sec. 1. Be it enacted by the Senate and house of Representatives in general court convened, that school district number ten in the town of Concord and county of Merrimack be, and hereby is authorized and empowered to possess and hold in fee simple or by lease a piece or parcel of land not exceeding one quarter of an acre, in addition to what it now owns and possesses; whereon to erect or remove a school house or school houses and other buildings for the accomodation of a school or schools in said district and to maintain any action of ejectionment or trespass against any person or persons who may enter upon or do damage to said land or to the buildings thereon and the same to pursue to final judgment and execution as fully and effectually as school districts may by law prosecute for trespasses on school house lots not exceeding one quarter of an acre

Sec. 2. And be it further enacted that the said school district number ten, shall hold the additional land granted them by the provisions of this act so long as the land owned by them previous to the passage of this act shall remain unincumbered with buildings and used as a public common and no longer

CHAPTER 72.

State of)
New Hampshire. }

AN ACT SUBJECTING LANDS TENEMENTS AND HEREDITAMENTS TO
 THE PAYMENT OF DEBTS AND DIRECTING THE MODE OF EXTENDING,
 AND LEVYING EXECUTIONS UPON REAL AND PERSONAL ESTATE

[Approved July 4, 1829. Acts, vol. 27, p. 188. Session Laws, 1829, Chap. 62. Laws, 1830 ed., p. 101. This act repeals acts of February 15, 1791, Laws of New Hampshire, vol. 5, p. 701; December 22, 1808, id., vol. 7, p. 771; first section of act of November 5, 1813, id., vol. 8, p. 274; June 25, 1816, id., p. 485, and July 1, 1825, id., vol. 9, p. 444. See also acts of December 7, 1816, id., vol. 8, p. 531, and June 24, 1824, *post*. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the senate and house of representatives in general court convened that all lands, tenements and heredita-

ments belonging to any person shall stand charged with the payment of all the just debts of such person as well as his personal estate and shall be liable to be taken in execution for the satisfaction of the same. And all executions duly extended upon any lands, tenements or hereditaments and recorded in the office of the register of deeds in the county where such lands, tenements or hereditaments may be situate shall constitute the same title to the party for whom they shall be so taken as the debtor had therein. And no execution extended upon any lands, tenements or hereditaments shall be good and effectual in law to hold the same against any other person or persons than the debtor and his heirs unless the same shall be recorded as aforesaid. Provided nevertheless, that if the debtor, his heirs, executors, administrators or assigns shall at any time within one year from the return day of the execution pay or tender to the creditor or person having his estate the sum at which the lands, tenements, or hereditaments shall have been valued by the appraisers and interest upon the same sum from the time when the execution and the return of the extent shall have been received in the office of the register of deeds then such extent shall be void and of no affect and thereupon such creditor or person having his estate being thereto duly requested by the debtor or person having his estate, having his reasonable charges therefor duly tendered to him, shall execute and deliver to said debtor or person having his estate, a deed of release of all rights in the premises acquired by such levy.

Sec. 2. And be it further enacted that the manner of extending executions upon any real estate shall be as follows, the creditor shall deliver his execution to the sheriff of the county, in which the debtor's lands, tenements or hereditaments lie or to the deputy of such sheriff, who shall cause three appraisers to be chosen one by the creditor or creditors, one by the debtor or debtors if he or they so please and the third by such sheriff or deputy of the sheriff, which appraisers shall be reputable freeholders and residents in such county. And in all cases where the debtor being an inhabitant or resident in the county where such real estate lies shall on due notice neglect or refuse to choose an appraiser, the officer shall appoint one for such debtor and in all cases where the debtor at the time of such levy shall not be an inhabitant or resident of the county where such real estate lies the sheriff or his deputy shall choose an appraiser for such debtor, unless such debtor shall have chosen one for himself and notified such sheriff or his deputy thereof. And when the execution shall be against a corporation notice given by the officer to one of the directors or to the clerk of the corporation ten days before the levy to appoint an appraiser for the corporation shall be deemed legal notice to such corporation, And the said appraisers having taken their oaths before any justice of the peace faithfully and impartially to appraise such lands, tenements and hereditaments

as shall then be shewn to them as the estate of the debtor, shall appraise the same to satisfy the execution with the officer's fees and set off such lands, tenements and hereditaments by metes and bounds. And the sheriff shall thereupon deliver possession and seizin thereof to the creditor or his attorney and make a full return of the proceedings.

Sec. 3. And be it further enacted that when it happens that lands and tenements cannot be divided and set out by metes and bounds the sheriff having an execution against the owner of such lands and tenements shall extend such execution upon the rents of such lands and tenements and give seizin thereof to the creditor or his attorney and shall cause the tenant or tenants thereof to attorn and become tenant or tenants of such creditor and upon refusal thereof to turn such tenant or tenants out of the possession thereof and give livery, seizin and possession thereof to such creditor to hold and enjoy such lands and tenements till such judgment interest and fees be fully satisfied. Provided always, that it shall and may be lawful for the debtor or his assignee at any time before such judgment, interest and charges are fully satisfied to tender and pay to the creditor his debt, interest and charges or such part thereof as may be due and the said creditor is hereby obliged to accept the same and surrender up to the debtor such lands and tenements.

Sec. 4. And be it further enacted that when any goods or chattels shall be taken to satisfy an execution such goods or chattels shall be safely kept by the officer at the expence of the debtor for the space of four days next after they are so taken, and if within that time the owner shall not redeem the same by otherwise satisfying the execution such goods and chattels shall be sold at publick vendue to the highest bidder, having first been advertised by the posting up of notifications of the time and place of sale forty eight hours before the expiration of the said four days at two of the most publick places in the town or place where the sale is to be; and the money arising from such sale shall be applied to the paying of the charges and to the satisfying of the execution and the officer shall return the overplus if any there be to the debtor and make return of the execution with his doings therein particularly describing the goods and chattels taken and sold and the sum for which each article was sold and if any officer shall be guilty of any fraud in the sale or the return as aforesaid he shall be liable to the debtor to pay him five times the sum defrauded to be recovered by an action on the case. But no sale upon execution as aforesaid of any greater interest in any lands, tenements or hereditaments than a term of seven years shall be good and effectual to hold the same against any other person than the debtor or his heirs, unless the execution and the return of the sale of such interest shall be recorded in the office of the register of deeds in the county where such lands, tenements or hereditaments are situated

Sec. 5. And be it further enacted that when any execution shall be extended or levied upon any real or personal estate and it shall afterwards appear that such estate or some part thereof did not at the time of such extent or levy belong to the debtor then in every such case the creditor his executors or administrators may commence and sustain an action of debt on the judgment upon which such execution issued against the debtor his executors or administrators and recover the amount which may for the reason aforesaid remain equitably due and unsatisfied. And the court or Justice before whom such action shall be tried may in case the plaintiff prevail add to the cost of the suit all or any part of the charges and expences of such extent or levy, and in case the defendant prevail, may allow him such costs as they shall deem just and proper. And if the debtor in any such case shall die insolvent before any action of debt is brought as aforesaid the creditor, his executors or administrators may exhibit such demand to the commissioners on the estate of the debtor, who shall examine the same and reject or allow it as justice may require. And an appeal may be had from the determination of the commissioners as in other cases. Provided however, that no action shall be sustained on any judgment on the ground that an execution issuing on the same has been levied upon goods or chattels not belonging to the debtor unless such action shall be commenced within six years after such levy.

Sec. 6. And be it further enacted that an act entitled "an act subjecting lands and tenements to the payment of debts and directing the mode of levying executions on real and personal estate" passed on the fifteenth day of February A. D. 1791. and an act in addition to the last mentioned act passed on the twenty second day of December A. D. 1808. the first section of act entitled an act for preventing frauds in the transfer of real estate passed on the fifth day of November A. D. 1813. an act entitled "an act in addition to an act subjecting lands and tenements to the payment of debts and directing the mode of levying executions on real and personal estate" passed on the twenty fifth day of June A. D. 1816 and an act entitled "an act in addition to an act entitled an act subjecting lands and tenements to the payment of debts and directing the mode of levying executions on real and personal estate" passed on the first day of July A. D. 1825. be and the same hereby are repealed. Provided nevertheless that the said acts shall be and continue in force in relation to all proceedings had and instituted and all rights acquired under them before the passing of this act.

CHAPTER 73.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE
 THE NEW-HAMPSHIRE AND VERMONT BRIDGE COMPANY PASSED
 JUNE 19. 1817.

[Approved July 4, 1829. Acts, vol. 27, p. 194. The act referred to is printed
 in Laws of New Hampshire, vol. 8, p. 603. See also act of June 20, 1825, id.,
 vol. 9, p. 399.]

Sec. 1. Be it enacted by the senate and house of representatives
 in general court convened that all the provisions of the act to which
 this is an addition be and the same are hereby revived and shall
 continue and be in full force.

Sec. 2. And be it further enacted that Preston Farwell, Wil-
 liam S. Brooks and George S. Root or any two of them be and they
 are hereby authorised to call a first meeting of the proprietors of
 said bridge by giving public notice of the time and place of holding
 the same in the same way and manner as in and by said act passed
 June 19. 1817 is prescribed, at which meeting the said proprietors
 may do and transact all business necessary to the objects of their
 association in the same manner they might have done under the pro-
 visions of the act to which this is an addition

CHAPTER 74.

State of }
New Hampshire. }

AN ACT IN FAVOR OF GARDNER TOWLE.

[Approved July 4, 1829. Acts, vol. 27, p. 195.]

Be it enacted by the Senate and House of Representatives in Gen-
 eral Court convened, That Gardner Towle be allowed the sum of
 five dollars in full of his account. and that said sum be paid out of
 the Treasury

CHAPTER 75.

State of }
New Hampshire. }

AN ACT IN FAVOR OF JAMES WILCOMB.

[Approved July 4, 1829. Acts, vol. 27, p. 196.]

Be it enacted by the Senate and House of Representatives in General Court convened, That James Wilcomb be allowed the sum of thirty four dollars and seventy five cents in full of his account and that said sum be paid out of the Treasury

CHAPTER 76.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR THE REGULATION AND GOVERNMENT OF SCHOOLS IN THE TOWN OF PORTSMOUTH, PASSED JULY 7th 1826.

[Approved July 4, 1829. Acts, vol. 27, p. 197. Session Laws, 1829, Chap. 64. Laws, 1830 ed., p. 439. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 564. See also acts of June 24, 1835, *post*; January 13, 1837, Session Laws, 1836, November session, Chap. 311; July 4, 1837, *id.*, 1837, Chap. 344, and June 28, 1841, *id.*, 1841, Chap. 616. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court Convened, that it shall be the duty of the School Committee of the town of Portsmouth for the time being to determine the class books to be used in the several schools in said town: and the scholars attending such schools, shall be supplied by their parents, masters or guardians, with the books so prescribed by said Committee; And if any parent, guardian, or master, shall, after notice given him or her, by the master or mistress of any such school, refuse or neglect for the space of eight days, to furnish their several scholars with the books so prescribed for their respective classes, the selectmen of the town on being notified by said master or mistress, shall forthwith furnish the same for such scholars, at the expense of the town. And the said Selectmen or their successors in office shall add the amount of the books so furnished, to the next annual tax of the parents, masters or guardians, who ought to have furnished the same; and the amount so added shall be levied, collected and paid into the town treasury in the same manner as other town taxes; Provided however, that in case such selectmen shall be of opinion

that any such parent master or guardian is not able and cannot afford to pay the whole expense of the books so furnished on his or her account, such parent, master or guardian shall be exonerated from the payment of the whole or any part of such expense, and the said Selectmen shall omit to add the amount of such books, or shall add only a part thereof to the annual tax of such parent master, or guardian, according to the proportion of such expense which such parent, master, or guardian shall in their opinion be able to pay: Provided nevertheless that in cases when children are already supplied with books, which shall not be considered by said school committee extremely faulty, in comparison with others which might be used, and which may be possessed in such numbers in any school, as to admit of the proper and convenient classification of such school, in that case said committee shall not direct the purchase of new books, without first obtaining the consent of the parents masters or guardians of a majority of the children so already provided for, until the expiration of two years from the passing of this act: Provided also, that said committee shall never direct any school books to be purchased or used in any of the schools under their superintendence, which are calculated to favor any particular religious sect or tenet.

Sec. 2 And be it further enacted, that this act shall not take effect until the same shall be adopted by said town at their annual meeting for the choice of town officers in March next

CHAPTER 77.

State of)
New Hampshire. {

AN ACT IN FAVOR OF EDWARD PHILBRICK AND OTHERS.

[Approved July 4, 1829. Acts, vol. 27, p. 203.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Edward Philbrick be allowed the sum of seventeen dollars in full of his account, that Aaron Carter be allowed the sum of sixteen dollars in full of his account, that James Buswell be allowed the sum of sixteen dollars in full of his account, that Isaac C. Bradley be allowed the sum of five dollars in full of his account, and that James Wilcomb be allowed eleven dollars in full of his account, and that David George be allowed the sum of four dollars in full of his account, and that said sums be paid out of the Treasury.

CHAPTER 1.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that the town of Milan have and receive the Laws of the State of New Hampshire at the expense of the State and that the Treasurer be requested to procure and deliver the same to the Representative for the District of Northumberland, Milan &c.

[Approved June 18, 1829. Acts, vol. 27, p. 207.]

CHAPTER 2.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That William Pickering Treasurer of the State be and hereby is authorised to receive of Samuel Morrill the late Treasurer all the monies, papers and other property in his keeping belonging to the State—And that the receipt of the said William Pickering therefor shall forever discharge the said Samuel Morrill from all liability for the same.

[Approved June 18, 1829. Acts, vol. 27, p. 211.]

CHAPTER 3.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That His Excellency the Governor be requested to appoint some person to deliver the election sermon in June next.

[Approved June 18, 1829. Acts, vol. 27, p. 212.]

CHAPTER 4.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Robert Lefavour, late Commissary General of this State, be allowed the sum of three hundred and one dollars and twenty seven cents in full of his account and that the said sum be paid out of the Treasury of this State.

[Approved June 18, 1829. Acts, vol. 27, p. 213.]

CHAPTER 5.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be, and he hereby is authorised, to convey to Thomas Walker of Thornton in the County of Grafton, all the right and title which the State of New Hampshire hath unto a tract of land situated between said Town of Thornton and the Town of Peeling, containing about two hundred acres, and is bounded as follows, viz. beginning at the northerly corner of said Town of Thornton, thence north ten degrees west to the line of the town of Peeling, thence southwesterly on the easterly line of the town of Peeling to the east line of Thornton second grant, thence southerly on the east line of said Thornton second grant to the west line of Thornton first grant, thence northerly on the westerly line of said Thornton first grant to the first mentioned bound. Provided, the said Thomas Walker shall prior to the first wednesday of June AD 1830 at his own expense, cause said tract of land to be appraised by the present Selectmen of Peeling, and shall on the delivery of said deed within the time aforesaid, pay into the Treasury such sum as the said Selectmen shall certify to the Treasurer to be the full value of said land, or shall give security to the satisfaction of the Treasurer for the payment thereof with interest within one year from the delivery of the deed as aforesaid—

And be it further resolved, that the aforesaid tract of land be and the same hereby is annexed to, and shall hereafter constitute and be a part of the town of Thornton.

[Approved June 19, 1829. Acts, vol. 27, p. 215.]

CHAPTER 6.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be and he is hereby authorised and empowered to borrow on the credit and for the use of this State the sum of twenty five thousand dollars, at a rate of interest not exceeding the usual rate of bank interest.

[Approved June 19, 1829. Acts, vol. 27, p. 217.]

CHAPTER 7.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Robert Lefavour, late Commissary General, be and he hereby is directed to deliver over to Joseph Hill, recently chosen to fill that office, all the artillery, small arms and other property in his possession, belonging to the State, and take his receipt therefor, and that said Joseph Hill be, and he hereby is, directed to make out a true and correct inventory of all such property by him received, and cause the same to be returned to the Secretarys office, during the first week of the next session of the Legislature.

[Approved June 19, 1829. Acts, vol. 27, p. 218.]

CHAPTER 8.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be, and he is hereby authorized to pay to the Representative or Representatives of the several towns in this State the share or proportion of the Literary Fund accruing to said towns, taking therefor the receipt of such representative or representatives. And it shall be the duty of the representative or representatives, receiving the same as aforesaid, to pay over the same, as soon as may be to the Treasurer or Selectmen of said towns and take his or their receipt therefor.

[Approved June 22, 1829. Acts, vol. 27, p. 219.]

CHAPTER 9.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That a committee consisting of one person be appointed by the Governor and Council, whose duty it shall be to collect practical information on the subject of the culture of silk generally; and in particular to ascertain the most approved mode of managing silk worms in any of the New England States, the best mode of cultivating the white mulberry trees, the quantity of leaves and labor required to produce a given quantity of silk, with the number of trees necessary to furnish said leaves; also such directions as will be necessary for persons wishing to commence the business of raising silk, and report to the next Legislature.

[Approved June 25, 1829. Acts, vol. 27, p. 223.]

CHAPTER 10.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twenty dollars be paid to the Rev. Humphry Moore out of any monies in the Treasury not otherwise appropriated, for his election sermon at the present session; and that his Excellency the Governor, be and he is hereby authorised to draw his warrant on the Treasury for the above sum.

[Approved June 25, 1829. Acts, vol. 27, p. 224.]

CHAPTER 11.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Selectmen of the town of Adams in the County of Coos and State of New Hampshire be, and they hereby are authorized and empowered to deposit in the office of the Secretary of State, the accompanying survey and plan of a tract of land granted to said town of Adams by the Legislature of this State in

the year 1806 for the support of schools and the gospel—which survey, when recorded, shall be and hereby is confirmation of the original grant of said land to said town of Adams—provided said survey be within the provisions of the original grant.

[Approved June 25, 1829. Acts, vol. 27, p. 225.]

CHAPTER 12.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be and he hereby is authorised to convey to Benjamin Pitman and William Stilphen both of Bartlett in the County of Coos, all the right, and title which the State of New Hampshire hath unto a tract of land, situated in said town of Bartlett, the same being a gore of land lying between Starks and Bailies location, containing twenty one acres and forty square rods, bounded on the east by said Benjamin Pitmans farm and by said William Stilphens farm on the west—provided said Benjamin Pitman and William Stilphen shall pay or cause to be paid into the Treasury of this State, on or before the first day of December next, the sum of twenty two dollars, which shall be the consideration of said conveyance.

[Approved June 25, 1829. Acts, vol. 27, p. 226.]

CHAPTER 13.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the sum of four hundred dollars, be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of erecting a wall to enclose the ground belonging to this State in front of the arsenal in Portsmouth, with a convenient passage or gate-way through the same to be secured by a gate; said wall to be one foot in thickness; seven feet in height above the natural surface of the earth, and placed on a proper foundation to secure the same from frost; and to be built of hardburned or weather bricks and capped with stone; provided that the whole expense of erecting said wall and its appendages shall not exceed the said sum of four hundred dollars. And the Governor, with advice of Council, is hereby authorized to issue his warrant

on the treasury for said sum of four hundred dollars, or so much thereof as may be necessary for the purposes aforesaid, in favor of Ezra Young whenever he shall produce satisfactory evidence to the Governor of the expense of erecting said wall, and that the same has been erected agreeably to the requirements of this resolution. And the said Ezra Young is hereby authorized to contract for, and superintend the building of said wall and its appendages.

[Approved July 1, 1829. Acts, vol. 27, p. 227.]

CHAPTER 14.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Governor be, and he hereby is requested to issue his proclamation making known to the citizens of this State the situation and course of the boundary line, as ascertained and established by the commissioners pursuant to a resolution of this State passed on the thirtieth day of June one thousand eight hundred and twenty seven in conjunction with certain commissioners appointed by the State of Maine.

[Approved July 1, 1829. Acts, vol. 27, p. 228.]

CHAPTER 15.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the following sums be appropriated for the purposes herein mentioned, thirty five dollars for repairing the gun house, carriage, and harnesses belonging to the ninth regiment, or purchasing any part thereof anew; and fifteen dollars for repairing the gun house of the sixteenth regiment—And His Excellency the Governor is hereby authorised by warrant on the Treasury to draw said sums therefrom at such times as he may think proper and deliver the same to the Adjutant General, who is hereby required to apply the same or so much thereof as may be necessary for the purposes aforesaid, on receiving satisfactory evidence that the above sums, or any part thereof, have been actually expended and render an account thereof to the Legislature.

[Approved July 1, 1829. Acts, vol. 27, p. 229.]

CHAPTER 16.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the towns of Milan, Piercy, Dummer and Winslows location, be, and they are hereby classed for the purpose of electing a representative and the inhabitants of said towns are hereby authorised to elect and send a representative to the General Court, until the Legislature shall otherwise order.

[Approved July 1, 1829. Acts, vol. 27, p. 230.]

CHAPTER 17.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the towns of Stratford and Northumberland be annexed and classed for the purpose of electing a representative, and the inhabitants of said towns are hereby authorised to elect and send a representative to the General Court until the Legislature shall otherwise order.

[Approved July 1, 1829. Acts, vol. 27, p. 230.]

CHAPTER 18.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened. That the Treasurer of this State be and he hereby is authorized, to convey to Jacob Sargent Junior, Ebenezer P. Elkins, David Perkins, John Eaton, Jasper Elkins and Samuel H. Walker all of Thornton in the county of Grafton, all the right and title which the State of New Hampshire has unto a tract of land situated in the County of Grafton aforesaid, and described as follows, to wit, beginning North of Gillis and Foss grant, at the south east corner of land granted to Hatch and Cleves, thence on the east and north line of said land, to the east line of Thornton Gore, thence North to the North-east corner of Lincoln, thence east ten miles, thence South to the North line of land, granted to Gillis and Foss, thence on said line to the first mentioned bound. Provided, the said

Jacob Sargent Jun. Ebenezer P. Elkins, David Perkins, John Eaton, Jasper Elkins and Samuel H. Walker shall, at their own expense, cause said tract of land to be surveyed and a correct plan thereof made by Jonathan Cummings Esq of Plymouth, and shall, at their own expense, cause the same to be appraised by Daniel Hoit of Sandwich, Davis Baker of Campton and Jonathan Cummings of Plymouth Esquires, which appraisal, certified by said appraisers, as the full amount of the value of said land, and said sum secured to the satisfaction of the Treasurer of this State, to be paid in six years from the first day of June next, payable in equal annual payments with interest shall be the consideration of said conveyance.

[Approved July 3, 1829. Acts, vol. 27, p. 231.]

CHAPTER 19.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the treasurer of this State be, and he is hereby authorised and empowered to borrow on the credit of the State, and for the use of the same, a sum not exceeding twelve thousand dollars, at a rate of interest not exceeding the usual rate of bank interest and so much of the State tax payable into the treasury on or before the first day of December A. D 1829 as will be sufficient to pay said loan and interest, is hereby appropriated for that purpose; and the said treasurer is hereby authorized and required to apply said sum for that purpose, as soon as a sufficient amount shall be paid into the treasury.

[Approved July 3, 1829. Acts, vol. 27, p. 233.]

CHAPTER 20.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the New Hampshire Historical Society be permitted to hold their meetings in the Committee room, numbered, twelve, in the State House, and to keep their library and cabinet of articles collected by them in the same room, in such manner as not to interfere with the use of the room by committees, until the Legislature shall otherwise order.

[Approved July 3, 1829. Acts, vol. 27, p. 234.]

CHAPTER 21.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be, and he hereby is authorized and directed to sell as soon as may be, consistent with the interest of the State, so much of the United States three per cent stock, belonging to this State, as will be sufficient to raise the sum of twenty five thousand dollars and apply the proceeds of said sale to the payment of such sum or sums of money as he may have occasion to borrow for the use of the state, by virtue of a resolution of the Legislature, passed June 19. 1829. Provided nevertheless, That the Treasurer shall have no authority to sell said stock, unless he shall receive for the same the sum of eighty four dollars for every hundred dollars of the principal thereof.

[Approved July 3, 1829. Acts, vol. 27, p. 235.]

CHAPTER 22.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the treasurer of this State be, and he hereby is authorized to convey to Daniel Pinkham of Adams, in the County of Coos, all the right and title which the State of New Hampshire hath unto a tract of land situated in said town of Adams, the same being all the lands granted to said Daniel Pinkham by the legislature of this State at their June session 1824 for the making and completing a road. Provided the said Daniel Pinkham shall give bonds in the penal sum of one thousand dollars with such surety or sureties as shall be satisfactory, to the Treasurer of this State, for the completion of said road in one year from the first day of June next, agreeably to the conditions and subject to the provisions of the original grant.

[Approved July 3, 1829. Acts, vol. 27, p. 236.]

CHAPTER 23.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twelve hundred dollars of any money not otherwise appropriated, be, and the same hereby is, appropriated for the purpose of educating indigent deaf and dumb children, belonging to this State, at the asylum at Hartford in Connecticut, to be expended and applied for the benefit of such children, as his Excellency the Governor shall think proper—And the Governor is hereby authorised to draw such sum from the treasury by warrant.

[Approved July 3, 1829. Acts, vol. 27, p. 237.]

CHAPTER 24.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That His Excellency the Governor, be and he is hereby authorised to draw on the Treasury for a sum, not exceeding five hundred dollars to defray the contingent expenses of the State for the current year.

[Approved July 3, 1829. Acts, vol. 27, p. 238.]

CHAPTER 25.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That a further time and until the first day of the next session of the General Court, be allowed the town of Bethlehem to make return of a survey of six hundred acres of land granted to said town for the support of the Gospel ministry and schools by an act of the General Court passed at their June session Anno Domini 1807.

[Approved July 3, 1829. Acts, vol. 27, p. 238.]

CHAPTER 26.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Governor with the advice of Council be authorized to appoint some suitable person or persons not exceeding three, with authority to collect and arrange for publication, the public statutes now in force in this State, including all the public acts passed the present session, and superintend the publication of a new edition thereof and to procure the same to be printed in one volume, on paper and type corresponding to the edition of the laws published in 1815. on such terms as they shall deem reasonable, and most advantageous to the State, giving public notice of the time and place for receiving proposals for the same, and that his Excellency the Governor be requested to inform them of their appointment.

[Approved July 4, 1829. Acts, vol. 27, p. 241.]

CHAPTER 27.

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That Horatio Hill and Company be allowed sixty four dollars and eleven cents in full of their account, and that said sum be paid out of the Treasury.

[Approved July 4, 1829. Acts, vol. 27, p. 242.]

CHAPTER 28.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the town of Waterville shall receive at the expense of the State one of Carrigains maps of New Hampshire, for which the Proprietor shall receive a reasonable compensation. Also copies of the Laws of this State and the New Hampshire reports, to be furnished by the Treasurer at the expense of the State. And that the Trustees of Lancaster Academy may receive at the expense of

the State one of Carrigains maps of New Hampshire for which said proprietor shall be reasonably compensated.

[Approved July 4, 1829. Acts, vol. 27, p. 243.]

CHAPTER 29.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Rev. Enos George be allowed the sum of fifty seven dollars in full for his services as chaplain of the Legislature during the present session, and that the same be paid to him out of the Treasury.

[Approved July 4, 1829. Acts, vol. 27, p. 244.]

CHAPTER 30.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court, convened, That Samuel Morrill late Treasurer of the State, be allowed the sum of one hundred and six dollars and twenty nine cents in full of his account for converting the stock and other securities composing the literary fund into money, and for making out proportions and distributing the same

[Approved July 4, 1829. Acts, vol. 27, p. 244.]

CHAPTER 31.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of three thousand dollars be and the same is hereby appropriated for the use of the State Prison, and his Excellency the Governor is hereby authorized to cause said sum to be drawn from the treasury, when the public interest may require it.

[Approved July 4, 1829. Acts, vol. 27, p. 245.]

CHAPTER 32.

State of)
New Hampshire. \

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be requested to deposit the eight copies of state papers and documents of congress received on the third instant in the State library, and that the librarian take charge of the same. And that the Secretary be requested to distribute to each of the incorporated towns in this State, one of the copies of the acts of the second session of the twentieth congress of the United States and to retain the residue of said copies in his office.

[Approved July 4, 1829. Acts, vol. 27, p. 247.]

[THIRTY-NINTH GENERAL COURT.]

[*Held at Concord, one session, June 2, 1830, to July 3, 1830.*]

[OFFICERS OF THE GOVERNMENT.]

MATTHEW HARVEY, GOVERNOR.
 DUDLEY S. PALMER, SECRETARY OF STATE.
 JOSEPH ROBINSON, DEPUTY SECRETARY OF STATE.
 ABNER B. KELLY, TREASURER.
 GEORGE SULLIVAN, ATTORNEY-GENERAL.
 JOSEPH M. HARPER, PRESIDENT OF THE SENATE.
 JAMES B. THORNTON,)
 SAMUEL WEBSTER, (SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Francis N. Fisk,	Concord.
Thomas E. Sawyer,	Dover.
Jesse Bowers,	Dunstable.
Joseph Healey,	Washington.
Stephen P. Webster,	Haverhill.

[MEMBERS OF THE SENATE.]

John F. Parrott,	Portsmouth.
Jacob Freese,	Deerfield.
Frederick G. Stark,	Manchester.
Joseph M. Harper,	Canterbury.
Henry B. Rust,	Wolfeborough.
Ezekiel Wentworth,	Ossipee.
William Bixby,	Francestown.
Benjamin Evans,	Warner.
Levi Chamberlain,	Fitzwilliam.
Eleazer Jackson, Jr.,	Cornish.
Elijah Miller,	Hanover.
Samuel Cartland,	Haverhill.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and) Plaistow,)	Moses F. Peaslee.
Brentwood,	Joseph Graves.
Candia,	Henry T. Eaton.
Chester,	John Bryant.
	John Folsom.

Deerfield,	Andrew Freese.
	Benjamin Jenness.
Derry,	Samuel Adams.
	John Porter.
East Kingston and } South Hampton, }	Parker Merrill.
Epping,	John Dow.
Exeter,	Nathaniel Conner.
	Oliver W. B. Peabody.
Greenland,	John K. Hatch.
Hampstead,	Moses Hoyt.
Hampton,	Joshua Lane.
Hawke and } Sandown, }	Samuel Pillsbury.
Kensington,	Smith Lamprey.
Kingston,	Frederick G. Nichols.
Londonderry,	John N. Anderson.
Newcastle,	William Venard, Jr.
Newington.	Hanson Hoit.
Newmarket.	Arthur Branscomb
Newton.	Joseph Hoit.
North Hampton,	Cotton W. Marston.
Northwood,	James Batchelder.
Nottingham,	Bradbury Bartlett.
Poplin,	Squire B. Hascall.
Portsmouth,	Ichabod Bartlett.
	Benjamin Carter.
	Samuel E. Coes.
	Alexander Ladd.
	Henry Salter.
Raymond,	Joseph Dudley.
Rye,	Samuel Jenness.
Salem,	Thornton Betton.
Seabrook,	John Locke.
Stratham,	Aaron Jewett.
Windham,	Isaac McGaw.

STRAFFORD COUNTY.

Alton,	Jeremy B. Wingate.
Barnstead,	Isaac O. Barnes.
	Samuel Webster.
Barrington,	William Hole.
Brookfield,	Dudley Pike.
Burton and } Chatham, }	Luther Richardson.

Center Harbor,	Josiah C. Sturtevant.
Conway,	Nathaniel Abbot.
Dover,	James Bartlett.
	Daniel M. Christie.
	Jacob Kittredge.
Durham,	Benjamin Kelly.
Eaton,	Stephen Danforth.
Effingham,	John Colley.
Farmington,	George L. Whitehouse.
Gilford,	Nathaniel Davis.
Gilmanton,	Daniel Gale.
	John Page.
	William Prescott.
Lee,	Sias Noble.
Madbury,	James Y. Demeritt.
Meredith,	Warren Lovell.
	Stephen Perley.
Middleton,	Jacob R. Pilsbury.
Milton,	Stephen M. Mathes.
Moultonborough,	Isaiah G. Orne.
New Durham,	Reuben Hayes, Jr.
New Hampton,	Washington Mooney.
Rochester,	James Farrington.
	Moses Young.
Sanbornton,	Charles Lane.
	Samuel Tilton.
Sandwich,	Stephen Fellows, Jr.
	Daniel Hoit.
Somersworth,	Noah Martin.
	Augustus Rollins.
Strafford,	John Perkins.
	Elisha Tasker.
Tamworth,	Enoch Remick.
Tuftonborough,	Jacob Burley.
Wakefield,	John Kimball.
Wolfeborough,	Thomas I. Tibbetts.

MERRIMACK COUNTY.

Allenstown,	Sterling Sargent.
Andover,	James Tucker.
Boscawen,	Moses Fellows.
	John Greenough.
Bow,	David White.
Bradford,	Jason H. Ames.
Canterbury,	Joseph Lyford, Jr.
Chichester,	Samuel Sargent.

Concord,	Robert Ambrose.
	Richard Bartlett.
	Theodore French.
Dunbarton,	Edward Gould.
Epsom,	William Ham, Jr.
Fishersfield,	Israel Putnam.
Franklin,	George W. Nesmith.
Henniker,	Moses Brown.
Hooksett,	Thomas R. Taggart.
Hopkinton,	Phinehas Clough.
	Nathaniel Curtis.
Loudon,	Samuel B. Dyer.
New London,	Anthony Colby.
Northfield,	Thomas Lyford.
Pembroke,	Jeremiah H. Wilkins.
Pittsfield,	Arlond Carroll.
Salisbury,	Matthew P. Webster.
Sutton,	John Pressey.
Warner,	Nathan S. Colby.
	Zebulun Davis.
Wilmot,	William Gay.

HILLSBOROUGH COUNTY.

Amherst,	David McG. Means.
Antrim,	Samuel Fletcher.
Bedford,	William Riddle.
Brookline,	William S. Crosby.
Deering,	Robert Goodale.
Dunstable,	Charles G. Atherton.
	Moody D. Lovewell.
Francestown,	John Gibson.
Goffstown,	David Barr.
	Charles F. Gove.
Greenfield,	Ephraim Holt.
Hancock,	Joseph Symonds.
Hillsborough,	Franklin Pierce.
Hollis,	Jonathan T. Wright.
Litchfield,	Josiah Richardson.
Lyndeborough,	Samuel Hartshorn.
Manchester,	Amos Weston, Jr.
Mason,	John Stevens.
Merrimack,	James B. Thornton.
Milford,	Solomon K. Livermore.
Mont Vernon,	Nathaniel Bruce.
New Boston,	Andrew Beard.

New Ipswich,	Charles Barrett.
Nottingham West,	Thomas B. Wason.
Pelham,	Samuel M. Richardson.
Peterborough,	Hugh Miller.
Sharon,	James Law.
Society Land and } Windsor, }	John Fleming.
Temple,	Simon Farrar.
Weare,	Simon P. Colby.
Wilton,	Daniel Paige, Jr.
	Jeel Abbott.

CHESHIRE COUNTY.

Alstead,	Walter Tufts.
Dublin,	Rufus Piper.
Fitzwilliam,	David Stone.
Gilsum,	Josiah Hammond.
Hinsdale,	Elihu Stebbins, Jr.
Jaffrey,	William Ainsworth.
Keene,	Aaron Hall.
Marlborough,	James Wilson, Jr.
Marlow,	Abner Boyden.
Nelson,	Allen Giffin.
Richmond,	Nathan Taft.
Rindge,	Joseph Weeks.
Roxbury,	Amos Keyes.
Stoddard,	James Wakefield.
Sullivan,	Danforth Taylor.
Surry,	Amos Wardwell.
Swanzey,	Samuel Robinson.
Trov.	Elijah Carpenter.
Walpole,	Daniel W. Farrar.
Westmoreland,	James Hooper.
Winchester,	Barton Skinner.
	Evi Pierce.

SULLIVAN COUNTY.

Acworth,	Stephen Carleton.
Charlestown,	Enos Stevens.
Claremont,	Timothy Grannis.
Cornish,	Godfrey Stevens.
Croydon,	John L. Putnam.
Goshen,	Carleton Barton.
	Oliver Booth.

Grantham,
Langdon,
Lempster,
Newport,
Plainfield,
Springfield,
Unity,
Washington,
Wendell,

Charles Gleason,
Samuel Garfield, jr.
Alvah Smith,
Moses P. Durkee,
Charles Flanders,
John H. Williams,
Amos Perkins,
Alfred Gordon,
John Colby.

GRAFTON COUNTY.

Alexandria,
Bath,
Bethlehem,
Bridgewater,
Bristol,
Campton,
Canaan,
Coventry,
Danbury,
Dorchester,
Enfield,
Franconia and }
Lincoln, }
Grafton,
Groton,
Hanover,

Haverhill,

Hebron,
Holderness,
Landaff,
Lebanon,

Lisbon,
Littleton,
Lyman,
Lyme,

New Chester,
Orange,
Orford,
Peeling and }
Ellsworth, }

William Crawford, Jr.
John H. Carbee.
Samuel Burnham.
Robert Sargent.
Walter Sleeper.
Ebenezer Little, Jr.
Nathaniel Currier.
Nathan Coburn.
John Bean.
Caleb Blodgett.
Robert Cochran.

William Quimby.
Eleazer Martin.
David Cheney.
Jonathan Freeman, 2d.
Timothy Owen, Jr.
Joseph Bell.
Caleb Morse.
Robert Burns.
Benjamin Burley.
Jonathan Brownson.
Alpheus Baker.
David Hough, Jr.
David Priest.
Comfort Dav.
Barron Moulton.
David C. Churchill.
David Culver.
John W. Sweatt.
Azal Washburn.
Leonard Wilcox.

Thomas Vincent, Jr.

Piermont,	Edmund Stevens.
Plymouth,	Samuel C. Webster.
Rumney,	Edward Webber.
Thornton,	Jasper Elkins.
Warren,	Moses H. Clement.
Wentworth,	John T. Sanborn.

COOS COUNTY.

Colebrook and } Columbia, }	William Holkins.
Jackson and Bartlett, Jefferson, Kilkenny, } Randolph, Bretton } Woods and Nash and } Sawyer's Location, }	Robert P. Hodgdon.
Lancaster, Milan, Piercy, Dum- } mer and Winslow's } Location, }	William Chamberlain.
Shelburne, Shelburne } Addition, Success } and Berlin, }	Jared W. Williams.
Stewartstown, Dixville. } Millsfield, Errol and } College Grant, }	Caleb Smith.
Stratford and Northumberland, Whitefield and Dalton,	Robert Ingalls.
	Benjamin Drew.
	Joshua Marshall.
	Simeon Warner.

[*First session, held at Concord, June 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 28, 29, 30, July 1, 2, 3, 1830.*]

CHAPTER 1.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN "ACT PRESCRIBING THE DUTY AND DIRECTING THE MODE OF CHOOSING REGISTERS OF DEEDS AND COUNTY TREASURERS AND PROVIDING FOR THE PAYMENT OF COUNTY EXPENSES"

[Approved June 25, 1830. Acts, vol. 27, p. 251. Session Laws, 1830, chap. 8. See acts of June 8, 1791, Laws of New Hampshire, vol. 5, p. 743; June 10, 1802, id., vol. 7, p. 54; June 23, 1818, id., vol. 8, p. 690; June 24, 1823, id., vol. 9, p. 202; June 26, 1823, id., p. 202; July 5, 1827, id., p. 642, and June 24, 1835, *post.* Repealed by act of December 23, 1842. See Revised Statutes (1842), chap. 230.]

Be it enacted by the Senate and House of Representatives, in general Court convened, That the several Clerks when attending upon the convention named in said act, for the purpose of granting and appropriating taxes, shall be allowed and paid out of the county treasury, the same travel and attendance as are paid to the members of the general court for their travel and attendance, and that it shall be the duty of said clerks to certify to the several county treasurers all such taxes as may be granted by said convention.

CHAPTER 2.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE FIRST FIRE ENGINE COMPANY IN CHESTER.

[Approved June 25, 1830. Acts, vol. 27, p. 252.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John S. Brown, Jay T. Underhill and Jonathan W. Clement, their associates and successors be and they are hereby incorporated and made a body politic and corporate by the name of the first Fire Engine Company in Chester, and by that name may sue and be sued, prosecute and defend to final judgement and execution and be known and distinguished in all their

acts and proceedings and they are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted, That said corporation be and hereby is authorized and empowered to purchase and hold real and personal estate for the purposes of said corporation to any amount, not exceeding one thousand dollars, and the same may sell, convey and dispose of at pleasure.

Sec 3. And be it further enacted, That the said John S. Brown, Jay T. Underhill and Jonathan W. Clement or any two of them may call the first meeting of said corporation at any suitable time and place in Chester in the County of Rockingham by giving to the members thereof five days notice of the time and place of said meeting by posting up in two of the most publick places in said Chester notifications thereof in writing, expressing therein the objects of said meeting; at which meeting the said members may make by laws for the regulation and government of said corporation, not repugnant to the law of this State; and may do and transact any business necessary to carry into effect the purposes intended by this act.

CHAPTER 3.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE CHESHIRE ATHENAEUM.

[Approved June 25, 1830 Acts, vol. 27, p. 253.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joel Parker, Charles G. Adams and Elijah Parker, with their associates and successors, be and hereby are made a corporation, for literary and scientifick purposes, by the name of the Cheshire Athenaeum, with all the powers and privileges incident to corporations of a similar nature.

Sec 2. And be it further enacted, That any two of the persons herein named may call the first meeting of said corporation by advertisement in either of the newspapers published in Keene, ten days before the day of such meeting, and said corporation may elect such officers and establish such by laws and regulations, not repugnant to the laws of this State, as shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 4.

State of
New Hampshire.

AN ACT RELATING TO THE ASSESSMENT OF TAXES IN CERTAIN CASES.

[Approved June 25, 1830. Acts, vol. 27, p. 254. Session Laws, 1830, chap. 11. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened. That if any stallion or Jack that has been wintered three winters, shall be brought into any town in this State between the first day of April and the first day of August in any year, for the purpose of being there kept for any part of the season for the use of mares, it shall be the duty of the selectmen of such town or some one of them, as soon as may be, to require of the person in whose care or possession such animal may be, to give security to the satisfaction of such selectmen for the payment of all rates or taxes, which may be assessed on such animal in said town, unless such person shall produce proof to the satisfaction of such selectmen, that such animal has been duly set in the list or inventory of some other town in this State for the same year, and in case such person shall fail to give such security or produce such proof within ten days after such requirement is made, the keeper and owner of such animal, or either of them shall forfeit and pay to the use of said town five dollars for each mare such stallion or Jack shall be put to, within said town, during such season. And it is hereby made the duty of the Selectmen of such town, and they are hereby empowered to sue for and recover of and from such keeper and owner of such animal, or either of them all such penalty or penalties, with costs in the name of such town, before any court proper to try the same. And it is hereby made the duty of assessors or selectmen in any town in this State, in which any stallion or Jack of three years old or upwards has been taxed or set in their inventory, to give a certificate to that effect to any person requesting the same.

Sec. 2. And be it further enacted, That any stallion or Jack, that has been wintered three winters, and which shall be brought into any town in this State at any time between the first day of April and the first day of August for the purpose aforesaid and which shall not have been taxed in any other town in this State for that year, shall be set in the list or inventory of said town for the same year— And shall by the assessors or selectmen of such town, be assessed in the same way and manner and in the same sums, which are assessed upon animals of the same kind, that were kept in said town upon the first day of April in the same year.

CHAPTER 5.

State of ()
New Hampshire. \

AN ACT TO INCORPORATE THE TRUSTEES OF THE PITTSFIELD ACADEMY.

[Approved June 25, 1830. Acts, vol. 27, p. 256. See also act of December 27, 1848. Session Laws, 1848, November session, Chap. 813.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James Joy, Caleb Merrill, John Berry, Caleb Clarke, Jeremiah Blake, Edward Berry, Arlond Carroll, Abraham French Jun, Enos George, John Kelley, Thomas D Merrill, Jeremiah Wilson and Enoch Place and their successors be, and they hereby are incorporated and made a body politick by the name of the Trustees of the Pittsfield Academy, and in that name may sue and be sued, prosecute and defend, to final judgement and execution, and shall be, and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature, and may have a common seal and the same alter at pleasure.

Sec 2. And be it further enacted, That said trustees are hereby made capable in law to acquire and hold in fee simple or any less estate by gift, grant or otherwise any real estate the annual income of which, shall not exceed five hundred dollars and personal estate not exceeding ten thousand dollars and the same may use and employ for the promotion of science and the useful arts and for the benefit of said institution, may sell and dispose of the same at pleasure.

Sec 3. And be it further enacted, That the said Academy be, and hereby is established in the town of Pittsfield in the County of Merrimack, where the same is now erected.

Sec 4. And be it further enacted, That said trustees may establish orders and regulations for the government of said institution, direct the management and application of its funds, and control the concerns of the institution in such manner, as shall best promote the interests thereof.

Sec 5. And be it further enacted, That the said James Joy, Caleb Merrill and John Berry or any two of them, may call the first meeting of the said Trustees, to be holden at any suitable time and place in said Pittsfield by posting up a notification for that purpose at said Academy, at least fifteen days before the day of meeting, any number of said Trustees not less than seven being hereby made a quorum for the transaction of any business of said corporation, at which said first meeting or at any adjournment thereof, they may

agree on the manner of calling their annual and other meetings, may elect such officers as they may deem expedient, and at the same or at any subsequent meeting legally holden, may adopt by laws and do and transact any business necessary and proper, to carry into effect the purposes of this act.

Sec. 6. And be it further enacted, That any vacancy or vacancies happening by death or otherwise in said board of Trustees, may be filled by a majority of the remaining Trustees, at any meeting of said Trustees duly notified for that purpose.

CHAPTER 6.

State of ()
New Hampshire.)

AN ACT RELATING TO CLERKS OF CORPORATIONS.

[Approved June 25, 1830. Acts, vol. 27, p. 258. Session Laws, 1830, Chap. 13. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the books of records of the votes and proceedings of all corporations now existing, or which hereafter may be created by the laws of this State, shall be open to the inspection of the stockholders, members and creditors of such corporations, if the demand of such creditor is due.

Sec. 2. And be it further enacted, That it shall be the duty of the clerks of such corporations when thereto required by any member, stockholder or creditor, whose demand is due of such corporation to furnish a certified copy of any vote or record which may be demanded. And if any clerk, of any corporation in this State, when required by a member, stockholder or creditor whose demand is due to furnish a certified copy of any vote or record of such corporation, and after the fees for such copy shall have been tendered at the same rate, which is allowed to clerks of courts for making and certifying copies of records, shall neglect or refuse for the term of thirty days to furnish such copy, he shall forfeit and pay a penalty for every such neglect or refusal of one thousand dollars to be recovered by action of debt in any court of competent jurisdiction, by the member, stockholder or creditor as aforesaid, who shall have demanded the said copy or copies.

Sec. 3. And be it further enacted, That the provisions and enactments of the foregoing sections of this act, shall not extend to giving any person the right of inspection or a right to copies of the books of credits and debts of any banking institutions or of the proceedings

of the Directors of any bank, unless the same shall be required or ordered by a vote of the stockholders or members of such corporation, at a meeting duly holden for that purpose.

CHAPTER 7.

State of)
New Hampshire. }

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES ASSESSED UPON THE IMPROVED LANDS AND BUILDINGS OF NONRESIDENTS.

[Approved June 25, 1830. Acts, vol. 27, p. 260. Session Laws, 1830, Chap. 14. See also acts of December 10, 1796, Laws of New Hampshire, vol. 6, p. 366, and vol. 7, p. 909; December 15, 1796, *id.*, vol. 6, p. 375; December 9, 1800, *id.*, p. 662; December 30, 1803, *id.*, vol. 7, p. 248; December 21, 1808, *id.*, p. 735; December 23, 1808, *id.*, p. 784; June 25, 1816, *id.*, vol. 8, p. 496; June 29, 1818, *id.*, p. 739; June 19, 1828, *id.*, vol. 9, p. 732, and July 4, 1829, *ante*, p. 87. Re-pealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all taxes upon the improved lands and buildings of nonresidents shall be collected in the same way and manner as is provided, for the collection of taxes upon the unimproved lands of nonresidents in the act entitled an act to provide for the collection of taxes, assessed upon the unimproved lands of nonresidents, and that all the provisions of the last mentioned act, shall be deemed and taken to be in force in relation to the collection of taxes upon improved lands and buildings of nonresidents.

Sec 2. And be it further enacted, That all acts heretofore passed, within the purview of this act, be and the same are hereby re-pealed.

CHAPTER 8.

State of)
New Hampshire. }

AN ACT TO INCORPORATE A PROVIDENT INSTITUTION FOR SAVINGS IN THE TOWN OF CONCORD, TO BE CALLED THE NEW-HAMPSHIRE SAVINGS BANK IN CONCORD.

[Approved June 25, 1830. Acts, vol. 27, p. 261. See also acts of July 4, 1834, *post*; July 7, 1881, Session Laws, 1877-81, p. 548; July 28, 1887, *id.*, 1883-87, p. 574, and February 14, 1893, *id.*, 1893-95, p. 107.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Timothy Chandler, Samuel Green, William Low, Joseph Low, Nathaniel W. Williams, Nathaniel

Bouton, Moses G. Thomas, Nathan Ballard Jr, David L. Morrill, Jonathan Eastman Jun, Nathaniel Abbott and Samuel Morrill be, and they hereby are incorporated into a Society by the name and style of the New-Hampshire savings bank in Concord; and that they and such others as shall be duly elected members of said corporation at the annual meetings thereof, according to such by laws as may hereafter be established, shall be and remain a body politick and corporate by said name and style forever for the purpose of enabling industrious persons of all descriptions, to invest such parts of their earnings, as they can conveniently spare in a safe and profitable manner, and with all the powers and privileges and subject to all the liabilities of corporations of this nature.

Sec. 2. And be it further enacted, That said corporation shall be capable of receiving from any person or persons disposed to enjoy the advantages of said savings bank any deposit or deposits of money or other personal property, and to use, manage and improve the same for the benefit and advantage of the person or persons by or for whom the same shall be deposited respectively; and the net income and profits of all deposits of money received by said corporation, shall be paid out and distributed in just proportions among the several persons by or for whom the said deposit shall have been made, and all such deposits may be withdrawn by the persons entitled thereto, at such reasonable times and in such manner as said corporation in its by laws may direct and appoint, or according to such lawful conditions and limitations as the depositors agreeably to the regulations of said society, may respectively have prescribed and annexed to their deposits.

Sec. 3. And be it further enacted, That the said corporation shall be capable of receiving and holding such buildings, and real estate as shall be necessary and convenient for managing their affairs provided that such real estate held at any one time for the purpose aforesaid, shall not exceed in value at the time of the purchase or acceptance thereof by said corporation, the sum of six thousand dollars—and the said corporation shall be further able to take, hold, and dispose of any real estate whatever, which may be bona-fide mortgaged, or pledged for the security of its loans or debts due to it, or which may be bona fide conveyed to, or taken by said corporation in satisfaction or discharge of debts, demands or liabilities, which shall have been previously contracted or incurred.

Sec. 4. And be it further enacted, That said corporation shall not make and issue any bill, or promissory note to circulate as currency, And the President and members of said corporation shall receive no compensation for their services in said savings bank, nor derive any emolument therefrom; provided however, that a reasonable allowance may from time to time be made to their treasurer or secretary. And the books and accounts of said corporation shall

at all times be open to the inspection of the Governor of this State; or any Justice of the Superior Court of Judicature or of a committee, for that purpose appointed by either branch of the Legislature.

Sec. 5. And be it further enacted, That the number of members of said corporation shall not exceed fifty at any one time; and any number not less than seven shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said corporation; provided that such meetings shall have been duly notified, in conformity to the by laws of said corporation; and provided further that said corporation may by their by laws require the attendance of one or more of their officers by them designated to constitute a quorum for the election of new members in addition to the number of members herein before prescribed.

Sec. 6. And be it further enacted, That Samuel Green, Timothy Chandler and Joseph Low, or any two of them be, and they hereby are authorized to call the first meeting of said corporation, at such time and place, and in such manner as they shall judge proper.

CHAPTER 9.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE CONGREGATIONAL SOCIETY IN TAMWORTH PASSED DECEMBER 11th A. D 1812".

[Approved June, 1830. Acts, vol. 27, p. 264. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 160.]

Whereas by the act to which this is in addition Samuel Gilman and Francis Proctor or either of them are authorized to call the first meeting of said society, and whereas said Gilman and Proctor have moved out of this State to parts unknown, and have never called a meeting of said society therefor.

Be it enacted by the Senate and House of Representatives in General Court convened, That Benjamin Gilman and Joseph Gilman or either of them may call the first meeting of said society, in the same way and manner as said Samuel Gilman and Francis Proctor, or either of them, are authorized to call the same by said act, to which this is in addition.

CHAPTER 10.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CHESHIRE THEOLOGICAL INSTITUTE.

[Approved June 25, 1830. Acts, vol. 27, p. 265.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Zedekiah S. Barstow, Elijah Parker, Otis C. Whiton, Amos W. Burnham, Ebenezer Coleman and Charles Holman with their associates and successors be and hereby are made a corporation for the purpose of collecting and forming a library, by the name of the Cheshire Theological Institute, with all the powers and privileges incident to similar corporations.

Sec. 2. And be it further enacted, That Z. S. Barstow, E. Parker, and O. C. Whiton or any two of them may call the first meeting of said corporation by advertisement in either of the newspapers printed in Keene, in the County of Cheshire ten days, before the day of such meeting, and said corporation may elect such officers and make such by laws and regulations not repugnant to the laws of this State, as may be deemed necessary and expedient to carry into effect the objects of said corporation.

CHAPTER 11.

State of }
New Hampshire. }

AN ACT TO AUTHORIZE THE APPOINTMENT OF COMMISSIONERS WITHOUT THIS STATE TO ADMINISTER OATHS AND TAKE ACKNOWLEDGMENTS OF DEEDS.

[Approved June 25, 1830. Acts, vol. 27, p. 267. Session Laws, 1830, Chap. 1. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor of this State be, and he is hereby authorized to nominate and with the advice of the Council to appoint and commission one or more commissioners, in each or such of the other United States or in the District of Columbia, as he may deem expedient—which commissioners shall continue in office during the pleasure of the Governor—and shall each have full power and authority to administer an oath or affirmation to any person for any legal cause whatever and to take depositions and the acknowledgment or proof of any deed, contract, letter of attor-

ney or any other writing to be used or recorded within this State. And such affidavit, deposition or affirmation and also such acknowledgement, taken, made or administered before such Commissioner and certified by him under his hand and seal—and his certificate thereof endorsed on, or annexed to such deed or other instrument, in conformity to the laws of this State, shall be as good and effectual to all intents and purposes as if taken, made or administered by or before any Justice of the Peace in this State.

Sec. 2. Be it further enacted, That every commissioner appointed as aforesaid, before he shall proceed to perform any duty under and by virtue of this act, shall take and subscribe an oath or affirmation before a Judge of the Superior Court of the State, in which such commissioner shall reside well and faithfully to execute and perform all the duties of such commissioner under and by virtue of the Laws of this State, which oath or affirmation shall be filed in the office of the Secretary of this State within six months from and after taking the same.

CHAPTER 12.

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN "ACT FOR THE SUPPRESSION OF LOTTERIES PASSED JULY 7. 1827.

[Approved June 25, 1830. Acts, vol. 27, p. 268. Session Laws, 1830, Chap. 2. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 698. See also acts of February 14, 1791, id., vol. 5, p. 686, and June 12, 1807, id., vol. 7, p. 568. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any fine or forfeiture shall be recovered of any person or persons for the violation of the provisions of the act, to which this act is in addition, on complaint of the Selectmen of any town within this State, the whole of the fine or forfeiture so recovered, shall be for the use of the town of which such complainants are the Selectmen, any thing in said act to the contrary notwithstanding, and the said town shall indemnify such Selectmen for any expenses, which they may incur in prosecuting such complaint.

CHAPTER 13.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN "ACT REGULATING TOWNS AND THE CHOICE OF TOWN OFFICERS PASSED JUNE 28TH 1827."

[Approved June 25, 1830. Acts, vol. 27, p. 269. Session Laws, 1830, Chap. 3. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 610. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when a vacancy shall happen in the office of town clerk in any town in this State, by death, resignation, removal out of town or otherwise, it shall be the duty of the Selectmen of such town, as soon as may be after such vacancy shall have happened, to appoint some person, duly qualified to fill said vacancy, which appointment shall be in writing signed by the selectmen making the same. And after the person so appointed shall have taken the oath required by law, to be taken by town officers, and his appointment, with the certificate of said oath, shall have been recorded in the book of records of such town, he shall be vested with the same powers and authority, be bound to discharge the same duties and be subject to the same liabilities, as though he had been chosen at the annual town meeting in such town and shall hold said office, untill another shall be chosen by the legal voters in said town. Provided nevertheless, that no such appointment as aforesaid shall prevent the legal voters in such town, from choosing a person to fill said vacancy at any town meeting duly notified and holden at any time, subsequent to said appointment.

CHAPTER 14.

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE RECORDING OF DEEDS OF STATE LANDS IN THE OFFICE OF THE SECRETARY OF STATE

[Approved June 25, 1830. Acts, vol. 27, p. 271. Session Laws, 1830, Chap. 4. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all deeds of lands belonging to the State, which may hereafter be executed and delivered by any

officer or agent of the State authorized to make such conveyance, shall be recorded in the records of the State by the Secretary, and no deed of conveyance or lease of any lands or of title or claim to any lands of this State, shall be of any force or effect for the conveyance of the same, or for the release of any title or claim of the State, unless the same shall have been recorded as aforesaid within one year from the date of the same.

CHAPTER 15.

State of)
New Hampshire.)

AN ACT FOR TAXING THE STOCK OF FIRE INSURANCE COMPANIES.

[Approved June 25, 1830. Acts, vol. 27, p. 272. Session Laws, 1830, Chap. 5. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That hereafter in assessing publick taxes, all shares which any person in this State, may own in the stock of any fire insurance company shall be valued at one half of one per cent of their real value.

Sec. 2. And be it further enacted, That in case the President or other principal officer of any fire insurance company, on application of the Selectmen of any town in this State, shall refuse or neglect for the space of four days, to furnish at the place of residence of such President or other principal officer an account in writing of all the shares in the stock of such fire insurance company, owned by any inhabitant or resident of any town in this State, whereof such applicants are Selectmen, such President or other principal officer so refusing or neglecting, shall forfeit and pay for every such offence a sum not less than twenty dollars nor more than two hundred dollars to be recovered by action of debt in the name and for the use of the town whereof such applicants are selectmen.

CHAPTER 16.

State of)
New Hampshire.)

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
 FARMERS AND MECHANICKS BANK.

[Approved June 25, 1830. Acts, vol. 27, p. 273. Name changed to Granite Bank by act of July 1, 1831, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Theodore Moses, Joseph Smith, Samuel Hatch, J. C. Smith, John Harvey, John Lowe Jr, John T. Burnham and Sherburne Blake and their associates and those who may hereafter become associates in said bank, their successors and assigns, be, and they hereby are created and made a corporation by the name of the President, Directors and Company of the Farmers and Mechanicks Bank, and shall be continued until the first day of January, which shall be in the year of our Lord one thousand eight hundred and fifty two, and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Court of record, or any other place whatever, and also to make, have and use a common seal; and the same at pleasure to break, alter or renew, and also to ordain, establish and put in execution such by laws, ordinances and regulations, not repugnant to the laws of this State, as to them shall seem necessary and convenient for their regulation and government, and for the prudent management of the affairs of said corporation, subject always to the rules, restrictions, limitations and provisions hereinafter prescribed.

Sec. 2. And be it further enacted, That the capital or joint stock of said corporation, shall consist of a sum not less than one hundred thousand dollars nor more than two hundred thousand dollars in specie, and shall be divided into four thousand shares, and the stockholders shall at their first meeting or at an adjournment thereof by a majority of votes, determine the amount of payments to be made on each share, and the time when and where they shall be made; also the manner of transferring and disposing of the stock and the profits thereof; which being entered on the books of said corporation shall be binding on the stockholders, their successors and assigns. Provided that no stockholder shall be allowed to borrow at said Bank, until he shall have paid in his full proportion of said sum of one hundred thousand dollars at least. Provided also that no stockholder, shall in any case be allowed to borrow more than fifty per cent, on his capital stock so paid in. And said corporation is hereby made capable in law to have, hold, purchase and re-

ceive, possess, enjoy and retain to them, their successors and assigns, lands, tenements and hereditaments to the amount of ten thousand dollars and no more at any one time, with power to bargain, sell, dispose of and convey the same, and to loan and negotiate their moneys and effects. by discounting on banking principles, on such personal security as they shall think advisable.

Sec. 3. And be it further enacted, That the following rules, restrictions, limitations and provisions shall form and be the fundamental articles of said corporation.

1. That the said corporation shall not issue and have in circulation, at any one time bills, notes or obligations to a greater amount, than the amount of the capital stock actually paid in, at such time and then composing the capital stock of said Bank; and in case any cashier, Director or other officer of said Bank at any time shall knowingly issue or order, direct or cause to be issued and put in circulation, bills, notes or obligations of said Bank, which together with those before issued and then in circulation shall exceed the amount of the capital stock of said Bank as aforesaid, such Cashier, Director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars.

2. That dividends may be made semiannually among the stockholders of said Bank of interest or profits actually received; but no part of the capital stock of said Bank shall be divided among or paid to the stockholders either before or after the expiration of the time limited by this act for the continuance of said corporation, without the license of the Legislature of this State therefor, on penalty that any cashier, Director or other officer, who shall so divide or pay the same, or order, direct or cause the same to be done, shall therefore forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars. Provided nevertheless, That it shall be lawful for the stockholders, after having given one years previous notice of their intention by advertisement in two Newspapers published in this State, and after payment of all outstanding debts due from said Bank, to make division of the capital stock among themselves and thereby dissolve said corporation.

3. That in case of a diminution or loss of any portion of the sum composing the capital stock of said Bank by any means whatever, it shall be the duty of the Directors in the next annual return of the condition of said Bank by law required to be made to the Governor and Council to state the amount of such diminution or loss and the cause thereof, and after such loss or diminution no dividend of interest or profit shall be made untill such loss or diminution shall have been replaced and supplied by assessments and actual payment of the stockholders or by appropriations therefor of the interest and profit actually received.

4. That said Corporation shall not vest, use nor improve any of their monies, goods, chattels or effects in trade or commerce; but may sell all kinds of personal pledges, lodged in their possession by way of security to an amount sufficient to reimburse the sum or sums loaned.

5. That none but a member of said corporation being a citizen of this State, and residents therein shall be eligible for a director and the directors shall choose one of their own number to act as President, The cashier before he enters upon the duties of his office, shall give bonds with two or more sureties to the satisfaction of the Board of Directors in a sum not less than twenty five thousand dollars, with condition for the faithful performance of the duties of his office.

6. That for the well ordering of the affairs of the corporation, a meeting of the stockholders shall be holden at such place as they shall direct on the first monday of March annually from and after their first meeting and at any other time during the continuance of said corporation at such place, as may be appointed by the President and Directors for the time being by publick notice being given at least two weeks prior thereto, at which annual meeting there shall be chosen by ballot seven Directors to continue in office the year ensuing their election and until others are chosen in their stead and the number of votes to which each stockholder shall be entitled shall be according to the number of shares he shall hold in the following proportion, that is to say, for every one share one vote, for every two shares above one and not exceeding twenty one vote, and for every three shares above twenty one vote, provided no one stockholder shall be entitled to more than fifteen votes; absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the cashier.

7. That no director shall be entitled to any emolument for his services but the stockholders may make the President such compensation as to them shall appear reasonable.

8. That no less than four Directors shall constitute a board for the transaction of business, of whom the President shall be one, except in case of sickness or necessary absence, in which case the Directors present may choose a chairman for the time being, in his stead.

9. That all bills issued from said Bank signed by the President and countersigned by the Cashier shall be binding on said Corporation.

10. That the Directors shall appoint a Cashier, and such other agents or servants, for conducting the business of the Bank with such salaries as to them shall seem just and proper.

11. That the aforesaid Bank shall be established and kept in the town of Exeter in the County of Rockingham

12. That the Legislature shall at all times have the right, by persons duly appointed for that purpose, to examine into the State and condition, and all the doings and transactions of said Corporation, and of their officers relating to the same, for which purpose all the books and papers of the corporation, together with the monies and securities for money shall be exhibited and submitted to the inspection and examination of such persons so appointed, and each officer shall answer on oath, if required, all suitable and proper interrogatories relating to the State, condition or transactions of said Bank.

Sec. 4. And be it further enacted, That Theodore Moses, John T. Burnham and Joseph Smith or any two of them, may call a meeting of the members of said corporation, at such time and place as they may deem proper, by giving publick notice thereof, at least two weeks prior to the time of meeting, by posting up notifications therefor, at two or more publick places in the town of Exeter, and by sending a notice in writing to each person belonging to the corporation not living in Exeter, for the purpose of making, ordaining and establishing such by laws, ordinances and regulations as the said members may deem necessary and for the choice of the first board of Directors, and such other officers as they may see fit to choose.

Sec. 5. And be it further enacted, That all penalties incurred for a breach of any of the provisions of this act, may be recovered by information or suit in the name of the State.

Sec. 6. And be it further enacted, That if said Corporation shall not be organized and in operation and shall not have actually paid to the Treasurer of this State, on or before the second wednesday of June, which will be in the Year of our Lord one thousand eight hundred and thirty three, one half of one per cent on the amount which shall constitute the capital stock of said Bank, agreeably to the provisions of the Act to establish a Literary Fund to be collected from the several banking corporations in this State, passed June 20. 1821. in that case this act and every part thereof shall be void and no effect.

CHAPTER 17.

State of {
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR LAYING OUT HIGHWAYS."

[Approved June 25, 1830. Acts, vol. 27, p. 280. Session Laws, 1830, Chap. 7. See act referred to, Laws of New Hampshire, vol. 9, p. 915. See also acts of June 20, 1840, Session Laws, 1840, June session, Chap. 509, and December 22, 1840, id., November session, Chap. 543. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Act entitled an "Act establishing a board of road commissioners and for laying out and repairing highways passed January 3. 1829" be and the same is hereby repealed; and all petitions for new highways, or for making existing highways wider and straiter or for discontinuing any highway or part thereof; or for damages to the owner or owners of land over which any highway laid out may pass, which were pending in the Court of Common Pleas at the time of the passage of the act hereby repealed, and have not been legally transferred to and tried by the said board of road commissioners shall be heard, tried and determined in the said Court of Common Pleas in the same way and manner, as if the act hereby repealed had never been passed— Provided that all things done under the Act hereby repealed, shall remain in the same force and have the same effect as if this act had never been passed. Provided also that all the records, files and proceedings of said board of road commissioners shall be deposited by the Clerk of said commissioners, in the office of the Clerks of the Courts of Common Pleas in the respective Counties in which the proceedings were had, and copies of the same certified by the said Clerks of the Court of Common Pleas, shall have the same effect as they would have, were the act establishing said road commissioners in force and said copies duly certified by the clerk of said commissioners

Sec 2. And be it further enacted, That all fines which shall hereafter be imposed by the Superior Court of Judicature on any town or other corporation for defect in making or repairing any highway or bridge, shall be appropriated and disposed of in making and repairing the highways and bridges so defective as aforesaid.

Sec. 3. And be it further enacted, That the Superior Court shall at the session when any such fine shall be imposed as aforesaid appoint one or more person or persons to superintend the collection and appropriation of the same for the purposes aforesaid, who shall

make return of his or their doings therein unto said Court whenever thereunto required.

Sec. 4. And be it further enacted, That no fees shall be taxed for witnesses in prosecutions against any town or other corporation for neglect in making or repairing highways or bridges hereafter instituted, unless such witness shall have attended as a witness in such prosecution for which he claims fees by direction of the Attorney General or the solicitor of the County where the prosecution may be.

Sec. 5. And be it further enacted, That all acts heretofore passed within the purview of this act be, and the same hereby are repealed.

CHAPTER 18.

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF THE CIVIL LIST.

[Approved June 29, 1830. Acts, vol. 27, p. 283. Session Laws, 1830, Chap. 18.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor have and receive as a salary from June 1830 to June 1831 the sum of twelve hundred dollars, That the Secretary have and receive as a salary for the same term, the sum of eight hundred dollars, in full compensation for all services rendered by him, in the capacity of Secretary, and that all fees allowed him by law be paid into the treasury, excepting those received for copies and certificates made by him for individuals for private purposes. That the Treasurer have and receive as a salary for the same term six hundred dollars. That the Adjutant and Inspector General have and receive as a salary for the same term four hundred dollars, That the Commissary General have and receive as a salary for the same term forty dollars. That each member of the council receive two dollars per day during the session of the General Court; and two dollars and fifty cents per day, when the members be called together during the recess thereof, and ten cents per mile for travel to and from the place of meeting. That the President of the Senate and Speaker of the House of Representatives each, receive two dollars and fifty cents per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting. That the members of the Senate and of the House of Representatives receive two dollars each

per day during the sitting of the General Court and ten cents per mile for travel to and from the place of sitting. That the clerks and assistant clerks of the Senate and House of Representatives receive two dollars and fifty cents each per day during the session of the General Court, and be allowed one day extra for making up the rolls and filing the papers, and ten cents per mile for travel to and from the place of sitting.

CHAPTER 19.

State of)
New Hampshire.)

AN ACT MAKING APPROPRIATIONS FOR THE MILITIA OF THIS STATE.

[Approved June 29, 1830. Acts, vol. 27, p. 284. Session Laws, 1830, Chap. 19.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the following sums be appropriated for the purposes herein mentioned; for the annual allowance to the companies of artillery four hundred and eighty dollars; for making regimental returns eighty dollars; for colours nineteen dollars; for instruments of musick two hundred and ninety one dollars; for blanks and stationary one hundred dollars; for harnesses ninety dollars; for the repair of the gun carriage in the twenty ninth regiment fifteen dollars; and that said sums be paid out of any money in the treasury not otherwise appropriated. And the Governor, with advice of the Council, is hereby authorized to issue his warrant on the treasury in favor of the adjutant General for the sums aforesaid; who is hereby required to apply the same for the purposes above specified, so far as may be necessary and to render an account thereof to the Legislature.

CHAPTER 20.

State of)
New Hampshire.)

AN ACT TO RAISE FORTY FIVE THOUSAND DOLLARS FOR THE USE OF THE STATE.

[Approved June 29, 1830. Acts, vol. 27, p. 285. Session Laws, 1830, Chap. 20.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of forty five thousand dol-

lars, shall be raised for the use of the State; which sum shall be assessed, collected and paid into the Treasury, on or before the first day of December in the Year of our Lord one thousand eight hundred and thirty one; and the Treasurer is hereby directed seasonably to issue his warrant to the Selectmen of the several towns and places within this State, according to the apportionment of the publick taxes made at the November session A. D. 1828. and the selectmen and assessors are hereby respectively required to assess the sums specified in the said warrants and to cause the same to be paid into the treasury on or before the first day of December in the Year of our Lord one thousand eight hundred and thirty one. And the Treasurer is hereby authorized to issue extents, for all taxes which shall then remain unpaid.

CHAPTER 21.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE GRANTHAM SOCIAL LIBRARY.

[Approved June 29, 1830. Acts, vol. 27, p. 287.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Leavitt, William Chase and Sylvanus Johnson and their associates and successors, be and hereby are incorporated and made a body politick and corporate by the name of the Grantham Social Library, with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said John Leavitt, William Chase and Sylvanus Johnson or any two of them may call the first meeting of said corporation, by posting up a notice in writing in two or more publick places in Grantham, or by giving personal notice in writing to each member of said corporation, expressive of the time, place and design of said meeting, at least ten days prior thereto.

CHAPTER 22.

State of)
New Hampshire.)

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE SUNCOOK FIRE ENGINE COMPANY NUMBER ONE IN PEMBROKE.

[Approved June 29, 1830. Acts, vol. 27, p. 288.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Hazeltine, Joseph Dyke and Joseph Emery and their associates and successors, are hereby made a corporation by the name of the Suncook Fire Engine Company, number one in Pembroke, and are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation are hereby authorized to acquire and hold real and personal estate for the purposes of their association, not exceeding in value eight hundred dollars and the same may dispose of at pleasure.

Sec. 3. And be it further enacted, That William Hazeltine, Joseph Dyke and Joseph Emery or any two of them, may call the first meeting of said corporation by posting up at two or more public places in Pembroke, a notice in writing expressing the time, place and design of such meeting at least six days prior thereto, or by giving such notice personally to each member of said corporation, at least four days prior to such meeting.

CHAPTER 23.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE ALTON AQUEDUCT COMPANY

[Approved June 29, 1830. Acts, vol. 27, p. 289.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Emerson, James Jewett and Joshua A. Varney and their associates and successors be, and they are hereby incorporated and made a body corporate and politick, by the name of the Alton Aqueduct company, and by that name may sue, and be sued, prosecute and defend to final judgment and execution: And shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said William Emerson and James Jewett may call the first meeting of said corporation, by posting up at some publick place, in said Alton a notice for that purpose four days before said meeting, at which meeting said corporation may choose a clerk, who shall be sworn to a faithful discharge of the duties of his office, and may also agree upon the method of calling future meetings: and may at the same, or at any subsequent meeting elect such officers and make and establish such rules and regulations for assessing and collecting the assessments on the shares in said corporation, as shall to them seem necessary—provided that such rules and regulations be not repugnant to the constitution and laws of this State.

Sec. 3. And be it further enacted, That such corporation may by deed, take, hold and enjoy all such real estate as may be conveyed to them, and may be necessary for them, in laying down such aqueduct and may take, hold and enjoy personal estate not exceeding five hundred dollars in value, and the same may sell and dispose of at pleasure.

CHAPTER 24.

State of)
New Hampshire.)

AN ACT AUTHORIZING THE ADJUTANT GENERAL TO DISTRIBUTE THE ABSTRACT OF INFANTRY TACTICS FOR THE USE OF THE MILITIA.

[Approved June 29, 1830. Acts, vol. 27, p. 291. Session Laws, 1830, Chap. 24. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Adjutant General be, and he hereby is authorized and directed to distribute to the several officers herein after mentioned, the abstract of Infantry tactics in the following manner, namely, to the Commander in Chief one copy, to all general and field officers in the Militia of this State one copy each, to the commanding officers of the several companies of Infantry, light Infantry, Grenadiers and Riflemen one copy each, to the Adjutants and Quarter Masters of the several Regiments in this State, one copy each, to every division and brigade Inspector one copy each.

Sec. 2. Be it further enacted, That each and every officer, who may receive a copy of the abstract of the Infantry tactics, shall give a receipt therefor and be accountable for the same in the same way and manner as officers in the Militia, are now accountable by law for publick property in their hands.

CHAPTER 25.

State of }
New Hampshire. }

AN ACT AUTHORIZING THE ADJUTANT GENERAL TO FURNISH A NEW
 PIECE OF ORDNANCE FOR THE TENTH REGIMENT OF N. H.
 MILITIA.

[Approved June 29, 1830. Acts, vol. 27, p. 292.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Adjutant General be, and he is hereby authorized to receive the piece of ordnance now in the possession of the company of Artillery in the tenth Regiment and to furnish to said company of Artillery a new piece of ordnance in stead thereof.

Sec. 2. And be it further enacted, That there be and there is hereby appropriated the sum of ninety dollars to defray the expense necessary to carry into effect the first section of this Act. And his Excellency the Governor is hereby authorized to issue his warrant in favor of the Adjutant General, upon the treasury, for said sum, which shall be paid out of any money in the treasury not otherwise appropriated.

CHAPTER 26.

State of }
New Hampshire. }

AN ACT TO ESTABLISH TIMES AND PLACES OF HOLDING COURTS OF
 PROBATE IN THE COUNTY OF SULLIVAN.

[Approved June 29, 1830. Acts, vol. 27, p. 293. Session Laws, 1830, Chap. 26. Partly repealed by act of November 30, 1832, *post*. See also act of December 17, 1840, Session Laws, 1840, November session, Chap. 582.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a Court of Probate in and for the County of Sullivan, shall be holden at the times and places following in every year, (*viz.*) at Newport, on the wednesdays next after the third tuesdays of January, April, June, August and October, at Charlestown on the third wednesday of March and December, at Claremont on the third Wednesday of February, May, July, September and November.

Sec. 2. And be it further enacted, That all acts and parts of acts, heretofore passed, so far as they establish other times and

places for holding Probate Courts in said County be, and the same are hereby repealed after the first day of October next, at which time this act shall take effect and not before.

CHAPTER 27.

State of)
New Hampshire. }

AN ACT TO ANNEX A CERTAIN GORE OF LAND TO THE TOWN OF PELHAM.

[Approved June 29, 1830. Acts, vol. 27, p. 295. Session Laws, 1830, Chap. 27.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the following described tract of land, situated between the towns of Pelham aforesaid and Windham, containing about seventy five acres, to wit, beginning at the north-westerly corner of Pelham aforesaid, thence running south eighty nine degrees east by the present line of said Pelham, to Beaver river, so called, thence up said river to the line of Nottingham West, thence by the line of said Nottingham West, to the first mentioned corner, be and the same hereby is, annexed to the town of Pelham aforesaid in the County of Hillsborough and made a part thereof.

CHAPTER 28.

State of)
New Hampshire. }

AN ACT TO CHANGE THE NAME OF THE TOWN OF NOTTINGHAM WEST.

[Approved July 1, 1830. Acts, vol. 27, p. 299. Session Laws, 1830, Chap. 28.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the town of Nottingham West in the County of Hillsborough, shall hereafter be called and known in law by the name of Hudson, any law, custom or usage to the contrary notwithstanding.

CHAPTER 29.

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT APPROPRIATING THE LITERARY FUND PASSED DECEMBER 31, 1828."

[Approved July 1, 1830. Acts, vol. 27, p. 299. Session Laws, 1830, Chap. 29. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 825. See also acts of June 29, 1821, and July 3, 1822, id., pp. 37, 154.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be, and he hereby is authorized and required to distribute and pay over to the several unincorporated places in this State, their equal share or proportion of the Literary fund and also their respective shares of the several sums, which shall be received by him, annually, under the act of June 29, 1821 entitled "An Act to establish a Literary fund, to be collected from the several banking corporations within this State" in the same way and manner, as he is authorized to distribute and pay over the same to incorporated towns by the act to which this is an addition—Provided nevertheless, That no unincorporated place, in this State, shall be entitled to receive such portion or share, until they shall have chosen selectmen and other town officers, according to the provisions of the seventeenth section of an Act entitled "An Act regulating towns in the choice of town officers passed June 28, 1827."

Sec. 2. And be it further enacted, That the Selectmen of any such unincorporated places in this State, shall have power to demand and receive of any person, having any share or portion of said literary fund so distributed to the unincorporated place, of which said demandants are the selectmen—And the said selectmen so receiving the same, shall be subject to the same liabilities and penalties for applying said sum or sums, so received, for any other purposes, than those specified in the act, to which this is an addition as towns now are by said Act in like cases.

CHAPTER 30.

State of)
New Hampshire.)

AN ACT IN FAVOR OF SAMUEL DINSMOOR JUN AND OTHERS.

[Approved July 1, 1830. Acts, vol. 27, p. 301.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Dinsmoor Jun be allowed the sum of one hundred fifty six Dollars and sixty two cents in full of his account, That James Clark be allowed the sum of two hundred seventy two dollars and twenty cents in full of his account. That Jacob Whittemore be allowed the sum of four dollars in full of his account, That Jewett Bishop be allowed the sum of two dollars in full of his account. That Daniel F. Richardson be allowed the sum of six dollars in full of his account, That William Pickering be allowed the sum of one hundred twenty seven dollars and thirty nine cents in full of his account, That Richard Bartlett be allowed the sum of six dollars in full of his account, and that said sums be paid out of the treasury.

CHAPTER 31.

State of)
New Hampshire.)

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE DEAD RIVER LUMBERING COMPANY.

[Approved July 1, 1830. Acts, vol. 27, p. 303. See also act of December 13, 1836, Session Laws, 1836, November session, Private Acts, Chap. 109.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James Osgood, Lot Davis and Samuel McDonal, their associates, successors and assigns be, and they hereby are incorporated and made a body politick and corporate by the name of the Dead River Lumbering Company, and by that name, may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature, to have continuance and succession for the term of twenty years and no longer.

Sec. 2. And be it further enacted, That said corporation shall be and hereby are authorized and empowered to remove trees,

bushes, drift wood and such other obstructions from and to excavate, deepen and improve the natural channel of the stream called Dead River, in the town of Berlin and to make such dams, slips, side-cuts and canals on or near said streams, as may be necessary and proper for safely and conveniently floating lumber thereon. Provided however, that it shall not be lawful for said corporation to do any act or thing whatsoever or to uphold and continue in being any dam, slip or other work or thing whatsoever, at any time hereafter, when the same shall in any way obstruct and hinder the free and perfect use and occupation of any mill, factory or machinery whatsoever, requiring or being put in operation by water power, that hath heretofore been or may hereafter be erected and made on or near said stream: And provided further, that it shall not be lawful for said corporation to do any act or thing whatsoever, or to uphold or continue in being any dam, slip or other work or thing whatsoever at any time hereafter, when the same shall in any way obstruct and hinder the free and perfect use and occupation of any bridge or bridges, that have heretofore been or may hereafter be erected and made on or over said stream.

Sec. 3. And be it further enacted, That if the said corporation can not agree with the owner or owners of any land or lands necessary and convenient to be taken, used or flowed for the purposes authorized by this Act, As to the damages, that may be sustained by such owner or owners, then and in that case, the Superior Court of Judicature on application of said corporation, and due notice to the opposite party, shall appoint a Committee consisting of three freeholders resident in the County of Coos, to assess and determine such damages, and the report of said committee thereon, made to and accepted and confirmed by said Superior Court of Judicature, shall be final and conclusive between the parties. Provided, however, that it shall not be lawful for said corporation to enter upon, take or use any land or lands for any purpose authorized by this act, until the damages agreed upon or assessed, determined and confirmed as aforesaid, shall have been paid or tendered to such owner or owners of such land or lands.

Sec. 4. And be it further enacted, That said corporation shall be and hereby are authorized and empowered to demand and receive of the several persons floating lumber on and through said stream and the dams, slips and other works of said corporation the following rates of toll: to wit, for so many mill logs put into said stream at Dead River Pond, so called, in said town of Berlin, situated about two miles from the mouth of said stream as will make one thousand feet of boards, twenty cents, and for so many mill logs, put into said stream above said pond, as will make one thousand feet of boards forty cents, and for other lumber in proportion, reserving the right to the Legislature to revise and alter the rates

of toll aforesaid at any time when it may be deemed just and expedient. And in case any person or persons floating lumber on said stream, shall neglect or refuse to pay the toll legally due and payable therefor, when the same may be demanded, it shall be lawful for said corporation to seize and detain the lumber so floated by the person or persons so refusing, until such toll shall be paid, and in case, such toll shall not be paid within three days from the time, such lumber shall have been so seized and detained, it shall be lawful for said corporation, to sell so much thereof, as will pay said toll with incidental charges at publick vendue, giving at least four days notice of such sale, by advertisement posted up at two or more publick places in Berlin.

Sec. 5. And be it further enacted, That said corporation may purchase and hold real estate necessary and convenient for carrying into effect the purposes of this act, not exceeding in value the sum of three thousand dollars and the same may alien and dispose of at pleasure.

Sec. 6. And be it further enacted, That James Osgood, Lot Davis and Samuel McDonal, or any two of them, may call the first meeting of said corporation, by posting up a notice in writing, at two or more publick places in the town of Berlin, expressing the time, place and design of said meeting, at least fifteen days prior thereto, or by giving such notice personally to each member of said corporation, at least ten days prior to such meeting; at which meeting or any subsequent meeting, said corporation, may agree upon the manner of calling their future meetings, may choose and appoint all necessary and proper officers and agents for conducting the concerns of said corporation may divide the capital or joint stock of said corporation, into such number of shares, as may be deemed proper, and agree on the manner of transferring them, may order assessments and fix the time of their payment, may make and establish by laws for the government of said corporation, not repugnant to the constitution and laws of the State—and may do and transact all business, matters and things necessary and proper to carry into effect the purposes of this Act; and all questions shall be determined by a majority of votes, allowing one vote to each share, and absent members may be represented, and vote, at such meetings by an agent authorized for that purpose in writing, which writing shall be filed with the clerk.

Sec. 7. And be it further enacted, That, if said corporation shall not cause said stream to be made convenient for floating lumber thereon, agreeably to the provisions of this act, within the term of six years from the time of the passing thereof, then and in that case, this act and each and every provision thereof shall be void and of none effect.

CHAPTER 32.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE MILAN
 AND SUCCESS LUMBERING COMPANY.

[Approved July 1, 1830. Acts, vol. 27, p. 308.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Barker Burbank, Cyrus Twitchell, Ransom Twitchell, Daniel G. Elinwood and John Elinwood, their associates, successors and assigns be, and hereby are incorporated and made a body politick and corporate by the name of the Milan and Success Lumbering Company and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges, incident to corporations of a similar nature to have continuance and succession for the term of twenty years and no longer.

Sec. 2. And be it further enacted, That said Corporation shall be, and hereby are authorized and empowered to remove trees, bushes, driftwood and such like obstructions from and to excavate, deepen and improve the natural channel of the stream called the Chickwalnippe and also the natural channel of the stream called Narmarcungawack or Sterns brook and to make such dams, slips, side cuts and canals on or near said streams or either of them, as may be necessary and proper, for safely and conveniently floating lumber thereon. Provided however, that it shall not be lawful for said corporation, to do any act or thing whatsoever or to uphold and continue in being any dam, slip or other work, or thing whatsoever at any time hereafter when the same shall in any wise, obstruct, or hinder the free and perfect use and occupation of any mill, factory or machinery whatsoever, requiring or being put in operation by water power, that hath heretofore been or that may hereafter be erected and made on said streams or either of them; and provided, further, that it shall not be lawful for said corporation to do any act or thing whatsoever or to uphold or continue in being any dam, slip, or other work or thing whatsoever, at any time hereafter, when the same shall in any wise obstruct or hinder the free and perfect use and occupation of any bridge or bridges, that heretofore have been or may hereafter be erected and made on or over said streams or either of them.

Sec. 3. And be it further enacted, That if said corporation cannot agree with the owner or owners of any land or lands, necessary and convenient to be taken, used or flowed for the purposes authorized by this act, as to the damages, that may be sustained by such

owner or owners, then and in that case, the Superior Court of Judicature on application of said corporation, and due notice to the opposite party, shall appoint a committee consisting of three freeholders resident in the County of Coos to assess and determine such damages, and the report of said committee thereon made to, and accepted and confirmed by said Superior Court of Judicature shall be final and conclusive between the parties. Provided however, that it shall not be lawful, for said corporation to enter upon, take or use any land or lands for any purpose authorized by this act, until the damages agreed on, or assessed, determined and confirmed as aforesaid, shall have been paid or tendered to said owner or owners of such land or lands.

Sec. 4. And be it further enacted, That said corporation shall be and hereby are authorized and empowered to demand and receive of the several persons floating lumber on and through said streams, and the dams, slips and other works, of said corporation the following rates of toll, to wit, for so many mill logs put into said streams, or either of them, above the great falls, so called, situated about three miles above the mouth of each of said streams, as will make one thousand feet of boards forty cents, and for other lumber in proportion, and for so many mill-logs put into said streams or either of them, below said great falls as will make one thousand feet of boards twenty cents, and for other lumber in proportion reserving the right to the Legislature to revise and alter the rates of toll aforesaid at any time, when it may be deemed just and expedient. And in case any person or persons floating lumber on said streams, or either of them shall neglect or refuse to pay the toll legally due and payable therefor, when the same may be demanded, it shall be lawful for said corporation to seize and detain the lumber so floated by the person or persons so refusing, until such toll shall be paid, and in case said toll shall not be paid within three days from the time, such lumber shall have been so seized and detained, it shall be lawful for said corporation to sell so much thereof, as will pay said toll, with incidental charges, at publick vendue, giving at least four days notice of such sale by advertisement posted up, at two or more publick places in Milan.

Sec. 5. And be it further enacted, That said corporation may purchase and hold real estate necessary and convenient for carrying into the effect the purposes of this act, not exceeding in value the sum of three thousand dollars, and the same may alien and dispose of at pleasure.

Sec. 6. And be it further enacted, That Barker Burbank, Cyrus Twitchell and Ransom Twitchell or any two of them, may call the first meeting of said corporation, by posting up a notice in writing at two or more publick places in Milan, expressing the time, place and design of said meeting, at least fifteen days prior thereto or by giv-

ing such notice personally to each member of said corporation at least ten days prior to such meeting at which meeting or any subsequent meeting said corporation may agree upon the manner of calling their future meetings, may choose and appoint all necessary and proper officers and agents for conducting the concerns of said corporation, may divide the capital or joint stock of said corporation, into such number of shares as may be deemed proper and agree on the manner of transferring them, may order assessments and fix the time of their payment, may make and establish by laws for the government of said corporation, not repugnant to the constitution and laws of this State, and may do and transact all business, matters and things necessary and proper to carry into effect the purposes of this act, and all questions shall be determined by a majority of votes, allowing one vote to each share and absent members may be represented and vote at such meetings by an agent authorized for that purpose in writing, which writing shall be filed with the clerk of said corporation.

Sec. 7. And be it further enacted, That if said corporation shall not cause said streams to be made convenient for floating timber thereon, agreeably to the provisions of this act, within the term of six years from the time of passing thereof, then and in that case, this act and each and every provision thereof shall be void and of no effect.

CHAPTER 33.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE PROPRIETORS OF HOLTS MEADOW IN AMHERST.

[Approved July 1, 1830. Acts, vol. 27, p. 313.]

Be it enacted by the Senate and House of Representatives in General Court convened, That John Secombe, Daniel Campbell, Joseph Crosby, Timothy Kittredge, Joshua Cleaves, Aaron Lawrence, David M. G. Means, Robert Means, Moses Hills, John L. Lamson, Thomas Wilkins and Amos Green, their associates and fellows, and those that may hereafter become by purchase, gift, devise or otherwise owners and proprietors of land in said meadow, be and they hereby are made a body politick and corporate forever by the name of the proprietors of Holts meadow in Amherst; and the said corporation are hereby invested with all the powers and privileges and shall be subjected to all the liabilities of corporations of a similar nature.

Sec. 2. Be it further enacted, That the said John Secombe, Daniel Campbell, and David M. G. Means or either two of them

may call the first meeting of said corporation, by giving to each proprietor of land in said Holts meadow, or leaving at his house a notice in writing, at least ten days before holding the same stating the time and place of said meeting, when or at any subsequent meeting the said corporation may adopt such rules and regulations as may be necessary to carry into effect the objects of this act, provided such rules and regulations are not repugnant to the constitution and laws of this State.

Sec. 3. Be it further enacted, That said corporation may appoint such agent or agents as they may think proper and give to such agent or agents authority to build and keep in repair all such fences, as are necessary to secure the property of said proprietors in said meadow, from injury and also authorize their said agents from time to time to assess upon the proprietors and owners of land in said meadow in a just and equitable proportion such sum or sums of money, as may be necessary to build and repair said fences—Provided however, that nothing in this act contained shall be so construed as to authorize said corporation to transact any business or to do any act or thing whatsoever, other than such as shall appertain to the making and keeping in repair the fences necessary for the convenient use and proper security of said meadow.

CHAPTER 34.

State of)
New Hampshire. }

AN ACT TO ESTABLISH A MANUFACTURING CORPORATION BY THE NAME OF THE JACKSON COMPANY.

[Approved July 1, 1830. Acts, vol. 27, p. 315. See also resolution of June 24, 1859, Session Laws, 1859, Chap. 2316, and act of March 22, 1893. id., 1893-95, p. 29.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Daniel Abbot, William Appleton, Dudley L. Pickman and Joseph Greeley, and such other persons as shall associate with them, and their successors and assigns, shall be, and hereby are constituted and made a corporation by the name of "The Jackson Company" and by that name may sue and be sued, prosecute and defend to final judgment and execution; and may have and use a common seal, and the same may alter and renew at pleasure; and also may make, ordain and put in execution such by laws and regulations (not being contrary, to the constitution and laws of the State) as shall be necessary, proper and convenient for the government of said corporation and the due management of its concerns; and shall be and hereby are vested with all the privileges

and powers, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and the same is hereby empowered to establish, manage and carry on the manufacture of cotton, woollen, Iron and other lawful manufactures on and near the Nashua River, in Dunstable, and also any and all such branches of manufacture and trade, as can be conveniently made, managed and carried on by said company and to purchase, take, hold and convey real and personal estate of every kind, to such amount as they may find necessary or convenient in the management of their concerns; Provided the same shall not exceed the sum of one million dollars, and the same to manage, improve, change and sell at their pleasure, and to erect on the real estate. to be purchased and held by them as aforesaid, such dams, canals, mills, buildings, machines and works as they may deem necessary or useful in carrying on and managing their manufactures and works and in conducting the business of the corporation.

Sec. 3. And be it further enacted, That the said Daniel Abbot may call the first meeting of said corporation, by giving seven days previous notice to each of the persons, who is associated with him in obtaining this charter; at which meeting a Clerk shall be chosen, who shall be sworn faithfully to discharge the duties of his office; and it shall be his duty to record the doings and proceedings of said corporation and to perform such other services as the by laws of said corporation may require; and at the same or any subsequent meeting duly holden, the members or associates of said corporation may prescribe and agree on the manner of calling, holding and managing future meetings; may divide their capital, or joint stock into such number of shares as they may deem proper and prescribe the mode or manner in which the shares in their capital stock shall be holden and how the same shall be transfered; may make or provide for the making of assessments on the shares from time to time, as occasion may require and fix the time for payment of the same, may appoint and constitute such officers, servants and agents of the said corporation as they shall think necessary and prescribe their respective duties, and may do or transact any matter, or thing relating to the property, business or concerns of the said corporation.

Sec. 4. And be it further enacted, That at all meetings of the members of said corporation, duly notified and holden, each member shall be entitled to cast one vote for each share that he may be the owner and holder of in said corporation, on all questions that may come before such meetings; and absent members may be represented, and vote at such meetings, by an agent for that purpose duly authorized by writing, signed by the member or members to be represented, which writing shall be filed with the clerk of said corporation; and at such meetings all questions shall be decided by a

majority of the votes cast; Provided however, That in the assessment of taxes on the shares in said corporation, three fourths of the votes cast shall be required to make such assessment binding on the members of said corporation.

Sec. 5. And be it further enacted, That the shares in the capital or joint stock of the corporation shall be liable, and holden for the payment of all assessments legally made thereon; and in case of neglect of any member to pay the assessment on his share or shares, the same or so many of them, as shall be sufficient to pay the assessment or assessments, may be sold, or transferred for the payment of the same, in such manner or way, as shall be prescribed by the by-laws or regulations of said corporation: Provided nevertheless, that nothing in this act shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation.

CHAPTER 35.

State of)
New Hampshire. }

AN ACT TO SEVER THE TOWN OF FRANKLIN AND ANNEX A PART OF THE SAME TO THE TOWN OF NORTHFIELD

[Approved July 3, 1830. Acts, vol. 27, p. 319. Session Laws, 1830, Chap. 43. See also act of June 27, 1861, id., 1861, Chap. 2514.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all that part of the town of Franklin in the County of Merrimack, which formerly belonged to and constituted a part of the town of Northfield in the County of Merrimack, be and the same is hereby severed from said town of Franklin and annexed to and made a part of the town of Northfield and all matters and things appertaining to that section of said town of Franklin, hereby annexed to said town of Northfield shall hereafter be and remain in the same state and condition, as if the same had never been severed from said town of Northfield. Provided, that all taxes actually assessed upon the inhabitants of that section of the town of Franklin, which is hereby annexed to said town of Northfield shall be collected, expended and applied in the same way and manner, as if this act had not been passed—Provided also, that all town officers of said town of Franklin, who reside within that section thereof hereby annexed to said town of Northfield, shall continue in their respective offices for and during the term for which they were elected.

Sec. 2. And be it further enacted, That of every thousand dollars of publick taxes hereafter to be raised the proportion, which the

town of Franklin shall pay, shall be three dollars sixty four cents and the proportion which the town of Northfield shall pay, shall be five dollars thirteen cents, and that the Treasurer be authorized and directed to issue his warrants to those towns accordingly, instead of the rates at which they are now assessed.

CHAPTER 36.

State of |
New Hampshire. |

AN ACT TO PREVENT THE PUBLICATION OF THE REVISED LAWS WITHOUT AUTHORITY.

[Approved July 3, 1830. Acts, vol. 27, p. 321. Session Laws, 1830, Chap. 44.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Isaac Long Jr and his legal Representatives shall have the sole and exclusive right of publishing the laws of the State as lately revised for the term of ten years.

Sec. 2. And be it further enacted, That if any person shall within the said term of ten years, publish or be directly or indirectly engaged or interested in publishing any edition of said revised Laws, such person for each and every such offence shall forfeit and pay the sum of five hundred dollars to be recovered by Indictment for the use of the State, and shall also be liable to said Isaac Long Jun or his legal representatives, in an action on the case for damages.

Sec. 3. And be it further enacted, That if any person shall within the said term of ten years sell or offer for sale within this State, any copy or copies of said revised Laws, other than those published by said Long or his legal Representatives as aforesaid, such person for each and every such offence shall forfeit and pay a sum not more than one hundred nor less than twenty dollars, to be recovered by indictment for the use of the State and shall also be liable to said Long or his legal Representatives, in an action on the case for damages. Provided nevertheless, that if the said Isaac Long Jr or his legal Representatives shall ask or receive for said revised laws more than after the rate of three dollars and fifty cents per volume, or shall not furnish a sufficient supply thereof for the market at that price per volume, this act shall be void and of no effect.

CHAPTER 37.

State of }
New Hampshire. }

AN ACT TO ESTABLISH TIMES AND PLACES FOR HOLDING COURTS OF
 PROBATE IN THE COUNTY OF COOS.

[Approved July 3, 1830. Acts, vol. 27, p. 323. Session Laws, 1830, Chap. 35.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a Court of Probate in and for the County of Coos, shall be holden at the times and places following in every year, (viz.) at Colebrook on the first tuesday of January, at Stratford on the first tuesday of June, at Lancaster on the first tuesdays of March, May and September, at Bartlett on the first tuesday in July, at Shelburne on the first tuesday in November.

Sec. 2. And be it further enacted, That all acts and parts of acts heretofore passed so far as they establish other times and places for holding Courts of Probate in said County be, and the same are hereby repealed after the first day of January next, at which time this act shall take effect and not before.

CHAPTER 38.

State of }
New Hampshire. }

AN ACT IN FAVOR OF EPHRAIM H. MAHURIN AND OTHERS.

[Approved July 3, 1830. Acts, vol. 27, p. 324.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Ephraim H. Mahurin be allowed the sum of six dollars in full of his account, That Amos A. Brewster be allowed the sum of five dollars in full of his account, That Clement Storer be allowed the sum of five dollars in full of his account, That Gawen Gilmore be allowed the sum of five dollars in full of his account, That William Badger be allowed the sum of four dollars in full of his account, That Robert E. Pecker be allowed the sum of twenty dollars in full of his account, and that said sums be paid out of the treasury.

CHAPTER 39.

State of }
New Hampshire. }

“AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE FIRE ENGINE COMPANY NUMBER ONE IN BATH.”

[Approved July 3, 1830. Acts, vol. 27, p. 325.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William N. Hutchins, George Wetherell and Ebenezer Carleton Jun, and their associates and successors are hereby made a corporation by the name of the “Fire Engine Company number one in Bath”, and are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation is hereby authorized and empowered to acquire and hold real and personal estate for the purpose of their associations not exceeding in value twelve hundred dollars and the same may dispose of at pleasure.

Sec. 3. And be it further enacted, That the said William N. Hutchins, George Wetherell and Ebenezer Carleton Jun, or any two of them may call the first meeting of said corporation by posting up at two or more publick places in Bath a notice in writing expressing the time, place and design of said meeting, at least six days prior thereto or by giving such notice personally to each member of said corporation at least four days prior to such meeting.

CHAPTER 40.

State of }
New Hampshire. }

AN ACT TO ESTABLISH THE RATES AT WHICH POLLS AND RATABLE ESTATE SHALL BE VALUED IN MAKING AND PASSING DIRECT TAXES.

[Approved July 3, 1830. Acts, vol. 27, p. 326. Session Laws, 1830, Chap. 41. This act repeals act of December 16, 1812, Laws of New Hampshire, vol. 8, p. 183. See also acts of January 4, 1833, *post*; July 6, 1833, *post*, and June 28, 1841, Session Laws, 1841, Chap. 631.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That hereafter all publick taxes shall be assessed on the Polls and ratable estates in manner following, namely, each male poll from eighteen to seventy years of age (except those from eighteen to twenty-one enrolled in the militia paupers and idiots) to be valued at one dollar ten cents, stallions

or stud Horses kept for the use of mares, that have been wintered three winters, each at ten dollars, other horses and mares that have been wintered five winters, each at fifty cents, other horses and mares that have been wintered four winters, each at thirty-five cents, other horses and mares that have been wintered three winters, each at twenty cents, other horses and mares that have been wintered two winters only, each at ten cents, each Jack kept for the use of mares or Jills, that has been wintered three winters at five dollars, each Jill that has been wintered three winters, fifty cents, other Jills that have been wintered two winters only, each at thirty cents, mules that have been wintered five winters at fifty cents each, mules that have been wintered four winters at thirty five cents each, other mules that have been wintered three winters at twenty cents each, other mules that have been wintered two winters only at ten cents each, oxen that have been wintered five winters, each at thirty cents, oxen that have been wintered four winters only, each at twenty cents, cows that have been wintered four winters each at fifteen cents, all neat stock that have been wintered three winters only, each at eight cents, all neat stock that have been wintered two winters only each at five cents, all sheep that have been wintered one winter, each at one cent, reckoning the winter to begin the first day of December and to end the last day of March, orchard land accounting so much for an acre as will one year with another make ten barrels of cider or perry each acre at twenty cents, arable land accounting so much for an acre, as will produce twenty five bushels of indian corn or other grain equivalent, one year with another, at twenty cents mowing land, accounting so much for an acre, as will produce one ton of english hay, or other hay equivalent one year with another at twenty cents, pasture land, accounting so much, as will keep one cow one year with another four acres, each acre at five cents, mills, carding machines, wharves ferries and toll bridges to be estimated at one twelfth part of their net yearly income, after deducting repairs; all other buildings and unimproved lands, whether owned by inhabitants or non-residents, at half of one per cent of their real value: all stock or property, whether of tanners, curriers, blacksmiths, or other tradesmen employed in the business of their trades, and all stock in trade of merchants, shopkeepers or other traders, reckoning the same at the average value thereof for a year, at half of one per cent; all bank shares at one half of one per cent, all money on hand or at interest more than the owner pays interest for, at three quarters of one per cent; all the property in the public funds to be estimated at the same rate according to its real value; all chaises, sulkies, coaches and other wheel carriages of pleasure, or for the conveyance of persons at half of one per cent of their real value.

Sec. 2. And be it further enacted, That an act entitled "An Act to establish the rates at which Polls and ratable estates shall be valued in making and assessing Direct Taxes" passed December 16.

1812 An Act entitled "An Act to establish the rate at which Bank shares shall be valued in making and assessing direct taxes" passed July 3, 1822 And an Act entitled "An Act for the taxing of sheep" passed January 3. 1829 be and the same hereby are repealed.

CHAPTER 41.

State of)
New Hampshire. }

AN ACT IN FAVOR OF JACOB B MOORE"

[Approved July 3, 1830. Acts, vol. 27, p. 330.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Jacob B. Moore be allowed the sum of two dollars and twenty five cents in full of his account, and that said sum be paid out of the treasury.

CHAPTER 42.

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE IRON WORKS MEETING HOUSE IN GILMANTON.

[Approved July 3, 1830. Acts, vol. 27, p. 331.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That David Edgerly, Charles Parker, Benjamin F. Hall and Moses P. Page and their associates and successors Proprietors of the Iron Works Meeting house, so called in Gilmanton be and hereby are incorporated and made a body corporate and politick by the name of the Proprietors of the Iron Works meeting house in Gilmanton and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted. That David Edgerly, Charles Parker and Benjamin F. Hall or any two or them may call the first meeting of said corporation by posting up, at two or more publick places in Gilmanton a notice in writing expressing the time, place and design of said meeting at least fifteen days prior to the day of holding the same—Provided however, that nothing in this act, con-

tained shall be so construed as to authorize said corporation to have and hold any estate, whether real or personal exceeding in value at any one time the sum of six thousand dollars or to appropriate such estate or any part thereof to any use or purpose whatsoever other than such as shall appertain to the establishing, upholding and supporting of publick religious teaching and worship.

CHAPTER 43.

State of)
New Hampshire.)

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved July 3, 1830. Acts, vol. 27, p. 333. Session Laws, 1830, Chap. 46.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names, which by this act they are respectively allowed to assume, viz. Nathaniel Fitaplace Howe of Hollis may take the name of Nathaniel Howe, and John Pond of Keene may take of John Henry Pond, and Abraham Morrill McQuillen of Brentwood may take the name of Edward Augustus Morrill—and Sarah McQuillen of Brentwood may take the name of Sarah Thing, and Louisa Towle of Kingston may take the name of Louisa Sanborn, and Charles Larkin Childs of Portsmouth may take the name of Joshua Wentworth Larkin and William Penn Thompson of Portsmouth may take the name of William Penn, and Jonathan Hogg of Londonderry may take the name of Jonathan Dana, and James Coolidge Rouse of Sharon, may take the name of James Coolidge, and Sarah Cheswell of New Market, may take the name of Margerett Eastam, and John Flanders of Warner may take the name of Jonathan Flanders, and Frederick D. Alcock of Deering may take the name of Frederick D. Otis, and Samuel Phelps Jr of Hebron may take the name of Lucius Wilson Phelps, and Betsy Carter of Hillsborough may take the name of Betsy Wheeler Theodore Newell, and Jason Carter of Hillsborough may take the name of Jason Hartwell Theodore Newell, and Hiel Calbath of Middleton may take the name of Hiel Perry Daney, and Jonathan Warner of Portsmouth may take the name of Samuel Warner, and Jonathan Taylor 3rd of Sanbornton may take the name of Jonathan Hilton Taylor.

CHAPTER 44.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT DEFINING THE POWERS AND DUTIES OF FIREWARDS AND OTHER PERSONS IN CERTAIN CASES, PASSED DECEMBER 16. 1828.

[Approved July 3, 1830. Acts, vol. 27, p. 335. Session Laws, 1830, Chap. 45. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 765. See also acts of April 6, 1781, id., vol. 4, p. 389; June 17, 1794, id., vol. 6, p. 188; November 30, 1803, id., vol. 7, p. 169; June 27, 1818, id., vol. 8, p. 723; December 20, 1824, id., vol. 9, p. 359; December 21, 1824, id., p. 359, and June 20, 1826, id., p. 487. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, all dwelling houses having three fire places, shall be furnished and provided with leather buckets and ladders in the same way and manner that houses and other buildings of two or more stories in height, are required to be furnished, by the act to which this is in addition. Provided, That the Selectmen of any town, which has adopted the whole or a part of the act, to which this is in addition, may, by their certificate in writing, exempt any person living in a house, but one story high, from the operation of this act, if in their opinion such person is unable to furnish such buckets and ladders.

CHAPTER 45.

State of }
New Hampshire. }

AN ACT IN FAVOR OF DUDLEY S. PALMER.

[Approved July 3, 1830. Acts, vol. 27, p. 336.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Dudley S. Palmer be allowed the sum of one hundred ninety dollars and eighty six cents, That Robert M. Sherburne be allowed the sum of three dollars, That Philip Carrigain be allowed the sum of fifteen dollars, That Isaac C. Bradley be allowed the sum of two hundred fifteen dollars and nine cents in full of their accounts, and that said sums be paid out of the treasury.

CHAPTER 46.

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PLEASANT SPRING AQUEDUCT COMPANY.

[Approved July 3, 1830. Acts, vol. 27, p. 337.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Eliphalet Lyman, Benjamin Stephenson, Ephraim Stockwell, Reuben Stephenson and their associates and successors be, and they are hereby incorporated and made a body corporate and politick forever, under the name of the Pleasant Spring Aqueduct Company, and by that name may sue and prosecute and be sued and prosecuted to final judgment and execution and shall be and hereby are vested with all the powers and privileges which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Eliphalet Lyman, Benjamin Stephenson and Ephraim Stockwell aforesaid, or any two of them may call the first meeting of said company, by posting advertisements in two publick places in the town of Lancaster where said Aqueduct is to be constructed, at least ten days prior to said meeting, to be holden at such time and place as they shall think proper, And the proprietors by a vote of a majority of those present or represented at said meeting accounting and allowing one vote to each share in all cases shall choose a Clerk, who shall be sworn to the faithful discharge of the duties of said office, and shall agree on a method of calling future meetings, and at the same time or any future meetings may elect such officers and make and establish such rules and by laws as to them shall seem necessary and convenient. for the regulation and government of said corporation, for securing, managing and improving the interests thereof. and for carrying into effect the purposes by this act intended, and the same by laws may cause to be executed and annex penalties to the breach thereof, provided the said rules and by-laws are not repugnant to the constitution and laws of the State, and all representations at any meeting of said corporation shall be proved in writing signed by the person to be represented, which shall be filed by the Clerk or recorded in a book or books provided for that purpose.

Sec. 3. And be it further enacted, That said corporation shall have power to purchase and hold in fee simple, so much land as may be sufficient to enable them to convey the water from any spring or springs of water in said Lancaster by means of an aqueduct any distance not exceeding one mile.

Sec. 4. And be it further enacted, That said corporation shall have power to convey the water from any such spring or springs to the village in Lancaster and there to distribute the same by means of an Aqueduct and cisterns to be by them built for the purpose. Provided the land upon which said Aqueduct and cisterns are built, is owned by said corporation, or the owners of such land shall have previously consented thereto.

Sec. 5. And be it further enacted, That the share or shares of said Proprietors may be transfered by deed, duly executed, acknowledged and recorded by the clerk of said proprietors on their records, and the share or shares of any proprietor may be sold by said corporation, on non payment of assessments duly made agreeable to the by laws, that may be agreed upon by said corporation.

CHAPTER 47.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE SOCIAL LIBRARY IN STEWARTSTOWN.

[Approved July 2, 1830. Acts, vol. 27. p. 341.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Herriman, Joseph Wisewell and David Kent their associates and successors be, and hereby are incorporated and made a body corporate and politick by the name of the Social Library in Stewartstown and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That John Herriman, Joseph Wiswell and David Kent or any two of them, may call the first meeting of said corporation, by posting up a notice in writing at two or more publick places in the town of Stewartstown at least fifteen days prior to the day of holding said meeting. Provided however, that nothing herein contained shall be so construed as to authorise said corporation to have or hold any estate except personal estate, which shall not exceed in value at any one time the sum of five hundred dollars and shall be used and appropriated in and about the establishment and support of a Library in said Stewartstown

CHAPTER 48.

State of)
New Hampshire.)

AN ACT IN FAVOR OF JOHN R. REDDING AND OTHERS.

[Approved July 2, 1830. Acts, vol. 27, p. 342.]

Be it enacted by the Senate and House of Representatives in General Court convened, That John R Redding be allowed the sum of two dollars and seventy cents in full of his account, that French and Metcalf be allowed the sum of two dollars and seventy cents in full of their account, that Gideon Beck be allowed the sum of two dollars and seventy cents in full of his account, that Kent and McFarland be allowed the sum of ten dollars and eighty cents in full of their account, that Hill and Barton be allowed the sum of one hundred and seventy five dollars in full of their account, and that said sums be paid out of any money in the treasury not otherwise appropriated.

CHAPTER 49.

State of)
New Hampshire.)

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE WARNER FIRE ENGINE COMPANY NUMBER ONE

[Approved July 2, 1830. Acts, vol. 27, p. 343.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Daniel George, Jacob Currier and Levi Bartlett and their associates and successors be and hereby are incorporated and made a body corporate and politick by the name of the Warner Fire Engine Company number one, and by that name may sue and be sued, prosecute and defend to final judgement and execution and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Daniel George, Jacob Currier and Levi Bartlett or any two of them may call the first meeting of said corporation by posting up at two or more publick places in Warner a notice in writing, expressing the time, place and design of said meeting, at least ten days prior to the day of holding the same. Provided however, that nothing in this act contained, shall be so construed as to authorise said corporation to have any estate or to transact any business, except such as shall be necessary and proper for the purchasing, keeping, repairing and duly and orderly managing a Fire Engine.

CHAPTER 1.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twenty dollars be paid to the Rev. Jaazaniah Crosby, out of any money in the treasury not otherwise appropriated, for his election sermon the present session; and that his Excellency the Governor be, and he is hereby authorized to draw his warrant on the treasury for the above sum.

[Approved June 16, 1830. Acts, vol. 27, p. 347.]

CHAPTER 2.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Hon. James B. Thornton have and receive the sum of six dollars in full for his travel and the sum of thirty five dollars in full for his attendance and compensation as presiding officer of the House of Representatives the present session, and that the Treasurer be and he is hereby authorised to pay said sums out of any money in the treasury not otherwise appropriated.

[Approved June 16, 1830. Acts, vol. 27, p. 347.]

CHAPTER 3.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Abner B Kelly Treasurer of the State be and hereby is authorized to receive of William Pickering late Treasurer, all the money, papers and other property in his keeping belonging to the State, and that the receipt of the said Abner B Kelly therefor, shall forever discharge the said William Pickering from all liability for the same.

[Approved June 24, 1830. Acts, vol. 27, p. 351.]

CHAPTER 4.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That on the payment of the sum of one hundred thirty dollars, into the treasury of this State on or before the first day of January in the Year of our Lord one thousand eight hundred and thirty one, by William Triggs Jun. of Wolfborough in the County of Strafford, the treasurer shall be and hereby is authorized to convey to the said William Triggs Jun his heirs and assigns all the right and title of said State in and to a certain tract of land situate in said Wolfborough containing forty seven acres and being part of lot numbered five, and the same land conveyed to said State by Joseph Lary by deed dated May 22^d A. D. 1793.

[Approved June 24, 1830. Acts, vol. 27, p. 351.]

CHAPTER 5.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That His Excellency the Governor be, and he hereby is authorized, to draw on the treasury for a sum not exceeding five hundred dollars, to defray the contingent expenses of the State for the year ensuing.

[Approved June 24, 1830. Acts, vol. 27, p. 352.]

CHAPTER 6.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor be requested to appoint some suitable person to preach the next Election sermon.

[Approved June 24, 1830. Acts, vol. 27, p. 353.]

CHAPTER 7.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That Reuben Hayes Jun. be allowed the sum of twenty five dollars and thirty nine cents in full of his account for repairing Gun House in the thirty third regiment N. H. militia, and that the same be paid out of the treasury.

[Approved June 24, 1830. Acts, vol. 27, p. 353.]

CHAPTER 8.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That John Demman be allowed the sum of fifty dollars in full of his account, for the purchase money of land and building a gun house in the twenty third regiment of New Hampshire militia, and that the same be paid out of the treasury.

[Approved June 24, 1830. Acts, vol. 27, p. 354.]

CHAPTER 9.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the petition of David Tilton praying for an appropriation of money, to be applied to the repairs of the gun-carriage in the twenty ninth regiment, be referred to the adjutant and acting quarter-master general, and if that officer shall deem it expedient to repair said gun-carriage, he shall be authorized to allow a sum, not exceeding fifteen dollars for the repairs thereof, from the military appropriations of the current year.

[Approved June 25, 1830. Acts, vol. 27, p. 355.]

CHAPTER 10.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be, and he hereby is authorized to convey to Daniel Pinkham of Jackson, in the County of Coos, all the right and title, which the State of New Hampshire has to all that tract of land, which was originally granted to said Daniel Pinkham by the Legislature of this State at their June session 1824 for the making and completing a road. Provided the said Daniel Pinkham shall give bonds in the penal sum of one thousand dollars, with such surety or sureties as shall be satisfactory to the Treasurer of this State, for the completion of said road, to the acceptance of the committee mentioned in the original grant, in three years from the passage of this resolution agreeably to the condition and subject to the provisions of the original grant, and shall cause said deed of conveyance to be recorded in the Secretarys office.

[Approved June 25, 1830. Acts, vol. 27. p. 356.]

CHAPTER 11.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the Committee appointed by the late Governor to arrange and publish a new edition of the laws of this State be, and they hereby are authorized and requested to deliver the six hundred copies of said laws contracted for, in behalf of this state, as soon as the same shall be completed and ready for delivery to the Secretary of State, and the Secretary is hereby authorized to receive the same and give to said Committee his receipt therefor, and the Secretary is directed to distribute and deliver the same in manner following, (viz) one copy to each town, one to his Excellency the Governor, one to each member of the Honorable Council, one to the Secretary of State, one to the Treasurer, one to each member of the Senate and House of Representatives, one to each clerk and assistant clerk of the Senate and House of Representatives, one to each Justice of the Superior Court and one to each of their clerks, one to each Justice of the Court of Common Pleas and one to each of their clerks, one to each Judge of Probate, one to each Register of Probate, one to the Attorney General, one to each of the County Solicitors, one to the Adjutant General, one to the Warden of the State Prison, one to the Library of Dartmouth College and one to each

of the Societies of the United Fraternity and Social Friends at said College, one to the New Hampshire Historical Society, one to the Judge of the Circuit Court of the United States and one to the clerk of said Court for the District of New Hampshire, one to each of the United States, three to the Congress of the United States, one to the Council chamber, three to the Senate chamber, twenty to the chamber of the House of Representatives, and the residue deposited in the State Library

[Approved June 25, 1830. Acts, vol. 27, p. 357.]

CHAPTER 12.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Commissioners of the Literary Fund, be and they hereby are authorized, to receive from the President, Directors and Company of the Portsmouth Bank, one half of one per cent upon their capital stock, as provided in the third section of An Act, entitled an "Act to establish a Literary Fund, to be collected from the several Banking Corporations in this State" passed June 29, 1821. Provided said Bank shall pay the same, on or before the first day of July next; and provided further that said Bank shall pay in addition thereto all the expenses incurred by the Treasurer on the Bills actually stamped; in which case said Commissioners may remit or refund the sum already paid by said Bank for stamping the bills thereof. And said Bank shall be entitled to all the privileges, to which it would have been entitled, had the one half of one per cent on the Capital stock of said Bank been paid on or before the second Wednesday of June instant.

[Approved June 26, 1830. Acts, vol. 27, p. 359.]

CHAPTER 13.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Trustees of Pittsfield Academy may receive at the expense of the State, one copy of Carrigains map of New Hampshire for which the proprietor shall be reasonably compensated.

[Approved June 26, 1830. Acts, vol. 27, p. 360.]

CHAPTER 14.

State of {
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be, and he is hereby authorized to borrow on the credit of the State, and for the use of the same, a sum not exceeding thirty three thousand dollars in such portions and at such times, as may in his opinion be requisite and proper, at the lowest rate of interest for which the same can be procured, and in no case exceeding the ordinary rate of bank interest: and so much of the State tax payable into the treasury on the first day of December next, as may be required to pay said loan and the interest, is hereby appropriated for that purpose: and the Treasurer is hereby required to apply the same to that purpose, as soon as a sufficient amount shall be paid into the Treasury. And be it further resolved, That the Treasurer be and he is hereby authorized, if in his opinion, the exigencies of the State may require it to borrow on the credit of the State, and for the use of the same, a sum not exceeding four thousand dollars, at any time between the first day of December next and the first day of June next; on the terms and in the manner herein above mentioned: and so much of the State tax payable into the Treasury on the first day of December A. D. 1831. as will be sufficient to pay said loan together with the interest, is hereby appropriated for that purpose: and the Treasurer is hereby required to apply the same to that purpose, whenever a sufficient amount of said tax, shall be paid into the treasury.

[Approved June 26, 1830. Acts, vol. 27, p. 361.]

CHAPTER 15.

State of {
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Hon. William M. Richardson and the Hon. Sam^l Green have and receive the sum of four hundred eighty dollars, in full for their services in arranging and superintending the publication of the new edition of Laws, and the Treasurer is hereby authorized to pay the same out of any money in the treasury not otherwise appropriated.

[Approved July 1, 1830. Acts, vol. 27, p. 363.]

CHAPTER 16.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Samuel A. Kimball have and receive the sum of thirty seven dollars in full for his services in assisting the committee appointed to arrange and superintend the publication of the new edition of the laws, and the Treasurer is hereby authorized to pay the same out of any money in the treasury not otherwise appropriated.

[Approved July 1, 1830. Acts, vol. 27, p. 364.]

CHAPTER 17.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Joseph M. Harper be allowed the sum of one hundred forty six dollars and thirty four cents in full of his account, and that the said sum be paid out of the treasury.

[Approved July 1, 1830. Acts, vol. 27, p. 365.]

CHAPTER 18.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be, and he is hereby authorized to pay annually to the Representative or Representatives of the several towns and unincorporated places in this State, the share or proportion of the Literary fund accruing to said towns and unincorporated places taking therefor the receipt of such Representative or Representatives and it shall be the duty of the Representative or Representatives receiving the same as aforesaid, to pay over the same, as soon as may be, to the treasurer or Selectmen of said towns and unincorporated places and take his or their receipt therefor.

[Approved July 1, 1830. Acts, vol. 27, p. 365.]

CHAPTER 19.

State of }
New Hampshire. }

Whereas by a Resolution passed on the nineteenth day of June in the Year of our Lord one thousand eight hundred and twenty nine, the Treasurer was authorized to convey to Thomas Walker then of Thornton in the County of Grafton, but now deceased, the right of the state in and to a certain tract of land in said Resolution, set forth and described upon certain conditions, which conditions were in the lifetime of said Thomas Walker complied with, in part only by reason of which, said conveyance has not been made. Therefore resolved that on payment of the sum of twenty two dollars into the treasury, on or before the first wednesday of June in the Year of our Lord one thousand eight hundred and thirty-one with interest from the time of the passage of this resolution by Samuel H. Walker, Peter Walker, Cynthia Brown wife of Charles F. Bowen, and Nancy Merrill wife of William S. Merrill all of said Thornton and sole heirs of said Thomas Walker deceased, the Treasurer shall be and hereby is authorized and directed to convey to the said heirs of said Thomas Walker deceased, their heirs and assigns all the right and title of the State in and to the tract of land aforesaid.

[Approved July 1, 1830. Acts, vol. 27, p. 367.]

CHAPTER 20.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That George D. Abbott be allowed forty three dollars and twenty five cents, in full of his account, and that the said sum be paid out of the treasury.

[Approved July 1, 1830. Acts, vol. 27, p. 368.]

CHAPTER 21.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor by and with ad-

vice of Council be, and he is hereby authorized and empowered to appoint some suitable person to paint the exterior wood work of the State House, excepting such part of the roof thereof, as is covered with shingles—And he is hereby authorized to draw upon the Treasurer of this State, for a sum not exceeding three hundred dollars to defray the expenses thereof.

[Approved July 1, 1830. Acts, vol. 27, p. 369.]

CHAPTER 22.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That Joseph Hill Commissary General of this State, be allowed two hundred forty two dollars and thirty seven cents in full of his account and, that said sum be paid out of the treasury.

[Approved July 1, 1830. Acts, vol. 27, p. 370.]

CHAPTER 23.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor, be authorized and requested to appoint a Committee of three persons to take into consideration the subject of the existing laws in relation to imprisonment for debt and the subject of a law in relation to insolvent debtors and that such committee be requested to report such measures, as they may deem expedient at the next session of the Legislature.

[Approved July 3, 1830. Acts, vol. 27, p. 371.]

CHAPTER 24.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the sum of fifteen hundred dollars, of any money not otherwise appropriated be, and the same hereby is ap-

appropriated for the purpose of educating indigent deaf and dumb children belonging to this State, at the Asylum in Hartford in Connecticut, to be expended and applied for the benefit of such children, as his Excellency the Governor shall think proper—And the Governor is hereby authorized to draw said sum from the treasury by warrant.

[Approved July 2, 1830. Acts, vol. 27, p. 372.]

CHAPTER 25.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be, and is hereby authorized to borrow on the credit of the State, and for the use of the same, a sum of money not exceeding three thousand dollars, at a rate of interest not exceeding the usual rate of bank interest: And so much of the State tax, as will be payable into the State treasury on the first day of December next, and in case the said sum shall be borrowed at any time after the first day of December next, so much of the State tax payable on the first day of December 1831, as will be sufficient to repay said sum together with the interest, is hereby appropriated for that purpose. and the Treasurer is hereby required to apply the same to the purpose aforesaid, as soon as a sufficient amount of the State tax payable on the first day of December next following the day on which the above mentioned sum may be borrowed, shall be paid into the Treasury.

[Approved July 2, 1830. Acts, vol. 27, p. 373.]

CHAPTER 26.

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened, That the Rev. Nathaniel Bouton, the Rev. Nathaniel W. Williams and the Rev. Moses G. Thomas be allowed the sum of fifteen dollars each in compensation for their services as Chaplains to the Legislature during the present session and that the said sums be paid out of the Treasury.

[Approved July 2, 1830. Acts, vol. 27, p. 374.]

CHAPTER 27.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary be, and he hereby is directed to cause the publick acts and resolves to be published at the close of each session of the Legislature agreeably to an Act entitled "An Act in addition to and in amendment of an Act entitled an act providing for the publication of the acts and journals of the legislature" passed July 3. 1829 in the following newspapers, to wit in the New Hampshire Gazette printed at Portsmouth; in the Dover Gazette and Strafford Advertiser printed at Dover; in the New-Hampshire Patriot and State Gazette and New-Hampshire Statesman and Concord Register printed at Concord; in the Farmers cabinet printed at Amherst; in the Farmers museum printed at Keene; in the New Hampshire Spectator printed at Newport; and in the Democratick Republican printed at Haverhill. Provided however, That no printer shall receive any compensation for publishing the laws unless he shall have published all of the publick acts and resolutions passed at the preceeding session of the Legislature.

[Approved July 3, 1830. Acts, vol. 27, p. 375.]

CHAPTER 28.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Isaac Long Jr be allowed the sum of sixty dollars in full of his claim for additional compensation in publishing the new edition of the Statutes of this State, and that the same be paid out of any money in the treasury not otherwise appropriated.

[Approved July 3, 1830. Acts, vol. 27, p. 376.]

CHAPTER 29.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Jacob Tyler doorkeeper of the Senate, and Edward Philbrick and Aaron Carter doorkeepers of the House of

Representatives, be allowed the sum of sixty four dollars each in full compensation for their services, in that capacity during the present session, and that said sums be paid out of the Treasury.

[Approved July 3, 1830. Acts, vol. 27, p. 377.]

CHAPTER 30.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That John Whipple be allowed the sum of thirty eight dollars and sixty cents for engrossing all the publick acts, resolves and addresses passed at the present session of the Legislature and that said sum be paid out of the treasury.

[Approved July 3, 1830. Acts, vol. 27, p. 378.]

CHAPTER 31.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Edward Philbrick have and receive for the services of his Son, as messenger in the House of Representatives, the sum of five dollars and that the same be paid out of the Treasury.

[Approved July 3, 1830. Acts, vol. 27, p. 379.]

CHAPTER 32.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened; That the Treasurer of this State be and he hereby is authorized to convey to Jasper Elkins, Samuel H. Walker, Jacob Sargent Jun Ebenezer P. Elkins, John Eaton and David Perkins all of Thornton, in the County of Grafton, all the right and title, which the State of New Hampshire have unto a tract of land situated in the County of Grafton aforesaid and described as follows, to wit, Beginning at the North east corner of the town of Lincoln and running east seven miles and one hundred and seventeen rods to Harts lo-

cation, Thence Southerly by the western boundary of said location to a point so far south, that a line drawn thence due south shall strike the Northwest corner of the town of Burton; Thence south to said Northwest corner of Burton; Thence westerly along the Northern line of Waterville to the eastern boundary of Hatch's and Cleave's Grant, Thence Northerly and Westerly by said Grant to the east line of Thornton, Thence by said line of Thornton northerly to the line of Lincoln and along this line to the point first mentioned. Provided, that the said Jasper Elkins, Samuel H. Walker, Jacob Sargent Jun. Ebenezer P. Elkins, John Eaton and David Perkins shall at their own expense, cause the same to be appraised, by Daniel Hoit of Sandwich, Davis Baker of Campton and Jonathan Cummings of Plymouth Esquires which appraisal certified by said appraisers as the full amount of the value of said land—and said sum secured to the satisfaction of the Treasurer of this State payable in six equal annual payments, with interest reckoning from the first day of June A. D. one thousand eight hundred and thirty, shall be the consideration of said conveyance. Provided also, that it shall not be lawful for said Treasurer to make said conveyance after the first Wednesday of June, which will be in the Year of our Lord one thousand eight hundred and thirty one.

[Approved July 3, 1830. Acts, vol. 27, p. 379.]

CHAPTER 33.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Joseph Robinson be allowed the sum of sixteen dollars in full of his account, and that said sum be paid out of the Treasury

[Approved July 3, 1830. Acts, vol. 27, p. 382.]

[FORTIETH GENERAL COURT.]

[Held at Concord, One Session, June 1, 1831, to July 2, 1831.]

[OFFICERS OF THE GOVERNMENT.]

SAMUEL DINSMOOR, GOVERNOR.
 RALPH METCALF, SECRETARY OF STATE.
 JOSEPH ROBINSON, DEPUTY SECRETARY OF STATE.
 ABNER B. KELLY, TREASURER.
 GEORGE SULLIVAN, ATTORNEY-GENERAL.
 SAMUEL CARTLAND, PRESIDENT OF THE SENATE.
 FRANKLIN PIERCE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Jacob Freese,	Deerfield.
Thomas E. Sawyer,	Dover.
Stephen Peabody,	Milford.
Joseph Healy,	Washington.
Samuel C. Webster,	Plymouth.

[MEMBERS OF THE SENATE.]

Langley Boardman,	Portsmouth.
Bradbury Bartlett,	Nottingham.
Frederick G. Stark,	Manchester.
Aaron Whittemore,	Pembroke.
Henry B. Rust,	Wolfeborough.
Benning M. Bean,	Moultonborough.
Daniel Abbott,	Dunstable.
Nathaniel Knowlton,	Hopkinton.
Phineas Handerson,	Chesterfield.
Eleazer Jackson, Jr.,	Cornish.
Robert Burns,	Hebron.
Samuel Cartland,	Haverhill.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and Plaistow, } Brentwood, Candia, Chester,	Richard Greenough. Joseph Graves. Henry T. Eaton. Samuel Aiken. John Bryant.
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Deerfield,	Samuel Collins.
	Andrew Freese.
Derry,	William Montgomery.
	Alanson Tucker.
East Kingston and } South Hampton, }	Jeremiah Morrill.
Epping,	Samuel R. Gordon.
Exeter,	Jeremiah Dow.
	Jotham Lawrence.
Greenland,	John K. Hatch.
Hampton,	Amos Towle, Jr.
Hampton Falls,	David Chase.
Hawke and } Sandown, }	Nicholas Quimby.
Kensington.	Smith Lamprey.
Kingston,	James Spofford.
Londonderry.	John N. Anderson.
Newington,	Thomas Pickering, Jr.
Newmarket,	David Murray.
Newton,	Matthias Bartlett.
North Hampton,	Benning Leavitt.
Northwood,	John Harvey, Jr.
Nottingham,	Joseph S. Tuttle.
Poplin,	Enoch Brown.
Portsmouth,	George Long.
	Joseph Sherburne.
	Michael W. Tucker.
	Isaac Waldron.
	Ezra Young.
Raymond,	Joseph Dudley.
Rye,	John A. Trefethen.
Salem,	Christopher Morrisor
Seabrook,	John Boyd.
Windham,	Isaac McGaw.

STRAFFORD COUNTY.

Alton,	Jeremy B. Wingate.
Barnstead,	William H. Newell.
	George Nutter.
Barrington,	Jeremiah Kingman.
Brookfield,	Joseph T. Churchill.
Burton and } Chatham, }	Samuel Dearing.
Center Harbor,	Josiah C. Sturtevant.
Conway,	Nathaniel Abbott.

Dover,	Samuel W. Carr. Daniel M. Christie. Cyrus Goss. Jacob Kittredge.
Durham,	George Hull.
Eaton,	Joseph R. Hunt.
Effingham,	Carr Leavitt.
Farmington,	John H. Nutter.
Gilford,	Nathaniel Davis, Jr.
Gilmanton,	Daniel Gale. John Page. William Prescott.
Lee,	George Lang.
Madbury,	Laban Miles.
Meredith,	Jonathan Folsom. Ebenezer S. Mooney.
Middleton,	Alvah Scates.
Milton,	Stephen M. Mathes.
Moultonborough,	Isaiah G. Orne.
New Durham,	Reuben Hayes, Jr.
New Hampton,	Henry Y. Simpson.
Rochester,	James Farrington. Moses Young.
Sanbornton,	Joseph W. Clement. Charles Lane.
Sandwich,	George F. Marston. Paul Wentworth.
Somersworth,	John G. Chase. Augustus Rollins.
Strafford,	John Perkins. Elisha Tasker.
Tamworth,	Enoch Remick.
Tuftonborough,	Jacob Burley.
Wakefield,	Benjamin Cook, Jr.
Wolfeborough,	Thomas J. Tibbets.

MERRIMACK COUNTY.

Allenstown,	Daniel Batchelder.
Andover,	Jesse Graves.
Boscawen,	Thomas Coffin. Moses Fellows.
Bow,	John Farnum.
Bradford,	Samuel Jones.
Canterbury,	Jeremiah Clough.
Chichester,	Henry Roby.
Concord,	Richard Bartlett. Theodore French. David George.

Dunbarton,	John Mills, Jr.
Epsom,	Richard Tripp.
Fishersfield,	Israel Putnam.
Franklin,	George W. Nesmith.
Henniker,	Moses Brown.
Hooksett,	Thomas R. Taggart.
Hopkinton,	Nathaniel Curtis,
	Samuel Straw.
Loudon,	John Bachelder.
New London,	Anthony Colby.
Northfield,	Benjamin A. Chase.
Pembroke,	James Haselton.
Pittsfield,	Arlond Carroll.
Salisbury,	Matthew P. Webster.
Sutton,	Jonathan Harvey.
Warner,	Zebulun Davis.
	Benjamin E. Harriman.
Wilmot,	Samuel Kimball.

HILLSBOROUGH COUNTY.

Amherst.	John Secombe.
Antrim,	Thomas McMaster, Jr.
Bedford,	William Riddle.
Brookline,	William S. Crosby.
Deering.	William Manahan.
Dunstable,	James Osgood.
Fracesttown	John Gibson.
Goffstown,	David Barr.
	Charles F. Gove.
Greenfield,	Ephraim Holt.
Hancock,	Amos Whittemore.
Hillsborough.	Franklin Pierce.
Hollis,	Jonathan T. Wright.
Hudson,	Thomas B. Wason.
Litchfield,	Josiah Richardson.
Lyndeborough.	Samuel Hartshorn.
Manchester,	John Proctor.
Mason,	John Stevens.
Merrimack,	Joseph Litchfield.
Milford,	Solomon K. Livermore.
Mont Vernon	Nathaniel Bruce.
New Boston.	John Atwood.
New Ipswich.	George F. Farley.
Pelham,	Samuel M. Richardson.
Peterborough.	Hugh Miller.
Sharon,	Samuel Clark.

Society Land and } Windsor, Temple, Weare,	James Perkins. Simon Farrar. Simon P. Colby. Daniel Paige, Jr.
Wilton,	Joel Abbott.

CHESHIRE COUNTY.

Alstead, Chesterfield, Dublin, Fitzwilliam, Gilsum, Hinsdale, Jaffrey, Keene,	Walter Tufts. Nathan Wild. Rufus Piper. Joseph Brigham. Aaron Day. Elihu Stebbins. Levi Fisk. Eliphalet Briggs. James Wilson, Jr. Abner Boyden.
Marlborough, Marlow, Nelson, Richmond, Rindge, Roxbury, Stoddard, Sullivan, Surry, Swanzey, Troy, Walpole, Westmoreland, Winchester,	Allen Giffin. Nathan Taft. Russell Whipple. Amos Keyes. Samuel Griffin. Danforth Taylor. Roswell Oswood. Benjamin Hill's. Elijah Sawver. Daniel W. Farrar. Leonard Bisco. Barton Skinner. Evi Pierce.

SULLIVAN COUNTY.

Acworth, Charlestown, Claremont,	Jonathan Gove. Joseph Heaton. Timothy Grannis. Austin Tyler.
Cornish, Croydon, Goshen, Grantham, Langdon, Lempster, Newport,	John L. Putram. Paul Jacobs. Virgil Chase. John Gove, Jr. Samuel Garfield, Jr. Alvah Smith. Moses P. Durkee. Benjamin B. French.

Plainfield,	Elias Frost.
Springfield,	Solomon Clement.
Unity,	Amos Perkins.
Washington,	Alfred Gordon.
Wendell,	Samuel Knowlton.

GRAFTON COUNTY.

Alexandria,	Elias Perkins.
Bath,	Isaac Patterson.
Bethlehem,	Lyman Blandin.
Bridgewater,	Paul Perkins.
Bristol,	Joseph Moor.
Campton,	John Kenniston.
Canaan,	Josiah Clark, Jr.
Coventry,	Nathan Coburn.
Danbury,	Ephraim Crockett.
Dorchester,	Joseph Jewett.
Enfield,	Henry Currier.
Franconia and } Lincoln, }	Simon Tuttle.
Grafton,	Eleazer Martin.
Groton,	David Cheney.
Hanover,	Chauncy Bridgman.
	Ebenezer Symmes.
Haverhill,	Samuel Page.
	Jonathan Wilson.
Hebron,	Rufus Pike.
Holderness,	Samuel Thompson.
Landaff,	Jonathan Brownson.
Lebanon,	Gideon Dickinson.
	David Hough, Jr.
Lisbon,	David Priest.
Littleton,	Comfort Day.
Lyman,	Horace Duncan.
Lyme,	Joshua Balch.
	Arthur Latham, Jr
New Chester,	John W. Swett.
Orange,	Samuel Andrew.
Orford,	Leonard Wilcox.
Peeling and Ellsworth,	Matthias Kimball.
Piermont,	James Kent.
Plymouth,	Jonathan Dearborn
Rumney,	Edward Webber.
Thernton,	Jasper Elkins.
Warren,	Enoch R. Weeks.
Wentworth,	Enoch Page.

COOS COUNTY.

Colebrook and } Columbia, }	William Holkins.
Dalton,	Asa Taylor.
Jackson and } Bartlett, }	George P. Meserve.
Jefferson, Kilkenny, } Randolph, Bretton }	
Woods and Nash } and Sawyer's Lo- } cation, }	Clovis Low.
Lancaster,	Jared W. Williams
Milan, Piercy, Dum- } mer and Winslow's } Location, }	Ransom Twitchel.
Shelburne, Shelburne } Addition, Success and } Berlin, }	Barker Burbank.
Stewartstown, Dixville, } Millsfield, Errol and } College Grant, }	Benjamin Drew.
Stratford and } Northumberland, }	Joshua Marshall.
Whitefield,	Simeon Warner.

[*First Session, held at Concord, June 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, July 1, 2, 1831.*]

CHAPTER 1.

State of)
New Hampshire.)

AN ACT TO INCORPORATE A PROVIDENT INSTITUTION FOR SAVINGS
IN THE TOWN OF CHARLESTOWN, TO BE CALLED THE CONNECTICUT
RIVER SAVINGS BANK IN CHARLESTOWN.

[Approved June 16, 1831. Acts, vol. 28, p. 1.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Horace Hall, Henry Hubbard, Frederick A. Sumner, Jesse Healy, Gawin Gilmore, Jonathan Gove, Thomas C. Drew, Leonard Biscoe, Walter Tufts, William Marvin, Amos Perkins, James A. Gregg, Charles Westcott, Jason Wetherbee, Samuel Webber and Hiram Hoit be, and they hereby are incorporated into a society by the name and style of the Connecticut River Savings Bank in Charlestown: and that they and such others as shall be duly elected members of said corporation at the annual meetings thereof according to such by laws, as may hereafter be established, shall be and remain a body politick and corporate by said name and style forever, for the purpose of enabling industrious persons of all descriptions to invest such parts of their earnings as they can conveniently spare, in a safe and profitable manner and with all the powers and privileges and subject to all the liabilities of corporations of this nature.

Sec. 2. And be it further enacted, That said corporation shall be capable of receiving from any person or persons disposed to enjoy the advantages of said Savings Bank any deposit or deposits of money or other personal property and to use, manage and improve the same for the benefit and advantage of the person or persons by or for whom the same shall be deposited respectively: and the net income and profits of all such deposits received by said corporation shall be paid out and distributed in just proportions among the several persons by or for whom the said deposits shall have been made, and all such deposits may be withdrawn by the persons entitled thereto at such reasonable times and in such manner, as said corporation in its by laws may direct and appoint, or according to such lawful conditions and limitations as the depositors agreeably to the regulations of said society may respectively have prescribed and annexed to their deposits.

Sec. 3. And be it further enacted, That the said corporation shall be capable of receiving and holding such buildings and real estate as

shall be necessary and convenient for managing their affairs, provided that such real estate held at any one time for the purpose aforesaid, shall not exceed in value at the time of the purchase or acceptance thereof by said corporation the sum of two thousand dollars, and the said corporation shall be further able to take hold and dispose of any real estate whatever, which may be bona fide mortgaged or pledged for the security of its loans or debts due to it, or which may be bona fide conveyed to or taken by said corporation, in satisfaction or discharge of debts demands or liabilities, which shall have been previously contracted or incurred.

Sec. 4. And be it further enacted, That said corporation shall not make and issue any bill or promissory note to circulate as currency—and the President and members of said corporation shall receive no compensation for their services in said Savings Bank nor derive any emolument therefrom—provided, however that a reasonable allowance may from time to time be made to their Treasurer or Secretary. And the books and accounts of said corporation shall at all times be open to the inspection of the Governor of this State or any Justice of the Superior Court of Judicature or of a committee for that purpose appointed by either branch of the Legislature.

Sec. 5. And be it further enacted, That the number of members of said corporation shall not exceed fifty at any one time, and any member not less than seven shall constitute a quorum for the transaction of business at the annual or any other meeting of the members of said corporation, provided that such meetings shall have been duly notified in conformity to the by laws of said corporation, and provided further that said corporation may by their by laws require the attendance of one or more of their officers by them designated to constitute a quorum for the election of new members in addition to the number of members herein before prescribed.

Sec. 6. And be it further enacted, That Horace Hall, Henry Hubbard and Frederick A. Sumner or any two of them be and they are hereby authorized to call the first meeting of said corporation, at such time and place and in such manner as they shall judge proper.

CHAPTER 2.

State of)
New Hampshire. {

AN ACT TO DIVIDE THE TOWN OF EFFINGHAM AND TO CONSTITUTE A NEW TOWN.

[Approved June 16, 1831. Acts, vol. 28, p. 5. Session Laws, 1831, Chap. 23. See also act of December 6, 1832, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all that part of Effingham in

the County of Strafford lying and being northerly of Ossipee River and bounded as follows, to wit, beginning on the State line between this State and the State of Maine at the centre between the natural banks of said Ossipee River, thence up said River between said banks through the Bays to the outlet of Ossipee pond, thence a due west course to the easterly line of the town of Ossipee, thence northerly by said easterly line of the town of Ossipee to the town of Eaton, thence easterly by the southerly boundary line of said town of Eaton to said State line, and thence southerly by said State line to the first mentioned bounds, with the inhabitants thereof be and hereby is constituted and made a body corporate and politic by the name of North Effingham with all the powers, privileges and immunities incident and common to other towns in this State.

Sec. 2. And be it further enacted, That all taxes now assessed in said town of Effingham and not collected, shall be collected, paid over and appropriated in the same way and manner they would have been, had this act not been passed, and of all sums of money now due from the town of Effingham or that shall be recovered against said town on any suit, indictment or petition now pending in any court, said town of North Effingham shall pay in the ratio of their proportion of the State and county taxes as fixed in this act and shall of all sums of money now due the town of Effingham receive in the same proportion; and that either of the towns may recover of the other by an action on the case before any court proper to try the same any sum of money that may be justly due agreeably to the provisions of this act.

Sec. 3. And be it further enacted, That in all assessments of State and County taxes until the Legislature shall otherwise order of the sum of five dollars and seventy seven cents the present proportion of Effingham of one thousand dollars of the State and county taxes; the town of North Effingham shall pay two dollars and seventeen cents, and the town of Effingham shall pay three dollars and sixty cents, and the State and county Treasurers shall issue their warrants accordingly any law or usage to the contrary notwithstanding.

Sec. 4. And be it further enacted, That Amos Towle Junior, John Lord and William Cushing or any two of them may call the first meeting of said town of North Effingham by giving such notice of the time, place and purpose of said meeting as the law requires for calling town meetings; and either of said persons may preside at such meeting until a moderator shall be chosen; and all town officers necessary and proper may be chosen at such meeting; who shall be sworn and shall have all the powers and be subject to all the liabilities by law appertaining to like town officers.

CHAPTER 3.

State of)
New Hampshire. }

AN ACT MAKING FURTHER PROVISION FOR THE PARTITION OF REAL ESTATE.

[Approved June 16, 1831. Acts, vol. 28, p. 7. Session Laws, 1831, Chap. 22. See act of July 3, 1829, *ante*, p. 58. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That in all cases where a married woman in this or any other State or Country, whose husband is under Guardianship, is seized and possessed, in her right, of any lands, tenements or hereditaments in this State, in common with any other person or corporation, it shall be lawful for such married woman to join with the guardian of her husband, in making partition or division thereof with the other tenants in common. And for this purpose such married woman and guardian are hereby authorized and empowered to make, execute, acknowledge and deliver, and also to receive any deeds, releases or other conveyances which may be necessary in making such partition or division. And such deeds releases or other conveyances so made and executed, shall be as good and valid, as if the same had been made and executed by such husband and wife, he being under no disability.

CHAPTER 4.

State of)
New Hampshire. }

AN ACT TO ALTER CERTAIN TIMES FOR HOLDING THE COURT OF PROBATE IN DERRY AND DEERFIELD.

[Approved June 16, 1831. Acts, vol. 28, p. 9. Session Laws, 1831, Chap. 24. See also acts of January 3, 1829, Laws of New Hampshire, vol. 9, p. 930, and July 2, 1833, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a Probate Court shall be holden at Derry in and for the County of Rockingham on the wednesday next preceeding the first tuesday of January annually and at Deerfield in and for said county on the thursday next preceeding the first tuesday of January annually.

Sec. 2. And be it further enacted, that so much of the Act entitled "An Act prescribing the times and places for holding the

Superior Court, the Court of Common Pleas and the Courts of Probate in the several counties” as provides for holding a Court of Probate at said Derry on the first tuesday of January annually and at said Deerfield on the wednesday following the first tuesday of January annually, be, and hereby is repealed. And all proceedings and matters and things whatsoever, pending in, or returnable to, and that would be heard and determined at the court of Probate to be holden at said Derry on the first tuesday of January annually, or at said Deerfield on the wednesday following the first tuesday of January annually, if this act had not been passed, shall be returned to, have day, and be heard and determined at the Courts of Probate to be holden at said Derry and at said Deerfield respectively, at the respective times for that purpose in this act provided.

CHAPTER 5.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT, DIRECTORS AND COMPANY OF THE DERRY BANK” APPROVED DECEMBER 23RD, 1828.

[Approved June 16, 1831. Acts, vol. 28, p. 10. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 778. See also acts of June 22, 1848, Session Laws, 1848, Chap. 668; December 22, 1848, id., November session, Chap. 788, and July 13, 1855, id., 1855, Chap. 1771.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the annual meeting of the stock holders of said corporation named in the third section of the act to which this is an addition shall after the first monday of March next be held annually on the second monday of September during the continuance of said corporation, instead of the first monday in march annually, at which annual meeting Directors shall be chosen as directed in said third section.

Sec. 2. And be it further enacted, that this act shall not be in force unless the same be accepted and adopted by a majority of the votes of the stock holders at their next annual meeting to be held on the first monday in March next.

CHAPTER 6.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE NEW IPSWICH LIBRARY COMPANY.

[Approved June 16, 1831. Acts, vol. 28, p. 11.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Seth King, Supply Wilson Jun, Robert A. Coffin, Samuel C. Wheeler and Moody Adams their associates and successors be, and they hereby are made a corporation by the name of the New Ipswich Library company to be established and kept in the town of New Ipswich, with all the powers and privileges incident to such corporations.

Sec. 2. And be it further enacted, That Seth King, Supply Wilson Jun and Robert A. Coffin or any two of them may call the first meeting of said corporation by posting up an advertisement at two or more publick places in said town of New Ipswich fourteen days at least before the day appointed for such meeting—And said corporation may elect such officers and make and establish such regulations and by laws not repugnant to the constitution and laws of this State, as they may deem expedient and necessary for the government of said corporation.

CHAPTER 7.

State of)
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE WEARE WOOLLEN FACTORY.

[Approved June 22, 1831. Acts, vol. 28, p. 13.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Moses Sawyer, Daniel Paige Jun and their associates successors and assigns be and they hereby are incorporated and made a body politick by the name of the Proprietors of the Weare woollen Factory, and by that name may sue and be sued, prosecute and defend to final judgment and execution and be known and distinguished in all their acts and proceedings and shall be and hereby are vested with all the powers and privileges which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation be and

hereby is authorized to carry on the manufacture of woollen goods and such other branches of business as shall be necessarily or conveniently connected therewith at Weare in the County of Hillsborough and may erect such mills, dams, buildings and machines as may be necessary or convenient for conducting and carrying on these useful manufactures.

Sec. 3. And be it further enacted, That said corporation may purchase and hold such real and personal estate, as may be necessary or useful in conducting the business aforesaid and for the convenient management thereof; not exceeding in amount at any time the sum of twenty thousand dollars and the same may sell alienate and dispose of at pleasure.

Sec. 4 And be it further enacted, That the persons above named or either of them may call the first meeting of said proprietors at any suitable time and place by advertisement in any newspaper printed in said County twenty days at least previous thereto or by giving ten days personal notice of the time and place of meeting, at which the said proprietors may agree on the method of calling their future meetings and at the same or at any subsequent meeting duly notified and holden may choose a clerk and all other necessary officers and agents for conducting the concerns of said corporation and may prescribe their respective duties, may divide their capital or joint stock into such number of shares as they may deem proper and agree upon the method of transferring them, may order assessments and fix the time of their payments, may pass such by laws, not repugnant to the laws of this State, as they may deem proper for their regulation and government and do and transact any business necessary to carry into effect the object of their association. All questions shall be determined by a majority of votes present or represented at any meeting accounting and allowing one vote to each share except questions touching the raising of money which shall require two thirds of the whole number of votes present. And absent members may vote by proxy being authorized in writing signed by the persons represented. Provided nevertheless, that when any person shall own more than ten shares, he shall be allowed but one vote for every five shares, which he may own over and above ten.

Sec. 5. And be it further enacted, That the share or shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof within the time prescribed for their payment, the said share or shares may be sold at publick auction, or so many of them as may be necessary to pay such assessment with incidental charges under such regulations as said corporation may in its by laws prescribe.

CHAPTER 8.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT REGULATING THE
 MODE OF PUTTING PINE TIMBER INTO CONNECTICUT RIVER"
 PASSED JUNE 10TH, 1808.

[Approved June 22, 1831. Acts, vol. 28, p. 16. Session Laws, 1831, Chap. 25. The act referred to is printed in Laws of New Hampshire, vol. 7, p. 642. See also acts of December 28, 1805, id., p. 469; June 18, 1807, id., p. 600; January 3, 1829, id., vol. 9, p. 933, and January 3, 1833, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That hereafter no pine timber shall be forfeited by virtue of any of the provisions of the act, to which this is in addition between the first day of May and the first day of November in each year, unless the same shall be found lodged on the banks of said River, or upon improved lands adjoining the same, or upon some island in said River or lodged against some bridge built over said River.

CHAPTER 9.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF THE NEW HAMPSHIRE
 AND VERMONT METHODIST ANNUAL CONFERENCE.

[Approved June 22, 1831. Acts, vol. 28, p. 17. See also acts of July 3, 1846, Session Laws, 1846, Chapter 455; June 29, 1865, id., 1861-1866, p. 3198; July 16, 1885, id., 1883-1887, p. 327, and February 20, 1907, id., 1907, p. 178.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John W. Hardy, John F. Adams, John G. Dow, Jared Perkins, Benjamin R. Hoyt, Charles D. Cahoon and George Storrs and their associates and successors be, and they hereby are made and constituted a corporation and body politick by the name of the Trustees of the New Hampshire and Vermont Methodist Annual Conference and by that name may sue and be sued, prosecute and defend to final judgment and execution and they are hereby vested with all the privileges and powers incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That John W. Hardy be authorized and empowered to call the first meeting of said corporation by giving such notice to the members thereof as to him may

seem most expedient, to be holden at any suitable time and place. And the said members thereof, or a majority of those present at said first meeting, may choose a moderator and clerk, may elect such other officers and make and establish such rules and by laws, as to them shall seem necessary or convenient for the government of said corporation

Sec. 3. And be it further enacted, That the said John W. Hardy, John F. Adams, John G. Dow, Jared Perkins, Benjamin R. Hoit, Charles D. Cahoon and George Storrs shall make and constitute a Board of Trustees to control and manage the funds and all the interests of said corporation and shall have the power of increasing their own number by the election of additional members, provided that the Board shall never consist of more than thirty and also provided, however, that no election shall be made of additional Trustee, or Trustees or of any successor or successors to any of the Trustees before named, except from a list of persons nominated by the said Methodist conference at some annual meeting.

Sec. 4. And be it further enacted, That the corporation by this act created, shall have the power to receive, hold and alienate at pleasure any land, hereditaments, goods or chattels and other things of whatever nature and also to have, accept and receive any rents, profits, annuities or legacies for themselves and their successors in fee simple or otherwise in trust for the use of said corporation, provided that the whole amount thereof do not exceed the sum of one hundred thousand dollars, twenty five thousand of which to constitute a fund for the support of the widows and children of deceased travelling preachers and superannuated ministers, twenty five thousand to constitute a fund for the promotion of the missionary cause and the other fifty thousand dollars for the endowment and support of a Literary Academy within the bounds of the said Methodist conference.

Sec. 5. And be it further enacted, That said conference shall be, and they hereby are authorized and empowered at any annual meeting of said conference by the vote of two thirds of the members present to remove or displace any one or more of the said Board of Trustees or their successors.

CHAPTER 10.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE LAKE
 MANUFACTURING COMPANY

[Approved June 22, 1831. Acts, vol. 28, p. 19. See act of July 3, 1823, Laws of New Hampshire, vol. 9, p. 248.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William S. Brooks, Phineas Handerson, Nathan Wild and James Wilson Junior and such other persons as shall associate with them and their successors and assigns shall be, and hereby are constituted and made a corporation by the name of "the Lake Manufacturing Company" and by that name may sue and be sued, prosecute and defend to final judgment and execution, and may have and use a common seal, and the same may alter and renew at pleasure and also may make, ordain and put in execution such by laws and regulations not being contrary to the constitution and laws of the State, as shall be necessary, proper and convenient for the government of said corporation and the due management of its concerns and shall be and hereby are vested with all the privileges and powers, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and the same is hereby empowered to establish, manage and carry on the manufacture of cotton goods in the various branches including bleaching, dying, stamping and printing in Chesterfield in the County of Cheshire and also any and all such branches of manufacture and trade as is necessary to manage and carry on said manufacture and to purchase, take, hold and convey real and personal estate of every kind to such amount as they may find necessary or convenient in the management of their concerns, provided the same shall not exceed the sum of five hundred thousand dollars and the same to manage, improve, change and sell at their pleasure, and to erect on the real estate to be purchased and held by them as aforesaid such dams, canals, mills, buildings, machines and works as they may deem necessary or useful in carrying on and managing their manufactures and works and in conducting the business of the corporation.

Sec. 3. And be it further enacted, That the said William S. Brooks may call the first meeting of said corporation by giving seven days previous notice to each of the persons associated with him in obtaining this charter, at which meeting a clerk shall be chosen, who shall be sworn faithfully to discharge the duties of his office; and it shall be his duty to record the doings and proceedings of said corporation and to perform such other services as the by laws of said

corporation may require, and at the same or any subsequent meeting duly holden, the members or associates of said corporation, may prescribe and agree on the manner of calling, holding and managing future meetings, may divide their capital or joint stock into such number of shares, as they may deem proper and prescribe the mode or manner in which the shares in their capital stock shall be holden and how the same shall be transfered; may make or provide for the making of assessments on the shares from time to time as occasion may require, and fix the time for payment of the same, may appoint and constitute such officers, servants and agents of the said corporation as they shall think necessary and prescribe their respective duties, and may do or transact any matter or thing relating to the property, business or concerns of said corporation.

Sec. 4. And be it further enacted, That at all meetings of the members of said corporation, duly notified and holden, each member shall be entitled to cast one vote for each share, that he may be the owner and holder of in said corporation, on all questions that may come before such meetings, and absent members may be represented and vote at such meetings by an agent for that purpose duly authorized by writing signed by the member or members to be represented, which writing shall be filed with the clerk of said corporation, and at such meetings all questions shall be decided by a majority of the votes cast: Provided however, that in the assessment of taxes on the shares in said corporation three fourths of the votes cast shall be required, to make such assessment binding on the members of said corporation.

Sec. 5. And be it further enacted, That the shares in the capital or joint stock of the corporation shall be liable and holden for the payment of all assessments legally made thereon, and in case of neglect of any member to pay the assessment on his share or shares, the same, or so many of them as shall be sufficient to pay the assessment or assessments, may be sold or transfered for the payment of the same, in such manner or way as shall be prescribed by the by laws or regulations of said corporation—Provided nevertheless, that nothing in this act shall in any wise affect or impair any right or privilege heretofore granted by the Legislature of this State, to any individual or corporation.

CHAPTER 11.

State of }
New Hampshire. }

AN ACT TO INCORPORATE FRANKLIN SOCIAL LIBRARY"

[Approved June 22, 1831. Acts, vol. 28, p. 25.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James Clark, Benjamin M. Tyler and Joshua Field and their associates and successors be and hereby are made a corporation by the name of Franklin Social Library to be established and kept in the town of Franklin with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That James Clark, Benjamin M. Tyler and Joshua Field or any two of them, may call the first meeting of said corporation by posting up a notice, stating the time and place thereof at two or more publick places in the town of Franklin fourteen days before the day of such meeting. And the said corporation may elect such officers and make and establish such by laws and regulations, as may not be repugnant to the Laws of this State, and as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 12.

State of }
New Hampshire. }

AN ACT TO CONFIRM THE PROPRIETORS OF THE CHESTERFIELD MANUFACTORY IN THEIR CORPORATE RIGHTS.

[Approved June 22, 1831. Acts, vol. 28, p. 26. See acts of December 23, 1805, Laws of New Hampshire, vol. 7, p. 446, and June 23, 1809, id., p. 811.]

Whereas by a certain act passed December 21st A. D. 1805. and an act in addition thereto passed June 23rd A. D. 1809. certain persons therein named, their associates, successors and assigns, were incorporated and made a body corporate, by the name of "the Chesterfield Manufactory"—and whereas since the organization of said corporation, by accident or inadvertence, the proceedings of said corporation have not in all respects conformed to their by laws and the acts of incorporation aforesaid, and their records have not been duly kept; and the members of said corporation are in doubt, whether they can now legally act as a corporate body without Legislative aid—Therefore

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all the rights, powers and privileges granted to said corporation by the acts aforesaid, be and the same are hereby regranted and confirmed—provided, nevertheless that nothing herein contained shall be so construed as to exempt any part of the capital stock of said corporation from taxation.

Sec. 2. And be it further enacted, That William S. Brooks and Abiather Shaw Jun, or either of them, may call a meeting of said corporation, by giving notice of the time and place and object of such meeting in the manner prescribed in the acts aforesaid and by laws of said corporation, at which meeting said corporation may be re-organized, all necessary and proper officers chosen, and such votes passed and doings had, as shall be necessary to render valid and effectual, all former doings and proceedings of said corporation.

CHAPTER 13.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE DANBURY SOCIAL LIBRARY.

[Approved June 22, 1831. Acts, vol. 28, p. 27.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Levi Flanders Jun, Leavitt C. Little and Ephraim Crockett their associates and successors be and hereby are made a corporation by the name of the proprietors of the Danbury Social Library, to be established and kept in the town of Danbury with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. Be it further enacted, That Levi Flanders Jun, Leavitt C. Little and Ephraim Crockett or any two of them may call the first meeting of said corporation by advertisement to be posted up at two or more publick places in said town, fourteen days before the day of such meeting and the said corporation may elect such officers and make and establish such by laws and regulations not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 14.

State of }
New Hampshire. }

AN ACT TO INCORPORATE IMLA WRIGHT AND OTHERS BY THE NAME OF THE CLINTON COMPANY IN ANTRIM.

[Approved June 22, 1831. Acts, vol. 28, p. 29.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Imla Wright, Robert Reed, Amos Parmenter and their associates and successors be, and they hereby are incorporated and made a body politick and corporate, by the name of the Clinton Company in Antrim, by which name, they may sue and be sued, prosecute and defend to final judgment and execution, and shall be, and hereby are vested with all the powers of similar corporations, and may have a common seal, which they may at pleasure, break, alter or renew.

Sec. 2. And be it further enacted, that said corporation is hereby authorized to carry on the manufacturing of cotton and woollen goods, and such other manufactures as they may from time to time think fit in Antrim in the County of Hillsborough, and may carry on such branches of trade and business as may be necessarily connected therewith, and may erect such dams, mills, and other works as may be necessary to carry on such branches of manufacture and business. And the said corporation shall also have power to acquire by purchase or otherwise, such real and personal estate as may be necessary or convenient for carrying on said branches of business: provided such estate shall not exceed the value of fifty thousand dollars and the same may dispose of and sell at pleasure.

Sec. 3. And be it further enacted, That the capital stock of said corporation may be divided into as many shares as the proprietors at any legal meeting shall determine, which shall be numbered in progressive order, beginning at one: and each proprietor shall have a certificate for each share he may own, under the hand of the clerk and seal of said corporation, expressing the progressive number thereof and certifying that he is the owner thereof which shares may be alienated in such manner as said corporation may prescribe.

Sec. 4. And be it further enacted, That the shares in said corporation, shall be liable for all assessments legally made thereon and upon the nonpayment of all or any part of the same for thirty days after the same shall have become payable. The Treasurer may advertise and sell at publick auction, such delinquents' shares, or so many of them, as may be necessary to pay the sums due, with incidental charges, in such manner as the by laws of the said corporation may ordain.

Sec. 5. And be it further enacted, That Imla Wright, Robert Reed and Amos Parmenter, or any two of them may call the first meeting of said corporation, at said Antrim, by posting up a notice of the time and place, when and where the same is to be holden, in some publick place in said town of Antrim, for two weeks successively, previous to the time of holding the same. and the members of said corporation, at that or any legal meeting, by a vote of a majority of those present or represented, allowing one vote for each share, may choose such officers and servants as they may deem necessary, prescribe their duties, order assessments and fix the time of their payment, pass by laws not repugnant to the constitution and laws of the State for their due regulation and government, prescribe rules for the transfer of their stock, agree on the manner of calling future meetings; and until such manner shall be agreed upon, any future meeting may be called in the manner herein prescribed for calling the first meeting, at which they may transact such other business of the corporation as they may deem necessary.

CHAPTER 15.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE CLAREMONT FIRE ENGINE COMPANY NUMBER TWO.

[Approved June 22, 1831. Acts, vol. 28, p. 31. See also act of July 6, 1839, Session Laws, 1839, Private Acts, Chap. 35.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Eleazer Jewett, Timothy S. Gleason and Eliel Parmely their associates and successors are hereby made a corporation by the name of the Claremont Fire Engine Company number two and are vested with all the powers and privileges incident to corporations of a similar nature—Provided nevertheless, that no person shall be excused from military duty on account of his being a member of said company, unless the infantry company within whose limits he resides, shall exceed in number forty two rank and file.

Sec. 2. And be it further enacted, That said corporation are hereby authorized to acquire and hold real and personal estate for the purposes of their association not exceeding in value one thousand dollars and the same may dispose of at pleasure.

Sec. 3. And be it further enacted, That Eleazer Jewett may call the first meeting of said corporation at any suitable time and place in Claremont in the County of Sullivan. by giving to the members thereof, at least three days personal notice of the time, place and object of said meeting.

CHAPTER 16.

State of }
New Hampshire. }

Whereas the Legislature of the State of Maine by a Resolve passed the second day of April in the Year of our Lord one thousand eight hundred and thirty one, made an appropriation of three thousand dollars for the purpose of repairing and improving the road in this State, leading from said State of Maine through the notch of the white Hills to the State of Vermont, on condition that the Legislature of the State of New Hampshire shall give their consent to the expenditure of the same for the purpose aforesaid. Therefore resolved by the Senate and House of Representatives in General Court convened, that their consent be, and the same is hereby given, that the sum appropriated as aforesaid and any sums raised by voluntary subscription may be expended for the purpose of repairing and improving the aforesaid road in this State, as directed by the said resolve of the State of Maine.

[Approved June 22, 1831. Acts, vol. 28, p. 33.]

CHAPTER 18.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor, by, and with the advice and consent of the Council, be, and he hereby is authorized and empowered to appoint some suitable person or persons, not exceeding two, as Land Commissioners, who shall be sworn to the faithful performance of the duties of their trust, and to continue in office during the pleasure of the Executive for the time being, whose duty it shall be, to advertise and expose to sale such publick lands as he or they may think proper, for the interest of the State; and upon application made to any such commissioner, by any person or persons, for the purchase of any lands belonging to this State, lying South of the forty fifth degree of north latitude, to sell and convey to such person or persons any such lands, for such consideration as to such commissioner or commissioners, the interest of the State may seem to require and to execute deeds thereof, which deeds being first recorded in the office of the Secretary of State, shall be effectual for conveying all the right and title of this State to such land, saving the right of jurisdiction. Provided, that all expenses of surveying and conveying any such lands shall be paid by the person or persons to whom such lands shall be conveyed; and said commissioner or com-

missioners shall receive upon the amount of all sums of money arising from such sales, and which sums he or they shall pay to the treasurer of this State the amount of six per cent in full compensation for his or their services. And be it further resolved, That it shall be the duty of each and every such commissioner so appointed, to deposit all monies by him received for such lands, with the Treasurer of this State, as soon as may be after receiving the same, and shall annually in the month of June, make report to the Governor of this State, of all lands conveyed and sold by him as aforesaid, including the quantity and value thereof, where the same lies and such other information as he may deem expedient.

[Approved June 22, 1831. Acts, vol. 28, p. 34.]

CHAPTER 19.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That John B. Brown be allowed the sum of eight dollars and twenty seven cents in full of his account, and that said sum be paid out of the Treasury.

[Approved June 22, 1831. Acts, vol. 28, p. 36.]

CHAPTER 20.

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That David Bennett Jun. be allowed the sum of four dollars in full of his account, and that said sum be paid out of the Treasury.

[Approved June 22, 1831. Acts, vol. 28, p. 36.]

CHAPTER 21.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twenty dollars be paid to the Rev. Nathan Lord, out of any money in the treasury not otherwise

appropriated, for his election sermon the present session, and that his Excellency the Governor be, and is hereby authorized to draw his warrant on the treasury for the above sum.

[Approved June 22, 1831. Acts, vol. 28, p. 37.]

CHAPTER 22.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Joseph E. Estabrooks be allowed fifty dollars in full of his account and that said sum be paid out of the treasury

[Approved June 22, 1831. Acts, vol. 28, p. 37.]

CHAPTER 23.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Warden of the State Prison be, and he hereby is authorized at the expense of the State and at his own discretion, to furnish any, and every convict, who shall be discharged from said Prison a cheap suit of clothes decent and suitable for the season in which such prisoner shall be discharged and a sum of money not exceeding three dollars.

[Approved June 22, 1831. Acts, vol. 28, p. 38.]

CHAPTER 24.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor be, and he is hereby authorized, by and with advice of Council to transmit to the Librarian of the "Indiana Historical Society" any supernumerary copies of the laws and publick documents of this State, which have been printed and are now at the disposal of the Government and which may hereafter be printed, which are, or shall, not be otherwise appropriated by order of the Legislature, and to extend to said so-

ciety such aid and patronage, as it has been customary. for the government of this State to bestow upon similar societies.

[Approved June 22, 1831. Acts, vol. 28, p. 39.]

CHAPTER 25.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT, DIRECTORS AND COMPANY OF THE COMMERCIAL BANK PASSED JULY 2. 1825

[Approved June 23, 1831. Acts, vol. 28, p. 41. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 454.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passage of this act, the capital stock of the commercial Bank shall consist of not less than sixty thousand nor more than three hundred thousand dollars and of such number of shares of not less than fifty dollars each as shall constitute said capital stock.

Sec. 2. And be it further enacted, That at the annual meetings of the stockholders of said Bank for the choice of Directors, there shall be chosen not less than seven nor more than nine Directors.

Sec. 3. And be it further enacted, That all such parts of the original act, to which this is an addition, as are inconsistent with this act, be and the same are hereby repealed.

CHAPTER 26.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE INSTRUCTORS SCHOOL IN FRANKLIN.

[Approved June 23, 1831. Acts, vol. 28, p. 42.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James Proctor, Ebenezer Eastman, John Rowell, James Garland, James Clark, John Caverder, their associates and successors be, and hereby are incorporated and made a body politick, by the name of the Proprietors of the instructors school in Franklin; and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be

and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and hereby are authorized and empowered to have, receive and hold in fee simple, or any less estate, by gift, grant or otherwise any real estate, the annual income of which, shall not exceed five hundred dollars, and personal estate not exceeding five thousand dollars; and the same may use and employ in the promotion of science and the useful arts and for the benefit of said corporation may sell, alienate and convey at pleasure.

Sec. 3. And be it further enacted, That the said school shall be under the care, superintendence and control of a Board of Trustees consisting of not less than twelve, of whom the principal Instructor shall be one, all of whom may, in case the Proprietors deem it expedient, be appointed annually, and continue in office until others be chosen.

Sec. 4. And be it further enacted, That the said James Garland, James Clark and John Cavender or any two of them may call the first meeting of said Proprietors at any convenient time and place by posting up a notification for that purpose at the meeting house in said town of Franklin, expressing therein the time, place and design of said meeting at least fourteen days prior to holding the same; at which the Proprietors may elect their board of Trustees, may make and establish such rules regulations and by laws, as they may deem necessary or expedient for the government of the corporation, and do, and transact any business in relation to the beneficial designs contemplated by the establishment of this institution.

CHAPTER 27.

State of)
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE LYME AQUEDUCT COMPANY.

[Approved June 23, 1831. Acts, vol. 28, p. 44.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That D. C. Churchill, Jon^a Kirtledge, Asa Shaw, Bezer Latham Daniel Hovey Jr. Irenus Hamilton, Jon^a Conant, Thomas Perkins, A. Latham Jun and Joshua Balch and their associates and successors be, and they are hereby incorporated and made a body corporate and politick forever, under the name of the Lyme Aqueduct Company, and by that name may sue and be sued and prosecute and defend to final judgment and execution and shall be, and hereby are vested with all the powers and privileges, which are by law incident to corporations of a similar nature

Sec. 2. And be it further enacted, That D. C. Churchill or Jon^a Kittredge, before named shall call a meeting of said company by posting up a notice at two or more publick places in Lyme aforesaid, at least fourteen days previous to holding said meeting, stating the time, place and design of the same, and the proprietors by vote of a majority of those present or represented at said meeting accounting and allowing one vote to each share in all cases, shall choose a Clerk, who shall be sworn to the faithful discharge of the duties of said Office and shall agree on a method of calling future meetings; and at the same time or at any future meetings, may elect such officers and make and establish such rules and by laws as to them shall seem necessary and convenient for the regulation and government of said corporation for securing, managing and improving the interests thereof, and for carrying into effect the purposes by this act intended, and the same by laws may cause to be executed and annex penalties to the breach thereof, provided the said rules and by laws are not repugnant to the constitution and laws of this State; and all representations at any meeting of said corporation shall be proved by writing signed by the person to be represented: which shall be filed with the Clerk or recorded in a book or books provided and kept for that purpose.

Sec. 3. And be it further enacted, That said corporation shall have power to purchase and hold in fee simple or otherwise, so much land as may be sufficient to enable them to convey to Lyme Plain, so called, in Lyme, by means of an aqueduct, the water from any spring or springs of water in the neighborhood of, and not more than two miles distant from said Lyme Plain and to secure to them the exclusive right to such springs.

Sec. 4. And be it further enacted, That said corporation shall have power to convey the water from any such spring or springs to said Lyme Plain and there to distribute the same by means of an aqueduct and cisterns to be by them built for that purpose, provided the land upon which such aqueduct and cisterns are built, is owned by said corporation, or the owners of such land shall have previously consented thereto.

Sec. 5. And be it further enacted, That the share or shares of any of said proprietors may be transfered by deed duly executed and acknowledged and recorded by the clerk of said proprietors on their records, and the share or shares of any proprietor may be sold by said corporation on non payment of assessments duly made agreeably to the by laws that may be agreed upon by said corporation.

CHAPTER 28.

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SOUTH MEETING HOUSE IN WEARE.

[Approved June 23, 1831. Acts, vol. 28, p. 46.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Amos W. Bailey, Cyrus Lufkin, Ebenezer Bailey 2nd their associates successors and assigns, be and hereby are incorporated and made a body corporate and politick by the name of the Proprietors of the South meeting house in Weare and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Amos. W. Bailey, Cyrus Lufkin and Ebenezer Bailey 2nd or any two of them, may call the first meeting of said corporation by posting up, at two or more publick places in Weare a notice in writing expressing the time, place and design of said meeting, at least fifteen days prior to the day of holding said meeting—provided, however, that nothing in this act contained, shall be so construed as to authorize said corporation to have and to hold any estate, whether real or personal exceeding in value at any one time the sum of four thousand dollars or to appropriate such estate or any part thereof to any use or purpose whatsoever other than in repairing said house.

CHAPTER 29.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE ASHUELOT MANUFACTURING COMPANY.

[Approved June 23, 1831. Acts, vol. 28, p. 48. See also acts of June 17, 1836, Session Laws, 1836, Private Acts, Chap. 59, and June 23, 1857, id., 1853-60, p. 1940.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That David Ball, William F Pulisifer, William Allen their associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politick by the name and style of the Ashuelot Manufacturing Company; and by that name may sue and be sued, prosecute and defend to final judgment and execution; and shall be, and hereby are vested with

all the powers and privileges which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and hereby is authorized and empowered to commence establish and carry on the business of manufacturing cotton and woollen goods, in all their various branches, together with such other branches of manufacture and trade as are, or from time to time may be conveniently and necessarily connected therewith, in the town of Winchester, in the County of Cheshire, and for these purposes the said corporation may purchase and hold real and personal estate to any amount not exceeding two hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, That any two of the persons above named may call the first meeting of the members of said corporation, to be holden at any suitable time and place, by posting notifications at two or more publick places in said Winchester, expressing therein the time, place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice at least six days prior thereto: at which said first meeting, there shall be chosen a Clerk, who shall be sworn to a faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation, and to give certified copies thereof, when lawfully required. And at the same meeting, or any adjournment thereof, or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings; may divide their capital, or joint stock into such and so many shares as they may deem proper and determine the manner of transferring them; may elect such officers and agents as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payment; may establish by laws not repugnant to the laws of the State for their regulation and government, and may do any act and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of votes present and represented allowing one vote to each share; provided, however that any member, holding more than ten shares, shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non-payment thereof within the time fixed for their payment, the delinquent share or shares may be advertised and sold at publick auction, or so many of them as may be necessary to pay such assessments, with the incidental charges, under such regulations as the corporation, in its by laws, shall have prescribed.

CHAPTER 30.

State of)
New Hampshire.)

AN ACT INCORPORATING CERTAIN PERSONS BY THE NAME OF THE
 FIRST FIRE ENGINE COMPANY IN COLEBROOK”

[Approved June 23, 1831. Acts, vol. 28, p. 51.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Frederick G. Messer, Horace Loomis, Cyrus Eames, Lyman Lumbar, Edmund Chamberlain, Daniel Harvey, Horace White, Ira Young, Milton Harvey, Jonathan N. Aldrich, Jonathan Rolph, their associates and successors be, and hereby are incorporated and made a body politick and corporate forever by the name of the First Fire Engine Company in Colebrook and by that name may sue and be sued, plead and be impleaded and shall be and hereby are vested with all the powers and privileges, which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation be and hereby are authorized and empowered to purchase and hold in fee simple or otherwise in the town of Colebrook, so much real estate as may be necessary for the erection of suitable buildings and other property or estate not exceeding in value one thousand dollars for purchasing maintaining and keeping in repair suitable engines and apparatus for the extinguishing of fires and carrying into effect the objects of said corporation.

Sec. 3. And be it further enacted, That the said Frederick G. Messer, Horace Loomis and Cyrus Eames or either two of them be, and they hereby are authorized and empowered to call the first meeting of said corporation, by giving five days personal notice to the members thereof, or by posting up, in some publick place in said Colebrook a notification of said meeting at least ten days previous thereto, and the said corporation at that or at any subsequent meeting may agree upon the times and places of holding future meetings and method of calling the same and may also elect such officers, make and establish such by laws, rules and regulations as they may think necessary and proper, for their government and for the management of their concerns. Provided such rules and by laws be not repugnant to the constitution and Laws of this State.

CHAPTER 31.

State of)
New Hampshire.)

AN ACT TO ALTER AND AMEND AN ACT ENTITLED AN ACT TO INCORPORATE NOAH WORCESTER ESQUIRE AND OTHERS INHABITANTS OF HOLLIS INTO A SOCIETY BY THE NAME OF THE PHILANTHROPIC SOCIETY IN HOLLIS PASSED JUNE 1814.

[Approved June 23, 1831. Acts, vol. 28, p. 53. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 307.]

Whereas the Philanthropic Society in Hollis and also the town of Hollis have petitioned the Legislature to alter and amend the charter of said Society in certain particulars and the same appearing reasonable, Therefore,

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That it shall be the duty of the Directors of said Society to exhibit to the standing Committee of the Evangelical congregational society in Hollis on the second monday in January annually at the office of the Treasurer of said Philanthropic Society a correct account of all money in the Treasury, all sums due to said Society and all property personal and real belonging thereto; and the Directors neglecting or refusing to exhibit to said Committee such account as aforesaid shall severally forfeit and pay the sum of fifty dollars to any member of said Evangelical congregational Society in Hollis, who shall sue for the same with costs of prosecution.

Sec. 2. And be it further enacted, That whenever the fund and other property of said Philanthropic Society shall be three thousand five hundred dollars, said society shall be authorized to pay over to the standing committee of said Evangelical Congregational society on the second monday in January annually twelve thirteenth parts of the yearly interest of said fund and twelve thirteenth parts of the yearly income of all other property of said Philanthropic Society to be applied to the support of the gospel in said Evangelical Congregational Society.

Sec. 3. And be it further enacted, That so much of the act, to which this is an addition as makes it the duty of the Directors of said Philanthropic Society to exhibit to the Selectmen of Hollis an account of the funds of said society and to pay over to the Selectmen of Hollis the interest and income of the fund and other property of said society and every provision of said act inconsistent with the provisions of this act, be and the same are hereby repealed.

CHAPTER 32.

State of)
New Hampshire.)

AN ACT TO REPEAL CERTAIN ACTS THEREIN NAMED.

[Approved June 28, 1831. Acts, vol. 28, p. 57. Session Laws, 1831, Chap. 27.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the acts with the following titles, and all other acts and parts of acts, to which they refer, be and the same are hereby repealed. Viz. An Act to preserve the fish in Piscataqua River and the branches thereof passed January 1789. An Act for the preservation of salmon and shad in Connecticut River passed January 1795. An Act for the preservation of fish in Newfound Lake in the County of Grafton passed December 1808. An Act for the preservation of fish in Long Pond, so called, in Concord in the County of Rockingham passed June 1811. An Act to facilitate the passing of fish in Piscataquog River passed June 1811. An Act for the preservation of pickerel in the several ponds in New London passed June 1819. An Act to facilitate the passing of fish in Baboosuck brook passed June 1811. An Act to prevent the destruction of salmon, shad and alewives in Merrimack River and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose passed June 1811. An Act in addition to and in amendment an act entitled, An Act to prevent the destruction of salmon, shad and alewives in Merrimack River and the several streams falling into the same and for regulating and repealing certain laws heretofore made for that purpose passed December 1820. An Act in addition to an Act passed June 20. A. D 1811 entitled An Act to prevent the destruction of salmon, shad and alewives in Merrimack river and the several streams falling into the same and for repealing certain laws for that purpose passed July 1823. An act to alter the first section of an Act to prevent the destruction of salmon, shad and alewives in Merrimack River and the several streams falling into the same, and for repealing certain laws heretofore made for that purpose passed June 1818. An Act for the preservation of fish in Baboosuck Ponds in the town of Amherst passed June 1819. An Act to prevent the destruction of fish in Turkey Ponds, so called, in Concord in the County of Rockingham, passed June 1814. An Act to prevent the destruction of fish in Winnipissiogee Lake, Squam Ponds, and the Bays on Winnipissiogee River, passed June 1816. An Act for the preservation of Pickerel in Massabesic Pond, partly in Chester in the County of Rockingham and partly in Manchester in the County of

Hillsborough, passed June 1820, An Act for the preservation of Alewives in Cochecho River, passed June 1816. An Act for the preservation of Alewives in Salmon fall River passed June 1818. An Act for the preservation of the fish in the several ponds within the town of Greenfield passed June 1818. An Act for the preservation of fish in Kezars pond and Giles pond in the town of Sutton in the County of Hillsborough passed June 1818. An Act for the preservation of pickerel in Gorum Pond in the town of Dunbarton in the County of Hillsborough passed June 1819. An Act for the preservation of fish in Cobets Pond in Windham and Policy Pond, partly in Windham and partly in Salem in the County of Rockingham passed June 1819. An Act for the preservation of salmon trout in Sunnapsee Lake, passed June 1819. An act for the preservation of fish in Harts Pond in the town of Canaan passed June 1821. An Act for the preservation of pickerel in the waters of the Ponds in the town of Pelham, passed July 1822. An Act for the preservation of fish in Wash Pond and in the Island Pond passed June 1826. An Act in addition to the acts relative to the preservation of fish in Merrimack River and its tributary streams passed June 1827. An Act for the preservation of alewives in Exeter River passed June 1818. An act for the preservation of pickerel in Suncook ponds in the town of Barnstead passed July 1825. Provided nevertheless that so much of the provisions of the acts hereby repealed, as relates to fishing with seines, shall continue in full force, and may be proceeded under in the same manner, as if this act had not been passed. and it is also further provided, that this act shall not be construed so as to effect any suit or prosecution heretofore instituted under the acts hereby repealed.

CHAPTER 33.

State of)
New Hampshire. }

AN ACT AUTHORIZING THE DOVER BANK TO REDUCE THEIR CAPITAL STOCK.

[Approved June 28, 1831. Acts, vol. 28, p. 60. See act of incorporation dated June 20, 1823, Laws of New Hampshire, vol. 9, p. 190. See also acts of January 3, 1829, id., p. 908; June 26, 1845, Session Laws, 1845, Chap. 300, and February 25, 1891, id., 1889-91, p. 455.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Dover Bank be and they hereby are authorized to reduce the capital stock of said Bank, Provided said capital stock shall not be reduced to a less sum than one hundred thousand dollars.

CHAPTER 34.

State of {
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO ESTABLISH
 A CORPORATION BY THE NAME OF THE CONCORD MANUFACTURING
 COMPANY"

[Approved June 28, 1831. Acts, vol. 28, p. 61. The act referred to is dated June 30, 1826, Laws of New Hampshire, vol. 9, p. 513. See also acts of July 3, 1845, Session Laws, 1845, Chap. 292; June 28, 1847, id., 1847, Chap. 566, and July 9, 1874, id., 1872-76, p. 410.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Theodore French Esquire be and he hereby is authorized and empowered to call a meeting of the Proprietors and members of a certain corporation heretofore known and called by the name of the Concord Manufacturing Company, at such time and place as he may think expedient, by advertizing notice thereof in a newspaper printed at Concord, in the State of New Hampshire and in a newspaper printed in the City of Boston in the State of Massachusetts, which notice shall be printed, in two successive weeks, and the last publication thereof shall be fourteen days before the time, which may be appointed for such meeting.

Sec. 2. Be it further enacted, That the persons being proprietors and members of the corporation heretofore called by the name of the Concord Manufacturing Company, at the meeting to be convened as herein before provided, are hereby empowered and made capable to choose all corporate officers, which they could or might choose at any regular and stated annual meeting of the members of the said corporation held pursuant to the act, to which this act is in addition; and in conformity to any rules, by laws and regulations of said corporation—and that all officers so chosen shall be deemed to have, and are hereby declared to have, the like power, right and authority, and shall be subject to the like duties and responsibilities, as though they had been lawfully chosen at the time and place, which might have been appointed for such annual meeting, and shall continue in office, until other officers are chosen.

Sec. 3. Be it further enacted, That from and after the choice of officers for said corporation, in pursuance of the enabling powers of this act, the said corporation shall be deemed, held and taken to be existing as a corporate body, pursuant to the meaning and intention of the original act of incorporation and to the same effect as though there had been a due and legal choice of corporate officers, at the time and place required and provided for, by the act to which this act is in addition and by the by laws, rules and regulations made in conformity thereto or either of them.

CHAPTER 35.

State of)
New Hampshire.)

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF WAL-
 POLE ACADEMY.

[Approved June 28, 1831. Acts, vol. 28, p. 63. See also act of June 30, 1853, Session Laws, 1853, Chap. 1440.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Bellows, Abel Bellows and Nehemiah Giles their associates and successors be, and hereby are incorporated and made a body corporate and politick under the name of Walpole Academy, and by that name may sue and be sued, prosecute and defend unto final judgment and execution—and shall have and enjoy all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may establish an Academy in Walpole Village for the instruction of youth. may erect, own and maintain suitable buildings therefor, may hold and possess real and personal estate of any kind, and to any amount not exceeding fifteen thousand dollars in value, and may for the purpose of obtaining funds for the objects intended by this act, sell and convey any number of rights or shares in said corporation not exceeding one thousand, for any sum not less than fifteen dollars for each and every share—but shall in no case whatever by assessment upon the shares sold or conveyed by said corporation add to the funds or estate thereof and the shares of said corpora—may be transferable and shall be considered as personal property to all intents and purposes.

Sec. 3. And be it further enacted, That all such gifts, donations, bequests and legacies, as may from time to time be given and bequeathed to said corporation may be received, held and possessed in addition to all funds or estate, which may be held and possessed by the sale of shares by said corporation.

Sec. 4. And be it further enacted, That Thomas Bellows, Abel Bellows and Nehemiah Giles or any two of them may call the first meeting of said corporation to be holden at a suitable time and place in said Walpole by notifying the members thereof, at least fourteen days before the first meeting, when the manner of holding future meetings may be regulated, and any business relating to said corporation transacted; and at any and every meeting duly holden for any and every purpose, each share which shall have been sold by said corporation may be entitled to one vote and no more.

Sec. 5. And be it further enacted, That said corporation, at any meeting duly holden, may make rules, regulations and by laws not repugnant to the laws of the State, for the management of the inter-

ests and concerns of said corporation, and may appoint a board of trustees and such and so many other officers as they shall think proper and prescribe their powers and duties.

CHAPTER 36.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE CONTOOCOOK VILLAGE FIRE ENGINE COMPANY NUMBER ONE IN HOPKINTON

[Approved June 28, 1831. Acts, vol. 28, p. 65.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Isaac Bailey 3rd, John Whipple, Rollin White and Joseph B. Towne and their associates and successors are hereby made a corporation by the name of the Contoocook Village Fire Engine Company number one in Hopkinton and are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation are hereby authorized to acquire and hold real and personal estate for the purposes of their association not exceeding in value one thousand dollars and the same may dispose of at pleasure.

Sec. 3. And be it further enacted, That Isaac Bailey 3rd, John Whipple and Rollin White or any two of them, may call the first meeting of said corporation, by posting up at two or more publick places in Hopkinton, a notice in writing expressing the time, place and design of such meeting at least six days prior thereto, or by giving such notice personally to each member of said corporation, at least four days prior to such meeting.

CHAPTER 37.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE WINNIPISSEOGEE LAKE, COTTON AND WOOLLEN MANUFACTURING COMPANY"

[Approved June 28, 1831. Acts, vol. 28, p. 66. See also act of July 10, 1846, Session Laws, 1846, Chap 437, and resolutions of July 14, 1877, Acts, vol. 69, p. 217, and August 9, 1878, id., vol. 70, p. 92.]

Whereas William Batchelder, John Chase, Nathan Batchelder and their associates being owners of the Farm Mill and Mill privileges,

commonly called Folsom's mills in Meredith, upon which the Proprietors have erected and are about to put in operation two Factories for the manufacture of cotton and woollen cloths, and for the manufacture of machinery, at their said mills, for the greater convenience in carrying on said business, have petitioned the Legislature—Praying that said owners and proprietors may be incorporated and made a body politick and corporate, which prayer appearing reasonable, Therefore,

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Batchelder, John Chase and Nathan Batchelder their associates, successors and assigns, shall be and hereby are constituted and made a corporation by the name of the Winnipiseogee Lake Cotton and Woollen Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment and execution, and may have and use a common seal and the same may alter and renew at pleasure; and also may make, ordain and put in execution such by laws and regulations not repugnant to the constitution and laws of this State, as shall be necessary, proper and convenient for the government of said corporation, and the due management of its concerns; and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and the same is hereby empowered to establish, manage and carry on, the manufacture of all kinds of machinery, adapted to the use of cotton, woollen and linen yarn, thread and cloth factories and the same to sell and dispose of at pleasure, and to purchase and hold all such models, patents, plans and patent rights, as they shall judge fit and proper, and to purchase and hold all such real and personal estate as they may find necessary or convenient for the proper enjoyment of the privileges hereby granted; and on such real estate to erect such houses, stores, workshops, dams, mills, steam engines, cotton and woollen factories and other buildings as they may deem fit and proper for the transaction and management of the business of said corporation and for the manufacturing of all kinds of cotton and woollen yarn, thread and cloth, provided that the whole amount of real and personal estate, at any time vested in the business of said corporation, shall not exceed the sum of one hundred thousand dollars.

Sec. 3. And be it further enacted, That the said William Batchelder, John Chase and Nathan Batchelder or any two of them may call the first meeting of said corporation by giving three days previous notice to each of the persons associated with them in said corporation, at which meeting a clerk shall be chosen, who shall be sworn faithfully to discharge the duties of his office, and it shall be his duty to record the doings and proceedings of said corporation, and to perform such other duties as the by laws of said corporation may re-

quire; and at the same or any subsequent meeting duly holden, the members of said corporation may prescribe and agree on the manner of calling, holding and managing future meetings, may divide their capital or joint stock into such number of shares as they may deem proper: Provided, That said present owners of said mills and mill privileges and all the appurtenances to the same belonging and each of them, shall hold shares equal to the proportions they now own in said mills and mill privileges, and shall have a right to take such number of shares, over and above the amount by them already paid in, in due proportion with the other present owners, if they may be disposed so to do; may prescribe the mode or manner in which the shares in their capital stock shall be holden, and how the same shall be transferred, may make or provide for the making of assessments on the shares, from time to time, as occasion may require, and fix the time for payment of the same; may appoint and constitute such officers, servants and agents of said corporation as they shall think necessary and prescribe their respective duties, and may do and transact any matters or things relating to the property, business or concerns of said corporation.

Sec. 4. And be it further enacted, That at all meetings of the members of said corporation, duly notified and holden, each member shall be entitled to cast one vote for each share that he may be the owner and holder of, in said corporation on all questions, which may come before such meetings: And absent members may be represented and vote at all such meetings by an agent or agents for that purpose duly appointed by writing, signed by the member or members to be represented, which writing shall be filed with the Clerk of said corporation, and at all such meetings, all questions shall be decided by a majority of the votes cast. Provided, however, That in the assessment of taxes on the shares in said corporation, two thirds of the votes cast shall be required to make such assessment binding on the members of said corporation.

Sec. 5. And be it further enacted, That the shares in the capital or joint stock of the said Corporation, shall be liable and holden for the payment of all assessments legally made thereon, and in case of the neglect of any member to pay the assessment on his share or shares, the same, or so many of them, as shall be sufficient to pay the amount of the assessment or assessments, may be sold or transferred for the payment of the same, in such way or manner, as shall be prescribed by the by laws or regulations of said corporation. Provided nevertheless, that nothing in this act, shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation.

CHAPTER 38.

State of)
New Hampshire. }

AN ACT TO INCORPORATE GILFORD VILLAGE SOCIAL LIBRARY.

[Approved June 28, 1831. Acts, vol. 28, p. 73.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Benjamin Jewett 3^d, Nathaniel Goodhue and Ebenezer S. Hunt. be and hereby are made a corporation, by the name of the Gilford Village Social Library, to be established and kept in the town of Gilford with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Benjamin Jewett 3^d Nathaniel Goodhue and Ebenezer S. Hunt or any two of them may call the first meeting of said corporation, by posting up a notice thereof, in two or more publick places in the town of Gilford, expressing the time, place and design of said meeting, at least fourteen days prior to the day of holding the same; and said corporation may elect such officers and make and establish such by laws and regulations, not repugnant to the laws of this State, as by them shall be deemed expedient and necessary for the government of said corporation.

CHAPTER 39.

State of)
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE FIRST FIRE ENGINE COMPANY IN HAMPSTEAD.

[Approved June 28, 1831. Acts, vol. 28, p. 74.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Humphry C. Coggs, Jesse Gordon and James Knight their associates and successors be and they are hereby incorporated and made a body politic and corporate by the name of the first Fire Engine Company in Hampstead and by that name may sue and be sued, prosecute and defend to final judgment and execution and be known and distinguished in all their acts and proceedings and they are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation be and hereby is authorized and empowered to purchase and hold real and

personal estate for the purposes of said corporation to any amount not exceeding one thousand dollars and the same may sell, convey and dispose of at pleasure.

Sec. 3. And be it further enacted, That the said Humphrey C. Coggswell, Jesse Gordon and James Knight or any two of them may call the first meeting of said corporation at any suitable time and place in Hampstead in the County of Rockingham by giving to the members thereof five days notice of the time and place of said meeting by posting up in two publick places in said Hampstead notifications thereof in writing, expressing therein the objects of said meeting, at which meeting the said members may make by laws for the regulation and government of said corporation not repugnant to the laws of this State and may do and transact any business necessary to carry into effect the purposes intended by this act.

CHAPTER 40.

State of)
New Hampshire. \

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE LEBANON FIRE ENGINE COMPANY NO. ONE.

[Approved June 28, 1831. Acts, vol. 28, p. 75.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Stephen Kendrick Jr. Joseph W. Omsbee, Leavitt Dearborn and their associates and successors be and hereby are incorporated and made a body corporate and politick by the name of the Lebanon Fire Engine Company No. one, and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Stephen Kendrick Jr. Joseph W. Omsbee, Leavitt Dearborn, or any two of them, may call the first meeting of said corporation by posting up at two or more publick places in Lebanon a notice in writing, expressing the time, place and design of said meeting, at least, ten days prior to the day of holding the same—Provided however, that nothing in this act contained shall be so construed as to authorize said corporation to have any estate, or to transact any business, except such as shall be necessary and proper for the purchasing, keeping, repairing and duly and orderly managing a Fire Engine.

CHAPTER 41.

State of)
New Hampshire.)

AN ACT REGULATING THE CHOICE OF MODERATOR.

[Approved June 28, 1831. Acts, vol. 28, p. 77. Session Laws, 1831, Chap. 28. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passage of this act, at all town meetings in this State, holden pursuant to a warrant from the Selectmen of the town, it shall be the duty of the first Selectman or chairman of the board of Selectmen to preside till the Moderator is chosen, and the said Selectman shall receive the ballots, which shall be given for the choice of Moderator, And in case the said Selectman or chairman aforesaid should be absent from the meeting, then the Selectman next in priority present, and if no Selectman be present, then the town clerk shall preside and do the duties aforesaid. Provided however, that nothing in this act, shall be so construed as to excuse any selectman or town clerk from any other duty by law required of him.

CHAPTER 42.

State of)
New Hampshire.)

AN ACT TO SEVER A PART OF THE FARM OF JAMES GEORGE FROM THE TOWN OF KINGSTON AND ANNEX THE SAME TO THE TOWN OF PLAISTOW.

[Approved June 28, 1831. Acts, vol. 28, p. 78. Session Laws, 1831, Chap. 34.]

Be it enacted by the Senate and House of Representatives in General Court convened, That all that part of the farm of James George in said Kingston in the County of Rockingham, which lies on the southerly side of a line beginning at a stone marked K. P. on the westerly side of the main road leading from Exeter to Haverhill at the dividing line between said towns of Kingston and Plaistow, thence running south sixty seven degrees east, about one hundred and eighty nine rods, to Newtown line to a stone marked K. P. N. be and hereby is severed from said town of Kingston and annexed to said town of Plaistow in said County of Rockingham, and said territory shall hereafter constitute and be a part of said town of Plaistow and the

said James George shall enjoy the same privileges and be subject to the same liabilities as other inhabitants of said town of Plaistow, provided however, that he shall pay all taxes, that have been legally assessed upon him and his property by said town of Kingston prior to the passing of this act.

CHAPTER 43.

State of)
New Hampshire.)

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE STEWARTSTOWN BRIDGE.

[Approved June 28, 1831. Acts, vol. 28, p. 79. See act of June 20, 1817, Laws of New Hampshire, vol. 8, p. 621.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Timothy Underwood, Abraham Dunning and Israel B. Beech, their associates and successors be, and they hereby are incorporated and made a body politick, by the name of the Stewartstown Bridge, and in that name may sue and be sued, prosecute and defend unto final judgment and execution; and they are hereby vested with all the powers and privileges, incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation are hereby authorized and empowered to construct and build a Bridge over and across Connecticut River at or near Ames Mills, so called, in Stewartstown in said State, and the same to keep in repair, and from time to time rebuild; and for this purpose the said Corporation are authorized to purchase and hold so much land as may be necessary for their use and accommodation, not exceeding ten acres, and the same to alienate and dispose of at pleasure.

Sec. 3. And be it further enacted, That any two of the persons above named, may call the first meeting of said corporation, by posting up a notification therefor, at some publick place in said Stewartstown at least fifteen days prior to the time of said meeting, or by giving at least ten days personal notice of the time, place and design of said meeting, at which meeting the said corporation may choose a Clerk, who shall be sworn to the faithful discharge of the duties of his office, may agree on the manner of calling future meetings; and at the same, or any subsequent meeting the said corporation may elect all necessary officers and agents and prescribe their duties, may divide their capital or joint stock into shares and agree on the manner of transferring them; may order assessments and fix the time of paying them; may pass by laws not repugnant to the laws of the State for their regulation and government, and do and transact any business necessary to carry into effect the objects of their association.

All questions shall be determined by a majority of votes, accounting one vote to each share; and absent members may vote by proxy, being authorized in writing signed by the person represented, and filed with the clerk.

Sec. 4. And be it further enacted, That for the purpose of reimbursing said corporation the money by them expended in building and repairing said bridge; a toll be and hereby is granted and established of the rates following, subject however to the future revision and alteration of the Legislature that is to say, for every foot passenger one cent, for every house and rider or led horse four cents, for every cart or waggon with one horse or one yoke of oxen eight cents, and for every additional yoke of oxen or horse two cents, for every chaise or other carriage of pleasure with one horse ten cents, and for each additional horse two cents, for every sleigh or sled with one horse or one yoke of oxen six cents, and for each additional horse or yoke of oxen two cents, for horses or mules in droves two cents each, for neat cattle in droves one cent each, and for sheep or swine in droves one fourth of a cent each; and the toll gatherer appointed by said corporation shall have a right to stop all persons from passing said bridge, with their cattle teams or carriages until said toll be paid or tendered and at all times, when the said toll gatherer does not attend to his duty, the gates shall be left open.

Sec. 5. And be it further enacted, That the shares in said corporation shall be holden and liable for all assessments duly made thereon, and upon the nonpayment thereof within the time fixed for their payment, the said shares may be sold at publick auction, or so many of them as will be necessary to pay such assessments with incidental charges, under such regulations as the said corporation in their by laws shall prescribe.

Sec. 6. And be it further enacted, That in case said bridge shall not be completed within the term of five years from the passing hereof, this act, and every part thereof shall be null and void.

CHAPTER 44.

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE COLUMBIA UNION BRIDGE CORPORATION

[Approved June 28, 1831. Acts, vol. 28, p. 82.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Elihu DeForest, Abel Hobart and Mills DeForest, their associates and successors be and they hereby are incorporated and made a body politic, by the name of the Columbia Union Bridge Corporation, and by that name may sue

and be sued, prosecute and defend unto final judgment and execution; and they are hereby vested with all the powers and privileges, which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said proprietors are hereby authorized and empowered to construct and build a bridge over and across Connecticut River at any suitable place within one mile of DeForests Ferry in the town of Columbia County of Coos, and the same to keep in repair, and from time to time rebuild, and for this purpose said corporation are authorized to purchase and hold such real estate not exceeding in value two thousand dollars as they may find necessary or convenient.

Sec. 3. And be it further enacted, That any two of the three persons above named may call the first meeting of said proprietors, by posting up a notification therefor at some publick place in said Columbia, at least fifteen days prior to said meeting, or by giving at least ten days personal notice of the time, place and design of said meeting. At which meeting the said proprietors may choose a clerk, who shall be sworn to the faithful discharge of the duties of his office; may agree on the manner of calling future meetings; and at the same or at any subsequent meeting, the said proprietors may elect all necessary officers and agents and prescribe their duty, may divide the capital or joint stock into shares, and agree on the manner of transferring them; may order assessments and fix the time of their payment: may pass by laws, not repugnant to the laws of the State, for their regulation and government, and do, and transact any business necessary to carry into effect the objects of their association. All questions shall be determined by a majority of votes, accounting one vote to each share; and absent members may vote by proxy, being authorized in writing signed by the person represented, and filed with the clerk.

Sec. 4. And be it further enacted, That for the purpose of reimbursing said proprietors the money by them expended in building and keeping said bridge in repair, a toll be, and hereby is granted and established, of the rates following, that is to say, for every foot passenger one cent, for every horse and rider or led horse four cents, for every cart or wagon with one horse or one yoke of oxen eight cents, and for every additional horse or yoke of oxen two cents, for every chaise or other carriage of pleasure with one horse ten cents, and for each additional horse two cents, for every sleigh or sled with one horse or one yoke of oxen six cents, and for each additional horse or yoke of oxen two cents, for horses or mules in droves two cents each, for neat cattle in droves one cent each, and for sheep or swine in droves one fourth of a cent each; and the toll gatherer appointed by said proprietors shall have a right to stop all persons from passing said bridge with their cattle, teams or carriages, until said toll be paid or tendered and at all times when the said toll gatherer does not attend to his duty, the gates shall be left open.

Sec. 5. And be it further enacted, That the shares in said corporation shall be holden and liable for all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the said shares may be sold at publick auction, or so many of them as will be necessary to pay such assessments with incidental charges, under such regulations, as the said proprietors in their by laws may prescribe.

Sec. 6. And be it further enacted, That at any time or times after the expiration of five years, from the completion of said bridge, upon the application of said proprietors or of any other person or persons, the Justices of the Superior Court of Judicature, at any session of said Court, in and for the County of Coos, upon an examination of the account of expenses incurred by said proprietors in building and keeping said bridge in repair, and the account of tolls by them received for passing the same may alter the aforesaid rates of toll by increasing or diminishing them in such manner, that said proprietors shall never receive more than twelve per centum on the amount of the expense of building and repairing said bridge.

Sec. 7. And be it further enacted, That in case said bridge shall not be completed within the term of five years from the passing hereof, this act and every part thereof shall be null and void.

CHAPTER 45.

State of {
New Hampshire. }

AN ACT TO INCORPORATE THE VILLAGE FALLS MANUFACTURING COMPANY

[Approved June 28, 1831. Acts, vol. 28, p. 86. See act of June 27, 1859, Session Laws, 1859, Private Acts, Chap. 2285.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James Hutchins, Ira Goodall, George Wetherell, William V. Hutchins, James Hutchins Jun. and their associates, successors and assigns be and hereby are created and made a body politick and corporate by the name of the Village Falls Manufacturing Company and by that name may sue and be sued, plead and be impleaded, defend and be defended in any Court of record, or any other place whatever to final judgment and satisfaction thereof, and may make, have and use a common seal and the same may at pleasure, alter, break or renew—and also to make, ordain, and establish such by laws and regulations not repugnant to the constitution or laws of this State, as to them shall appear necessary and convenient for the regulation and government of the affairs of said corporation, and may annually or as often as necessary, elect and dismiss all such officers as they may think best of whom the clerk

and agent shall be sworn to the faithful discharge of all their duties and said corporation are vested with all the privileges and powers which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation for the purpose of manufacturing cotton and woollen cloths may purchase, hold, possess and enjoy in fee simple real estate to the value of fifty thousand dollars and personal estate to the value of twenty five thousand dollars and the same or any part thereof, may assign sell, let or dispose of in any manner, they please and on so doing may purchase or procure other estate of equal value and hold the same to them, their successors and assigns forever and that the capital stock of said corporation shall be divided into one hundred and twenty equal shares

Sec. 3. And be it further enacted, That the said James Hutchins Ira Goodall, George Witherell or any two of them may call a meeting of the members of said corporation as soon as they please by giving personal notice to each of the proprietors of the time, place and object at least seven days before the day of meeting or by posting up a notice of the time, place and object of said meeting fourteen days before the time in some publick place in said Bath when and where all such laws, regulations and rules may be made as aforesaid. as may be thought best and that said corporation may then or at any other meeting to be called according to the vote of the proprietors at said first meeting pass any votes, ordain any by laws or rules and choose any officers, they may think proper and decide how future meetings shall be notified and transact any business, they may judge best for the orderly conducting the affairs of said corporation and the same may alter, or change at pleasure all in accordance with the laws of this State.

Sec. 4. And be it further enacted, That said corporation at any regular meeting may vote any tax or assessment upon the shares thereof and for the nonpayment of such tax or assessment after due notice, may sell the delinquent share or shares at auction in such manner as by the by laws of said corporation may be provided.

Sec. 5. And be it further enacted, That the said shares of said corporation shall be considered personal estate to all intents and purposes and may be transferred in such manner as by the by laws of said corporation may be provided.

Sec. 6. And be it further enacted, That each stockholder shall have his proportion of the capital stock set off to him in shares numbered and may transfer the same according to the by laws of said corporation for the time being, the same being entered on the books of said corporation and that the owner of every share shall be entitled to one vote and for two shares two votes and so on allowing one vote to each share present or represented, provided that no person shall be entitled to more than forty votes and that any absent proprietor may by a writing by him signed and filed with the Clerk, vote by proxy as if present.

CHAPTER 46.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court, convened That the sum of one hundred seventy nine dollars and sixty cents be allowed Joseph Hill in full of his account and that the same be paid out of the Treasury.

[Approved June 30, 1831. Acts, vol. 28, p. 89.]

CHAPTER 47.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Jacob Whittemore be allowed three dollars and seventy five cents in full of his account and that the same be paid out of the treasury.

[Approved June 30, 1831. Acts, vol. 28, p. 89.]

CHAPTER 48.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be, and he hereby is authorized and directed to deliver a copy of the revised Statutes, to each of the unincorporated towns and places in this State, which shall have chosen Selectmen and Collectors of taxes, according to the provisions of the seventeenth Section of an act entitled "an act regulating towns and the choice of town officers passed June 28. 1827.

[Approved June 30, 1831. Acts, vol. 28, p. 90.]

CHAPTER 49.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court Convened, That Joseph Cofran be allowed eleven dollars and twenty cents in full of his account and that the same be paid out of the treasury.

[Approved June 30, 1831. Acts, vol. 28, p. 90.]

CHAPTER 50.

*State of
New Hampshire.*

Resolved by the Senate and House of Representatives in General Court convened. That Joseph Hill Commissary General of New Hampshire be, and he hereby is authorized to receive of the war Department of the United States the arms which have been apportioned to the State of New Hampshire under the act of 1808 for arming the militia, of which, five hundred rifles are required and the remainder in Muskets to be received and deposited in the arsenal at Portsmouth.

[Approved June 30, 1851. Acts, vol. 18, p. 91.]

CHAPTER 51.

*State of
New Hampshire.*

Whereas the Directors of the Claremont Bank by accident have failed to make a return of the State of said Bank on the monday next following the first Wednesday of June A. D. 1851 as is required by an act entitled an act directing the return of statements every year from the several incorporated Banks in this State to his Excellency the Governor and the Council passed June 21, 1814, and have thereby become liable to pay to the State of New Hampshire the penalty of one thousand dollars according to the provisions of said act, and it appearing that said return was seasonably made out and certified by the Directors and cashier of said Bank agreeably to the provisions of said act and was duly put into the mail; so as to have been seasonably received at the Secretary's office, but by accident did not reach its address in time for that purpose, and it further appearing that said return has since been received at the Secretary's office and duly submitted to the executive. Therefore be it resolved by the Senate and House of Representatives in General Court convened. That the President, Directors and Company of the Claremont Bank be and they hereby are released from all claim which said State have or may hereafter have against said Bank, for the penalty incurred as aforesaid. And be it further resolved that it shall not be the duty of his Excellency the Governor to give information to the Attorney General of the delinquency of said Bank.

[Approved June 30, 1851. Acts, vol. 18, p. 92.]

CHAPTER 52.

State of /
New Hampshire. \

Upon the petition of John B. Dorion and others representing that Nicholas Dorion formerly of Quebec in the Province of Lower Canada, and late of Boston in the Commonwealth of Massachusetts, died seized in fee of a certain tract, or parcel of land, situate in Haverhill aforesaid, and described as follows, viz. beginning at a stake and stones standing S 54° 20' E. five rods and twenty links, from the southeast corner of Moody Bedels brick house, thence S. 14° 20' W. thirty rods, thence S. 40° W. seventeen rods twenty one links, thence S. 55° 40' E. twenty rods to a stake and stones, thence S 40° 30' W. sixteen rods to a stake and stones, thence S. 32° W. sixteen rods to a stake and stones standing on the north line of John Pages land, thence S 55° 40' E. one hundred and fifty one rods and eight links to an elm tree, which is the corner bound of the house lots Nos 65 and 66 at the east end, thence N. 34° 30' E. forty five and an half rods to a stake upon the bank of Oliverian brook, then down the south bank of said brook, as the brook runs one hundred and twenty nine rods and four links to a stake and stones, thence S 30° W. seven rods to a stake and stones, thence N. 47° 30' W twelve rods twenty links to the end of a stone wall, thence N 53° W. twenty six rods and eighteen links, thence N. 64° W twenty seven rods and two links to the first mentioned bound, containing seventy one acres, one quarter and eighteen rods, be the same more or less. That the said Nicholas died intestate, sole, and without issue and that by reason of the alienage of the petitioners, heirs at law of said Nicholas the said land would, upon an inquest being had, escheat to this State and that the Legislature would forego the right of the State in this particular. Therefore, Resolved by the Senate and House of Representatives in General Court convened, That the petitioners, John B. Dorion, Etienne Gawin, Marie Gawin, wife of said Etienne Joseph Dorion and the children of Peter Dorion deceased, the said John, Joseph and Peter being brothers and said Marie the sister of said Nicholas deceased be, and they are hereby authorized and empowered to take hold, and convey said parcel of land as fully and effectually, and in the same proportions as if they were citizens of the United States, and that this State do not and will not claim said estate as an escheat by reason of the alienage of the heirs at law of the said Nicholas deceased. Provided however, that nothing herein contained shall exempt said real estate from the power of the Administrator of the estate of said Nicholas Dorion to make sale thereof for payment of the intestates debts, in case the personal estate proves inadequate for that purpose. Whereas the Legislature of the State of New Hampshire, on the 22nd day of June A. D. 1827

duly passed the resolve before recited. And whereas doubts have arisen whether said resolve had the effect to pass the interest which the State had in the land therein described to the several persons therein mentioned by reason that they were aliens, and whereas Patience Montgomery of Haverhill in the County of Grafton and State of New Hampshire hath acquired from said Aliens their title to three undivided fourth parts of the land aforesaid by a bona fide purchase of the same, and hath petitioned the Legislature at its present session, that any interest or title which the State of New Hampshire may have in three undivided fourth parts of said land as an escheat, may be conveyed to her, and her title thereby be confirmed. Therefore, Resolved by the Senate and House of Representatives in General Court convened, That all the right, title and interest, if any, which the State of New Hampshire has in the land aforesaid, as to three undivided fourth parts of the same, excepting and saving to said State the right of Jurisdiction, is hereby released, assigned and transferred to the said Patience Montgomery, her heirs and assigns forever. Reserving to the Administrator of the estate of said Nicholas Dorion the right to sell said land for the payment of the debts of his intestate should the same be required for that purpose.

[Approved July 1, 1831. Acts, vol. 28, p. 93.]

CHAPTER 53.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be and he is hereby authorized to borrow on the credit of the State, and for the use of the same a sum not exceeding thirty four thousand dollars, at a rate of interest not exceeding five and one fourth per cent, and so much of the State tax payable into the treasury on or before the first day of December A. D. 1831, as will be sufficient to pay said loan and interest is hereby appropriated for that purpose, and the said treasurer is hereby authorized and required to apply said sum to that purpose, as soon as a sufficient amount shall be paid into the treasury.

[Approved June 30, 1831. Acts, vol. 28, p. 96.]

CHAPTER 54.

State of }
New Hampshire. }

AN ACT PROVIDING FURTHER REMEDIES FOR LANDLORDS AND TENANTS.

[Approved July 1, 1831. Acts, vol. 28, p. 97. Session Laws, 1831, Chap. 29. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when the tenant or occupant of any house or tenement shall hold such house or tenement without right and after notice in writing to quit the same, whoever has or claims to have the right of possession thereof may summon such tenant or occupant to answer to his complaint before any justice of the peace, for any County wherein such house or tenement may be, the form of which summons shall be in substance as follows.

R—ss. To the Sheriff of said County of R—or either of his Deputies or to either of the constables of the town of——in said County.
 Greeting

L. S. In the name of the State of New Hampshire, You are required to summon A. B of (addition) if he may be found in your precinct, to appear before me. E. F. Esquire one of the Justices of the peace for the County aforesaid at.....in.....in said County on.....the.....day of.....at.....o'clock in thenoon then and there to answer to the complaint of C. D. of..... (in addition) wherein said C. D complains that said A. B. on the day of the date hereof is in possession of (the demanded premises) without law and against the right of the said C. D. as shall then and there appear, hereof fail not and make due return of this writ and of your doings therein unto myself at or before said time of trial. Given under my hand and seal at.....aforesaid the day of.....A. D.....

J. P. Justice of the Peace

which summons shall be served at least seven days before the return day thereof, by the officer to whom it is directed in the same way and manner that is now provided by law for the service of writs of original summons, and if the complainant shall duly enter such writ, and the Defendant neglect to appear and answer thereto, or if the defendant shall duly appear and answer, and if after issue joined, it shall be considered by the Justice trying the same, that the complainant hath sustained his complaint then judgment shall be rendered. that the complainant have possession of the demanded premises and for his costs and thereupon the complainant shall have the writ of "habere facias possessionem" provided in the second section of the

act prescribing the form of writs in civil causes passed February 11. 1791. the same being so far altered as the case may require, and if after issue joined it shall be considered by the said Justice that the complainant hath failed to sustain his complaint, then the defendant shall have judgment, that the complaint be dismissed and for his costs and shall have execution accordingly.

Sec. 2. And be it further enacted, That any party aggrieved by the judgment of any Justice in any action brought upon this Statute, where both parties have appeared and issue hath been joined, may appeal therefrom, to the next Court of Common Pleas to be holden within the same County, Provided the appeal shall be claimed within two hours from the time of rendering such judgment, and the complainant shall before his appeal is allowed recognize with sufficient surety or sureties in such reasonable sum as the Court shall order to pay all intervening costs and damages and to prosecute his appeal with effect—And the defendant shall before his appeal is allowed recognize with sufficient surety or sureties in such reasonable sum as the Court shall order to pay all rent due and in arrears and all intervening rent, damages and cost, and the party appealing shall be held to produce a certified copy of the whole case, at the court appealed to, and both parties shall be allowed to offer any evidence at the Court of Common Pleas in the same manner, as if the cause had been originally commenced there—and the Court of Common Pleas shall whenever any appellant thereto shall fail to prosecute his appeal or if he shall neglect to produce a copy of the case, affirm the former judgment upon the appellees complaint and award such additional costs and damages as have arisen in consequence of said appeal, and execution shall issue accordingly.

Sec. 3. And be it further enacted, That when in any action brought upon this Statute, the defendant shall plead the general issue, he shall not be allowed to offer any evidence that may bring the title to the demanded premises in question, and where the defendant in any such action shall plead any plea in justification which may bring in question the title to the demanded premises, the Court shall thereupon order the defendant to recognize to the adverse party in a reasonable sum with sufficient surety or sureties to enter said action at the next Court of Common Pleas to be holden in the same County and to prosecute the same with effect and to pay all rent due and in arrears and all intervening rent, damages and costs; and if the defendant shall refuse or neglect so to recognize the Justice shall render judgment against him in the same manner as if he had refused to make answer to the suit. And either party in case said action shall be entered at the Court of Common Pleas shall be allowed to appeal from the judgment of said Court in the same manner, as if the suit had been originally commenced there.

Sec. 4. And be it further enacted, That from and after the first day of September next, all leases at will and tenancies at sufferance

of any lands and tenements within this State may be terminated by either party after giving to the other party three months notice and where the rent for such lands and tenements is due and payable more frequently than quarterly the notice shall be sufficient, if it be equal to the time between the payments thereof, provided nevertheless, that in all cases of neglect or refusal to pay the rent due and in arrear, seven days notice to the tenant or occupant shall be sufficient and provided, that nothing in this act contained shall prevent landlords from pursuing their legal rights and remedies by the common and Statute law, as now existing in this State.

Sec. 5. And be it further enacted, That in all writs or prosecutions upon this act, the fees taxed by the Attorney and Justice shall be the same as are allowed in civil suits, in and by an Act entitled An Act regulating fees and repealing certain acts relative to the same passed December 3. A. D. 1820. and there shall be allowed to the Justice for every writ of "habere facias possessionem" in cases arising under this act twenty five cents.

CHAPTER 55.

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE PROPRIETORS OF OMPOMPANOOSUCK BRIDGE.

[Approved July 1, 1831. Acts, vol. 28, p. 101.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Sweatt, John Hall, Morrill I. Walker and Stephen Eastman, their associates and successors be and they hereby are incorporated and made a body corporate and politick by the name of the Proprietors of Ompompanoosuck bridge and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature

Sec. 2. And be it further enacted, That the exclusive right of building, rebuilding and keeping in repair forever a bridge over the Connecticut River at any place, between the north line of Hanover and a point one mile south of the mouth of the Ompompanoosuck River, measuring as the said Connecticut River runs on its easterly bank, be and hereby is granted to said corporation, and said corporation is hereby empowered to purchase and hold real estate necessary and convenient for carrying into effect the purposes of this act, not exceeding in value the sum of fifteen hundred dollars, and the same may alienate and dispose of at pleasure.

Sec. 3. And be it further enacted, That the said William Sweatt, John Hall and Stephen Eastman or any two of them, may call the first meeting of said corporation by posting up notifications thereof in the town of Hanover aforesaid and in Norwich in the State of Vermont expressing the time, place and design of such meeting, at least fifteen days prior to the day of holding the same, at which meeting the said corporation may agree on the manner of calling future meetings, and at the same or at any subsequent meeting may elect and appoint such officers and servants as they may deem necessary for conducting the concerns of the corporation, may divide their joint stock into shares and agree on the manner of transferring them, may order assessments and fix the time of their payment may pass by laws not repugnant to the laws of the State for their regulation and government and annex penalties for the breach thereof, not exceeding ten dollars for any one offence and do and transact any business necessary for carrying into effect the objects of their association—all questions at any meeting of said corporation shall be determined by a majority of votes of the members present and represented allowing one vote to each share and authority to vote at any such meeting in behalf of an absent member shall be proved by a writing signed by the person represented which writing shall be filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non payment thereof, within the time limited therefor, the delinquent share or shares may be advertised and sold at publick auction, or so many of them as may be necessary to pay such assessments with the incidental charges, under such regulations as said corporation in their by-laws may prescribe and any overplus after payment of such assessments and incidental charges, shall be paid to the owners of the shares sold on demand.

Sec. 5. And be it further enacted, That to reimburse, said corporation the money expended in building and keeping said bridge in repair, a toll be and hereby is granted to said corporation and the toll-gatherer or toll-gatherers appointed by said corporation are hereby authorized to demand and receive the following rates of toll and to stop and detain any person or persons from crossing said bridge with their carriages, teams, horses, cattle and droves until the same shall be paid, that is to say, for each foot passenger two cents, for each horse and rider six cents, for each horse and chaise or other carriage of pleasure drawn by one horse twelve cents, for each gig wagon drawn by one horse eight cents, for each sleigh or sled drawn by one horse six cents, if drawn by two horses ten cents, for each coach or other four wheeled carriage of pleasure, or for passengers drawn by two horses twenty cents, for each curricle drawn by two horses twenty cents, for each cart or other carriage of burthen drawn by one horse eight cents, if drawn by two beasts ten cents, for each additional beast to either of the foregoing vehicles three cents, for horses,

mules or neat cattle in droves two cents each, and for sheep or swine one half cent each, and no more than one person shall be allowed to pass said bridge with any carriage of burthen free of toll; and at all times when the toll gatherer does not attend to his duty the gate or gates which may be erected upon or across said bridge shall be left open.

Sec. 6. And be it further enacted, That if within four years from the passing hereof, the said bridge shall not be built, then this act shall be null and void. And in case said corporation shall fail to have and keep in good repair a convenient and safe bridge within the limits aforesaid according to the true intent and meaning hereof for the space of two years, at any time thereafter then this act shall be void, and the tolls hereby granted shall be subject to future revision and alteration by the Legislature.

CHAPTER 56.

State of)
New Hampshire.)

AN ACT TO INCORPORATE FIRE ENGINE COMPANY NUMBER THREE IN KEENE.

[Approved July 1, 1831. Acts, vol. 28, p. 105. See also act of January 7, 1837, Session Laws, 1836, November session, Chap. 117.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Benjamin F. Adams, Oliver Holman and Timothy Wheeler their associates and successors be and they hereby are made a body politick and corporate by the name of Fire Engine Company number three in Keene, and by that name may sue and be sued, prosecute and defend to final judgment and execution, be and they hereby are vested with all the powers and subject to all the liabilities of corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Engine Company may consist of fourteen men and no more, who shall be appointed to perform the duty of Engine men in the same way and manner as engine men are now by law appointed, and shall be exempted from the performance of military duty, provided that the number exempted shall in no case operate to reduce the number of soldiers in the first company of infantry in the twentieth regiment below forty two rank and file.

Sec. 3. And be it further enacted, That Benjamin F. Adams. Oliver Holman and Timothy Wheeler or any two of them may call the first meeting of said corporation by posting up notices in writing in at least two publick places in the village of Keene at least seven days prior to said meeting which notices shall state the time, place

and object of said meeting, at which or at any subsequent meeting they may adopt such rules and regulations and ordain such by laws as may be necessary to carry into effect the objects intended by this act, provided the same be not repugnant to the constitution and laws of this State.

CHAPTER 57.

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE EAST LEBANON UNION LIBRARY.

[Approved July 1, 1831. Acts, vol. 28, p. 107.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Halsey R. Stevens, Caleb Plastridge and James Willis their associates successors and assigns be, and they are hereby incorporated by the name of the East Lebanon Union Library and by that name may sue and be sued, prosecute and defend to final judgment and execution, and be known and distinguished in all their acts and proceedings and shall be, and hereby are vested with all powers and privileges and subject to the liabilities of corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation is hereby authorized to acquire by purchase or otherwise and to hold and enjoy such real and personal estate, as may be necessary for the benefit of said corporation and sell and convey the same at pleasure. Provided the real and personal estate aforesaid, shall not exceed in amount the sum of one thousand dollars.

Sec. 3. And be it further enacted, That the said Halsey R. Stevens and Caleb Plastridge or either of them, may call the first meeting of the members of said corporation at any suitable place in East Lebanon, by advertisement posted up in one or more publick places at East Lebanon and also at the tavern now occupied by C. Benton in Lebanon, giving at least ten days notice of the time and place and design of such meeting at which first meeting, the said members shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the proceedings of said corporation and perform such other duties as may be lawfully required of him, and at the same or any subsequent meeting duly holden the said members may agree on the manner of calling their future meetings, may divide their capital or joint stock into shares and agree upon the manner of transferring them, may order assessments and fix the time in which they shall be paid, elect and appoint such officers, agents and servants as they may deem neces-

sary and prescribe their duties, pass by laws for the regulation and government of said corporation and do and transact any business in relation to the concerns of said corporation and for the benefit thereof. All elections and all other questions if required shall be determined by a majority of votes present or represented at any meeting accounting and allowing one vote to each share in all cases, and all representations shall be made in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for all assessments made thereon, and upon the non payment thereof for the space of ninety days, the Treasurer may proceed in the manner prescribed in the by laws of said corporation, to advertise and sell at publick auction, such delinquent shares, or so many of them as may be necessary to pay the sums due thereon with incidental charges.

CHAPTER 58.

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PEQUAWKETT BRIDGE IN CONWAY"

[Approved July 1, 1831, Acts, vol. 28, p. 109. See act referred to, dated June 18, 1828, Laws of New Hampshire, vol. 9, p. 727. See also act of June 24, 1834, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the proprietors of Pequawkett Bridge in Conway be, and they hereby are allowed two years from and after the eighteenth day of June, in the year of our Lord one thousand eight hundred and thirty two to build and complete said bridge, any thing in any former act, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That instead of the tolls authorized by the act of their incorporation, the proprietors of said Bridge shall have a right to demand and receive for crossing the same, the following rates of toll, that is to say, for each horse and rider six cents, for each chaise, chair, sulky or other two wheeled carriage of pleasure drawn by one horse twelve cents, for each additional horse four cents, for each four wheeled carriage of pleasure drawn by two horses twenty cents, for each additional horse four cents, for each pleasure wagon drawn by one horse eight cents, and for each additional horse four cents, for each carriage of burthen, drawn by one beast six cents, and for each additional beast four cents, for each sleigh, drawn by one horse six cents, and for each additional horse three cents, for horses and neat cattle, led or in droves each, one cent,

for sheep or swine each, one fourth of one cent, and for each foot passenger two cents. Provided however that said corporation shall not take or demand any toll from any soldier or officer of the militia of this State, when going to, or returning from the discharge of any military duty. Provided, also, that the rates of toll as established in and by this act, shall be subject to the future alteration and revision of the Legislature.

CHAPTER 59.

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR THE PUNISHMENT OF IDLE AND DISORDERLY PERSONS, AND FOR THE SUPPORT AND MAINTENANCE OF THE POOR" PASSED DEC 16 1828.

[Approved July 1, 1831. Acts, vol. 28, p. 113. Session Laws, 1831, Chap. 31. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 753. Repealed by act of July 2, 1833, *post.*]

Be it enacted by the Senate and House of Representatives in General Court convened, That when any poor person, who at the time of his or her death was relieved and supported by any town in this State at the expense of the County, shall die, the overseers of the poor in such town shall cause such pauper to be decently buried. And the reasonable expense therefor shall be a proper charge on the County, and shall be allowed and paid to such town in the same manner, as is provided for the allowance and payment of claims on Counties for the support and maintenance of paupers in the ninth section of the act, to which this is in addition.

CHAPTER 60.

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF COLEBROOK BRIDGE.

[Approved July 1, 1831. Acts, vol. 28, p. 114. See acts of December 29, 1848, Session Laws, 1848, Chap. 794; July 3, 1851, *id.*, 1851, Chap. 1194; July 1, 1853, *id.*, 1853, Chap. 1475, and August 2, 1881, *id.*, 1877-81, p. 588.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Lyman Lumbard, Ira Young and Lewis Loomis their associates, successors and assigns be, and they hereby are incorporated and made a body politic by the name

of the Proprietors of Colebrook Bridge, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and they are hereby vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Corporation are hereby authorized and empowered to construct and build a Bridge over and across Connecticut River at or near Mohawk Stream (so called) in Colebrook in said State, and the same to keep in repair and from time to time rebuild, and for this purpose the said Proprietors are authorized to purchase and hold so much land as may be necessary for the purposes of said corporation, not exceeding ten acres and the same may dispose of at pleasure.

Sec. 3. And be it further enacted, That any two of the persons above named may call the first meeting of said proprietors by posting up a notification therefor at some publick place in said Colebrook, at least fifteen days prior to said meeting, or by giving at least ten days personal notice of the time, place and design of said meeting. At which meeting the said proprietors may choose a clerk, who shall be sworn to the faithful discharge of the duties of his office; may agree on the manner of calling future meetings and at the same or any subsequent meeting the said proprietors may elect all necessary officers and agents and prescribe their duties, may divide their capital or joint stock into shares and agree on the manner of transferring them, may order assessments and fix the time of their payment, may pass by laws, not repugnant to the laws of this State for their regulation and government and do and transact any business necessary to carry into effect the objects of their association, all questions shall be determined by a majority of votes, accounting one vote to each share; and absent Proprietors may vote by proxy being authorized in writing signed by the person represented, and filed with the Clerk.

Sec. 4. And be it further enacted, That for the purpose of reimbursing said Proprietors the money by them expended in building and keeping said bridge in repair a toll be and hereby is, granted and established of the rates following, that is to say, for every foot passenger one cent, for every horse and rider or led horse four cents, for every cart or wagon with one horse or one yoke of oxen eight cents, and for every additional horse or yoke of oxen two cents, for every chaise or other carriage of pleasure with one horse, ten cents, and for each additional horse two cents, for every sleigh or sled with one horse or one yoke of oxen six cents; and for each additional horse or Yoke of oxen two cents, for horses or mules in droves, two cents each, for neat cattle in droves one cent each, and for sheep or swine in droves one fourth of a cent each, And the toll gatherer appointed by said proprietors shall have a right to stop all persons from passing said bridge, with their cattle, teams or carriages, until said toll be paid or tendered; and at all times, when the toll gatherer does not

attend to his duty the gate shall be left open. Provided that the said tolls hereby granted and established shall be subject from time to time to future revision and alteration by the legislature.

Sec. 5 And be it further enacted, That the shares in said Corporation shall be holden and liable for all assessments duly made thereon, and upon the nonpayment thereof within the time fixed for their payment, the said shares may be sold at publick auction, or so many of them, as may be necessary to pay such assessments with incidental charges under such regulations as the said proprietors in their by laws shall prescribe.

Sec. 6. And be it further enacted, That in case said bridge shall not be completed within the term of five years from the passing hereof, this act and every part thereof shall be null and void.

CHAPTER 61.

State of)
New Hampshire. }

“AN ACT TO ALTER THE NAME OF THE PHOENIX COTTON AND PAPER FACTORY AND TO AUTHORIZE THE PROPRIETORS TO INCREASE THE CAPITAL STOCK AND THE NUMBER OF SHARES IN SAID FACTORY.”

[Approved July 1, 1831. Acts, vol. 28, p. 117. See also act of December 22, 1820, Laws of New Hampshire, vol. 8, p. 992.]

Whereas the proprietors of the Phoenix cotton and paper Factory, a corporation established in Peterborough in this State have petitioned the Legislature to alter the name of said corporation, and to authorize them to increase the capital stock and the number of shares in said Factory, Therefore,

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the corporation established by an act of the Legislature approved December 22nd 1820 by the name of the Phoenix cotton and paper factory, shall hereafter be called and known by the name of the Phoenix factory any thing in said act to the contrary notwithstanding.

Sec. 2. And be it further enacted, That the proprietors of said Phoenix factory are hereby authorized and empowered at any annual meeting of said corporation or at any other legal meeting called for that purpose to increase the capital stock of said corporation to such amount as they may think necessary to facilitate their operations not exceeding the sum of two hundred thousand dollars and may hold real and personal estate to such amount.

Sec. 3. And be it further enacted, That said proprietors at any legal meeting called as aforesaid are authorized and empowered to divide their present capital stock and any additional capital stock

into as many shares as they may think proper not exceeding two hundred.

Sec. 4. And be it further enacted, That this act shall take effect and be in force as an addition to the act incorporating the said Phoenix cotton and paper factory when adopted by a vote of said proprietors at any annual meeting or at any other legal meeting called for that purpose—provided that all the members of said corporation shall signify in writing their consent to the adoption of the same.

CHAPTER 62.

State of)
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITARY DEPARTMENT.

[Approved June 30, 1831. Acts, vol. 28, p. 118. Session Laws, 1831, Chap. 35. See also acts of June 22, 1832, January 5, 1833 and July 6, 1833, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the following sums be and the same are hereby appropriated for the purposes herein mentioned, the sum of eighty dollars for making regimental returns, the sum of four hundred and eighty dollars for the annual allowance of the several companies of Artillery, the sum of three hundred dollars for the purchase of musical instruments, the sum of one hundred and twenty dollars for the purchase of company records, printing blanks and stationary for the Adjutant Generals office, the sum of twenty five dollars for the purchase of colors; and his Excellency the Governor is hereby authorized by warrant on the Treasurer to draw said sums therefrom, at such times as he may think proper, and deliver the same to the adjutant General, who is hereby required to apply the same to the purposes above specified, so far as may be necessary and render an account thereof to the Legislature.

CHAPTER 63.

State of)
New Hampshire. }

AN ACT TO PROVIDE FOR THE COLLECTION OF TAXES IN CERTAIN CASES.

[Approved July 1, 1831. Acts, vol. 28, p. 120. Session Laws, 1831, Chap. 32. See also act of July 7, 1837, *id.*, 1837, Chap. 331. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any taxes are or shall

be proportioned to any place unincorporated, having so few inhabitants as to be incapable of choosing town officers, the treasurer of the State shall assess the proportion of such place and commit the same to the Sheriff of the County where the said place lies, with a warrant under his hand and seal empowering said Sheriff to collect the same: And every such Sheriff shall have the same power and authority with respect to the taxes committed to him to collect, which collectors of towns have or may from time to time by law have, with respect to the taxes of non-residents. and he shall observe the same directions, as collectors of towns are, or may from time to time be bound by law to observe in collecting the taxes of non residents, and may give deeds in the same form "mutatis mutandis" which deeds shall be of equal efficacy as those given by collectors chosen by incorporated towns. Provided nevertheless, he shall in all cases advertise the lands for sale in the shire town, or in one of the nearest half shire towns, in the county where the lands lie, as well as in the place where the lands lie; and he shall hold his sales in such shire town or half shire town.

Sec. 2. And be it further enacted, That the Treasurer shall have like remedy by extent against such Sheriffs, as he by law has or may have, against collectors And the Treasurer may always presume that a place is incapable of choosing town officers where no return of a collector is made to him on, or before the last day of December in each year. And unless the Treasurer is certified under the hand of the clerk of the Proprietors of any such place, before the last day of December in each year, that such place is divided among the proprietors, and also served with a copy of such division or partition so as to enable him to tax the several owners of the same, he shall assess the whole in one sum; but if he is so certified he shall assess the original owners according to their several interests in quantity without regard to the quality of their lands.

Sec. 3. And be it further enacted, That the several County Treasurers shall have like power and authority respecting County taxes as in this act is given to the State Treasurer and may pursue the same measures in collecting County taxes. And the Sheriffs to whom any such warrants for collecting County taxes are delivered, shall have the same authority and proceed in the same manner as is herein provided for them to collect State taxes, and deeds given by them in similar form shall be equally valid.

CHAPTER 64.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO ESTABLISH A SYSTEM OF POLICE IN THE TOWN OF PORTSMOUTH AND FOR OTHER PURPOSES, PASSED JUNE 28. 1823.

[Approved July 1, 1831. Acts, vol. 28, p. 122. Session Laws, 1831, Chap. 33. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 212. See also acts of June 18, 1807, id., vol. 7, p. 613, and July 4, 1837, Session Laws, 1837, Chap. 343. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, it shall not be requisite, that a man appointed or to be appointed a police officer in any town in pursuance of the act, to which this is in addition, should be a freeholder and that in case any police officer or officers shall at any time by resignation, removal from the town or otherwise vacate his or their office, the Selectmen may at any time before the next annual meeting in said town fill such vacancy or vacancies by new appointments, which shall expire within ten days after the next annual meeting, or as soon thereafter as others shall be appointed in their stead.

Sec. 2. And be it further enacted, That every person hereafter duly convicted of any offence against the police of any town in this State may be punished as in, and by the seventh section of the act to which this is in addition is provided or by imprisonment in any common gaol in the County where said offence may have been committed, for a term not less than five nor more than thirty days, or by confinement to hard labor in Bridewell or the poor house in said town, if any such there be, for a term not less than five nor more than thirty days, at the discretion of the Justice before whom such conviction shall be had.

Sec. 3. And be it further enacted, That each and every police officer duly appointed and commissioned, who in pursuance of the provisions of the seventh section of this act, to which this is in addition, shall hereafter have arrested any person or persons between sunset and sunrise or shall in the day time have arrested any person for being found drunk contrary to the provisions of the act, to which this is in addition, may if he so choose commit any such person or persons to any or either of the common gaols in the County wherein such arrest shall be made, and him, her or them there imprison for a term not exceeding twenty four hours, and shall within that time, proceed with such person or persons as in and by said act, to which this is in addition is required and directed, and the keeper of any such

gaol shall at the verbal request of any such police officer, receive and detain in his custody, within the walls of the prison for the term of twenty four hours, unless sooner called for by such or some other police officer, every and all such person or persons so arrested and presented by any such police officer.

Sec. 4. And be it further enacted, That the Selectmen of any and every town in this State, wherein the act to which this is in addition, or any part thereof is or may hereafter be in force, shall have full power and authority to remit all fines and costs imposed upon any person or persons for any breach of the police laws of such town and to discharge him, her or them, from imprisonment therefor; and in all cases of imprisonment in a common gaol under the provisions of this or the act, to which this is in addition, when the person or persons committed cannot pay the prison charges, the town for the violation of whose police laws, such person or persons shall have been imprisoned, shall be liable to the keeper of said prison therefor.

Sec. 5. And be it further enacted, That the act to which this is in addition with all, each and every of the provisions thereof from and after the passing of this act shall be in full force and virtue in the town of Dover and have operation and binding effect therein, as fully and in the same way and manner, as it could or would do, were the word Dover instead of the word Portsmouth, and the word Strafford instead of the word Rockingham, used in every instance where the word Portsmouth or the word Rockingham occurs or is used in the act, to which this is, in addition and in all proceedings against any person or persons for an offence against the police of Dover or of any other town. the forms of process prescribed in the act, to which this is in addition may and shall be altered as the nature of the case requires.

Sec. 6. And be it further enacted, That as soon as may be after the passing of this act, the Selectmen of said town of Dover may appoint and commission police officers as prescribed in this and the act to which this is in addition in like manner as if it were within ten days after the annual town meeting. And such police officers so appointed and commissioned, shall hold their offices until the next annual town meeting and until their successors shall have been duly appointed and qualified to act.

CHAPTER 65.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NEW IPSWICH COMPANY

[Approved July 1, 1831. Acts, vol. 28, p. 125.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Charles Barrett, Samuel Appleton, Silas Bullard and their associates and successors be and they hereby are incorporated and made a body politic forever by the name of the New Ipswich Company and in that name may sue and be sued prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature and also may have and use a common seal, which they may break, alter or renew at pleasure

Sec. 2. And be it further enacted, That the said corporation be and the same hereby is authorized and empowered to carry on the manufacture of cotton, woollen and other goods and such other branches of trade and manufacture, as is necessary to manage and carry on the business of said corporation at New Ipswich in the County of Hillsborough and may erect such Mills, Dams Works, Machines and buildings as may be necessary for carrying on all branches of business connected therewith.

Sec. 3. And be it further enacted, That the said corporation be and the same is hereby authorized to acquire by purchase or otherwise and to hold and enjoy such real or personal estate as may be necessary or useful in conducting the business of said corporation and the same to sell, convey and dispose of at pleasure, provided the estate held by said corporation shall not exceed three hundred thousand dollars. And the said capital or joint stock may be divided into as many shares, as the proprietors at any legal meeting shall agree and decide and in like manner the proprietors may agree on the manner of transferring them, and may elect an agent or agents and such other officers and servants as may be deemed necessary and prescribe their respective duties, may order assessments and fix the time of their payment, may limit the amount which said assessments shall not exceed without the consent of all the proprietors, may pass by laws for their regulation and government and may do and transact any other business in relation to the concerns and for the benefit of said corporation All elections and all other questions if required shall be determined by a majority of votes present or represented at any meeting accounting and allowing one vote to each share in all cases and all representations shall be in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for all assessments legally made thereon and upon the nonpayment of such assessments or any part thereof within the time fixed for their payment the treasurer may proceed in the manner prescribed in the by laws of said corporation to advertise and sell at publick auction such delinquent shares or so many of them as may be necessary to pay the sums due thereon with incidental charges.

Sec. 5 And be it further enacted, That the said Charles Barrett, Samuel Appleton, Silas Bullard or either of them may call the first meeting of the members of said corporation to be holden at any suitable time and place by publishing a notice thereof in the Newspaper printed in Amherst in the County aforesaid, at least ten days before said meeting, or by giving to said members personal notice thereof at least five days prior thereto. Provided nevertheless, that nothing in this act shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation

CHAPTER 66.

State of }
New Hampshire. }

To his Excellency Samuel Dinsmoor, Governor of the State of New Hampshire.

The Senate and House of Representatives satisfied, that the publick good requires, That David Lang should no longer hold the office of Coroner for the County of Rockingham Respectfully address, and request your Excellency with consent of Council to remove the said David Lang from the office of Coroner which he now holds.

[Approved July 1, 1831. Acts, vol. 28, p. 130.]

CHAPTER 67.

State of }
New Hampshire. }

To his Excellency Samuel Dinsmoor Governor of the State of New Hampshire.

The Senate and House of Representatives satisfied that the publick good requires, that Phinehas Walker Judge of Probate for the County of Grafton, should no longer hold the office of Judge of Probate for said County, respectfully address and request your Excel-

lency with consent of the Council to remove the said Phineas Walker from the said office of Judge of Probate for said County of Grafton.

[Approved July 1, 1831. Acts, vol. 28, p. 131.]

CHAPTER 68.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE MASON COMPANY"

[Approved July 1, 1831. Acts, vol. 28, p. 133.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Silas Bullard, John Stevens, James Taft and their associates and successors be and they hereby are incorporated and made a body politick forever by the name of the Mason Company and in that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature and also may have and use a common seal which they may break, alter or renew at pleasure.

Sec. 2. And be it further enacted, That the said corporation be and the same hereby is authorized and empowered to carry on the manufacture of cotton, woollen and other goods and such other branches of trade and manufacture, as is necessary to carry on and manage the business of said corporation, at Mason in the County of Hillsborough and may erect such Mills, Dams, Works, Machines and buildings, as may be necessary for carrying on all branches of business connected therewith.

Sec. 3. And be it further enacted, That the said corporation be, and the same is hereby authorized to acquire by purchase or otherwise and to hold and enjoy such real or personal estate, as may be necessary or useful in conducting the business of said corporation and the same to sell, convey and dispose of at pleasure, provided the estate held by said corporation shall not exceed three hundred thousand dollars, and the said capital or joint stock may be divided into as many shares as the proprietors at any legal meeting shall agree and decide, and in like manner the proprietors may agree on the manner of transferring them, and may elect an agent or agents and such other officers and servants, as may be deemed necessary and prescribe their respective duties, may order assessments and fix the time of their payment, may limit the amount which said assessments shall not exceed without the consent of all the proprietors, may pass

by laws for their regulation and government and may do and transact any other business in relation to the concerns and for the benefit of said corporation—all elections and all other questions if required shall be determined by a majority of votes present or represented at any meeting accounting and allowing one vote to each share in all cases, and all representations shall be in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for all assessments legally made thereon and upon the nonpayment of such assessments or any part thereof within the time fixed for their payment the treasurer may proceed in the manner prescribed in the by laws of said corporation to advertise and sell at publick auction such delinquent shares, or so many of them as may be necessary to pay the sums due thereon with incidental charges.

Sec. 5. And be it further enacted, That the said Silas Bullard, John Stevens, James Taft or either of them may call the first meeting of the members of said corporation to be holden at any suitable time and place by publishing a notice thereof in the Newspaper printed in Amherst in the County aforesaid at least ten days before said meeting or by giving to said members personal notice thereof at least five days prior thereto. Provided nevertheless, that nothing in this act shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation.

CHAPTER 69.

State of)
New Hampshire. {

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE AMOSKEAG MANUFACTURING COMPANY.

[Approved July 1, 1831. Acts, vol. 28, p. 136. See acts of June 18, 1836, Session Laws, 1836, Private Acts, Chap. 78; June 26, 1838, id., 1838, Private Acts, Chap. 12; June 29, 1841, id., 1841, Private Acts, Chap. 17; July 2, 1845, id., 1845, Chap. 295; July 9, 1846, id., 1846, Chap. 456; December 13, 1848, id., 1848, Chap. 808; July 15, 1854, id., 1854, Chap. 1589; July 11, 1855, id., 1855, Chap. 1787; July 11, 1856, id., 1856, Chap. 1917; July 3, 1861, id., 1861, Chap. 2548; February 5, 1907, id., 1907, p. 170; April 9, 1909, id., 1909, p. 734, and March 7, 1915, id., 1915, p. 339.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ira Gay and Oliver Dean and their associates, successors and assigns, shall be, and hereby are constituted and made a corporation, by the name of the Amoskeag Manufacturing Company, and by that name may sue and be sued, prosecute and defend until final judgment and execution and may have

and use a Common seal, and the same may alter and renew at pleasure; and also may make, ordain and put in execution such by laws and regulations, not being contrary to the Constitution and laws of the State, as shall be necessary, proper and convenient for the government of said corporation and the due management of its concerns, and shall be and hereby are vested with all the privileges and powers, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Corporation be, and the same is hereby empowered to establish, manage and carry on the manufacture of cotton, woollen, iron and other lawful manufactures on and near Amoskeag Falls in Goffstown, and also any and all such branches of manufacture and trade as is necessary to carry on and manage the business of said corporation and to purchase, take, hold and convey real and personal estate of every kind, to such amount as they may find necessary and convenient in the management of their concerns: Provided the same shall not exceed the sum of one million dollars, and the same to manage, improve, change and sell at their pleasure and to erect on the real estate, to be purchased and held by them as aforesaid, such dams, canals, mills, buildings, machines and works as they may deem necessary or useful in carrying on, and managing their manufactures and works and in conducting the business of the Corporation.

Sec. 3 And be it further enacted, That the said Ira Gay and Oliver Dean, or either of them, may call the first meeting of said corporation, by giving seven days previous notice to each of the persons, who is associated with them, in obtaining this charter, at which meeting a Clerk shall be chosen, who shall be sworn faithfully to discharge the duties of his office: and it shall be his duty to record the doings and proceedings of said Corporation and to perform such other services as the by laws of said corporation may require, and at the same or any subsequent meeting duly holden, the members or associates of said corporation may prescribe and agree on the manner of calling, holding and managing future meetings, may divide their capital or joint stock, into such number of shares as they may deem proper, and describe the mode or manner in which the shares in their capital stock shall be holden and how the same shall be transferred, may make or provide for the making of assessments, on the shares from time to time, as occasion may require and fix the time for payment of the same, may appoint and constitute such officers, servants and agents of the said corporation, as they shall think necessary and prescribe their respective duties, and may do or transact any matter or thing relating to the property, business or concerns of said corporation.

Sec. 4. And be it further enacted, That at all meetings of the members of said corporation, duly notified and holden, each member shall be entitled to cast one vote for each share that he may be the owner or holder of in said corporation, on all questions that may

come before such meetings: and absent members may be represented, and vote at such meetings, by an agent for that purpose duly authorized by writing signed by the member or members represented, which writing shall be filed with the clerk of said corporation, and at such meetings all questions shall be decided by a majority of the votes cast. Provided however, that in the assessments of taxes on the shares in said corporation, three fourths of the votes cast shall be required to make such assessment binding on the members of said corporation.

Sec. 5. And be it further enacted, That the shares in the capital or joint stock of the corporation shall be liable and holden for the payment of all assessments legally made thereon, and in case of neglect of any member to pay the assessment on his share or shares, the same or so many of them, as shall be sufficient to pay the assessment or assessments, may be sold or transfered for the payment of the same, in such manner or way, as shall be prescribed by the by laws or regulations of said corporation. Provided nevertheless that nothing in this act shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation.

CHAPTER 70.

State of)
New Hampshire. }

AN ACT TO RAISE FORTY FIVE THOUSAND DOLLARS FOR THE USE OF THE STATE.

[Approved July 1, 1831. Acts, vol. 28, p. 139. Session Laws, 1831, Chap. 26.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of forty five thousand dollars shall be raised for the use of the State, which sum shall be assessed, collected and paid into the treasury on or before the first day of December in the Year of our Lord one thousand eight hundred and thirty two, And the treasurer is hereby directed seasonably to issue his warrant to the Selectmen of the several towns and places within this State according to the apportionment of the publick taxes made at the November session A. D. 1828 and the Selectmen and assessors are hereby respectively required to assess the sums specified in the said warrant and to cause the same to be paid into the treasury on or before the first day of December in the Year of our Lord one thousand eight hundred and thirty two and the said treasurer is hereby authorized to issue extents for all taxes, which shall then remain unpaid.

CHAPTER 71.

State of }
New Hampshire. }

AN ACT TO AUTHORIZE PERSONS TO ASSUME AND EXERCISE CORPORATE POWERS IN CERTAIN CASES.

[Approved July 1, 1831. Acts, vol. 28, p. 141. Session Laws, 1831, Chap. 36. See act of July 4, 1839, id., 1839, Chap. 445. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That any two or more persons in this State may associate together for the purpose of forming a fire Engine Company, a library Company or society or a singing or other musical Society, and may admit members and assume a name and style by which such company or Society may be known and distinguished in law, which agreement of association shall be recorded in a book of Records to be kept by the clerk of such company or society, and the substance thereof posted up by such clerk in two publick places in the town where such society is formed and also recorded in the book of records kept by the clerk of such town, and the persons associated as aforesaid, for any of the purposes aforesaid, shall thereby be constituted and become a body corporate and political, and by such name so assumed shall have perpetual succession and possess and enjoy all the powers, privileges and immunities and be subject to all the duties and liabilities incident to corporations of a similar nature, shall have power and authority and be capable in law, to take, hold and possess to them and their successors for the use and benefit of such company or society by purchase, gift, grant, devize or otherwise, any real or personal estate and may improve, sell, convey and dispose of the same, for the use and benefit of said Company or Society. Provided, that such estate and the whole funds of such society shall not at any time exceed the amount of one thousand dollars.

Sec. 2. And be it further enacted, That any Company or Society formed as aforesaid, may have and use a common seal, and the same alter and renew at pleasure; shall have authority to choose all such officers, and make and ordain such by laws and regulations, as shall be necessary and proper for the due government of said company or society and for the management of its funds, provided the same be not repugnant to the constitution and laws of this State, Provided nevertheless, that no member of any fire Engine Company formed under this act, shall be exempt from performing military duty in the company of militia, to which he may belong, if his exemption would reduce said company below the number of forty two rank and file, nor unless said Fire Engine company shall own and possess a suitable Fire Engine.

CHAPTER 72.

State of }
New Hampshire. }

AN ACT REPEALING AN ACT ENTITLED "AN ACT REGULATING THE HUNTING OF DEER PASSED JUNE 21. 1816.

[Approved July 1, 1831. Acts, vol. 28, p. 143. Session Laws, 1831, Chap. 49. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 483.]

Be it enacted by the Senate and House of Representatives in General Court convened, That an act entitled "an act regulating the hunting of Deer passed June 21. 1816. be and the same is hereby repealed. Provided however that nothing in this act contained shall be construed to affect any action or right of action to recover a penalty heretofore incurred under the provision of the act aforesaid.

CHAPTER 73.

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE BEEBES RIVER MINING COMPANY,

[Approved July 1, 1831. Acts, vol. 28, p. 144.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That David Bartlett, Eleazer Wooster, William Baker, Coffin Cook, their associates and those who may hereafter associate with them, their successors and assigns, be and they hereby are erected into a body politick and corporate forever by the name of the Beebes River mining company and in that name may sue and be sued, prosecute and defend to final judgment and execution for the purpose of exploring a mine in the town of Campton, and for refining and working copper and copperas ore or any other ore said mine may contain and are hereby vested with all the privileges, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That David Bartlett, Eleazer Wooster and Coffin Cook or either two of them may call the first meeting of said proprietors by posting up a notification thereof, in writing at some publick place in the town of Campton in said State at least fourteen days prior to said meeting, specifying the time, place and design of said meeting at which meeting the said proprietors may choose a Clerk, who shall be sworn to the faithful discharge of the duties of his office, may agree on the manner of calling future meet-

ings, and at the same or any subsequent meeting, may elect all necessary officers and agents and prescribe their duties, may divide their capital or joint stock into shares and agree on the manner of transferring them, may order assessments and fix the time of their payment, may pass by laws, not repugnant to the laws of this State for their regulation and government and do and transact any business necessary to carry into effect the objects of their association. All questions shall be determined by a majority of votes present accounting one vote to each share, and absent proprietors may vote by proxy by persons authorized in writing signed by the person represented and filed with the clerk, and this act, the by laws of said corporation and all the proceedings thereof shall be recorded by the clerk in a proper book or books of record kept for that purpose.

Sec. 3. And be it further enacted, that the shares in said corporation shall be liable and holden for all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the said shares may be sold at publick auction, or so many of them as may be necessary to pay such assessments with incidental charges under such regulations, as the said proprietors in their by laws shall prescribe, and the overplus, if any shall be paid over to such delinquent, whose share or shares were so sold on demand—Provided in all cases any proprietor may have the privilege of relinquishing his share or shares unto said corporation upon his paying all assessments which shall have been voted by said proprietors before his relinquishing the same, which relinquishment shall be made in writing and left with the clerk of said corporation, and the shares of said proprietors may be transferred by will or by deed acknowledged and recorded by the clerk of said corporation.

Sec. 4. And be it further enacted, That said proprietors may purchase and hold personal and real estate sufficient for carrying into effect the purposes for which, they are incorporated—provided it shall not exceed the sum of fifty thousand dollars and the same may dispose of at pleasure.

CHAPTER 74.

State of)
New Hampshire.)

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF THE CIVIL LIST.

[Approved July 1, 1831. Acts, vol. 28, p. 147. Session Laws, 1831, Chap. 37.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor have and receive as a Salary from June 1831 to June 1832 the sum of twelve hundred dol-

lars, that the Secretary of State have and receive as a salary for the same term, the sum of eight hundred dollars in full compensation for all services rendered by him in the capacity of Secretary, and that all fees allowed him by law be paid into the treasury excepting those received for copies and certificates made by him for individuals for private purposes, that the Treasurer have and receive as a salary for the same term the sum of six hundred dollars, that the Adjutant and Inspector General have and receive as a salary for the same term the sum of two hundred dollars, that the person doing the duty of Quarter Master General have and receive for his services for the same term two hundred dollars, and that he pay all postages that may accrue by his doing the duties of said office, that the Commissary General have and receive as a salary for the same term the sum of forty dollars, that the members of the Council receive each two dollars per day during the session of the General Court and two dollars and fifty cents when the members are called together during the recess thereof, and ten cents per mile for travel to and from the place of meeting, that the President of the Senate and Speaker of the House of Representatives each receive two dollars and fifty cents per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting, that the members of the Senate and of the House of Representatives receive two dollars each, per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting, that the Clerks and the assistant Clerks of the Senate and of the House of Representatives receive each, two dollars and fifty cents per day during the sitting of the General Court and ten cents per mile for travel to and from the place of sitting, and that they be allowed one day extra for making up the Rolls and filing the papers.

CHAPTER 75.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of three thousand dollars be, and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated for the purpose of erecting a new States Prison on the land now occupied by the State for a States Prison agreeably to a plan transmitted by his Excellency the Governor to the Legislature at their present session. And be it further resolved, that his Excellency the Governor be, and he hereby is authorized by and with the advice of the Council to appoint some suitable person to superintend the erection of said prison and the purchasing materials for the same, who shall be required to exhibit an account of the sums by him expended for such purposes to the Legislature

at their next session. And the Governor with advice of the Council is hereby authorized to issue his warrant on the treasury for such sum or sums as may be found necessary for the above purposes.

[Approved July 1, 1831. Acts, vol. 28, p. 149.]

CHAPTER 76.

State of }
New Hampshire. }

Whereas Rebecca Mitchell of the City of New York and State of New York, widow of John Mitchell late of said city deceased, hath petitioned this Legislature setting forth that the said John Mitchell died in September A. D eighteen hundred and twenty nine leaving no children him surviving either in this Country or in the kingdom of Great Britain whence he came, nor any relative or kindred in this Country, that at the time of his death he was an alien citizen of the United States and was the owner of the following original rights or shares of land situated in the township of Lincoln in the County of Grafton and State of New Hampshire, to wit, the rights of Henry Wiats, Samuel Haight and Ebenezer Munson containing in lots drawn and to be drawn to said rights, twelve hundred acres more or less, that by reason of the alienage of the said John Mitchell the lands aforesaid escheated to the State of New Hampshire, and praying that all the right, title and interest of the State in and to said lands may be released to the said Rebecca her heirs and assigns, which prayer appearing reasonable, Therefore, Be it resolved by the Senate and House of Representatives in General Court convened. That all the right, title, claim and interest, which the State of New Hampshire acquired in and to the several rights, shares and lots of land aforesaid as an escheat or by reason of the alienage of the said John Mitchell at the time of his decease, be and hereby are remised, released and quit claimed to the said Rebecca Mitchell, her heirs and assigns, To have and to hold the said remised premises with all the privileges and appurtenances to the same belonging to her, the said Rebecca Mitchell her heirs and assigns forever. Provided however, that nothing herein contained shall operate or be construed to prevent the sale of said premises by the administrator for the payment of the just debts of the said deceased.

[Approved July 1, 1831. Acts, vol. 28, p. 150.]

CHAPTER 77.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twenty dollars and forty eight cents be allowed Moses Sanborn in full of his account, and that the same be paid out of the Treasury.

[Approved July 1, 1831. Acts, vol. 28, p. 152.]

CHAPTER 78.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be, and he hereby is authorized to purchase a quantity, not exceeding ten reams, of paper similar in size and quality to the paper now used for engrossing bills and Resolutions.

[Approved July 1, 1831. Acts, vol. 28, p. 152.]

CHAPTER 79.

State of }
New Hampshire. }

Whereas the town of Greenland, having one hundred and nineteen legal voters, and the town of Newtown having one hundred and eleven legal voters, have for several years past sent Representatives to the General Court of this State, under the impression that they had the privilege by special acts or resolutions so to do, and whereas no such acts or resolutions have been found by the Committee on elections, although the said committee have spent much time, and have been at great trouble to find the same, and whereas some doubts might arise, as to the existence of any such acts or resolutions, therefore, Resolved by the Senate and House of Representatives in General Court convened, That the town of Greenland and the town of Newtown, have each, the privilege to choose a Representative, and they are, hereafter, authorized to elect and send a Representative from each of said towns to the General Court of this State, until the Legislature shall otherwise order.

[Approved July 1, 1831. Acts, vol. 28, p. 153.]

CHAPTER 80.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the town of Dalton and the place called Bretton woods be classed for the purpose of electing a Representative, and the inhabitants thereof are hereby authorized to elect and send a Representative to the General Court until the Legislature shall otherwise order; any law or usage to the contrary notwithstanding.

[Approved July 1, 1831. Acts, vol. 28, p. 154.]

CHAPTER 81.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Dudley S. Palmer be allowed the sum of two hundred and twenty two dollars and ninety eight cents in full of his account and that the same be paid out of the treasury.

[Approved July 1, 1831. Acts, vol. 28, p. 154.]

CHAPTER 82.

State of }
New Hampshire. }

Whereas the Executive has communicated to this Legislature a resolution of the Governor, Council and General Assembly of the State of Vermont authorizing his Excellency the Governor of that State to open a correspondence with the Executive of the State of New Hampshire on the subject of the boundary line between the two states and to adopt such measures in conjunction, with the executive of this State as he might deem expedient in order to ascertain the true line between the two states and empowering him to appoint a commissioner or commissioners to meet a commissioner or commissioners who should be appointed on the part of this State to ascertain and agree upon said line, and has also communicated a letter from his Excellency the Governor of Vermont, in which it is represented that "some difficulty has already occurred and more is anticipated in determining the true limits of Jurisdiction between the two states" and that the river Connecticut, lying between the two States may be considered as a great highway common to both for

the transportation of their produce to market, And whereas the boundary line aforesaid has for a great number of years, been so well settled, defined and known, that no doubt has hitherto been entertained or suggested in relation to the same, and the river Connecticut for the whole extent of the line between the two States, conceded to be within the limits and exclusive jurisdiction of the State of New Hampshire. And whereas this legislature is not sufficiently informed of the nature and extent of the difficulty alluded to in the letter of the Governor of Vermont, to warrant the appointment of commissioners, at the present session to examine said boundary line, Therefore, Resolved by the Senate and House of Representatives in General Court convened, that his Excellency the Governor be requested to transmit to the Executive of the State of Vermont a copy of this preamble and resolution, and to communicate to the legislature of this State, at the next session, any information he may receive relative to difficulties on the subject of the boundary line aforesaid.

[Approved July 1, 1831. Acts, vol. 28, p. 155.]

CHAPTER 83.

State of }
New Hampshire. }

AN ACT AUTHORIZING THE ADJUTANT GENERAL TO FURNISH A NEW PIECE OF ORDNANCE CARRIAGE, AND HARNESS FOR THE TWENTY SECOND REGIMENT.

[Approved July 1, 1831. Acts, vol. 28, p. 157.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Adjutant General be and he is hereby authorized and empowered to furnish at the expense of the State a new piece of ordnance, gun carriage, and harness for the use of the Artillery company in the twenty second Regiment and to deliver the said piece of ordnance, gun carriage and harness to the Captain or commanding officer of the Company of Artillery in said Regiment.

Sec. 2. And Be it further enacted, That the Adjutant General be, and he is hereby authorized to demand and receive from the Captain or Commanding officer of the said Company of Artillery, the piece of ordnance, gun carriage, and harness, now in the possession and care of the said company of Artillery, and to sell or dispose of the same in such a manner as may be for the best interest and advantage of the State and apply the avails and proceeds, arising from the sale or disposition of said piece of ordnance, gun carriage and harness to

the purchase of said new piece of ordnance, gun carriage and harness in the first section of this act mentioned.

Sec. 3. And be it further enacted, That the sum of two hundred dollars be, and the same is hereby appropriated, for the purchase of said new piece of ordnance. And his Excellency the Governor is hereby authorized by warrant on the treasury to draw said sum therefrom and deliver the same to the Adjutant General, who is hereby required to apply the same to the purposes above specified, so far as may be necessary and render an account thereof to the Legislature.

CHAPTER 84.

State of }
New Hampshire. }

AN ACT TO ALTER THE NAME OF THE PRESIDENT, DIRECTORS AND COMPANY OF THE FARMERS AND MECHANICKS BANK

[Approved July 1, 1831. Acts, vol. 28, p. 159. See act of incorporation dated June 25, 1830, *ante*, p. 133.]

Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passage of this act, The President, Directors and Company of the Farmers and Mechanicks Bank, shall in all cases be called and known by the name and style of the President, Directors and Company of the Granite Bank.

CHAPTER 85.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT TO REGULATE THE INSPECTION OF BEEF AND PORK INTENDED TO BE EXPORTED FROM THIS STATE.

[Approved July 1, 1831. Acts, vol. 28, page 160. Session Laws, 1831, Chap. 38. See also acts of June 16, 1791, Laws of New Hampshire, vol. 5, p. 759; December 28, 1791, *id.*, p. 824; June 18, 1802, *id.*, vol. 7, p. 108; December 26, 1805, *id.*, p. 460; July 5, 1826, *id.*, vol. 9, p. 520, and June 22, 1832, *post.* Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That after the passage of this Act, the owner or other person engaged in putting up, any beef or pork intended to be exported from this State, shall, if required, give to the inspector General good and sufficient security by bond or otherwise, previous to said beef or pork being branded to secure to him the legal fees for inspecting and branding the same.

CHAPTER 86.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of fifteen hundred dollars of any money not otherwise appropriated be, and the same is hereby appropriated for the purpose of educating indigent deaf and dumb children belonging to this State, at the Asylum in Hartford in Connecticut to be expended and applied for the benefit of such indigent deaf and dumb children, as his Excellency the Governor shall think proper, and the Governor is hereby authorized to draw said sum from the Treasury by warrant.

[Approved July 1, 1831. Acts, vol. 28, p. 161.]

CHAPTER 87.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Walpole Academy may receive one of Carrigan's Maps of the State of New Hampshire at the expense of the State for which, said proprietor shall be reasonably compensated from any money in the State Treasury not otherwise appropriated.

[Approved July 1, 1831. Acts, vol. 28, p. 162.]

CHAPTER 88.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Senators of this State, in the Congress of the United States, be instructed, and the Representatives requested to use their exertions to procure the passage of a law, for the more perfect organization of the Militia of the Several States. Resolved, that his Excellency the Governor be requested to transmit copies of these Resolutions to the Senators and Representatives of this State in Congress, and also to the Governors of the other States, that the same may be submitted to the Legislatures thereof for their consideration.

[Approved July 1, 1831. Acts, vol. 28, p. 163.]

CHAPTER 89.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That there be allowed to Gawen Gilmore four dollars and twenty cents, to John Chadwick four dollars and thirty cents, to John H. White eighteen dollars, to Amos A. Brewster three dollars and to Benjamin Jenness four dollars and forty eight cents, in full of their accounts, and that the same be paid out of the treasury.

[Approved July 1, 1831. Acts, vol. 28, p. 164.]

CHAPTER 90.

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT THE MORE EFFECTUALLY TO SECURE THE RIGHTS OF SUFFRAGE TO THE CITIZENS OF THIS STATE,

[Approved July 2, 1831. Acts, vol. 28, p. 165. Session Laws, 1831, Chap. 42. See acts of June 14, 1799, Laws of New Hampshire, vol. 6, p. 568; December 21, 1808, id., vol. 7, p. 737; June 28, 1809, id., p. 841; June 23, 1813, id., vol. 8, p. 247; June 24, 1814, id., p. 358; June 23, 1815, id., p. 416; July 1, 1825, id., vol. 9, p. 443; June 26, 1827, id., p. 595, and July 4, 1838, Session Laws, 1838, Chap. 384. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened That, from and after the passing of this act, no person shall be considered as having a home so as to entitle him to vote in any town or place in this State, unless he shall have resided in the town or place where he may offer his vote at least thirty days immediately preceding the day on which the meeting in which he offers to vote shall be holden.

Provided however that when any person shall have removed into any town or place in this State together with his family and goods, with an evident intention of a permanent residence therein, and it shall so appear to the satisfaction of the Selectmen and Moderator, then and in that case he shall be permitted and allowed to vote in the annual and any other legal town meeting thereof

Sec. 2. And be it further enacted, That before entering upon the duties of his office, the Moderator of any annual or other town meeting in any town or place in this State, shall be sworn, or make

affirmation, to the faithful and impartial discharge of the duties of said office.

Sec. 3. And be it further enacted That if the Selectmen or any Selectman, or Moderator of any town meeting, within any town or place in this State, shall knowingly or wittingly transgress, neglect, or evade any of the provisions of this act, he or they on conviction thereof, shall forfeit and pay a sum not less than ten dollars, nor more than one hundred dollars according to the aggravation of the offence, to be recovered in an action of debt in any court of competent jurisdiction to try the same, in the county where the offence shall be committed, the one half to the person suing for the same, the other half to the use of the town where the offence is committed.

Sec. 4 And be it further enacted, That it shall be the duty of any Clerk of any town or place in this State at the opening of any meeting in such town or place for the choice of town, County or State officers, for Representatives to Congress, or for Electors of President and Vice President of the United States, publicly to read this act, or cause the same to be read in said meeting.

CHAPTER 91.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN "ACT FOR THE EASE AND RELIEF OF POOR DEBTORS.

[Approved July 2, 1831. Acts, vol. 28, p. 167. Session Laws, 1831, Chap. 30. See acts of May 21, 1774, Laws of New Hampshire, vol. 3, p. 619; June 21, 1789, id., vol. 4, p. 467; January 3, 1784, id., p. 541; June 10, 1789, id., vol. 5, p. 442; February 15, 1791, id., p. 704; June 13, 1796, id., vol. 6, p. 321; December 13, 1796, id., p. 372; November 30, 1803, id., vol. 7, p. 167; June 16, 1807, id., p. 583; December 23, 1808, id., p. 785; June 24, 1813, id., vol. 8, p. 261; June 23, 1814, id., p. 343; June 26, 1816, id., p. 499; June 25, 1818, id., p. 705; July 2, 1825, id., vol. 9, p. 465, and July 4, 1838, Session Laws, 1838, Chap. 370. Repealed by act of January 3, 1833, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the limits of the several gaol yards in this State shall be and they hereby are extended to the limits of the respective Counties in which such gaols may be located, and that no person who shall be hereafter committed to prison on execution founded on contract, shall be permitted to have the liberty of the gaol yard for any longer space of time than one year from the time of such commitment; but if he shall not within that time, take the benefit of the poor debtors oath or pay the debt, or be otherwise legally discharged, he shall be liable to go into close confinement

Sec. 2. And be it further enacted, That when any person shall

be arrested upon execution, he shall, upon giving bond in the same way and manner as if he were actually committed to gaol on said execution, be discharged from such arrest and have the same liberty of the gaol yard, as if he had been actually committed and give bond as now provided by law and the form of the bond by law prescribed shall be varied so far as may be requisite and said bond shall be kept by the Sheriff making the arrest till demanded by the creditor, who shall give a receipt upon receiving the same, and the person arrested and giving bond as aforesaid shall be entitled to all the benefits of the act to which this is in addition in the same way and manner as if he had been actually committed on the same.

Sec. 3. And be it further enacted, That from and after the passing of this act no female shall be arrested either on mesne process or on execution founded upon contract.

Sec. 4. And be it further enacted, That when at the expiration of one year from the arrest or commitment of the Debtor as aforesaid, he shall not have taken the poor debtors oath, nor paid the debt and charges, nor have been otherwise discharged the creditor may sue out a new execution on said judgment and cause such debtor to be committed to close confinement and such debtor after such commitment shall not be again admitted to the liberty of the gaol yard and that all acts and parts of acts which are inconsistent with the provisions of this act be and the same are hereby repealed, provided that this act shall not affect any existing contract.

CHAPTER 92.

State of)
New Hampshire. {

AN ACT TO INCORPORATE THE PINE RIVER COMPANY.

[Approved July 2, 1831. Acts, vol. 28, p. 169. Repealed by act of June 22, 1832, *post.*]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, that Joseph S. Mathes, Ellis B. Usher and Nathaniel Miller and their associates and successors be and hereby are made a body politic and corporate forever by the name and style of the Pine River company and by that name may sue and be sued prosecute and defend to final judgment and execution; and shall enjoy all the powers and privileges and be subject to all the liabilities incident to similar corporations.

Sect. 2. And be it further enacted, that the company aforesaid be and hereby are empowered at any time within one year from and after the passing of this act to clear Pine River of obstructions commencing at Copp's Mill dam in Ossipee in the County of Strafford.

thence to Granville's Mill Dam in Effingham and to render said river convenient and proper for transporting logs and other timber therein at a suitable height of water and make Canals and erect dams and slips and do all things necessary to effect the purposes aforesaid.

Sect. 3. And be it further enacted, that if any person or persons whose land, Mills, dams, sluices, slips or other property or any of them shall be injured by clearing said river as aforesaid or by any canal made or dam or slip erected by said company, and said company cannot agree upon the amount of damage thus occasioned nor upon some suitable person or persons to estimate and fix the same then some disinterested committee of three freeholders resident in said County shall be appointed by the Superior Court of Judicature or any two Justices of the Quorum in and for said County on application being made for that purpose in writing signed by either party stating therein the subject Matter of such disagreement and the award and determination of said committee or of the major part of them in writing by them signed shall be the measure of damages and said award shall be made to the term of the Superior Court of Judicature to be holden in said County next after said award shall be made as aforesaid and said court shall have cognizance thereof in the same way and manner and the same proceedings shall be had thereon as are now had on reports of referees appointed by a rule of said court Provided however that if either party shall at the term of said Court to which such award may be returned request a trial by Jury such trial shall be had in the same manner other causes are tried and if the verdict of the Jury shall not give the party making such request a greater sum in damages than said committee shall have awarded such party shall not recover his cost of said trial but the other party shall recover his costs of such trial and have a separate judgment and execution therefor,

Sect. 4. And be it further enacted, that all persons shall have a right on paying the legal toll therefor to pass themselves and to carry any logs and other timber down said river and through any canals and over any dams and slips that may be made by said company and if any person or persons shall wilfully obstruct said river or in any way injure or destroy any canals dams slips or other works of said company he she or they so offending shall be liable to pay said company treble the amount of damage so done to be recovered in an action on the case in any court of competent jurisdiction to try the same.

Sect. 5 And be it further enacted, that a toll is hereby granted said Company of thirty cents on every thousand feet board measure of all logs and other timber put into said river above Granville's Mill pond and carried down said River, and said company shall have power to demand and recover said toll of the owner or owners of such logs and other timber in an action of debt in any court of competent jurisdiction to try the same and said company shall have

further power to detain such logs and other timber by booms or otherwise until such toll thereon shall be paid, Provided however said company shall not demand nor receive any toll till said river shall be cleared of obstructions as aforesaid.

Sect. 6 And be it further enacted that said company are hereby authorized and empowered to purchase and hold to them and their successors so much real estate as may be necessary for the purpose aforesaid not exceeding one thousand dollars in value.

Sect. 7 And be it further enacted that the stock in said company shall be divided into ten shares numbered in progressive order

Sect. 8. And be it further enacted that said Mathes Usher and Miller or any two of them may call the first meeting of said company to be holden in said Ossipee by posting up at two or more public places in said Ossipee at least fifteen days before the time of holding said meeting a notice in writing stating therein the time place and object of said meeting and at said meeting or any adjournment thereof said company may choose all necessary officers and adopt such regulations and by-laws as they may deem necessary not repugnant to the constitution and laws of this State, Provided however this act shall be subject to alterations and amendments by the Legislature of said State

CHAPTER 93.

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF AIKEN'S ACADEMY.

[Approved July 2, 1831. Acts, vol. 28, p. 173.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That David Barr and Charles F. Gove, their Associates, successors and assigns be, and hereby are incorporated and made a body politic and corporate under the name of Aiken's Academy, and by that name may sue and be sued, prosecute and defend unto final Judgment and Execution, and shall have and enjoy all the powers and privileges incident to corporations of a similar nature.

Sect. 2. And be it further enacted, That said corporation may establish an Academy in Goffstown for the instruction of youth, may erect, own and maintain suitable buildings therefor, may hold and possess real and personal estate of any kind and to any amount not exceeding fifteen thousand dollars in value and may for the purpose of obtaining funds for the objects intended by this Act, sell and convey, any number of rights or shares in said corporation not

exceeding one thousand for any sum not less than fifteen Dollars for each and every share, but shall in no case whatever by assessment upon the shares sold and conveyed by said corporation, add to the funds thereof, and the shares of said corporation may be transferable and shall be considered as personal property to all intents and purposes.

Sect. 3. And be it further enacted, That all such gifts, Donations, bequests, and legacies as have been or may from time to time be given or bequeathed to said Corporation may be received, held and possessed in addition to all funds and estate which may be held and possessed by the sale of shares by said corporation.

Sect. 4. And be it further enacted, That David Barr and Charles F. Gove or either of them may call the first meeting of said Corporation, to be holden at some suitable time and place in said Goffstown by notifying the members thereof at least fourteen days before the first meeting when the manner of holding future meetings may be regulated and any business relating to said corporation transacted, and at any and every meeting duly holden for any and every purpose, each share which shall have been sold by said corporation may be entitled to one vote and no more.

Sect. 5. And be it further enacted, That said corporation, at any meeting duly holden, may make rules, regulations and by-laws, not repugnant to the laws of this State for the management of the interests and concerns of said corporation, and may appoint a board of trustees and such and so many other Officers as they shall think proper, and prescribe their powers and duties.

CHAPTER 94.

State of)
New Hampshire.)

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved July 2, 1831. Acts, vol. 28, p. 175. Session Laws, 1831, Chap. 43.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names which by this act they are respectively allowed to assume, (viz) Harvey Proctor of Franklin may take the name of James Harvey Proctor and William Keniston of Epsom may take the name of William Johnson and Jemima H Keniston of Epsom may take the name of Jemima H. Johnson and Samuel W. Keniston of Epsom may take the name of Samuel W. Johnson and Elizabeth Ann Keniston of Epsom may take the name of Elizabeth Ann Johnson and Joseph H Keniston of Ep-

som may take the name of Joseph H Johnson and John S. Keniston of Epsom may take the name of John S. Johnson and Robert Trickey of Allenstown may take the name of Robert Appleton and John Trickey of Allenstown may take the name of John Appleton and Thomas Trickey of Allenstown may take the name of Thomas Appleton and Sally Trickey of Allenstown may take the name of Sally Appleton and Rolinda Trickey of Allenstown may take the name of Rolinda Appleton and Jane Trickey of Allensown may take the name of Jane Appleton and Catherine Trickey of Allenstown may take the name of Catherine Appleton and Harriet Trickey of Allenstown may take the name of Harriet Appleton and Robert Trickey Jr of Allens-town may take the name of Robert Appleton and Samuel Trickey of Pembroke may take the name of Samuel Appleton and Mary Trickey of Hooksett may take the name of Mary Appleton and Edwin Trickey of Chichester may take the name of Edwin Appleton and John Gillman Converse of Marlborough may take the name of Gillman Converse and Joseph Leathers Jr of Nottingham may take the name of Joseph Banks and Polly Leathers of Nottingham may take the name of Polly Banks and Henry Leathers of Nottingham may take the name of Henry Banks and Mary Jane Leathers of Nottingham may take the name of Mary Jane Banks and Hannah Leathers of Nottingham may take the name of Hannah Banks and Judith Leathers of Nottingham may take the name of Judith Banks and Caroline Leathers of Nottingham may take the name of Caroline Banks and Elizabeth Leathers of Nottingham may take the name of Elizabeth Banks and Peter Stillings 2^d of Jefferson may take the name of Anson Stillings and Franklin Hill of Portsmouth may take the name of Frederick Augustus Franklin and Jonathan Brown 2^d of Tuftonborough may take the name of Orange J. Brown and John Stevens of Alton may take the name of John H. Stevens and James Smith 3^d of Holderness may take the name of James Shepherd and Peter Woodbury Fairbanks of Antrim may take the name of Woodbury Fairbanks and Mary Pinder of Newmarket may take the name of Mary Fowler and Aram Chaplain French of Gilmanton may take the name of Augustus Chaplin French and Enoch Hogg of Londonderry may take the name of Enoch Dana, James Madison Farrar of Meredith may take the name of James Madison Marston and Jacob Rolf of Hillsborough may take the name of Stephen Jacob Rolf and Nathan Adams may take the name Nathaniel G. Adams.

CHAPTER 95.

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING A TERM OF THE COURT OF
 COMMON PLEAS IN THE COUNTY OF CHESHIRE AND SULLIVAN

[Approved July 2, 1831. Acts, vol. 28, p. 178. Session Laws, 1831, Chap. 39. See acts of December 13, 1796, Laws of New Hampshire, vol. 6, p. 371; July 5, 1827, *id.*, vol. 9, p. 649; January 3, 1829, *id.*, p. 930, and November 30, 1832, *post.* Repealed by act of December 29, 1832, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Court of Common Pleas shall be holden annually at Keene on the third Tuesday of August in and for the County of Cheshire and at Newport on the fourth Tuesday of August in and for the County of Sullivan.

Sec. 2. And be it further enacted, That all writs, Petitions and every other matter and thing now pending in, or made returnable to, or that may be made returnable to said Court of Common Pleas at the terms thereof as heretofore established, at any time before this act shall take effect shall be considered returnable to, entered, have day and be tried and determined in said Court of Common Pleas at the respective times established by this act, and that this act shall take effect and be in force from and after the nineteenth day of September next.

Sec 3. And be it further enacted, That so much of an act prescribing the times and places for holding the Superior Court, the Court of Common Pleas, and the Courts of Probate in the several Counties" passed January 3^d A. D. 1829—as provides for holding a term of the Common Pleas at Keene in the County of Cheshire on the first Tuesday of August, and at Newport in the County of Sullivan on the third Tuesday of August from and after said nineteenth day of September next, be, and the same is hereby repealed.

CHAPTER 96.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT APPROPRIATING
 THE LITERARY FUND" PASSED DECEMBER 31, 1828.

[Approved July 2, 1831. Acts, vol. 28, p. 179. Session Laws, 1831, Chap. 44. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 825. See also acts of June 29, 1821, *id.*, p. 37, and July 3, 1822, *id.*, p. 154. This act repeals act of July 1, 1830, *ante*, p. 145. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Treasurer of this State

be and he hereby is authorized and required to pay over to the several unincorporated places in this State to which the same has not already been paid their equal share or proportion of the Literary Fund, and also their respective shares of the several sums which shall be received by him, annually, under the act of June 29, 1821;—entitled “an Act to establish a Literary Fund to be collected from the several Banking Corporations in this State” in the same way and manner, as he is authorized to distribute and pay over the same to incorporated towns by the act to which this is an addition.

Provided nevertheless, that no unincorporated place in this State shall be entitled to receive such proportion until they have chosen a Treasurer or School Agent of such unincorporated place to see that the money is well laid out and appropriated according to the act to which this is an addition.

Sec. 2. And be it further enacted, That the treasurer or agent of any such unincorporated place in this State shall have power to demand and receive of any person having any share or portion of said Literary Fund so distributed to the unincorporated place of which said demandant is the Treasurer or School Agent:—And the said Treasurer or School Agent so receiving the same shall be subject to the same liabilities and penalties for applying said sum or sums so received, for any other purposes than those specified in the Act to which this in an addition as towns now are by said act in like cases.

Sec. 3. And be it further enacted, That An Act entitled “An Act in addition to an act entitled An Act appropriating the Literary Fund” passed July 1, 1830 be and the same is hereby repealed.

CHAPTER 97.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED “AN ACT REGULATING FEES AND REPEALING CERTAIN ACTS RELATIVE TO THE SAME PASSED DECEMBER 23, 1820.

[Approved July 2, 1831. Acts, vol. 28, p. 181. Session Laws, 1831, Chap. 41. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 1003. See also act of July 3, 1829, *ante*, p. 63. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That every Attorney, Sheriff, Deputy Sheriff, Constable, Justice of the Peace, Clerk of any Court, or any other officer who is by law authorized to demand and receive fees within this State who shall hereafter demand and receive any fees for any services by them or by either of them rendered and performed in their or either of their capacities, as aforesaid for which

any fees are allowed by the act to which this is an addition, shall if required at the time of receiving such fees by the person paying such fees make out and deliver unto him a particular statement of the items of such services with the sum or sums demanded and received therefor, and shall receipt the same, and if any of the persons aforesaid shall knowingly and willfully demand and receive any more or greater fees for any services by them or either of them performed, in either of their aforesaid capacities, than is allowed them by law, or shall demand and receive fees for services not performed (unless it be for services which by law, he is obliged to perform after receiving such fees) he shall forfeit and pay the sum of fifty Dollars for every such offence to be sued for and recovered by the person injured in the same way and manner as is provided by the act, to which this is an amendment.

Sec. 2. And be it further enacted, That if any Attorney, Sheriff, Deputy Sheriff, Constable, Justice of the peace, Clerk of any Court, or any other officer who is by law authorized to demand and receive fees shall neglect or refuse to give such statement and receipt, as aforesaid, he shall forfeit and pay for every such neglect or refusal the sum of twenty dollars, with cost of prosecution, to the use of the Town in which such offence shall be committed, to be recovered in any Court proper to try the same on the complaint of any person demanding such statement and receipt. And the person demanding such statement and receipt may be a witness in such case, unless disqualified by law as a witness in any case

Sec. 3. And be it further enacted, That if any attorney or other person having any negotiable note for collection, shall put the same in suit in the name of an Assignee, unless the Assignee be the Plaintiff in interest, in making up the bill of cost no more shall be taxed or received for the Plaintiffs travel than could be legally taxed if the suit had been brought in the name of the payee of said note or other instrument.

CHAPTER 98.

State of)
New Hampshire. (

AN ACT IN FAVOR OF HILL AND BARTON AND OTHERS

[Approved July 2, 1831. Acts, vol. 28, p. 184.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Hill and Barton be allowed the sum of one hundred and ninety one dollars and eighty cents in full of their account, That T. H. Miller and C. W. Brewster be allowed the sum of one dollar and twenty five cents in full of their accounts, and that said sums be paid out of the treasury.

CHAPTER 99.

State of {
New Hampshire. }

AN ACT TO INCORPORATE A PROVIDENT INSTITUTION FOR SAVINGS AT
 MEREDITH BRIDGE VILLAGE, TO BE CALLED THE MEREDITH BRIDGE
 SAVINGS BANK

[Approved July 2, 1831. Acts, vol. 28, p. 185. The name was changed to Laconia Savings Bank by act of June 30, 1869, Session Laws, 1867-71, p. 340.]

SEC. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John T. Coffin, Daniel Tucker, John Sanborn, George L. Sibley, George P. Avery, James Molineux and Benjamin Jewett 3rd be, and they hereby are incorporated into a society by the name and style of the Meredith Bridge Savings Bank, and that they and such others as shall be duly elected members of said corporation at the annual meetings thereof according to such by laws as may hereafter be established, shall be and remain a body politick and corporate by said name forever, for the purpose of enabling industrious persons of all descriptions, to invest such parts of their earnings, as they can conveniently spare in a safe and profitable manner, with all the powers and privileges, and subject to all the liabilities of corporations of this nature.

Sec. 2. And be it further enacted, That said corporation shall be capable of receiving from any person or persons disposed to enjoy the advantages of said Savings Bank, any deposit or deposits of money or other personal property and using, managing and improving the same for the benefit and advantage of the person or persons by or for whom, the same shall be deposited respectively: and the net income and profits of all such deposits, received by said corporation, shall be paid out and distributed in just proportions among the several persons by or for whom the said deposits shall have been made, and all such deposits may be withdrawn by the persons entitled thereto, at such reasonable times and in such manner as said corporation, in its by laws may direct and appoint, or according to such lawful conditions and limitations as the depositors agreeably to the regulations of said Society, may respectively have prescribed and annexed to their deposits.

Sec. 3. And be it further enacted, That the said corporation shall be capable of receiving and holding such buildings and real estate as shall be necessary and convenient for managing their affairs, provided, that such real estate, held at any one time for the purpose aforesaid shall not exceed in value at the time of the purchase or acceptance thereof by said corporation the sum of two thousand dollars, and the said corporation shall be further able to take

hold and dispose of any real estate whatever, which may be *bona fide* mortgaged or pledged for the security of its loans or debts due to it, or which may be *bona fide* conveyed to or taken by said corporation in satisfaction or discharge of debts, demands, or liabilities, which shall have been previously contracted or incurred.

Sec. 4. And be it further enacted, That said corporation shall not make and issue any bill or promissory note to circulate as currency, and the President and members of said corporation shall receive no compensation for their services in said Savings Bank, nor derive any emolument therefrom, provided however, that a reasonable allowance, may from time to time be made to their treasurer or secretary And the books and accounts of said corporation shall at all times be open to the inspection of the Governor of this State, or any Justice of the Superior Court of Judicature or of a Committee for that purpose appointed by either branch of the Legislature.

Sec. 5 And be it further enacted, That the number of members of said corporation shall not exceed fifty at any one time, and any number not less than seven, shall constitute a quorum for the transaction of business at the annual or any other meetings of the members of said corporation, provided, that such meetings shall have been duly notified in conformity to the by laws of said corporation: And provided further, that said corporation may by their by laws require the attendance of one or more of their officers by them designated to constitute a quorum, for the election of new members, in addition to the numbers herein before prescribed.

Sec. 6. And be it further enacted, That John T. Coffin, Daniel Tucker and Benjamin Jewett 3rd or any two of them be, and they hereby are authorized to call the first meeting of said corporation at such time and place, and in such manner as they shall judge proper.

CHAPTER 100.

State of)
New Hampshire. {

AN ACT TO INCORPORATE THE DODGES FALLS CANAL COMPANY.

[Approved July 2, 1831. Acts, vol. 28, p. 188. See acts of December 19, 1816, Laws of New Hampshire, vol. 8, p. 565, and June 29, 1819, id., p. 810.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Caleb Emery, Horace Emery, Darius Blodget, Solomon H. Emery, Robert G. Nelson, Richard R. Moore, Thomas Johnson Jr, William Hyndman, David Nelson, Hazen Aldrich and Perley Mason, their associates, successors and assigns, shall be, and hereby are constituted and made

a corporation and body politick by the name of the Dodges Falls Canal Company, and by that name may have succession, may sue and be sued, prosecute and defend to final judgment and execution, may contract and be contracted with, may hold and convey, real estate to the value of four thousand dollars, may have a common seal and the same alter at pleasure, may make, ordain and put in execution such by laws, rules and regulations, not inconsistent with the constitution and laws of this State, as shall be necessary, proper and convenient for the government of said corporation and the due management of its concerns and shall be and hereby are vested with all the privileges and powers incident by law to corporations of similar nature.

Sec. 2. Be it further enacted, That the said Caleb Emery, William Hyndman and Perley Mason or either two of them shall call the first meeting of said proprietors by publishing in one of the Newspapers printed at Haverhill in this State, and in the Farmers Herald printed at St Johnsbury Vermont at least fourteen days before the day of said meeting a notice thereof, specifying the time, place and object of said meeting, and the proprietors, by vote of the majority of those present or represented at said meeting counting and allowing one vote to each share, shall choose a clerk, who shall be sworn to the faithful discharge of the duties of said office, shall agree on the method of calling future meetings and at said first meeting, or some future meeting or meetings shall elect a board of Directors and such other officers as to them shall appear necessary and all representations at any meeting shall be proved by writing, signed by the person or persons to be represented, which shall be filed with the clerk, and this act and all rules, regulations, by laws and proceedings of said corporation shall be fairly and truly recorded in a book or books kept for that purpose.

Sec. 3. Be it further enacted, That the stock of said corporation shall be divided into as many shares as the corporation shall deem proper and shall be held and considered personal property and shall be transferred by deed duly executed, acknowledged and recorded in the records of said corporation by their clerk, and the share or shares of any proprietor may be sold by said corporation on non-payment of any assessment or assessments duly made, or the sum or sums, that may be due from any proprietor or proprietors on account of any assessment or assessments duly made, may be recovered by said corporation of such delinquent proprietor or proprietors by action or suit at law in any Court proper to try the same.

Sec. 4. Be it further enacted, That said corporation may agree with the owner or owners of land in the vicinity of said falls in the town of Bath in this State, on the compensation to be made to them, by said proprietors for such land and privileges as may be

requisite for the construction of such works as shall be suitable and convenient for the passage of boats and rafts by said falls, and in case said proprietors cannot agree with such owner and owners of land on such compensation, then the Justices of the Superior Court of Judicature on the application of said proprietors, if it shall be made to appear to said Justices, that said proprietors have caused notice in writing signed by their clerk to have been given to such owner or owners thirty days previous to such application being preferred to the said Justices, may appoint three suitable persons to examine the premises, and report to said Court at its next session in and for the County of Grafton after their appointment the amount of compensation to be made by said proprietors to such owner or owners for such and so much of his, her or their land or lands and privileges as the said proprietors or company may need or reasonably require for the proper and convenient erection, construction or occupation of their said land and works as aforesaid by and round the falls aforesaid, and if said proprietors shall within six months after said report shall be accepted by said Court, pay, tender or cause to be paid or tendered to such owner or owners the sum so awarded in said report and such cost as said court shall judge to be reasonable, they the said proprietors, shall be fully authorized to enter upon, hold and use such land and privileges, for the purposes, use and benefit of said corporation, Provided nevertheless, that nothing in this act, shall in any wise effect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation.

Sec. 5. Be it further enacted, That for the purpose of compensating the said proprietors for the money by them expended and to be expended in effecting said object, a toll be and hereby is granted and established, for all articles passing said works for the term of five years for the benefit of said proprietors not exceeding the rates following, (viz) for each and every thousand feet board measure of round or square timber thirty three cents, for each and every thousand feet board measure of scantling, plank or boards thirty three cents, for every thousand feet of clapboards sixteen and a half cents, for every thousand of short shingles four and a half cents and for all other articles of lumber thirty three cents, per ton, for each and every ton net weight or two thousands pounds of merchandise, produce or other articles, that may be transported through said works thirty cents and in that proportion for a greater or less quantity, for each and every boat or barge passing said works one dollar.

Sec. 6. Be it further enacted, that at any time after the expiration of five years from the completion of said works, upon the application of said proprietors, or any other person or persons, the Justices of the Superior Court of Judicature at any session

of said Court in and for said County of Grafton upon an examination of the account of expenses incurred by said proprietors in excavating, erecting and constructing their said works and the account of tolls by them received under the provisions of the fifth section of this Act, may alter the aforesaid rates of toll by increasing or diminishing the same in such manner, that said proprietors shall not receive more than twelve per centum or less than six per centum on the amount of expense incurred, by said proprietors in building and repairing said works.

Sec. 7. Be it further enacted, That if said works are not completed within the term of four years from and after the passing of this Act, then every part and clause thereof shall null and void.

CHAPTER 101.

State of)
New Hampshire.)

AN ACT GIVING FURTHER REMEDIES IN EQUITY.

[Approved July 2, 1831. Acts, vol. 28, p. 193. Session Laws, 1831, Chap. 40. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That in all cases where any goods or chattels, deed, bond, note, bill, specialty, writing or other personal property of any person or persons, shall be taken or detained from him or them and secreted or withheld so that the same cannot be found or come at, to be replevied, the Justices of the Superior Court of Judicature on application, by bill, petition or complaint may order the same to be given up, or compel such discoveries and disclosures and make such orders and injunctions and decrees and upon such terms and conditions as equity shall in such cases seem to require.

Sec. 2. And be it further enacted, That the said Justices of the Superior Court of Judicature may hear and determine in equity all disputes between copartners, joint tenants, and tenants in common and their legal representatives in cases, where there is no adequate remedy at law, and may thereupon compel such discoveries and disclosures, and make such orders, injunctions and decrees as equity in such cases shall seem to require.

Sec. 3. And be it further enacted, That the said Justices of the Superior Court of Judicature shall have authority to issue all such writs and processes as may be necessary or proper to carry into full effect the powers hereby granted.

CHAPTER 102.

State of }
New Hampshire. }

AN ACT TO INCORPORATE A TOWN BY THE NAME OF ALLENSTOWN.

[Approved July 2, 1831. Acts, vol. 28, p. 195. Session Laws, 1831, Chap. 45.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all that tract of land situated in the County of Merrimack in said State, that is now known by the name of Allenstown be, and the same hereby is incorporated into a town by the name of Allenstown, with all the powers, privileges and immunities and subject to all the liabilities incident to other towns in this State. Provided however, that no person whomsoever, that would not have gained a settlement in said Allenstown by the laws of this State, if said Allenstown had been incorporated into a town, on the first wednesday in June one thousand eight hundred and twenty eight, shall gain a settlement in said Allenstown in virtue of this Act, any law, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That Ichabod Clark, James C. Emery, James Piper and Mark Tilton or any three of them are hereby authorized to call the first meeting of the legal voters of said Allenstown by posting up notifications in two of the most publick places in said Allenstown expressing the time, place and purpose of said meeting fifteen days previous to the day of meeting, which meeting shall be holden on the last Monday of November next.

Sec. 3. And be it further enacted, That the officers that were chosen at the last annual meeting of the legal voters of said Allentown shall continue in office during the term for which they were chosen.

CHAPTER 103.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND AMENDMENT OF AN ACT ENTITLED "AN ACT FOR ALLOWING A CERTAIN PREMIUM FOR KILLING WOLVES AND TO REPEAL THE RESPECTIVE LAWS, GIVING BOUNTIES FOR KILLING CROWS, WOLVES, BEARS AND WILD CATS PASSED JULY 4, 1829.

[Approved July 2, 1831. Acts, vol. 28, p. 196. Session Laws, 1831, Chap. 46. See act referred to *ante*, p. 92. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chapter 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That if any person shall hereafter kill any wolf,

within this State and shall produce to the Treasurer of this State, a receipt from the Selectmen as is provided by the act to which this is an amendment, he shall receive out of the treasury of this State the sum of twenty dollars for every wolf so killed instead of the sum of ten dollars as is allowed by said Act.

CHAPTER 104.

State of)
New Hampshire. {

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE TRUSTEES OF LANCASTER ACADEMY IN THE TOWN OF LANCASTER"

[Approved July 2, 1831. Acts, vol. 28, p. 197. The act referred to is dated December 24, 1828, Laws of New Hampshire, vol. 9, p. 783. See also acts of December 10, 1808, id., vol. 7, p. 712, and July 3, 1872, Session Laws, 1872-76, p. 81.]

Be it enacted by the Senate and House of Representatives in General Court convened, That hereafter the Trustees of said Academy may consist of any number not exceeding fifteen and that a majority of said Trustees for the time being shall constitute a board for the transaction of business, any provision in the act, to which this is addition, to the contrary notwithstanding.

CHAPTER 105.

State of)
New Hampshire. {

"AN ACT TO ABOLISH SPECIAL PLEADING"

[Approved July 2, 1831. Acts, vol. 28, p. 198. Session Laws, 1831, Chap. 48. See act of December 16, 1824, Laws of New Hampshire, vol. 9, p. 320. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That in all civil actions the Defendant may plead the general issue, which shall be joined by the Plaintiff and either party may give in evidence, any special matter in support or defence of the action upon filing in the court a brief statement of such special matter either of law or of fact, within such time as the Court order, of which statement the other party shall be entitled to a copy

CHAPTER 106.

State of }
New Hampshire. }

AN ACT IN FAVOR OF FRENCH AND METCALF”

[Approved July 2, 1831. Acts, vol. 28, p. 198.]

Be it enacted by the Senate and House of Representatives in General Court convened, That French and Metcalf be allowed the sum of five dollars in full of their accounts and that said sum be paid out of the Treasury.

CHAPTER 107.

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT FOR LAYING OUT HIGHWAYS PASSED JULY 3, 1829.

[Approved July 2, 1831. Acts, vol. 28, p. 199. Session Laws, 1831, Chap. 47. See act referred to *ante*, p. 71. See also acts of January 13, 1837, Session Laws, 1836, November session, Chap. 282; July 2, 1838, *id.*, 1838, Chap. 379; July 3, 1839, *id.*, 1839, Chap. 435, and June 20, 1840, *id.*, 1840, Chap. 500. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any Committee appointed by the Court of Common Pleas, to examine the ground proposed for any new highway, shall judge it expedient to lay out such proposed highway, said Committee shall state in their report, what sum in their opinion it will cost each town, through which such highway passes to build and make said new highway. And upon the return and acceptance of the report of such Committee, if the said Court shall be of opinion, that said road is of general publick utility, and that the expenses of laying out, paying the damages and building such new highway is burdensome to any town, then and in all such cases the Court of Common Pleas may order such portion of the expenses, incident to such town, by reason of the laying out of said road, as to said Court may seem reasonable and not exceeding one half the whole expense, to be paid by the County in which such town is situated. And said Court are hereby authorized and empowered to draw their order upon the Treasurer of such County for the sum so by them adjudged to such town.

CHAPTER 108.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Rev. Samuel Kelly be allowed the sum of forty dollars in full compensation for his services as Chaplain to the Legislature during the present session and that the same be paid out of the treasury. And be it further resolved, That James Buswell doorkeeper of the Senate and Edward Philbrick and Aaron Carter doorkeepers of the House of Representatives be allowed the sum of sixty four dollars each in full for their services in that capacity and that said sums be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 201.]

CHAPTER 109.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be and he hereby is authorized to borrow three thousand dollars to defray the expenses of building the new State Prison, if it shall in his opinion be necessary. and that so much of the State Tax to be paid into the treasury on or before the first day of December next as will be necessary to pay the same with the interest to be appropriated therefor.

[Approved July 2, 1831. Acts, vol. 28, p. 202.]

CHAPTER 110.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of thirty dollars be allowed Philip Carrigan for two maps, one for the Walpole Academy and one for the Instructors School in Franklin.

[Approved July 2, 1831. Acts, vol. 28, p. 203.]

CHAPTER 111.

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE SUGAR RIVER MANUFACTURING COMPANY.

[Approved July 2, 1831. Acts, vol. 28, p. 205. Name changed to Monadnock Mills by act of July 10, 1846, Session Laws, 1846, Chap. 452. See also act of July 25, 1889, id., 1889-91, p. 173.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Leonard Jarvis, Joseph T. Adams, Russell Jarvis, their associates successors and assigns be and they hereby are incorporated and made a body corporate and politic by the name and style of the Sugar River Manufacturing Company; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be, and hereby is authorized and empowered to commence, establish and carry on the business of Manufacturing Cotton and Woollen Goods in all their various branches, together with such other branches of manufacture and trade as are, or from time to time may be necessarily connected therewith, in the town of Claremont in the County of Sullivan; and for these purposes the said Corporation may purchase and hold real and personal estate to any amount, not exceeding five hundred thousand dollars, and the same may use; alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, That any two of the persons above named may call the first meeting of the members of said Corporation, to be holden at any suitable time and place, by posting up notifications at two or more public places in said Claremont, expressing therein the time place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice at least six days prior thereto, at which said first meeting, there shall be chosen a Clerk who shall be sworn to a faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof when lawfully required. And at the same meeting or any adjournment thereof, or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper, and determine the manner of transferring them, may elect such officers and agents

as may be deemed necessary for managing their concerns and prescribe their duties; may order assessments and fix the time of their payment, may establish by-laws (not repugnant to the laws of the State) for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association. all questions at any meeting of said corporation shall be determined by a majority of votes present and represented; allowing one vote to each share; provided however that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the delinquents share or shares may be advertised and sold at public Auction, or so many of them as may be necessary to pay such assessments, with the incidental charges, under such regulations as the Corporation in its by-laws shall have prescribed.

CHAPTER 112.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court Convened, That the Commissary General be, and he is hereby authorized to deliver to James Wilson Jun. or to his order sixty four muskets of the best quality belonging to the State in the Arsenal at Portsmouth, upon the said James Wilson Jr giving good and sufficient bonds to the State, to keep and preserve said muskets, free from all expense to the State in perfect and complete order for service, and to deliver the same to any officer, whom the State shall appoint on demand and make good all damages that may happen to any of said muskets.

[Approved July 2, 1831. Acts, vol. 28, p. 209.]

CHAPTER 113.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Commissary General be, and he is hereby authorized to sell, the Harnesses belonging to the State, now in the arsenal at Portsmouth and account for the proceeds thereof, to the Legislature.

[Approved July 2, 1831. Acts, vol. 28, p. 209.]

CHAPTER 114.

State of }
New Hampshire. }

Whereas by a Resolution passed June 21, 1826 the Secretary was directed to deliver to the several town clerks throughout this State each a copy of the New Hampshire Reports, and whereas those delivered to the town clerk of New London in the County of Merrimack, have since been destroyed by fire, therefore, Resolved by the Senate and House of Representatives in General Court convened, That the Secretary be, and he is hereby authorized and directed to deliver to the town clerk of said New London or to the Representative of said town for the use of said town clerk the First, Second and third parts of the third volume of said Reports.

[Approved July 2, 1831. Acts, vol. 28, p. 210.]

CHAPTER 115.

State of }
New Hampshire. }

Whereas, it has been customary for the Clerks of the Senate and of the House of Representatives, to prepare a manuscript copy of the Journal of each house respectively, in addition to the copy for the press authorized by law to be filed in the Secretaries office, and to charge the State for making such copy, and whereas this expense is wholly unnecessary, Therefore Resolved, by the Senate and House of Representatives in General Court convened, That the Secretary of State be and he is hereby directed to deposit in the Secretarys office annually, Five printed copies of the Journals of each house, which printed copies, before they are so deposited, shall be examined,

corrected and certified by the clerk, who furnished the manuscript copy for the press and who shall be allowed a reasonable compensation for examining, correcting and certifying as aforesaid, and that the manuscript copies of the journals, other than those furnished for the press, be hereafter dispensed with.

[Approved July 2, 1831. Acts, vol. 28, p. 211.]

CHAPTER 116.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened. That the claim of the Hon Jeremiah Smith of Exeter, against this State for the exclusive right of printing and selling the edition of the Statutes published in 1815, by him be submitted to the determination of the Hon. Samuel Green of Concord, who is requested to notify the Attorney General, when and where he will proceed to examine said claim and the Attorney General is hereby required to attend accordingly on behalf of this State. And the said Samuel Green is hereby authorized and empowered to examine and adjust and allow said claim as the law and justice thereof may require. And in case any sum shall be found due, to award and determine the same and certify the amount to the Governor. And the Governor is hereby authorized on receiving an attested copy of such award to draw his warrant on the treasurer for the amount of the same, which shall be in full satisfaction of said claim.

[Approved July 2, 1831. Acts, vol. 28, p. 212.]

CHAPTER 117.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That all that tract of land lying in the County of Coos and bounded as follows viz. beginning at the Southeast corner of Bretton woods, thence running Northeasterly on a straight line to the Southeast corner of Randolph, thence westerly on the Southerly line of Randolph on the line of Kilkenny, Jefferson, and Bretton woods to the first mentioned bound be and the same is hereby granted to Clovis Law of Jefferson and Barker Burbank of Shelburne in the County of Coos for the purpose of repairing and improving the road from the easterly line of Jefferson, through Kilkenny,

Randolph and Shelburne addition to the Androscoggin River upon condition that the said Clovis Low and Barker Burbank shall raise by voluntary subscription the sum of two hundred dollars to be laid out on said road in addition to the proceeds of the land hereby granted for improving the road as aforesaid. And the Treasurer of this State is hereby authorized, upon receiving satisfactory evidence that such subscription is raised and good and sufficient surety, that the same shall be laid out and expended together with the proceeds of the sale of the land aforesaid upon the said road through Kilkenny, Randolph and Shelburne addition, which land they shall be bound to sell to the best advantage for that purpose, to execute and deliver in behalf of this State a deed conveying to said Clovis Low and Barker Burbank their heirs and assigns all the right, title and claim of this State in and to the land described as aforesaid.

[Approved July 2, 1831. Acts, vol. 28, p. 213.]

CHAPTER 118.

State of }
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be hereby authorized to transmit to the Secretary of State of Connecticut two full and complete sets of the Statutes of this State.

[Approved July 2, 1831. Acts, vol. 28, p. 214.]

CHAPTER 119.

State of }
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That Horatio Hill & Co be allowed one hundred and fifty five dollars and seventy two cents in full of their accounts and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 215.]

CHAPTER 120.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Joseph Robinson be allowed sixty six dollars in full of his account and that the same be paid out of the Treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 215.]

CHAPTER 121.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That James Clark be allowed one hundred and thirty eight dollars and sixty seven cents in full of his account, and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 216.]

CHAPTER 122.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Samuel Dinsmoor Jun be allowed the sum of eighty six dollars and seven cents in full of his account and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 216.]

CHAPTER 123.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be and he hereby is authorized to convey to John W. Tucker of Rye in the County of Rockingham all the right title and interest, which the State of New Hampshire has in, and to a small Island called Loungin Island containing about two and a half acres more or less and known as one

of those Islands called the Isle of shoals and is about nine miles from Portsmouth Harbour. Provided, the said John W. Tucker shall first pay or cause to be paid to the said Treasurer the sum of ten dollars and incidental expenses, which shall be considered in full for said conveyance.

[Approved July 2, 1831. Acts, vol. 28, p. 217.]

CHAPTER 124.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That Isaac C. Bradley receive one hundred dollars and six cents, and that David Symonds receive fifteen dollars and forty nine cents, in full of their respective accounts, and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 218.]

CHAPTER 125.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Proprietors of the Instructors School in Franklin be authorized to receive from the Treasurer of this State one of Carrigans maps of the State of New Hampshire.

[Approved July 2, 1831. Acts, vol. 28, p. 218.]

CHAPTER 126.

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor be, and he hereby is authorized to draw on the treasury for a sum not exceeding five hundred dollars to defray the contingent expenses of the State for the Year ensuing.

[Approved July 2, 1831. Acts, vol. 28, p. 219.]

CHAPTER 127.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of forty three dollars and forty nine cents be allowed Ezra Young in full for his account and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 219.]

CHAPTER 128.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of Forty five dollars be allowed John Whipple as engrossing Clerk for engrossing all the publick acts, Resolutions and addresses for June Session 1831.

[Approved July 2, 1831. Acts, vol. 28, p. 220.]

CHAPTER 129.

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Abner B. Kelly be allowed forty dollars and sixty five cents, Elijah Blaisdell seven dollars eighty cents and Ebenezer Symms seven dollars in full of their respective accounts and that the same be paid out of the treasury.

[Approved July 2, 1831. Acts, vol. 28, p. 220.]

[FORTY-FIRST GENERAL COURT.]

[Held at Concord, two sessions, June 6, 1832, to June 23, 1832, and
November 21, 1832, to January 5, 1833.]

[OFFICERS OF THE GOVERNMENT.]

SAMUEL DINSMOOR, GOVERNOR.
RALPH METCALF, SECRETARY OF STATE.
JOSEPH ROBINSON, DEPUTY SECRETARY OF STATE.
ABNER B. KELLY, TREASURER.
GEORGE SULLIVAN, ATTORNEY-GENERAL.
BENNING M. BEAN, PRESIDENT OF THE SENATE.
FRANKLIN PIERCE, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Jacob Freese,	Deerfield.
Richard Russell,	Wakefield.
Stephen Peabody,	Milford.
Stephen Johnson,	Walpole.
Nathaniel Rix,	Littleton.

[MEMBERS OF THE SENATE.]

Daniel P. Drown,	Portsmouth.
Bradbury Bartlett,	Nottingham.
Jesse Carr,	Goffstown.
Aaron Whittemore,	Pembroke.
James Farrington,	Rochester.
Benning M. Bean,	Moultonborough.
Peter Woodbury,	Francestown.
Nathaniel Knowlton,	Hopkinton.
Phineas Handerson,	Chesterfield.
Eleazer Jackson, Jr.,	Cornish.
Robert Burns,	Hebron.
Jared W. Williams,	Lancaster.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and)	
Plaiستow, {	Moses F. Peaslee.
Brentwood,	Joseph Graves.
Candia,	Henry T. Eaton.

Chester,	Samuel Aiken.
Deerfield,	David Currier, Jr. Samuel Collins. Andrew Freese.
Derry,	David A. Gregg. William Montgomery.
East Kingston and } South Hampton, }	Abel Brown.
Epping,	Samuel R. Gordon.
Exeter,	Jeremiah Dow. John Rogers. John K. Hatch.
Greenland,	Lorenzo Batchelder.
Hampstead,	Amos Towle, Jr.
Hampton,	Josiah Brown.
Hampton Falls,	
Hawke and } Sandown, }	Samuel Pillsbury.
Kensington,	Smith Lamprey.
Londonderry,	John N. Anderson.
Newcastle,	Jonathan M. T. Vennard.
Newington,	Thomas Pickering, Jr.
Newmarket,	David Murray.
Newton,	Matthias Bartlett.
North Hampton,	Benning Leavitt.
Northwood,	John Harvey, Jr.
Nottingham,	Joseph S. Tuttle.
Poplin,	Daniel B. Chase.
Portsmouth,	Gideon Beck. Samuel E. Coues. Charles B. Goodrich. John N. Sherburne.
Raymond,	Isaac Waldron.
Rye,	Gilman Dudley.
Seabrook,	John A. Trefethen.
Stratham,	John Boyd.
Windham,	George Barker. Isaac McGaw.

STRAFFORD COUNTY.

Alton,	Hezekiah D. Buzzell.
Barnstead,	William H. Newell. George Nutter.
Barrington,	Jeremiah Kingman.
Brockfield,	Joseph T. Churchill.
Burton and } Chatham, }	Luther Richardson.

Center Harbor,	Simon Drake, 2d.
Conway,	Jonathan T. Chase.
Dover,	Samuel W. Carr.
	Elhanan W. Fenner.
	John P. Hale.
	Thomas E. Sawyer.
Durham,	George Hull.
Eaton,	Joseph R. Hunt.
Effingham,	Carr Leavitt.
Farmington,	John H. Nutter.
Gilford,	Ephraim Mallard.
Gilmanton,	Jeremiah Bean.
	Joseph Fellows.
	John Page.
Lee,	Gardner Towle.
Madbury,	Sargent Hanson.
Meredith,	Jonathan Folsom.
	Ebenezer S. Mooney.
Middleton,	Alvah Scates.
Milton,	Stephen M. Mathes.
Moultonborough,	Isaiah G. Orne.
New Durham,	Nicholas Noyes.
New Hampton,	Henry Y. Simpson.
North Effingham,	William Harmon, 2d.
Ossipee,	Joseph Hobbs.
Rochester,	Benjamin Hayes.
	John H. Smith.
Sanbornton,	Joseph W. Clement.
	Winthrop Dearborn.
Sandwich,	George F. Marston.
	Paul Wentworth.
Somersworth,	William W. Rollins.
	William Stearns.
Strafford,	Israel Hall, Jr.
	John Perkins.
Tamworth,	John Woodman.
Tuftonborough,	John Peavey.
Wakefield,	Amasa Copp.
Wolfeborough,	Thomas J. Tibbets.

MERRIMACK COUNTY.

Allentown,	Daniel Bachelder.
Andover,	Jesse Graves.
Boscawen,	Moses Fellows.
Bow,	John Farnum.
Bradford,	Samuel Jones.

Canterbury,	Jeremiah Clough.
Chichester,	Henry Roby.
Concord,	David George.
	William Kent.
	Samuel A. Kimball.
Dunbarton,	Silas Burnham.
Epsom,	Eliphalet Wiggin.
Fishersfield,	Israel Putnam.
Franklin,	George W. Nesmith.
Henniker,	William L. Woods.
Hooksett,	Enoch B. Barnes.
Hopkinton,	Nathaniel Curtis.
	Samuel Straw.
Loudon,	Samuel Hill, Jr.
New London,	Anthony Colby.
Northfield,	Benjamin A. Chase.
Pembroke,	Jeremiah H. Wilkins.
Pittsfield,	Arlond Carroll.
Salisbury,	Moses Greeley.
Sutton,	Jonathan Harvey.
Warner,	Benjamin E. Harriman.
	Daniel Jones.
Wilmot,	Jeremiah Mitchell.

HILLSBOROUGH COUNTY.

Antrim,	John Secombe.
Amherst,	Thomas McMaster, Jr.
Bedford,	William Moor, Jr.
Brookline,	David Harris.
Deering,	William Manahan.
Dunstable,	Robert Anderson.
	Eleazer F. Ingalls.
Francestown,	John Gibson.
Goffstown,	David Barr.
	Charles F. Gove.
Greenfield,	Ephraim Holt.
Hancock,	Amos Whittimore.
Hillsborough,	Franklin Pierce.
Hollis,	Ralph E. Tenney.
Litchfield,	Moses Chase.
Lyndeborough,	Israel Putnam.
Manchester,	John Proctor.
Mason,	John Stevens.
Merrimack,	Joseph Litchfield.
Milford,	Josiah Crosby, 3d.

Mont Vernon,
 New Boston,
 New Ipswich,
 Pelham,
 Peterborough,
 Sharon,
 Society Land and }
 Windsor, }
 Temple,
 Weare,
 Wilton,

Nathaniel Bruce.
 John Atwood.
 Stephen Wheeler.
 Jesse Gibson.
 Hugh Miller.
 James Law.
 John Dodge.
 Simon Farrar.
 Seth N. Cilley.
 Simon P. Colby.
 Joel Abbott.

CHESHIRE COUNTY.

Alstead,
 Chesterfield,
 Dublin,
 Fitzwilliam,
 Gilsum,
 Hinsdale,
 Jaffrey,
 Keene,
 Marlborough,
 Marlow,
 Nelson,
 Richmond,
 Rindge,
 Roxbury,
 Stoddard,
 Sullivan,
 Surry,
 Swanzey,
 Troy,
 Walpole,
 Westmoreland,
 Winchester,

Asa Wentworth, Jr.
 Nathan Wild.
 Jonathan K. Smith.
 Joseph Brigham.
 Jehiel Day.
 Lockheart W. Stebbins.
 Levi Fisk.
 Stephen Harrington.
 James Wilson, Jr.
 Levi Gates.
 Thomas P. Richardson.
 Abijah Wilson.
 Joseph Newell.
 Thomas Ingalls.
 Samuel Griffin.
 Danforth Taylor.
 Roswell Osgood.
 Benjamin Hills.
 Elijah Sawyer.
 Lyman Wright.
 Leonard Bisco.
 Barton Skinner.
 William Allen.

SULLIVAN COUNTY.

Acworth,
 Charlestown,
 Claremont,
 Cornish,

Jonathan Gove.
 Jonathan Mack.
 Timothy Grannis.
 Austin Tyler.
 John L. Putnam.

Croydon,	Hiram Smart.
Goshen,	Virgil Chase.
Grantham,	Amasa Hall.
Langdon,	Samuel Prentiss.
Lempster,	Daniel M. Smith.
Newport,	Austin Corbin.
	Benjamin B. French.
Plainfield,	Elias Frost.
Springfield,	Solomon Clement.
Unity,	Amos Perkins.
Washington,	Thomas Laws.
Wendell,	Samuel Knowlton.

GRAFTON COUNTY.

Alexandria,	Elias Perkins.
Bath,	Henry H. Lang.
Bethlehem,	Lyman Blanden.
Bridgewater,	Paul Perkins.
Bristol,	Joseph Moor.
Campton,	John Kenniston.
Canaan,	Josiah Clark, Jr.
Coventry,	Enos Wells.
Danbury,	John Bean.
Dorchester,	Joseph Jewett.
Enfield,	Henry Currier.
Franconia and } Lincoln, }	John Wallace, Jr.
Groton,	William Crosby.
Hanover,	Chancey Bridgman.
	Ebenezer Symmes.
Haverhill,	Samuel Page.
	Jonathan Wilson.
Hebron,	Rufus Pike.
Holderness,	Benjamin Burley.
Landaff,	Jonathan Brownson.
Lebanon,	Gideon Dickinson.
Lisbon,	Caleb Aldrich.
Littleton,	Alexander Albee.
Lyman,	John Moulton.
Lyme,	Arthur Latham, Jr.
	Asa Shaw.
Orange,	Samuel Andrew.
Orford,	Leonard Wilcox.
Peeling and } Ellsworth, }	Thomas Pinkham.

Piermont,
 Plymouth,
 Rumney,
 Thornton,
 Warren,
 Wentworth,

James Kent.
 Samuel C. Webster.
 Edward Webber.
 Jasper Elkins.
 Enoch R. Weeks.
 John F. Sanborn.

COOS COUNTY.

Colebrook and }
 Columbia, }
 Dalton and }
 Bretton Woods, }
 Jackson and }
 Bertlett, }
 Jefferson, Kilkenny }
 Randolph and Nash }
 and Sawyer's Location, }
 Lancaster,
 Milan, Piercy, Dummer }
 and Winslow's Location, }
 Shelburne, Shelburne }
 Addition, Success and }
 Berlin, }
 Stewartstown, Dixville, }
 Millsfield, Errol and }
 College Grant, }
 Stratford and }
 Northumberland, }
 Whitefield,

Abraham Boynton.
 Asa Taylor.
 George P. Meserve.
 Clovis Low.
 Richard Eastman.
 Francis Lang.
 Robert Ingalls.
 Barzillai Brainard.
 Nathan Baldwin.
 Joseph Colby.

[*First session, held at Concord, June 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 1832.*]

[CHAPTER 1.]

State of)
New Hampshire. }

AN ACT TO EXTEND TO THE TOWN OF NEWMARKET THE ACTS ESTABLISHING A SYSTEM OF POLICE IN THE TOWN OF PORTSMOUTH AND FOR OTHER PURPOSES.

[Approved June 21, 1832. Acts, vol. 29, p. 1. Session Laws, 1832, Chap. 66. The acts referred to are dated June 28, 1823, Laws of New Hampshire, vol. 9, p. 212, and July 1, 1831, *ante* p. 241. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, the act entitled "an act to establish a system of police in the town of Portsmouth and for other purposes" passed June 28, 1823, and also the act, passed July 1, 1831, entitled "an act in addition to an act entitled an act to establish a system of police for the town of Portsmouth and for other purposes passed June 28, 1823, with all, each and every of the provisions thereof, shall be in full force and virtue in the town of Newmarket and have operation and binding effect therein, as fully and in the same way and manner, as it could or would do, were the word Newmarket instead of the word Portsmouth, and the word Factories instead of the words Courthouse, used in every instance, where the word Portsmouth, or the words Courthouse occur or are used in the act first above mentioned and in all proceedings against any person or persons for any offence against the police of Newmarket, the forms of process prescribed in the act first above mentioned, may and shall be altered as the nature of the case requires.

Sec. 2. And be it further enacted, That, as soon as may be after the passing of this act, the selectmen of the said town of Newmarket may appoint and commission police officers, as prescribed in the acts aforesaid in like manner, as they might within ten days after the annual town meeting. And such police officers so appointed and commissioned shall hold their offices until the next annual town meeting and until their successors shall have been duly appointed and qualified to act.

[CHAPTER 2.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE UNION MANUFACTURING COMPANY.

[Approved June 21, 1832. Acts, vol. 29, p. 2.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Nicholas Farwell, Arad Taylor and George N. Farwell their associates, successors and assigns, be and they hereby are incorporated and made a body corporate and politic by the name and style of the Union Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that the said corporation be and hereby is authorized and empowered to commence, establish and carry on the business of manufacturing cotton and woollen goods, in all their various branches, together with such other branches of manufacture and trade, as are, or from time to time may be necessarily connected therewith, in the town of Claremont in the County of Sullivan; and for these purposes the said corporation may purchase and hold real and personal estate to any amount not exceeding five hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, that any two of the persons above named may call the first meeting of the members of said corporation to be holden at any suitable time and place, by posting up notifications at two or more public places in said Claremont, expressing therein the time, place and design of said meeting at least fifteen days before the day of meeting or by giving personal notice at least six days prior thereto, at which said first meeting there shall be chosen a Clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof when lawfully required, and at the same meeting or any adjournment thereof, or at any subsequent meeting duly notified and holden the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper and determine the manner of transferring them, may elect such officers and agents as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payment, may establish by laws, not repugnant to the laws of the State, for their regulation and government and may do and transact any business necessary to carry into effect the objects of their associ-

ation: All questions at any meeting of said corporation, shall be determined by a majority of votes present and represented allowing one vote to each share; provided however that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares, which he may hold above ten, absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the Clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon and upon the non payment thereof within the time fixed for their payment, the delinquent's share or shares may be advertised and sold at public auction, or so many of them, as may be necessary to pay such assessments with the incidental charges, under such regulations as the corporation in its by laws shall have prescribed.

[CHAPTER 3.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE CLAREMONT MANUFACTURING COMPANY.

[Approved June 21, 1832. Acts, vol. 29. p. 5.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ephraim Tyler, Austin Tyler, Timothy S. Gleason and Joel Wallingsford, their associates, successors and assigns, be, and they hereby are incorporated and made a body corporate and politic by the name and style of the Claremont Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation be and hereby is authorized and empowered to commence, establish and carry on the business of manufacturing cotton and woollen goods and paper in all their various branches, together with such other branches of manufacture and trade, as are, or from time to time may be necessarily connected therewith, in the town of Claremont in the County of Sullivan; and for these purposes the said corporation may purchase and hold real and personal estate to any amount, not exceeding five hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, That any two of the persons above named may call the first meeting of the members of said corporation, to be holden at any suitable time and place, by posting up notifications at two or more public places in said Claremont, ex-

pressing therein the time, place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice at least six days prior thereto, at which said first meeting there shall be chosen a clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof when lawfully required, and at the same meeting or any adjournment thereof or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper and determine the manner of transferring them, may elect such officers and agents as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payment, may establish by laws (not repugnant to the laws of this State for their regulation and government and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of the votes of members present and represented allowing one vote to each share; provided however that any member holding more than ten shares shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon and upon the nonpayment thereof within the time fixed for their payment, the delinquent's share or shares may be advertised and sold at public auction, or so many of them as may be necessary to pay such assessments with the incidental charges, under such regulations as the corporation in its by laws shall have prescribed.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT, IN ADDITION TO AN ACT, ENTITLED "AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE ROCKINGHAM BANK," APPROVED NOVEMBER 5TH, 1813.

[Approved June 21, 1832. Acts, vol. 29, p. 7. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 269. See also act of December 17, 1852, Session Laws, 1852, Chap. 1346.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the said act entitled "an act to incorporate sundry persons by the name of the Rockingham Bank"

shall remain and continue to be in force for and during the term of twenty years from the first day of January in the Year of our Lord 1834, during which term the said corporation shall continue and shall have and enjoy all the rights privileges and immunities granted to it by said act, which are not inconsistent with this act and shall be subject to all the liabilities mentioned and provided in and by said act not inconsistent with the provisions of this act.

Sec. 2. And be it further enacted, That the said corporation shall not issue and have in circulation at any one time, bills, notes or obligations to a greater amount than the amount of the capital stock actually paid in at such time, and then composing the capital stock of said bank. And in case any cashier, director or other officer of said bank, at any time, shall knowingly issue or order, direct or cause to be issued and put into circulation, bills, notes or obligations of said bank, which together with those before issued and then in circulation shall exceed the amount of the capital stock of said bank as aforesaid, such cashier, director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars.

Sec. 3 And be it further enacted, That dividends may be made semi-annually among the stockholders of said bank, of interest or profits actually received, but no part of the capital stock of said bank shall either before or after the expiration of the time limited by this act for the continuance of said corporation be divided among or paid to the stockholders without the licence of the legislature of this State therefor, on penalty that any cashier, director or other officer who shall so divide or pay the same, or order, direct or cause the same to be done, shall therefor forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars. Provided, nevertheless, that it shall be lawful for the stockholders, after having given one year's previous notice of their intention by advertisement in two newspapers published in this State, and after payment of all outstanding debts due from said bank, to make division of the capital stock among themselves and thereby dissolve said corporation. And provided further that said corporation shall in no case be dissolved until they shall have made ample provision for the redemption of all bills, issued by said Bank, that may be presented for payment within three years from the time the notice aforesaid shall first be published, which provision shall first be presented to the Governor and Council of this State for the time being and accepted and approved by them.

Sec. 4. And be it further enacted, That the capital stock of said bank shall, for the purposes of this act, be taken and deemed to be one hundred thousand dollars, being the amount of sums actually paid into said bank by the stockholders and now composing the capital stock thereof. And in case of a diminution or loss of any portion thereof by reason of bad or desperate debts due to the bank or other

means whatever, it shall be the duty of the directors in their next annual return of the condition of said bank by law required to be made to the Governor and council, to state the amount of such diminution or loss, and the cause thereof, and after such loss or diminution no dividend of interest or profit shall be made, until such loss or diminution shall be replaced and supplied by assessments and actual payments by the stockholders or by appropriations therefor of the interest and profits actually received. Provided nevertheless, that the capital stock of said bank may be increased by assessments and actual payments by the stockholders to any sum not exceeding in amount the sum limited by the original act of incorporation, and such payments shall thereupon be added to said one hundred thousand dollars and the amount of both sums shall constitute the capital stock.

Sec. 5. And be it further enacted, That the legislature shall at all times have the right by any persons duly appointed for that purpose, to examine into the state, condition and all the doings and transactions of said corporation and of its officers, relating to the same, for which purpose all the books and papers of the corporation, together with its money and securities for money shall be exhibited and submitted to the inspection and examination of such persons so to be appointed, and each officer of said corporation shall answer on oath, if required all suitable and proper interrogatories relating to the State, condition or transactions of said bank.

Sec. 6. And be it further enacted, that the capital stock of the said bank may be increased to the number of four thousand shares, any thing in the act, to which this is in addition to the contrary notwithstanding.

Sec. 7. And be it further enacted, That all penalties incurred under this act may be recovered by information or suit in the name of the State.

[CHAPTER 5.]

State of)
New Hampshire.)

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF THE CIVIL LIST.

[Approved June 21, 1832. Acts, vol. 29, p. 11. Session Laws, 1832, Chap. 69. See also acts of July 1, 1831, *ante*, p. 251, July 2, 1833, July 4, 1834 and June 24, 1835, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor have and receive as a salary from June 1832 to June 1833 the sum of twelve hundred dollars: that the Secretary of State have and receive as a

salary for the same time the sum of eight hundred dollars in full compensation for all services rendered by him in the capacity of secretary and that all fees allowed him by law be paid into the treasury excepting those received for copies and certificates made by him for individuals for private purposes: that the treasurer have and receive as a salary for the same term the sum of six hundred dollars; that the Adjutant and Inspector General have and receive as a salary for the same term, the sum of two hundred dollars; that the person doing the duty of quartermaster general have and receive for his services for the same term two hundred dollars, and that he pay all postages that may arise by his doing the duties of said office; that the commissary General have and receive as a salary for the same term the sum of forty dollars; that the members of the council receive each two dollars per day during the session of the General Court, and two dollars and fifty cents, when the members are called together during the recess thereof, and ten cents per mile for travel to and from the place of meeting; that the President of the Senate and Speaker of the House of Representatives each, receive two dollars and fifty cents per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting, that the members of the Senate and of the House of Representatives receive two dollars each per day during the sitting of the General Court, and ten cents per mile for travel to and from the place of sitting; that the clerks and the assistant clerks of the Senate and House of Representatives receive each two dollars and fifty cents per day, during the sitting of the General Court and ten cents per mile for travel to and from the place of sitting and that they be allowed one day extra for making up the rolls and filing the papers.

[CHAPTER 6.]

State of)
New Hampshire. (

AN ACT IN ADDITION TO AND IN AMENDMENT OF "AN ACT DIRECTING THE RETURNS OF STATEMENTS EVERY YEAR FROM THE SEVERAL INCORPORATED BANKS IN THIS STATE, TO HIS EXCELLENCY THE GOVERNOR AND THE COUNCIL" PASSED JUNE 21. 1814.

[Approved June 21, 1832. Acts, vol. 29, p. 13. Session Laws, 1832, Chap. 67. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 315. See also resolution of June 18, 1836, Session Laws, 1836, Chap. 254, and acts of July 5, 1837, id., 1837, Chap. 321, and July 4, 1838, id., 1838, Chap. 376.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the second section of the act to which this is in addition be so far altered and amended that the Governor shall lay before the Legislature the original returns from the Banks made to the Governor and Council, instead of copies thereof.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT TO SEVER CERTAIN LOTS AND RANGES OF LAND FROM THE TOWN OF STRATFORD AND ANNEX THE SAME TO THE TOWN OF PIERCY.

[Approved June 21, 1832. Acts, vol. 29, p. 14. Session Laws, 1832, Chap. 68.]

Be it enacted by the Senate and House of Representatives in General Court convened, That all that tract of land embraced in Ranges numbered seventeen, eighteen nineteen and twenty, situated in the southeast corner of the town of Stratford in the County of Coos, be and the same is hereby severed from said town of Stratford and annexed to the said town of Piercy in said County of Coos, and said territory shall hereafter constitute and be a part of said town of Piercy, and all the inhabitants of said territory shall enjoy the same privileges and be subject to the same liabilities as other inhabitants of said town of Piercy. Provided, however, that said inhabitants shall pay all taxes, that have been legally assessed upon them or their property by said town of Stratford prior to the passing of this act.

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN "ACT TO ESTABLISH A CORPORATION BY THE NAME OF HOPKINTON ACADEMY," APPROVED JUNE 26. 1827.

[Approved June 21, 1832. Acts, vol. 29, p. 15. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 603. See also acts of July 4, 1851, Session Laws, 1851, Chap. 1196; January 5, 1853, id., 1852, Chap. 1382, and July 12, 1856, id., 1856, Chap. 1854.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Board of Trustees of Hopkinton Academy may hereafter consist of not less than nine, nor more than fifteen members, to be chosen and appointed in manner and form prescribed by the act, of which this is an amendment, any thing in the third section of said act to the contrary notwithstanding.

[CHAPTER 9.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PISCATAQUA BANK."

[Approved June 21, 1832. Acts, vol. 29, p. 15. The act referred to is dated December 21, 1824, Laws of New Hampshire, vol. 9, p. 363.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Piscataqua Bank be, and they hereby are, authorized and empowered to increase the capital stock of said Bank to any amount not exceeding three hundred thousand dollars, and to increase the number of shares in the capital stock of said Bank to any number not exceeding three thousand.

Sec. 2. And be it further enacted, that it shall be lawful for the Portsmouth Savings Bank to purchase and hold as many of the shares in said Piscataqua Bank as the trustees of said Savings Bank may deem expedient, not exceeding in the whole, at their par value, the amount of fifty thousand dollars, any thing in the act to which this is in addition to the contrary notwithstanding.

[CHAPTER 10.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE ASHUELOT FALLS MANUFACTURING COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 17. The name of this corporation was changed to Ashuelot Falls Company by act of December 23, 1840, Session Laws, 1840, November session, Private Acts, Chap. 2.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that John H. Fuller Phinehas Fisk, John Wood, William Lamson, Joel Parker, Thomas M. Edwards, William Dinsmoor and John Hatch their associates, successors and assigns be and they hereby are incorporated and made a body corporate and politic, by the name and style of the Ashuelot Falls Manufacturing Company and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that the said corporation be and hereby is authorized and empowered to commence, establish

and carry on the business of manufacturing cotton and woollen goods in their various branches, together with such other branches of manufacture and trade, as are, or from time to time may be necessarily connected therewith in the town of Winchester, in the County of Cheshire and for these purposes, the said corporation may purchase and hold real and personal estate to any amount, not exceeding five hundred thousand dollars and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, that John H. Fuller, Phineas Fisk or any two of the persons above named, may call the first meeting of the members of said corporation to be holden at any suitable time and place, by posting up notifications, at two or more public places, in said town of Winchester, expressing the time, place and design of said meeting, at least fifteen days, before the day of meeting or by giving personal notice at least six days prior thereto, at which said first meeting, there shall be chosen a clerk, who shall be sworn to a faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof, when lawfully required, and at the same meeting or any adjournment thereof, or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper and determine the manner of transferring them, may elect such officers and Agents, as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payment, may establish by laws (not repugnant to the laws of the State, for their regulation and government and may do and transact any business, necessary to carry into effect the objects of their association, all questions of any meeting of said corporation shall be determined by a majority of votes present and represented, allowing one vote to each share provided, however, that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares which he may hold above ten, absent members may vote by proxy being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, that the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof, within the time fixed for their payment, the delinquents share or shares may be advertized and sold at public auction or so many of them as may be necessary to pay such assessments, with the incidental charges under such regulations, as the corporation in its by laws shall have prescribed.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE GILMANTON VILLAGE MANUFACTURING COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 19.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that W^m Badger, Joseph S. Kimball, Isaac E. Sawyer, their associates successors and assigns be, and they hereby are incorporated and made a body politic by the name of the proprietors of the Gilmanton Village manufacturing company and by that name may sue and be sued, prosecute and defend to final judgment and execution; and be known and distinguished in all their acts and proceedings, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities, which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that the said corporation be and hereby is authorized to carry on the manufacture of cotton or woollen goods or both and such other branches of business, as shall be necessarily connected therewith in Gilmanton in the County of Strafford and to construct such mills, dams, buildings and machines as may be necessary and convenient for conducting and carrying on these useful manufactures.

Sec. 3. And be it further enacted that said corporation may purchase and hold such real and personal Estate as may be necessary and useful in conducting the business aforesaid, and for the convenient management thereof, not exceeding in amount at any one time the sum of thirty thousand dollars, and the same may sell, alienate, and dispose of at pleasure.

Sec. 4. And be it further enacted that the persons above named, or either two of them may call the first meeting of said proprietors at any suitable time and place, by advertisement in any one of the public newspapers, printed in said County at least twenty days prior to the day of the meeting or by giving ten days personal notice thereof, at which first meeting the said proprietors may agree, on the method of calling their future meetings, and at this or any subsequent meeting duly notified and holden, may choose a clerk and all other necessary officers, and agents for conducting the concerns of said corporation, and may prescribe their respective duties may divide their capital or joint stock into such a number of shares as they may deem, proper, and may agree upon the method of transferring them; may order assessments and fix the time of their

payment: may pass such by-laws not repugnant to the laws of this state, as they may deem proper and expedient for their regulation and government, and may transact any business necessary to carry into effect the object of the association. All questions shall be determined by a majority of Voters present or represented at any meeting allowing and accounting one vote for each share, except questions which regard the raising of money, which shall require two thirds of the voters present, and absent members may vote by proxy, the representative being authorized by a writing signed by the persona represented, which writing must be presented to, and filed with the Clerk of said company provided nevertheless that when any person shall own more than ten shares, he shall be allowed but one vote for every five shares which he may own over and above ten.

Sec 5. And be it farther enacted that any share or shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non-payment thereof within the time prescribed for their payment, the same shall be sold at public auction, or as many as may be necessary to pay such assessments, with incidental charges, under such regulations as such company may in the by-laws prescribe

- [CHAPTER 12.]

State of)
New Hampshire. {

AN ACT TO INCORPORATE PINE RIVER COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 22. This act repeals the act of July 2, 1831, *ante*, p. 261.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened that Joseph J. Mathes, Carr Leavitt Joseph Hobbs, Nathaniel Libbey, William Parsons, Josiah H. Hobbs and their associates and successors, be and they hereby are made a body politic and corporate forever by the name and style of Pine River Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall enjoy all the powers and privileges, and be subject to all the liabilities incident to similar corporations.

Sec 2. And be it further enacted, that the company aforesaid be and hereby are empowered at any time within one year from and after the Passing of this act to clear Pine River of Obstructions, commencing at the outlet of Pine River Pond in Ossipee, thence down said Pine River to the shore of Great Ossipee Pond in Ossipee aforesaid, and to render the same convenient and proper

for transporting logs and other Timber, therein at a proper height of Water, and make canals and erect dams and slips, and do all things necessary to effect the purposes aforesaid.

Sec 3. And be it further enacted that the company aforesaid be, and is hereby empowered to make and build, dams, Slips, Sluices and Canals, in and upon Costalo's Falls so called in Effingham in said County, Convenient and suitable for conveying and running logs and other timber over the Falls, aforesaid, and to do all things necessary to effect the purposes aforesaid—

Sec. 4. And be it further enacted that if any person or persons, whose lands, mills, dams, sluices slips or other property or any of them shall be injured by clearing said River as aforesaid or by any canal, slip, or sluice made, or dam erected by said Company, and said company cannot agree upon the amount of damage thus occasioned, nor upon some suitable person or persons to estimate and fix the same, then some disinterested Committee of three freeholders resident in the County of Strafford shall be appointed by the Superior Court of Judicature, or any two Justices of the Quorum in said County, On Application being made for that purpose in writing, signed by either party, stating therein the subject matter of such disagreement, and the award and determination of said Committee, or of the major part of them in writing by them signed, shall be the measure of damage; and said award shall be made to the term of the Superior Court of Judicature to be holden in said County next after said award shall be made as aforesaid. and said Court shall have cognizance thereof in the same way and manner, and the same proceedings shall be had thereon, as are now had on reports of Referees appointed by a Rule of Court—Provided however that if either party shall at the term of said Court to which such award may be made and returned, request a trial by Jury such trial shall be had in the same manner other cases are tried, and if a verdict of the Jury shall not give the party making such a request a greater sum in damages than said Committee shall have awarded such party shall not recover his or her costs of said trial, but the other party shall recover his costs on such trials and have a separate judgment and execution therefor

Sec 5. And be it further enacted that all persons shall have a right on paying the legal toll therefor to pass themselves and carry any logs and other timber down said River and through any canal and over any dam and slip that may be made by said company, and if any person or persons shall wilfully obstruct said river, or in any way injure or destroy any canals, dams, slips, or other work of said company, he she or they so offending shall be liable to pay said company treble the amount of damage so done, to be recovered in an action on the case, in any court of competent jurisdiction to try the same.

Sec 6. And be it further enacted that a toll is hereby granted to said company, of thirty cents on every thousand feet board measure, of all logs and other timber put into said river, above Granvilles Mill Pond, and carried down said River, and five cents on every thousand feet board measure of all Logs and other timber put into said River below said Granvilles Mill pond, and carried down said river, And one cent for every thousand feet board measure of all logs and other timber transported through and over the slip, canal or sluice, on Costalows falls. And said company shall have power to demand and recover said toll, of the Owner or Owners of such logs and other timber, in an action of Debt in any Court of Competent Jurisdiction, to try the same. And said Company shall have further power and authority to detain such logs, and other timber by booms or otherwise, until the legal toll thereon be paid Provided however said Company shall not demand or receive any toll, till said River shall be cleared of obstructions as aforesaid.

Sec 7. And be it further enacted that said company are hereby authorized and empowered to purchase and hold to them and their successors so much Real Estate as may be necessary for the purposes aforesaid, not exceeding, one thousand dollars in value.

Sec 8. And be it further enacted that the stock of said Company shall be divided into ten shares, numbered in Progressive order.

Sec 9. And be it further enacted, that said Mathes, Leavitt, and Libbey or any two of them may call the first meeting of said—Company to be holden in said Ossipee, by posting up at two or more public places in said Ossipee, at least fifteen days before the day of holding said meeting, a notice in writing stating therein the time, place and Object of said Meeting, and at said Meeting or any adjournment thereof said company may choose all necessary Officers, and adopt such rules and by-laws as they shall deem necessary, and proper not repugnant to the Constitution and laws of this state. Provided however this act. shall be subject to alterations, and amendments by the legislature of this state.

Sec 10. And be it further enacted, that an act entitled an Act to Incorporate, Pine River Company passed July 2. 1831, be and the same is hereby repealed.

[CHAPTER 13.]

State of)
New Hampshire. }

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved June 22, 1832. Acts, vol. 29, p. 27. Session Laws, 1832, Chap. 70.]

Sec 1. Be it enacted by the Senate and House of Representatives, in General Court convened, That the several persons herein named, shall hereafter be called and known by the names which by this act they are respectively allowed to assume viz—

Zadoc Cross of Swanzey may take the name of Wells Lawrence Cross, Nathan Wild of Marlborough may take the name of Nathan Estabrook Wild, Jesse Burbank Hardy of Hopkinton may take the name of Tyler Burbank Hardy, Michael Buck Tuttle of Durham may take the name of William Henry Tuttle, Isaac Currier Jr of Meridith may take the name of Tom Davenport, Hannah D. Currier of Meridith may take the name of Hannah D. Davenport, Daniel Smith Currier of Meridith may take the name of Daniel Smith Davenport; Sarah Ann Smith Currier of Meridith may take the name of Sarah Ann Smith Davenport, Mary Marshall Dyer of Enfield may take the name of Mary Marshall, Robert Alcock of Bradford may take the name of Robert Austin, Elizabeth Alcock of Bradford, may take the name of Elizabeth Austin, Grace Alcock of Bradford may take the name of Grace Austin, Robert B. Alcock of Bradford may take the name of Robert B. Austin, Stephen Alcock of Bradford may take the name of Stephen Austin, Jane Alcock of Bradford may take the name of Jane Austin, Christopher Alcock, of Bradford may take the name of Christopher Austin, Jonathan Prescott of Franklin may take the name of Jonathan W. Prescott, John Brown of Exeter may take the name of John Augustus Brown, Samuel G. Brown of Seabrook, may take the name of Samuel George Jr, William Prescott 3^d of Sandbornton, may take the name of William Young Prescott, Elijah Currier of Newtown may take the name of Elijah R. Currier, Daniel W. Divoll of Troy may take the name of David Wilder, Freeman Leathers of Merideth may take the name of Freeman Emery, John C. Varney Jr of Milton may take the name of John C. Freeman, Nancy H. Varney of Milton may take the name of Nancy H. Freeman, Aaron H. Varney of Milton may take the name of Aaron H. Freeman, Maria Augusta Varney, of Milton may take the name of Maria Augusta Freeman. Samuel Blaisdell of Tuftonborough may take the Name of Augustine Lupus.

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT AUTHORISING AN ACTION OF REPLEVIN IN CERTAIN CASES, PASSED JUNE THE 30TH. 1825.

[Approved June 22, 1832. Acts, vol. 29, p. 29. Session Laws, 1832, Chap. 72. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 422. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any goods or chattels, which are exempted from attachment by the laws of this State, shall be attached upon mesne process, or when any such goods or chattels, have been so attached, and shall remain in the possession or under the control of the Officer so attaching the same, and before they are taken in execution the owner of such goods, or the person out of whose possession the said goods were taken may replevy the same, and said action of Replevin may be prosecuted to final judgment and execution, in any court proper to try the same, in the same form and manner as is provided to the owners of creatures impounded, by an act entitled an act "regulating pounds" passed February 9th 1791 and in the same form and manner as said action of replevin has been heretofore prosecuted in this State.

Sec. 2, And be it further enacted, That if the Officer so attaching, such goods or chattels so exempted from attachment, shall have put said goods or chattels, or any part thereof, into the hands or possession of any third person or persons for keeping or otherwise, the Officer having the writ of Replevin after demand made upon the person or persons having such goods or chattels, in his or their hands or possession to deliver up the same, and his or their refusal so to deliver them to the Officer having such writ of Replevin may lawfully enter the close or building of such person into whose hands or possession such goods were delivered by the Officer attaching the same, and replevy such goods or chattels, so taken and detained, and the person who had such goods in possession upon delivery of them to the Officer having the writ of replevin, shall be exonerated and discharged from all liability to respond to the Officer originally attaching the same.

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE ROCKINGHAM MUTUAL FIRE INSURANCE COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 31. See also acts of July 2, 1833, *post*; June 26, 1838. Session Laws, 1838, Private Acts, Chap. 2; July 3, 1841, *id.*, 1841, Private Acts, Chap. 9, and December 20, 1842, *id.*, 1842, November session, Private Acts, Chap. 5.]

Sec 1. Be it enacted by the Senate, and House of Representatives in General Court convened, That Nathaniel Gilman, Stephen Pearse, Seth Walker, J. F. Shores Peter Chadwick, Simes & Lunt, William Perry, Joseph Smith, John Ball, Jotham Lawrence, W. Jones, Jr. Joseph Blake, John McClintock, J. Burley, Langley Boardman, Timo. Upham, George Gardner, Joshua H. Hall, Theodore Moses, George Smith, M. B. Trundy John T. Burnham, William Goddard, F. Grant, A. W. Bell, Nath. Gilman 3^d, Robert Rice, Jos. L. Cilley, Benj. J. Williams, Nath^l B. March, John L. Thompson, and all other persons who may hereafter become members of said Company in the manner herein prescribed, be and they hereby are, incorporated and made a body politick by the name of the Rockingham, Mutual Fire Insurance Company, for the purpose of insuring their respective dwelling houses, stores, shops and other buildings, house hold furniture and merchandise, against loss or damage by fire, whether the same shall happen by accident, lightning or by any other means, excepting that of design in the Assured, or by the invasion of an enemy, or insurrection of the citizens of this. or of any of the United States; and by that name may sue and be sued, plead and be impleaded, appear, prosecute, and defend, in any Court of record, or other place whatever; may have, and use a common seal; may purchase and hold such Real and Personal Estate as may be necessary to affect the objects of their association. and the same may sell and convey at pleasure; may make establish and put in execution, such By-Laws, Ordinances, and Resolutions not being contrary to the laws of the State, as may seem necessary or convenient for their regulation and government, and for the management of their affairs; and do and execute all such acts and things as may be necessary to carry into full effect, the purposes intended by this grant.

Sec. 2. And be it further enacted, That all and every person and persons who shall at any time, become interested in said company by insuring therein, and also their respective heirs, executors, administrators and assigns, continuing to be insured therein, as herein after provided, shall be deemed and taken to be members thereof.

for and during the terms specified in their respective Policies, and no longer, and shall at all times be concluded and bound by the Provisions of this Act.

Sec. 3. And be it further enacted; That there shall be a meeting of said Company at Exeter, in the county of Rockingham on the first Wednesday of August, annually, or on such other day as the said company may hereafter determine; at which meeting shall be chosen, by a major vote, of the members present, a Board of Directors, consisting of not more than nine, nor less than five members, who shall continue in Office until others have been chosen and have accepted the trust in their stead. All vacancies happening in said Board, may be filled by the remaining members, until the next annual meeting, and a majority of the whole number shall constitute a quorum for the transaction of business. Special Meetings of the Company may be called by order of the Directors. or in such other manner as the By-laws thereof may have prescribed.

Sec. 4. And be it further enacted, That the Board of Directors shall superintend the concerns of said company, and shall have the management of the funds, and property thereof, and of all matters and things thereunto relating, not otherwise provided for by said company. They shall have power from time, to time, to appoint a Secretary, Treasurer and such other officers agents, and assistants, as to them may seem necessary, and prescribe their duties, fix their compensation, take such security from them as they may deem necessary, for the faithful performance of the respective duties, and may remove them at pleasure. They shall determine the rates of insurance, the sum to be insured on any building, not exceeding three fourths of its value, and the sum to be deposited for the insurance thereof. They shall order and direct the making and issuing of all Policies of Insurance, the providing of books, stationary and other things needful for the office of said company, and for carrying on the affairs thereof; and may draw upon the Treasurer for the payment of all losses which may have happened; and for expenses incurred in transacting the concerns of said company. They shall elect one of their own number to act as President, and may hold their meetings monthly and oftener if necessary, for transacting the business of the company; and shall keep a record of their proceedings, and any Director disagreeing with a majority of the Board at any meeting may enter his dissent, with his reasons therefor, on record.

Sec. 5.—And be it further enacted, that every person who shall become a member of said company, by effecting insurance therein, shall before he receives his Policy, deposit his promissory note, for such sum of money as shall be determined by the Directors; a part, not exceeding five per cent. of which said note. shall be immediately paid for the purpose of discharging the incidental expenses of the

institution, and the remainder of said deposite note shall be payable in part or the whole, at any time when the Directors shall deem the same requisite for the payment of losses, or other expenses; and at the expiration of the term of insurance, the said note, or such part of the same as shall remain unpaid, after deducting all losses and expenses, occurring during said term, shall be relinquished and given up to the signer thereof.

Sec. 6. And be it further enacted, That every member of said company shall be, and hereby is bound and obliged, to pay his proportion of all losses and expenses, happening or accruing in and to said Company: and all buildings insured by and with said Company together with the right, title and interest of the Assured, to the lands on which they stand, shall be pledged to said Company, and the said Company shall have a lien thereon against the Assured, during the continuance of his, her, or their Policies.

Sec. 7. And be it further enacted, that in case of any loss or damage by fire, happening to any member, upon property insured in and with said Company, the said member shall give notice thereof in writing, to the directors or some one of them, or to the Secretary of said company, within thirty days from the time such loss or damage may have happened; and the Directors upon a view of the same, or in such other way as they may deem proper, shall ascertain and determine the amount of said loss or damage, and if the party suffering is not satisfied with the determination of the Directors, the question may be submitted to referees, or the said party may bring an action against said company for said loss or damage, at the next Court to be holden in and for the County of Rockingham, and not afterwards unless said Court shall be holden within sixty days after said determination; but if holden within that time, then at the next Court holden in said County thereafter: and if upon trial of said action a greater sum shall be recovered than the amount determined upon by the Directors, the party suffering shall have judgment therefor against said Company with interest thereon from the time said loss or damage happened, and costs of suit; but if no more shall be recovered than the amount aforesaid, the said party shall become nonsuit, and the said Company shall recover their costs; provided however, that the judgment last mentioned shall in no wise affect the claim of said suffering party to the amount of loss or damage as determined by the Directors aforesaid, and provided also that execution shall not issue on any judgment against said Company, until after the expiration of three months from the rendition thereof—

Sec. 8. And be it further enacted that the Directors shall, after receiving notice of any loss or damage by fire, sustained by any member, and ascertaining the same, or after the rendition of any judgment as aforesaid against said Company for such loss or Damage, settle and determine the sums to be paid by the several mem-

bers thereof, as their respective proportions of such loss, and publish the same in such manner as they shall see fit, or as the By-Laws shall have prescribed: and the sum to be paid by each member shall always be in proportion to the Original amount of his deposite Note or notes, and shall be paid to the treasurer within thirty days next after the publication of said Notice. And if any member shall, for the space of thirty days after such notice, neglect or refuse to pay the sum assessed upon him, her or them, as his her or their proportion of any loss as aforesaid, in such case the Directors may sue for and recover the whole amount of his, her or their deposite Note or Notes with costs of suit; and the money thus collected shall remain in the Treasury of said company, subject to the payment of such losses and expences, as have or may thereafter accrue, and the balance if any remain, shall be returned to the party from whom it was collected, on demand after thirty days, from the expiration of the term for which insurance was made.

Sec. 9.—And be it further enacted, That if it shall ever so happen that the whole amount of deposite notes shall be insufficient to pay the loss occasioned by any one Fire, in such case the sufferers insured by said Company.—shall receive towards making good their respective losses, a proportionate dividend of the whole amount of said notes according to the sums by them respectively insured; and in addition thereto a sum to be assessed on all the members of said company not exceeding fifty cents on every hundred dollars by them respectively insured, and the said member shall never be required to pay for any loss occasioned by fire, at any one time more than fifty cents on each hundred dollars insured in said Company, in addition to the amount of his deposite note, nor more than that amount for any such loss, after his said Note shall have been paid in and expended; but any member upon payment of the whole of his deposite note and surrendering his policy before any subsequent loss or expense has occurred, may be discharged from said Company.

Sec. 10. And be it further enacted, That the said Company may make insurance for any term not exceeding ten years; and any Policy of Insurance issued by said Company, signed by the President, and countersigned by the Secretary, shall be deemed valid and binding on said Company, in all cases where the assured has a title in fee simple, unincumbered, to the building or buildings insured, and to the land covered by the same; but if the assured have a less estate therein, or if the premises be incumbered, the Policy shall be void, unless the true title of the Assured, and the incumbrances on the premises be expressed therein.

Sec. 11. And be it further enacted, That the Directors shall settle and pay all losses within three months after they shall have been notified as aforesaid unless they shall judge it proper within that time, to rebuild the house or houses destroyed, or repair the

damages sustained, which they are hereby empowered to do, in convenient time; provided they do not lay out and expend in such building or repairs, more than the sum insured on the premises, but no allowance is to be made in estimating damages, in any case, for gilding, historical or landscape painting, stucco, or carved work, nor are the same to be replaced if destroyed by fire.

Sec. 12. And be it further enacted That when any house or other building shall be alienated by sale or otherwise, the Policy shall thereupon be void and be surrendered to the Directors of said Company, to be cancelled; and upon such surrender the Assured shall be entitled to receive his, her or their deposite Notes, upon the payment of his, her, or their proportion of all losses and expences that have accrued prior to such surrender: Provided however, that the Grantee, or Alienee, having the Policy assigned to him, may have the same ratified and confirmed to him, her or them, for his, her or their proper use and benefit, upon application to the directors, and with their consent, within thirty days next after such alienation, on giving proper security, to the satisfaction of said Directors, for such portion of the Deposite or premium note, as shall remain unpaid; and by such ratification and confirmation, the party causing the same shall be entitled to all the rights and privileges, and subject to all the liabilities to which the original party insured was entitled and subjected under this Act.

Sec. 13. And be it further enacted, That if any alteration should be made in any house or building by the Proprietor thereof, after insurance has been made thereon with said company, whereby it may be exposed to greater risk or hazard from fire than it was at the time it was insured, then, and in every such case, the insurance made upon such house or building shall be void unless an additional premium and deposite, after such alteration, be settled with and paid, to the directors, but no alterations or repairs in buildings, not increasing such risk, or hazard shall in any wise affect the insurance previously made thereon.

Sec. 14. And be it further enacted that in case any building or buildings, situated upon leased lands and insured by said company, be destroyed by fire, and the owners thereof shall prefer to receive the amount of such loss in money, in such case the Directors may retain the amount of the Premium note given for the Insurance thereof, until the time for which insurance was made shall have expired, and at the expiration thereof, the assured shall have a right to demand and receive such part of said retained sum or sums, as has not been expended in losses and assessments.

Sec. 15—And be it further enacted, That if insurance on any house or building shall be and subsist in said company, and in any other office, or from and by any other person, or persons, at the same time, the insurance made in and by said Company shall be deemed and become void, unless such double insurance subsist,

with the consent of the directors, signified by endorsement on the back of the policy, signed by the President and Secretary.

Sec. 16. And be it further enacted, That the said James Burley, John L. Thompson, and John T. Burnham, or either two of them may call the first meeting of the members of said Company, at any suitable time and place, in Exeter aforesaid, by advertisement in either two of the newspapers printed in said County, giving at least ten days' notice of the time, place and design of said meeting, for the purpose of choosing the first board of directors, of making and establishing By-Laws, and of transacting any business necessary and proper to carry into effect the provisions, and intentions of this act: Provided however that no Policy shall be issued by said company, until application shall be made for insurance on Fifty Thousand Dollars at least.

[CHAPTER 16.]

State of {
New Hampshire. }

AN ACT TO INCORPORATE THE CONTOOCH, COTTON AND WOOLLEN FACTORY.—

[Approved June 22, 1832. Acts, vol. 29, p. 40. A factory bearing the same name was established at Concord or Boscawen by act of June 16, 1814, Laws of New Hampshire, vol. 8, p. 300.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joshua Darling, Robert M. Wallace, Page Eaton, Robert Wallace, Jonas Wallace, their associates, successors and assigns, be and they hereby are incorporated, and made a body politic by the name of the Contoocook, Cotton and Woollen factory; and by that name may sue, and be sued, prosecute and defend, to final judgment and execution, and hereby are vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted that the said corporation be and hereby is authorised and empowered to establish and carry on the Manufacture of cotton and woollen goods, and any fabrics of which cotton or wool is a chief or component part, and also such other branches of mechanical business or of trade as may be necessarily connected therewith, in the town of Henniker, and County of Merrimack, and for these purposes may purchase and hold such land and water privileges, and make, construct and keep in repair such buildings and Machinery as may be necessary or useful in conducting and carrying on the manufactures, and other business aforesaid.

Sec. 3. And be it further enacted That the Capital or joint stock of said corporation may consist of any sum not exceeding four hundred thousand dollars, and may be divided into such number of shares as the Corporation may deem convenient, giving and allowing to the stock holders at any meeting of the Corporation one vote to each share in all cases.

Sec 4. And be it further enacted, That the said Joshua Darling and Robert M. Wallace, or either of them may call the first meeting of the members of said corporation, at any suitable time and place, by giving five days personal notice, or by posting up a notification at the new meeting house in said Henniker, expressing therein the time, place and design of said meeting, at least ten days prior thereto, At which said first meeting, or at any subsequent meeting duly notified, the said members may choose a clerk who shall be sworn, to the faithful discharge of the duties of his Office; may elect all necessary officers and agents, and prescribe their duties, make and establish rules and by-laws, not repugnant to the laws of the State, for their regulation and Government; order assessments and fix the time of their payment; may agree on the manner of transferring shares, and calling their future meetings, and do and transact any business in relation to the organization, or for carrying into effect the objects of their association.

Sec 5. And be it further enacted, That the share, or shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon; and upon the non payment thereof, within the time limited for their payment, the said corporation may by its proper officer or agent, and in the manner prescribed by its by-laws, advertise and sell at Public Auction, such, and as many of such delinquent shares, as may be necessary to pay the assessments thereon with the incidental charges of collection

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT TO PROVIDE FURTHER FOR THE COLLECTION OF TAXES IN CERTAIN CASES.

[Approved June 22, 1832. Acts, vol. 29, p. 43. Session Laws, 1832, Chap. 86. See act of June 27, 1816, Laws of New Hampshire, vol. 8, p. 499. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any collector of taxes shall have committed to him for collection a tax or taxes against any corporation, he shall give to the agent clerk, treasurer, or one of the

directors (if any such there shall be living in this State) a notice in writing stating the sum or sums, at which they are assessed, fourteen days before any distress shall be made therefor.

Sec. 2. And be it further enacted, That whenever any tax has been, or may be lawfully assessed against any bridge canal or other company incorporated by law with power to receive toll, or against any person or persons holding such franchise, the franchise of such corporation or person, with all the privileges and immunities thereof, so far as relates to the right of demanding and receiving toll, shall be liable to the satisfaction and payment of such tax, and all legal fees and expenses thereon arising, and may be taken and sold for such taxes by the collector having such tax at public vendue in the town or place where such tax may be assessed; the said collector first giving notice of the time and place of sale by posting up notifications thereof at least in two public places in said town or place, thirty days at least before the time of sale; and also by causing an advertisement expressing the amount of said tax and the time and place of sale to be inserted three weeks successively in some public newspaper published in the County where such collector resides (if any such newspaper shall be there printed) the last publication to be at least four days before the day of sale.

Sec. 3. And be it further enacted, that such franchise shall be sold in the same way and manner, creating the same rights and liabilities and subject to the same right of redemption, as is provided in the second section of an act entitled "an act to enforce the satisfaction and payment of executions against certain corporations" passed June 27. 1816.

Sec. 4. And be it further enacted, That if any bridge or canal, liable by the laws of this State to taxation shall be owned by any person or persons residing without this State, the same shall be taxed to the owner or owners if known, and their persons and property in this State shall be liable for said tax in the same way and manner as if said owner or owners resided in the town where said property is situate; and in case the owner or owners shall be unknown, such description thereof shall be given as it is usually known by, and in both cases the right of demanding and receiving toll shall be liable for such tax in manner and form herein provided.

Sec. 5. And be it further enacted; that highway surveyors in the collection of any taxes committed to them shall have the same powers as are herein conferred upon collectors of taxes.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
 PORTSMOUTH WHALING COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 45.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ichabod Goodwin, John Ball and Thomas B. Leighton, their associates and successors be, and they hereby are incorporated and made a body corporate and politic by the name of the Portsmouth Whaling Company, and in that name may sue and be sued, prosecute and defend to final judgment and execution, may have and use a common seal, and the same at pleasure may break, alter or renew; and said company are hereby vested with all the powers and privileges incident to similar corporations.

Sec. 2. And be it further enacted, That the capital stock of said corporation shall not exceed the sum of one hundred thousand dollars, nor be less than twenty five thousand dollars, to be divided into shares of two hundred and fifty dollars each.

Sec. 3. And be it further enacted, That said corporation may choose such officers and pass such by laws, not repugnant to the laws of this State, as may be deemed necessary to carry into effect the purposes of said corporation.

Sec. 4. And be it further enacted, That said company are hereby authorized to purchase and hold and the same to dispose of at pleasure, real estate not exceeding in value the sum of fifteen thousand dollars.

Sec. 5. And be it further enacted, That hereafter in assessing public taxes, all shares which any person in this State may own in the stock of said company shall be valued at one half of one per cent of their real value.

Sec. 6. And be it further enacted, That in case the President or other principal officer of said company, on application of the Selectmen of any town in this State, shall refuse or neglect for the space of four days to furnish at the place of residence of such President or other principal officer an account in writing of all the shares in the stock of said Whaling company and their amount in value, owned by any inhabitant or resident of any town in this State, whereof such applicants are selectmen, such President or the principal officer so refusing or neglecting shall forfeit and pay for every such offence a sum not less than twenty dollars nor more than two hundred dollars to be recovered by action of debt in the name and for the use of the town whereof such applicants are selectmen.

Sec. 7. And be it further enacted, That Ichabod Goodwin and John Ball be authorized to call the first meeting of said corporation, for the purpose of organizing the same agreeably to the provisions of this act, by inserting notice of the time and place of said meeting, in the Portsmouth Journal and New Hampshire Gazette at least fifteen days prior to the time of holding the same.

[CHAPTER 19.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR LAYING OUT HIGHWAYS."

[Approved June 22, 1832. Acts, vol. 29, p. 47. Session Laws, 1832, Chap. 77. See acts of July 3, 1829, *ante*, p. 71; July 2, 1838, Session Laws, 1838, Chap. 379; June 20, 1840, *id.*, 1840, June session, Chap. 500, and December 23, 1840, *id.*, November session, Chap. 566. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That whenever a new highway shall be laid out in any town in this State for the accommodation of the public in general through lands belonging to an infant, under the age of twenty one years, and who has no legal guardian, such highway may be made and used before the damages assessed by the Selectmen to such infants shall have been paid or tendered, and the town in which such highway shall be laid out shall be liable to pay the damages assessed by the Selectmen as aforesaid to the guardian of such infant, when a guardian shall be appointed, or to the infant himself, when he shall arrive at the age of twenty one.

Sec. 2. And be it further enacted, That the costs of laying out highways, and of widening and straightening existing highways within any town, shall be paid by such town, except such part thereof as the Court of Common Pleas may order paid by the County in which said road lies.

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITARY DEPARTMENT.

[Approved June 22, 1832. Acts, vol. 29, p. 48. Session Laws, 1832, Chap. 79.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the following sums be, and the same are hereby appropriated for the purposes herein mentioned; the sum of eighty dollars for making regimental returns, the sum of four hundred and eighty dollars for the annual allowance to the several companies of artillery; and the sum of twenty five dollars for the purchase of company and regimental standards; and His Excellency the Governor is hereby authorized by warrant on the treasurer to draw said sums from the treasury, at such times as he may think proper, and deliver the same to the Adjutant General, who is hereby required to apply the same to the purposes above specified and render an account thereof to the Legislature.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO PREVENT FRAUD IN THE TRANSFER OF PERSONAL PROPERTY BY MORTGAGE.

[Approved June 22, 1832. Acts, vol. 29, p. 49. Session Laws, 1832, Chap. 80. See acts of June 29, 1829, *ante*, p. 30; July 1, 1829, *ante*, p. 35, and July 2, 1841, Session Laws, 1841, Chap. 600. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That no mortgage of personal property hereafter made, shall be valid against any other person than the parties thereto, unless possession of the mortgaged property be delivered to and retained by the Mortgagee, or unless the said mortgage be recorded in the office of the clerk of the town, where the mortgager shall reside at the time of making the same. Provided that nothing herein contained shall effect any transfer of property under bottomry or respondentia bonds, or of any ships or goods at sea or abroad, if the Mortgagee shall take possession thereof as soon as may be after the arrival of the same in this State.

Sec. 2. And be it further enacted, That it shall be the duty of the Town clerks aforesaid to record mortgages of personal property in a book to be by them kept respectively for that purpose with the time when the same are received and recorded, and the fees of said clerks for recording such mortgages and for certifying the time when and the book and page where the same may be recorded, for making and certifying all copies of the same, and for entering all discharges of all such mortgages, shall be the same, as are now by law allowed to Registers of deeds for similar purposes.

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT SUPPLEMENTARY TO AN ACT, ENTITLED, "AN ACT IN ADDITION TO AN ACT, PASSED JANUARY 8TH 1795, ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS AND THEIR ASSOCIATES, INTO A PROPRIETARY BY THE NAME OF THE NEW HAMPSHIRE HOTEL AND PORTSMOUTH PIER."

[Approved June 22, 1832. Acts, vol. 29, p. 50. The acts referred to are printed in Laws of New Hampshire, vol. 6, p. 214 and vol. 9, p. 713.]

Whereas the Proprietors and owners of the shares in the capital stock of the New Hampshire Hotel, and Portsmouth Pier, have petitioned the General Court, praying for an alteration of their Corporate name, an augmentation of their Capital Stock, and an extension of their powers, Therefore—

Sec 1. Be it enacted by the Senate, and House of Representatives in General Court convened, That the Corporation heretofore known and called by the name of the "New Hampshire Hotel and Portsmouth Pier" shall hereafter be known and called by the name of "the Portsmouth Pier Company."

Sec. 2. And be it further enacted that the said Corporation shall be and hereby is authorized and empowered to carry on the Whale Fishery, and all other branches of Manufacture and trade usually incidental to the whaling Business, and for that purpose to purchase take and hold Real and Personal Estate, of what kind and nature soever, to an amount not Exceeding Three Hundred Thousand Dollars, and the same to sell and dispose of at pleasure, and to do all other matters and things which shall be deemed necessary and useful in carrying on and conducting the business of said Corporation.

Sec. 3. And be it further enacted, That the said corporation be, and hereby is authorized and empowered, to increase the number of shares in said corporation, and to divide the capital stock thereof in-

to such number of equal shares as may be deemed useful and convenient, not exceeding six hundred in the whole.

Sec. 4. And be it further enacted, That hereafter, in assessing public taxes, all shares which any person in this state may own in the stock of said Corporation, shall be valued at one half of one per cent of their Real value.

Sec. 5. And be it further enacted, That in Case the President or Other principal Officer of said Corporation, on Application of the Selectmen of any town, in this state, shall refuse or neglect, for the space of four days to furnish, at the place of Residence of such President or other principal Officer, an account in writing of all the shares in the Stock of said Corporation, owned by any inhabitant, or resident of any town in this state, whereof such applicants are Selectmen, and their amount in value, such President or other principal Officer, so refusing or neglecting, shall forfeit and pay, for every such Offence a sum not less than twenty dollars, nor more than two hundred dollars, to be recovered by action of Debt, in the name, and for the use of the town whereof such applicants are Selectmen.

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE PEARSON COGGSWELL AND HIS ASSOCIATES
BY THE NAME OF THE GILMANTON MANUFACTURING COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 52. See act of June 21, 1816, Laws of New Hampshire, vol. 8, p. 480.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Pearson Coggsell and his associates, successors and assigns, be and they hereby are incorporated and made, a body politic by the name of the Gilmanton Manufacturing Company, and by that name, may sue and be sued, prosecute and defend to final judgment and execution, and they shall be, and hereby are vested with all the powers, and subject to all the liabilities of similar corporations, and may have a common seal which they may break, alter and renew at pleasure—

Sec 2. And be it further enacted, That said Corporation is hereby authorized to carry on the making and manufacturing of Cotton Goods, and such other manufactures as may be necessarily and conveniently connected therewith, at Gilmanton in the County of Strafford, may construct and erect such Dams, Mills, Machines and other works as may be necessary and convenient for carrying into effect the object of said Corporation, and said Corporation shall have

power to acquire and hold such Real and Personal Estate as they may think expedient, provided that at no one time said Real and Personal Estate shall exceed in value the sum of five hundred thousand dollars, and the same may sell, alienate and dispose of at pleasure.

Sec. 3. And be it further enacted, That the Capital or joint stock of said Corporation may be divided into as many shares as the Proprietors at any legal meeting may determine, which shares shall be numbered in progressive order, beginning at one. And each Proprietor shall have a certificate under the hand of the Treasurer, and Seal of the said Corporation, expressing the Number of shares by him owned, and the progressive number of the same, and certifying that he, the said Proprietor, is the owner thereof, which shares may be alienated in such manner as said Corporation may prescribe.

Sec 4. And be it further enacted, That the shares in said Corporation, shall be liable for all assessments *thereon* legally made, and if said assessments, on any part thereof, shall not be paid within thirty days after they shall have become due, the Treasurer may advertise and sell, at public Auction the shares of such delinquent or so many of them as shall be necessary to pay the sums due with incidental Charges, in such manner and under such regulations as the by-laws of said Corporation may prescribe and ordain.

Sec. 5. And be it further enacted, That Pearson Cogswell may call the first meeting of said Proprietors, at said Gilmantown, by advertisement, specifying the time place and purposes of said meeting, in any of the public Newspapers printed in the County of Strafford, at least fourteen days prior to the day of said meeting, and at this, or any other legal meeting may choose such Officers and Agents as they may deem necessary, prescribe their duties, order assessments, and fix the time of their payment, and may pass such by-laws as may be necessary for their regulation and government in all things, provided they be not repugnant to the Constitution and Laws of this state.

Sec. 6. And be it further enacted, That in all cases the business of said Corporation shall be decided by a majority of Legal Voters present, or represented, except in cases of raising money, in which case two thirds of said voters shall be required to be in the Affirmative to make the assessments legal. Each proprietor shall be allowed as many votes, as he may own shares in said common stock at the time of voting, and any proprietor may vote by proxy, the Representative being authorized by a writing from the person Represented, said writing being filed with the Clerk of said Corporation.

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A PROVIDENT INSTITUTION IN THE TOWN OF
 NEW MARKET TO BE CALLED THE NEW MARKET SAVINGS BANK.

[Approved June 22, 1832. Acts, vol. 29, p. 79.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Henry C. Weatherby, Benjamin Brooks, William Smith, George C. Chase, Columbus Warren, Jesse K. Weston, Andrew Baker, Daniel C. Rodman, Henry Baker, Joseph D. Pinder, Samuel Prescott George Smith, Warren Chapman Cyrus Powers, Solomon Wheat, Enoch G. Currier, Issachar Smith, Benjamin Battles, Thomas L. Rundlett, Cyrus Battles, George W. Palmer, Samuel Shackford, Nathaniel Paul, Samuel Durgin, Joseph Lang, Ebenezer C. Churchill, James H. Kelsey, George W. Kittedge. Arthur Branscomb and William W. Stickney be, and they hereby are incorporated into a society by the name and style of the New Market Savings Bank in New Market. and that they and such others as shall be duly elected members of said corporation, at the annual meetings thereof, according to such byelaws, as may hereafter be established be and remain a body politic and corporate by said name and style forever, for the purpose of enabling industrious persons of all descriptions, to invest such part of their earnings, as they can conveniently spare in a safe and profitable manner, and said corporation shall be vested with all the powers and privileges, and subject to all the liabilities of corporations of a similar nature.

Sec. 2. And be it further enacted, that said corporation shall be capable of receiving from any person or persons disposed to enjoy the advantages of said savings bank any deposits of money or other personal property, and use, manage and improve the same for the benefit and advantage of the person or persons, by or for whom the same shall be deposited respectively, and the net income of the profits of all such deposits received by said corporation shall be paid out and distributed in just proportions among the several persons by or for whom the said deposits shall have been made and all such deposits may be withdrawn by the persons entitled thereto at such reasonable times and in such manner, as such corporation in its by laws may direct and appoint, or according to such lawful conditions and limitations as the depositors agreeably to the regulations of said society, may respectively have prescribed and annexed to their deposits.

Sec. 3. And be it further enacted, that said corporation shall be capable of receiving and holding such buildings and real estate as

shall be necessary and convenient for managing their affairs. provided, that such real estate held at any one time, for the purpose aforesaid shall not exceed at the time of the purchase or acceptance thereof by said corporation, the sum of two thousand dollars. and the said corporation shall be further able to take, hold and dispose of any real estate whatever, which may be bona fide mortgaged or pledged for the security of its loans or debts due to it, or which may be bona fide conveyed to, or taken by said corporation in satisfaction or discharge of debts, demands or liabilities, which shall have been previously contracted or incurred.

Sec. 4. And be it further enacted, that said corporation shall not make and issue any bill or promissory note to circulate as currency and the President and members of said corporation shall receive no compensation for their services in said savings bank, nor derive any emolument therefrom, provided, however, that a reasonable allowance may from time to time be made to their treasurer or secretary; and the books and accounts of said corporation shall at all times be open to the inspection of the Governor of this State, or any Justice of the Superior Court of Judicature or of a Committee for that purpose appointed by either branch of the Legislature.

Sec. 5. And be it further enacted, that the number of members of said corporation, shall not exceed fifty at any one time and any number not less than seven shall constitute a quorum for the transaction of business at the annual or any other meeting of the members of said corporation, provided that such meetings shall have been duly notified in conformity to the by-laws of said corporation and provided further that said corporation may by their by-laws require the attendance of one or more of their officers by them designated to constitute a quorum for the election of new members, in addition to the number of members herein before described.

Sec. 6. And be it further enacted, that Henry C. Weatherby, Benjamin Brooks and William Smith or any two of them be, and they are hereby authorized to call the first meeting of said corporation at such time and place and in such manner as they shall judge proper.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT FOR ESTABLISHING AN EQUITABLE METHOD OF MAKING TAXES PASSED JULY 7. A. D 1827.

[Approved June 22, 1832. Acts, vol. 29, p. 82. Session Laws, 1832, Chap. 73. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 670. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the cashier or other principal officer of any Bank to whom any selectmen may make application, as is provided in the act, to which, this is in addition shall furnish such selectmen at the Bank, with a just and true account under oath of all the shares and their amount in value, owned by any inhabitant or resident of the town, of which such applicants may be selectmen within four days of the time of such application; notwithstanding said shares may be mortgaged, pledged or in any manner conveyed to said Bank or any individual for the security of loans obtained thereon or for other purposes.

Sec. 2. And be it further enacted, that all the bank shares owned in this State shall be rated and taxed in all direct taxes, for the actual amount in value of said shares, whether the same be mortgaged, pledged or conveyed for the purpose of securing any loans obtained thereon, or for other purposes, any law or usage to the contrary notwithstanding.

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO REPEAL AN ACT REQUIRING THE OVERSEERS OF THE POOR TO MAKE ANNUAL RETURNS OF THE STATE OF PAUPERISM IN THEIR RESPECTIVE TOWNS. TO THE SECRETARYS OFFICE.

[Approved June 22, 1832. Acts, vol. 29, p. 83. Session Laws, 1832, Chap. 75. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 232.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That an act entitled an act requiring the overseers of the poor to make annual returns of the State of pauperism in their respective towns to the Secretarys office" passed July 2. 1823. be and the same is hereby repealed.

[CHAPTER 27.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE MEETING HOUSE OF THE FIRST BAPTIST SOCIETY IN DUNSTABLE.

[Approved June 22, 1832. Acts, vol. 29, p. 84.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Nehemiah Kidder, Reuben Greeley, George W. Wilson and their associates successors and assigns, be, and hereby are incorporated and made a body corporate and politic, by the name of the Proprietors of the meeting house of the First Baptist Society in Dunstable, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that said Nehemiah Kidder and George W. Wilson, or either of them may call the first meeting of said corporation by posting up at two or more public places in Dunstable, a notice in writing expressing the time, place and design of said meeting, six days prior to the holding the same, at which meeting or any adjournment thereof, all necessary officers may be chosen and by laws made for the regulation of the concerns of said corporation, not repugnant to the constitution and laws of the State. Provided however, that nothing in this act contained, shall be so construed as to authorize said corporation to take possess and enjoy any estate, whether real or personal exceeding in value eight thousand dollars and which shall be appropriated for the purchase of a scite for a meeting house in said Dunstable, and for the erection and repairs thereof.

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PORTSMOUTH BLEACHING COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 85.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Hale, Samuel Lord, John G. Clasby, Alfred W. Haven Thomas A. Adams, Charles A

Cheever and their associates and those, who may hereafter become associates in said corporation their successors and assigns be and they are hereby created and made a corporation by the name of the Portsmouth Bleaching Company and shall so continue forever and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded defend and be defended in any Court of record or any other place whatever and also to make, have and use a common seal and the same again to alter break or renew at pleasure and also to ordain, establish and put in execution such by laws, ordinances and regulations not repugnant to the laws of this State or of the United States, as to them shall appear reasonable, necessary and convenient for their regulation and government and for the prudent management of the affairs of said corporation and shall be vested with all the other powers and privileges and shall be subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that said corporation be and they hereby are authorized and empowered to hold, possess and occupy real estate of any value not exceeding one hundred thousand dollars and personal property to any amount not exceeding three hundred thousand dollars

Sec. 3. And be it further enacted, that said John G Clasby, Alfred W. Haven and Samuel Lord or either two of them may call the first meeting of the members of said corporation at such time and place as they may deem proper by notice published in any newspaper printed in Portsmouth five days before said meeting.

Sec. 4. And be it further enacted, that the said Portsmouth Bleaching Company shall be considered a manufacturing Company and be liable to taxation as is prescribed by an act entitled an act for establishing an equitable method of making taxes passed July 7. 1827.

[CHAPTER 29.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
COCHECHO AQUEDUCT ASSOCIATION.

[Approved June 22, 1832. Acts, vol. 29, p. 87.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Ezekiel Hurd, Samuel H. Anderson, Charles Young, Walter Sawyer, William B. Smith, John Burns, Stephen Evans, David Peirce, Andrew Steele, Joseph Smith, Henry A. Foot, Solomon Jenness, Joseph Morrill and Ezra Drowne their associates, and successors, be, and they hereby are constituted

and made a body corporate and politick forever, by the name of the Cochecho Aqueduct Association, for the purpose of conveying water by subterraneous pipes into the village of Dover; and by that name may sue and be sued, prosecute and be prosecuted, defend and be defended to final judgment and execution, and the said association are hereby vested with all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that said corporation be and the same hereby is authorized to acquire by purchase or otherwise and to hold and enjoy all such real and personal estate as may be necessary and convenient for the conveyance of water as aforesaid, and the same may sell and dispose of at pleasure; provided such estate shall not exceed in value the sum of ten thousand dollars.

Sec. 3. And be it further enacted, that said corporation is hereby authorized and empowered to enter upon and break up the ground and dig ditches and trenches in any land or enclosure and in any street or highway, through which it may be convenient for said Aqueduct to pass, and therein to place such pipes and posts as may be necessary for building and completing said Aqueduct and maintaining and repairing the same when requisite; provided that in case said corporation and the owners of such land shall not agree on the compensation to be made for the damage done to said land, the Superior Court upon application of said corporation or of the owners of said land, may appoint a Committee, who shall estimate the damage and make report thereof to said court. And if either of said parties shall be dissatisfied with the report of said committee, on application to said court, a trial by jury for the purpose of assessing said damage, shall be had in the same way and manner as other jury trials are had at said Court. And the said court are authorized to render judgment on said report or verdict of said jury and issue execution accordingly. And provided, also that no publick street or highway shall be so incumbered or injured by said Aqueduct as to obstruct or hinder the citizens of said State from passing therein with teams and carriages with convenience.

Sec. 4. And be it further enacted, that the capital or joint stock of said corporation may consist of as many shares as the proprietors shall at any legal meeting determine; and the said shares shall be liable and holden for all assessments legally made thereon and upon non payment of any such assessment, the Treasurer may in the manner to be prescribed by the by laws of said corporation sell at public auction, the shares of any delinquent proprietor, or so many thereof as may be necessary to pay the sum due thereon with incidental charges.

Sec. 5 And be it further enacted, that the members of said corporation at any legal meeting, may choose such officers as may be deemed necessary and prescribe their respective duties, may pre-

scribe the mode in which assessments shall be made on the shares, and the manner in which the shares may be alienated or transferred and may make such other rules and by laws as may appear necessary and convenient for their regulation and government and for the prudent management of the concerns of said corporation.

Sec. 6. And be it further enacted, that Ezekiel Hurd, Walter Sawyer and William B. Smith or any two of them, may call the first meeting of said corporation, to be holden at some suitable time and place, by giving such publick notice thereof, as they may think reasonable.

[CHAPTER 30.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT TO REGULATE THE INSPECTION OF BEEF AND PORK, INTENDED TO BE EXPORTED FROM THIS STATE AND FURTHER TO REGULATE THE INSPECTION OF MACKERELL.

[Approved June 22, 1832. Acts, vol. 29, p. 91. Session Laws, 1832, Chap. 74. The act referred to is dated July 1, 1831, *ante*, p. 257. See also acts of June 16, 1791, Laws of New Hampshire, vol. 5, p. 759; December 28, 1791, *id.*, p. 824; June 18, 1802, *id.*, vol. 7, p. 108; December 26, 1805, *id.*, p. 460, and July 5, 1826, *id.*, vol. 9, p. 520. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, all beef which may be packed for exportation constituting the quality denominated "cargo No 1. Beef" shall be branded No. 1. Beef; all constituting the quality denominated cargo No 2. Beef shall be branded, prime Beef and all constituting the quality denominated cargo No 3. Beef, shall be branded cargo Beef.

Sec. 2. And be it further enacted, That from and after the passing of this act, all pork, which may be packed for exportation, constituting the quality denominated cargo No 1. Pork shall be branded No 1. Pork, all constituting the quality denominated Cargo No 2. Pork shall be branded prime pork and all constituting the quality denominated cargo No. 3. Pork shall be branded cargo Pork.

Sec. 3. And be it further enacted, That from and after the passing of this act, it shall be lawful for the inspector general or his Deputy inspectors to pack and inspect at the request of the owner or agent a quality of pork to be denominated and branded extra clear Pork, which shall be packed two hundred pounds to each barrel and one hundred pounds to each half barrel from well fatted hogs, weighing not less than three hundred pounds each, excluding heads, necks, shoulders, legs, the chine bone and spare ribs, the lean and blades from the backs of shoulders and in all other respects to be

packed and branded agreeably to the requirements provided by law for other denominations of Pork.

Sec. 4. And be it further enacted, That from and after the passing of this act, it shall be lawful for the inspector General or his Deputies to pack and inspect at the request of the owner or agent a quality of pork to be denominated and branded clear pork which shall be packed two hundred pounds to each barrel and one hundred pounds to each half barrel from well fattened hogs weighing not less than two hundred and fifty pounds each, excluding heads, necks, shoulders, legs, the chine bone and spare ribs, the lean and blades from the back of the shoulder and in all other respects to be packed and branded agreeably to the requirements provided by law for other denominations of Pork.

Sec. 5. And be it further enacted, That from and after the passing of this act, it shall be lawful for the inspector General or his Deputies to pack and inspect a quality of Pork to be denominated and branded Mess Pork, which shall be packed two hundred pounds to each barrel and one hundred pounds to each half barrel from well fattened hogs weighing not less than two hundred pounds each, and excluding heads, necks, legs and shoulders and in all other respects to be packed and branded agreeably to the requirements provided by law for other denominations of Pork.

Sec. 6. And be it further enacted, That from and after the passing of this act, it shall be the duty of the inspector General of pickled fish to cause the month, in which mackerel shall be packed to be branded on the barrel and half barrel in which, the same shall be packed, in addition to that which is now required by law to be branded on the barrel.

Sec. 7. And be it further enacted, that all the rules regulations, fees, fines and forfeitures attached to the several acts regulating the inspection of beef and pork and pickled fish intended to be exported from this State be extended to this act.

[CHAPTER 31.]

State of)
New Hampshire. }

AN ACT ALLOWING A CERTAIN PREMIUM FOR KILLING BEARS, WILD CATS, CROWS AND FOXES.

[Approved June 22, 1832. Acts, vol. 29, p. 93. Session Laws, 1832, Chap. 76. See acts of December 25, 1828, Laws of New Hampshire, vol. 9, p. 794, and July 4, 1834, *post*. Partly repealed by act of June 27, 1835, *post*, and wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that if any person shall kill any

bear within this State and shall bring the head of said bear to the Selectmen or treasurer of the town or place in which the same was killed and if there be no Selectmen or treasurer in the town or place where the same was killed, then to the Selectmen or treasurer of the town or place next adjoining the town or place where the same was killed and shall prove to the satisfaction of said Selectmen or treasurer that the bear the head of which he hath brought to him or them, was killed by him or his means or by any other person whose agent he is, the said Selectmen or treasurer shall cut, or, so disfigure the head so brought to them as aforesaid, that it may not again be produced for the like purpose, and the person so producing the head aforesaid, shall receive from said Selectmen or treasurer the sum of two dollars and take such persons receipt for such payment.

Sec. 2. And be it further enacted, that if any person shall kill any wild cat known by the name of the Siberian lynx within this State and proceed in like manner, as is prescribed in the first section of this act, he shall receive as prescribed in the first section, the sum of one dollar, and the Selectmen or treasurer of any town or place are ordered to pay the same after receiving satisfactory evidence as aforesaid.

Sec. 3. And be it further enacted, that if any person within this State shall kill any crow between the twentieth day of March and the twentieth day of July of each year and shall produce satisfactory evidence to the Selectmen or treasurer that it was killed within the town or place as prescribed in the first section of this act, the Selectmen or treasurer of any town or place in this State are ordered to proceed as prescribed in the first section aforesaid and pay to the person so killing or by whose agency said crow was killed the sum of ten cents for each and every crow so by him killed.

Sec. 4. And be it further enacted, that every person, who shall kill any black, red or grey fox within this State, and shall proceed, as, in the first section of this act, is prescribed shall receive the sum of twenty five cents and the Selectmen or treasurer of any town or place are ordered to pay the same after receiving satisfactory evidence as aforesaid.

Sec. 5. And be it further enacted, that the Selectmen or treasurer of the several towns in this State upon presenting to the treasurer of this State their respective accounts for money's paid by them or either of them respectively to any person or persons as a premium for killing bears wild cats, crows and foxes as aforesaid, shall receive the amount of such account out of the State treasury, and the treasurer of this State is hereby authorized and directed to pay the same accordingly.

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE ICHABOD BARTLETT AND OTHERS AND THEIR ASSOCIATES BY THE NAME OF THE WINNIPISSEOGEE STEAM BOAT COMPANY.

[Approved June 22, 1832. Acts, vol. 29, p. 96. See also act of June 24, 1848, Session Laws, 1848, Chap. 678.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ichabod Bartlett, Alexander Ladd, Charles W Cutter, Abner Caldwell, Joseph Hanson, Winthrop A. Marston, Stephen C. Lyford, Joseph W. Lang and John Thompson and their associates and successors, legal representatives and assigns, be and they hereby are incorporated and made a body corporate and politick forever by the name of the Winnipisseogee Steam Boat Company and by that name may sue, and be sued, prosecute and defend to final judgment and execution, make contracts, purchase, take and hold lands and the same alienate, sell and convey, have and use a common seal and the same alter and renew at pleasure, and may have exercise and enjoy all rights, powers and privileges, and shall be subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Ichabod Bartlett Alexander Ladd and Charles W. Cutter or any two of them may call the first meeting of said Company by publishing a notice of the time and place of holding the same in one newspaper printed at Portsmouth and in one newspaper printed at Dover, at least fourteen days previous to said meeting; at which meeting the said corporation shall choose a Clerk, who shall be sworn to the faithful discharge of the duties of his office and at the same meeting or at any subsequent one, may adopt by laws and may choose a treasurer, Directors and such other officers, as shall be deemed necessary and may prescribe their respective duties. And at all meetings, all elections and questions shall be determined by a majority of votes, accounting and allowing one vote to each share, and absent members may vote by proxy, duly authorized in writing, which writing shall be filed with the Clerk.

Sec. 3. And be it further enacted, That said company be and they hereby are vested with the sole and exclusive right of using and employing upon the waters of Winnipisseogee Lake Steam boats and steam vessels for the term of fourteen years from and after the eighth day of July next.

Sec. 4. And be it further enacted, That the said corporation be

and hereby is authorized to remove any obstructions to the convenient navigation of said Lake or of any part thereof; and may take and hold any lands in the vicinity of said Lake not exceeding in value twenty thousand dollars, and place, build and erect thereon such wharves warehouses and other buildings as they may deem expedient.

Sec. 5. And be it further enacted, That if said Company shall not within one year from the eighth day of July 1832. put into use and operation on said Lake for the purpose aforesaid one Steam Boat or Steam vessel, or if said company shall afterwards for the term of four months at any one time during the boating season, discontinue or omit to use and employ a Steam boat or steam vessel on said Lake for the purpose aforesaid, unless said boat or vessel be injured and prevented from running by inevitable accident, or shall for the term of one year at any one time, for any cause, discontinue, or omit to use and employ a Steam boat or Steam vessel, for the purpose aforesaid, the third section of this act shall become wholly null and void.

Sec. 6. And be it further enacted, That the said corporation may fix such rates of freight for the transportation of passengers and merchandize, as they may deem expedient Provided, however, that if any three or more persons shall feel themselves aggrieved at the rates of freight, so fixed, they may apply to the Justices of the Superior Court at any term of said Court holden in the County of Strafford, to have the said rates prescribed by the Justices of the said Court, who after due notice, shall have power to alter and prescribe such rates of freight if they may deem it expedient and to decree costs to be paid by the parties applying if they do not alter said rates and freight.

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A TOWN BY THE NAME OF CARROLL.

[Approved June 22, 1832. Acts, vol. 29, p. 113. Session Laws, 1832, Chap. 81.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all that tract of land granted and known by the name of Bretton Woods in the County of Coos with the inhabitants thereof be and hereby is constituted and made a body corporate and politic by the name of Carroll with all the powers, privileges, immunities and liabilities incident and common to other towns in this State.

Sec. 2. And be it further enacted, That Thomas Smith, John How, and Levi Morrill or either two of them may call the first meeting of said Carroll by giving such notice of the time, place and design of said meeting as the law requires for calling town meetings and either of said persons may preside at said meeting until a Moderator shall be chosen and all town officers necessary and proper may be chosen at such meeting, who shall be sworn and have all the powers and be subject to all the liabilities by law appertaining to such like town officers.

Sec. 3. And be it further enacted, That said town of Carroll shall remain classed as at the present time for electing a Representative, until otherwise ordered by the Legislature

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF ASA McFARLAND AND OTHERS.

[Approved June 23, 1832. Acts, vol. 29, p. 99.]

Be it enacted by the Senate and House of Representatives in General Court convened That Asa McFarland and George W. Ela be allowed the sum of sixty two dollars and forty cents in full of their accounts, also to Charles G. Atherton the sum of six dollars in full of his account and that said sums be paid out of the treasury.

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE RETURN OF INVENTORIES.

[Approved June 23, 1832. Acts, vol. 29, p. 103. Session Laws, 1832, Chap. 55. See also acts of June 18, 1828, Laws of New Hampshire, vol. 9, p. 719; June 18, 1836, Session Laws, 1836, Chap. 238; June 28, 1843, id., 1843, Chap. 42, and August 17, 1878, id., 1877-81, p. 194.]

Sec 1. Be it enacted by the Senate and House of Representatives in general Court convened, That the Selectmen or a major part of them at the charge of the town or place to which they shall belong shall transmit and return to the Secretary's Office on or before the 21st day of November next, an Inventory of the Polls and rateable estates of the several towns and places within this state as taken in April, the current year, and also an inventory of the polls

and ratable estates of the several towns and places within this State as taken in April for the year next preceding the present year which separate inventories shall consist of the amount of the footing of each column, of all male polls from eighteen to Seventy Years of Age, except such from eighteen to twenty-one as shall be enrolled in the Militia, paupers, and idiots; and the following articles of which each person was possessed on the first day of April in said Year, viz, Orchard, Arable, mowing, and pasture land, accounting so much Orchard land as will in a common season produce ten barrels of Cider or Perry one acre; so much pasture land as will summer one cow, Four Acres, and what mowing land will produce commonly one ton of Good English Hay yearly, or meadow hay in Proportion, One Acre; and what Arable or tillage land will commonly produce twenty-five bushels of corn yearly or other grain equivalent, One Acre; all stallions or stud horses kept for the use of Mares, that have been wintered three winters, all other horses and mares distinguishing those that have been wintered two three, four and five winters, all Jacks kept for the use of mares or gills that have been wintered three winters; all gills that have been wintered three winters, all jills wintered two winters, all Mules distinguishing those that have been wintered two, three, four and five winters; all Oxen distinguishing those that have been wintered four and five winters, all Cows that have been wintered four winters, all young cattle, distinguishing those that have been wintered two and three winters, all sheep, that have been wintered one winter, all Mills, Wharves, Toll-Bridges, Ferries and Carding Machines, and the yearly rent thereof, the yearly repairs thereof being first deducted according to the judgment of the person taking the Inventory, the sum total of all bank stock, the sum total of the value of all real estate (viz) lands and buildings not included in the above mentioned property, whether owned by residents or non residents, excepting such as are appropriated to public use, the sum total of the value of all stock in trade, the sum total of all money on hand and at interest, more than the party pays interest for, sum total of all property in the public funds, all Chaises, Sulkies, Coaches and other wheel Carriages of Pleasure.

Sec. 2. And be it further enacted, That said Inventories, taken as above shall be made agreeably to the following form, viz, Polls from Eighteen to Seventy Years of Age, excepting those from eighteen to twenty one, enrolled in the Militia, Paupers and Idiots; Acres of Orchard land; Acres of Arable land; Acres of Mowing land, Acres of Pasture land; Stallions, or stud Horses that have been wintered, three winters and upwards, kept for the use of Mares; Horses and Mares that have been wintered five winters; horses and Mares that have been wintered four winters; Horses and Mares that have been wintered three winters, Horses and Mares that have been wintered two winters, jacks that have been wintered three winters kept for the use of Mares or jills; jills that have been wintered

three winters; jills that have been wintered two winters, Mules that have been wintered five winters, Mules that have been wintered four winters, Mules that have been wintered three winters, Mules that have been wintered two winters, Oxen that have been wintered five winters, Oxen that have been wintered four winters, Cows that have been wintered Four winters, all neat stock wintered three winters, all neat stock wintered two winters, all sheep wintered One winter, Yearly rent or income of Wharves, Mills, Carding Machines, toll bridges, and Ferries, yearly repairs deducted, sum total of all bank stock, Sum total of the value of all buildings, and real estate, improved and owned by residents and nonresidents not included in the above, sum total of the value of all stock in trade, Sum total of money at interest, and on hand, including stock in the funds, and securities of any kind of Property, at interest, more than interest is paid for, Sum total of the value of all unimproved lands whether owned by residents or non residents, all Chaises, Coaches, Sulkeys and other wheel carriages of pleasure, what a single poll was taxed in the last state tax, Taxes assessed the last and present year, on all Factories, Valuation of all Factories the last and present year. Amount of the Capital stock of all Factories, not assessed the last or present Year, And in all Cases where a Copy of the Inventory taken in April last, cannot be had, every person is required to give a true and faithful inventory of the foregoing articles, belonging to him, respectively, on oath or affirmation, if the same shall be required by the person or persons taking said inventory, who are hereby empowered to administer the same, and if any person or persons, shall refuse or neglect to give in such inventory in manner aforesaid, the person or persons taking said Inventory, shall set down to him or them so much, as may appear equitable by way of doomage. And the Selectmen of the oldest town Adjacent to any Town or place where no selectmen are chosen, shall take an Inventory of such town or place, or appoint some person or persons in said town or place, to prepare the same and return it as aforesaid, who shall receive therefor a reasonable compensation, from the Treasury on their account's being allowed by the General Court.

Sec 3. And be it further enacted, That the said Selectmen shall make return of what a single Poll was taxed in the last state tax, and they are also hereby required to make returns, of the amount of the taxes assessed for the last and present year on any Factory for the Manufacture, of Cotton or Woolen Goods, iron, salt, starch, glass, or paper with the Valuation of the same, and also of the average amount of the Capital stock of any Factory, not assessed the last or present year.

Sec 4. And be it further enacted that if the Selectmen of any town or place, shall neglect or refuse to prepare and transmit the above mentioned inventories, and returns in the manner herein pre-

scribed, they shall forfeit and pay for every such neglect or refusal, a sum not exceeding Fifty dollars, nor less than twenty dollars, for the use of the town or place, to which the said delinquent selectmen may belong and the Secretary of State as soon as may be after the said 21st day of November, shall give information to the Attorney General of all such neglects or refusals, that such offending Selectmen may be prosecuted by indictment, information or otherwise in any court proper to try the same, Provided that all prosecutions for penalties incurred by such neglect or refusal shall be commenced within six months from the said 21st. day of November.

Sec. 5. And be it further enacted that the secretary of state be directed to furnish the Selectmen of the Several towns in this state with suitable blanks for the returns of their inventories, as soon as may be convenient for him, at the expense of the State.

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF JACOB TYLER.

[Approved June 23, 1832. Acts, vol. 29, p. 111.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Jacob Tyler be allowed the sum of thirty seven dollars and sixty two cents in full of his account and that said sum be paid out of the treasury.

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE AMHERST STEAM MILL COMPANY.

[Approved June 23, 1832. Acts, vol. 29, p. 114. See also act of July 9, 1846, Session Laws, 1846, Chap. 424.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Robert Read, David Stewart and Timothy Danforth, their associates, successors and assigns be, and hereby are constituted and made a corporation by the name of the Amherst Steam Mill Company and by that name may sue and be sued, prosecute and defend to final judgment and execution and

may have and use a common seal and the same may alter, and renew at pleasure and also may make, ordain and put in execution such by laws and regulations, not contrary to the constitution and laws of the State, as shall be deemed necessary for the government of said corporation and the due management of its concerns, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation be and hereby is empowered to establish a sawmill and grist mill and to construct such machinery as they may deem necessary and proper, and the same to operate by steam or otherwise in Amherst in the County of Hillsborough and to purchase, hold and convey real and personal estate of every kind to such amount, as they may find necessary and convenient in the management of their concerns, provided the same shall not exceed the sum of ten thousand dollars.

Sec. 3. And be it further enacted, That Robert Read, David Stewart and Timothy Danforth or either of them may call the first meeting of said corporation by publishing a notice of the time and place of holding the same in the Farmers Cabinet at least fifteen days prior to the day of said meeting, at which meeting, they may appoint and constitute such officers, servants and agents of said corporation as they shall think necessary, may determine the manner of voting in said corporation and divide their capital stock into such number of shares, as may be thought proper and convenient for the purposes of said corporation.

[CHAPTER 38.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF RALPH METCALF AND OTHERS.

[Approved June 23, 1832. Acts, vol. 29, p. 116.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Ralph Metcalf be allowed the sum of two hundred and nineteen dollars and fifty seven cents in full of his account, and that Thomas Bellows be allowed the sum of six dollars and sixty four cents in full of his account, and that Amos A. Brewster be allowed the sum of five dollars in full of his account, and that Edward Philbrick be allowed the sum of four dollars in full of his account, and that Pearson Cogswell be allowed the sum of five dollars in full of his account, and that John H. White be allowed the sum of twenty dollars in full of his account and that James Clark be allowed the sum of ninety seven dollars and ninety eight cents in full of his account, and that said sums be paid out of the treasury.

[CHAPTER 39.]

State of }
New Hampshire. }

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved June 23, 1832. Acts, vol. 29, p. 118. Session Laws, 1832, Chap. 71.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named, shall hereafter be called and known by the name, which by this act they are respectively allowed to assume, viz. Mary Seaverns of Acworth, may take the name of Mary Elizabeth Lancaster, Ann Seaverns of Acworth may take the name of Ann Maria Lancaster.

[CHAPTER 40.]

State of }
New Hampshire. }

AN ACT MAKING FURTHER PROVISIONS FOR LAYING OUT HIGHWAYS.

[Approved June 23, 1832. Acts, vol. 29, p. 118. Session Laws, 1832, Chap. 78. See also acts of July 3, 1829, *ante*, p. 71; July 2, 1831, *ante*, p. 276; January 13, 1837, Session Laws, 1836, November session, Chap. 282; July 2, 1838, *id.*, 1838, Chap. 379; July 3, 1839, *id.*, 1839, Chap. 435, and June 20, 1840, *id.*, 1840, June session, Chap. 500. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That in laying out and surveying any new highway in this State, it shall be lawful for any person or persons authorized by law to lay out the same, to make continued surveys, over or upon any old road, either for the purpose of crossing, widening or straightening the same and to make report or record thereof accordingly, any law usage or custom to the contrary notwithstanding.

[CHAPTER 41.]

State of)
New Hampshire. }

AN ACT FOR HOLDING A COURT OF PROBATE IN CHESTER IN THE
 COUNTY OF ROCKINGHAM.

[Approved June 23, 1832. Acts, vol. 29, p. 119. Session Laws, 1832, Chap. 82. See also acts of June 23, 1818. Laws of New Hampshire, vol. 8, p. 689; June 29, 1819, id., p. 811; December 15, 1824, id., vol. 9, p. 318; July 6, 1826, id., p. 532; July 5, 1827, id., p. 641; June 16, 1831, *ante*, p. 188, and July 2, 1833, *post*.]

Be it enacted by the Senate and House of Representatives in General Court convened, That a Court of Probate shall be holden at Chester in and for the County of Rockingham on the first Tuesday of April and the first tuesday of November annually.

[CHAPTER 42.]

State of)
New Hampshire. }

AN ACT AUTHORIZING CHAIRMEN OF COMMITTEES OF EITHER
 BRANCH OF THE LEGISLATURE, OR OF JOINT COMMITTEES TO
 SWEAR WITNESSES.

[Approved June 23, 1832. Acts, vol. 29, p. 120. Session Laws, 1832, Chap. 84. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Chairman of any Committee of the Senate or House of Representatives, or of any joint Committee composed of members from both branches of the Legislature, or the person acting as Chairman of any such Committee, be and hereby is authorized to administer the oath to any witness, who may be called before them to testify in relation to any subject under their consideration.

[CHAPTER 43.]

State of }
New Hampshire. }

AN ACT ENTITLED AN ACT TO REPEAL THE SEVENTH AND EIGHTH SECTIONS OF THE ACT, TO INCORPORATE THE PROPRIETORS OF MEREDITH COTTON AND WOOLLEN FACTORY PASSED JUNE 21. AD 1811.

[Approved June 23, 1832. Acts, vol. 29, p. 121. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 50. The name of this corporation was changed to Avery Factory Company by act of June 19, 1828, id., vol. 9, p. 744.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the seventh and eighth sections of the act to incorporate the Proprietors of Meredith Cotton and Woollen Factory passed June 21. 1811. be and the same hereby are fully repealed.

[CHAPTER 44.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE SHERIFFS OF THE SEVERAL COUNTIES IN THIS STATE, TO REMOVE PRISONERS IN THE COUNTY GAOLS IN CERTAIN CASES.

[Approved June 23, 1832. Acts, vol. 29, p. 122. Session Laws, 1832, Chap. 83. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That in case it shall at any time in the opinion of the Sheriff of any County in this State, be found expedient on account of the prevalence of any contagious disease, or for the purpose of rebuilding or repairing any gaol in any County in this State, that the several persons, who are confined in said gaol on any civil process, or upon any criminal prosecution by virtue of any judgment, or order of the Justices of the Superior Court of Judicature, or by any judgment or order of the Justices of the Court of Common Pleas, or of any judgment or order of any Justice of the Peace, that the said prisoners should be removed, the Justices of the Superior Court of Judicature, or any two of them, in vacation, are hereby authorized and empowered on application in writing from the Sheriff of such county, to order the removal of such prisoners to any other gaol in the same, or any adjoining County, and there be de-

tained in the same way and manner and under the same process, upon which, they were at the time of their removal confined, or detained, until by the order of the said Justices of the Superior Court of Judicature, or any two of them in vacation, the same persons shall be remanded to the place where they were originally committed, unless they are otherwise discharged according to law.

Sec. 2. And be it further enacted, That the expense of removing any prisoners agreeably to the provisions of this Act, and also the expense of the maintenance of such persons, while so detained in any gaol in any adjoining County, shall be paid by the County from which such prisoners were removed.

[CHAPTER 45.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF ABNER B. KELLY AND OTHERS.

[Approved June 23, 1832. Acts, vol. 29, p. 124.]

Be it enacted by the Senate and House of Representatives in General Convened, That Abner B. Kelly be allowed the sum of thirty five dollars and forty cents in full of his account, and that Charles G. Atherton be allowed the sum of forty nine dollars and forty two cents, in full of his account, and that James Buswell be allowed the sum of two dollars in full of his account, and that Jacob Tyler be allowed the sum of two hundred forty eight dollars and twenty eight cents in full of his account, and that James Clark be allowed the sum of one hundred and forty dollars in full of his account, and that Horace Chase be allowed the sum of six dollars and seventy cents in full of his account and that Joseph Robinson be allowed the sum of forty two dollars in full of his account, and that said sums be paid out of the treasury.

[CHAPTER 46.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary be and hereby is authorized and directed to deliver to the town clerk of North Effingham or his order a copy of the Statute Laws together with one impression of Carrigan's map of New Hampshire.

[Approved June 22, 1832. Acts, vol. 29, p. 63.]

[CHAPTER 47.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be and hereby is directed to deliver to the town of Berlin at the expense of the State one volume of the revised Statute Laws.

[Approved June 22, 1832. Acts, vol. 29, p. 63.]

[CHAPTER 48.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be and he hereby is authorized and directed to furnish and deliver to the town of Bethlehem one of Carrigan's maps of the State of New Hampshire at the expense of said State.

[Approved June 22, 1832. Acts, vol. 29, p. 64.]

[CHAPTER 49.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be and hereby is directed to deliver to the town of Clarkvill, alias first Grant to Dartmouth College, at the expense of the State one copy of the revised laws.

[Approved June 22, 1832. Acts, vol. 29, p. 64.]

[CHAPTER 50.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Joseph Hill receive the sum of one hundred

three dollars and ninety four cents in full for the balance of his account, and that the same be paid out of the treasury.

[Approved June 22, 1832. Acts, vol. 29, p. 65.]

[CHAPTER 51.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Philip Carrigan be allowed the sum of thirty dollars, in full of his account, and that said sum be paid out of the treasury.

[Approved June 22, 1832. Acts, vol. 29, p. 65.]

[CHAPTER 52.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the treasurer of this State be and he is hereby authorized to borrow on the credit of the State and for the use of the same, a sum not exceeding, thirty thousand dollars at a rate of interest not exceeding six per cent—and so much of the State tax payable into the treasury on or before the first day of December A. D. 1832. as will be sufficient to pay said loan and interest, is hereby appropriated for that purpose, and the said treasurer is hereby authorized and requested to apply said sum to that purpose as soon as a sufficient amount shall be paid into the treasury.

[Approved June 22, 1832. Acts, vol. 29, p. 66.]

[CHAPTER 53.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be and he hereby is authorized and directed to deliver to the acting town clerk of the town of Carroll one copy of the revised Statutes of this State.

[Approved June 22, 1832. Acts, vol. 29, p. 67.]

[CHAPTER 54.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That His Excellency the Governor be and hereby is authorized to draw on the treasury for a sum not exceeding five hundred dollars to defray the contingent expenses of the State for the Year ensuing.

[Approved June 22, 1832. Acts, vol. 29, p. 67.]

[CHAPTER 55.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That there be allowed to Bradbury Bartlett thirty six dollars, to James Wilson Jr forty six dollars, to John A. Weber seventy dollars, to James M. Rix four dollars, and to Albe Cady four dollars in full of their accounts, and that the same be paid out of the treasury.

[Approved June 22, 1832. Acts, vol. 29, p. 68.]

[CHAPTER 56.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of fifteen hundred dollars of any money not otherwise appropriated, be and the same is hereby appropriated for the purpose of educating indigent deaf and dumb children belonging to this State at the asylum in Hartford in Connecticut, to be expended and applied for the benefit of such children as His Excellency the Governor shall think proper, and the Governor is hereby authorized to draw said sum from the treasury by warrant.

[Approved June 22, 1832. Acts, vol. 29, p. 69.]

[CHAPTER 57.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of four thousand dollars be, and the same is hereby appropriated out of the Treasury not otherwise appropriated, for the purpose of erecting and furnishing the new cells in the State prison, agreeably to the plan adopted at the last June session.

And be it further resolved, That His Excellency be, and he hereby is authorized, by and with consent of the Council, to draw his warrant on the Treasury for such sum as may be found necessary for the purposes aforesaid, not exceeding four thousand dollars.

[Approved June 22, 1832. Acts, vol. 29, p. 70.]

[CHAPTER 58.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Samuel Kelly be allowed thirty dollars in full compensation for his services as chaplain to the Legislature this session, that Aaron Carter be allowed thirty six dollars in full compensation for his services as door keeper of the house this session and that Atkinson Webster be allowed thirty six dollars in full compensation for his services as door keeper of the House at the present session, and that said sums be paid out of the treasury

[Approved June 23, 1832. Acts, vol. 29, p. 112.]

[CHAPTER 59.]

State of }
New Hampshire. }

Whereas the Warden of the State Prison has purchased, for the accommodation of that institution, a certain parcel of land lying on the west side of State Street in Concord, bounded as follows, viz. beginning at the north east corner of the State Prison lot, thence extending northerly on said State Street fifty six feet, thence westerly by James Buswells land eighteen rods, thence southerly fifty six feet to said State Prison lot, thence eastwardly by said prison lot to

the place begun at, it being all the land recently conveyed by the said James Buswell to Joseph Clifford, and whereas it is necessary that the State should own said land, Therefore, Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State upon receiving an absolute and valid conveyance to the State of New Hampshire of the land aforesaid, be directed to pay to the Warden of the State Prison, out of any money in the treasury not otherwise appropriated the sum of two hundred and fifty five dollars in full consideration for said land and for all charges incident to the purchase and conveyance of the same.

[Approved June 23, 1832. Acts, vol. 29, p. 125.]

[CHAPTER 60.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of twenty three dollars be allowed John Whipple for engrossing all the publick acts and Resolutions at this session in full of his account and that said sum be paid out of the treasury.

[Approved June 23, 1832. Acts, vol. 29, p. 126.]

[CHAPTER 61.]

State of }
New Hampshire. }

To His Excellency Samuel Dinsmoor, Captain General and Commander in Chief of the Militia of New-Hampshire.

The Senate and House of Representatives in General Court Convened, represent to Your Excellency that the following persons have been duly commissioned as Officers of the Militia of the State of New Hampshire, and have removed and gone to reside without the Limits of their respective commands, and have neglected to resign their Commissions,—namely, Moody Blood, Captain of the Fourth Company of Infantry in the 30th Regiment, Willard Shattuck Lieutenant of the same Company, William S. Ladd Lieutenant of the 8th Company of Infantry, in the 34th Regiment, John Carter Lieutenant of the 11th Company of Infantry, in the 32^d Regiment, Daniel Cole Ensign of the fourth company of infantry, in the Twenty First Regiment; Alfred A Gile Ensign of the Fifth Company of Infantry in

said 21st Regiment, James Robertson, Lieutenant of the second Company of Light Infantry in the thirty sixth Regiment, John R. Mason Lieutenant of the 8th Company of Infantry in said 36th Regiment, Quimby W. Lovrin, Captain of the 4th Company of Infantry in the 31st Regiment, Sylvester Bowman Ensign of said 4th Company, Daniel M. Mooney 2d. Lieutenant of Cavalry, in the 33^d Regiment, George W. Ealy, Lieutenant of the 7th Company of Infantry in the 24 Regiment.

For which cause the Senate and House of Representatives Respectfully request your Excellency to remove the aforesaid Persons from their respective commands, in Conformity with the provisions of the Constitution.

[Approved June 23, 1832. Acts, vol. 29, p. 126¹.]

[CHAPTER 62.]

State of }
New Hampshire. }

To His Excellency Samuel Dinsmoor, Captain General, and Commander in Chief of the Militia of New Hampshire.

The Senate and House of Representatives in General Court Convened represent to your Excellency that the following persons have been duly appointed and Commissioned as Officers of the Militia of the State of New Hampshire, and have removed and gone to reside without the limits of their respective commands and have neglected to resign their commissions namely Joseph T. Hubbard Captain, Levi Hoyt Lieutenant and Jonathan Weeks Ensign of the first company of infantry in the thirty ninth Regiment, William H. Derby Captain of the Company of cavalry in the twenty third Regiment and Smith Sanborn Ensign of the second company of Infantry in the twenty eighth Regiment for which cause the Senate and House of Representatives respectively request Your Excellency to remove the aforesaid persons from their respective commands in conformity with the provisions of the constitution

[Approved June 23, 1832. Acts, vol. 29, p. 126³.]

[*Second session, held at Concord, November 21, 22, 23, 24, 26, 27, 28, 29, 30, December 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 31, 1832, January 1, 2, 3, 4, 5, 1833.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE REGISTERS OF PROBATE TO ADJOURN COURTS OF PROBATE IN CERTAIN CASES

[Approved November 26, 1832. Acts, vol. 29, p. 161. Session Laws, 1832, Chap. 92. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That in case of the vacancy of the office of any Judge of Probate by death, resignation or otherwise, or the sickness or necessary absence of any Judge of Probate from any Court authorized by law to be holden, it shall be the duty of the Register of Probate in all such cases to adjourn said Court and all proceedings therein from term to term, until such vacancy shall be supplied, or until the Judge of said Court shall attend.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIME OF HOLDING A TERM OF THE COURT OF COMMON PLEAS IN THE COUNTIES OF CHESHIRE AND SULLIVAN AND FOR ALTERING THE TIMES OF HOLDING CERTAIN TERMS OF THE COURT OF PROBATE AT NEWPORT IN THE COUNTY OF SULLIVAN

[Approved November 30, 1832. Acts, vol. 29, p. 159. Session Laws, 1832, Chap. 93. This act partly repeals acts of January 3, 1829, Laws of New Hampshire, vol. 9, p. 930, and June 29, 1830, *ante*, p. 143. See also acts of December 13, 1796, Laws of New Hampshire, vol. 6, p. 371; July 5, 1827, *id.*, vol. 9, p. 649; July 7, 1827, *id.*, p. 677; July 2, 1831, *ante*, p. 266; December 29, 1832, *post*; June 30, 1837, Session Laws, 1837, Chap. 324, and December 17, 1840, *id.*, 1840, November session, Chap. 582.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a term of the Court of Common Pleas, shall be holden annually at Keene, in and for the Coun-

ty of Cheshire, on the third Tuesday of January, and at Newport, in and for the County of Sullivan, on the fourth Tuesday of January, That a Court of Probate, in and for the County of Sullivan, shall be holden at Newport on the Wednesdays next after the fourth Tuesdays of January and August in each year.

Sec. 2. And be it further enacted, That all writs, processes, petitions, and every other matter and thing now pending in, or made returnable to said Court of Common Pleas, at the January Terms thereof, as heretofore established, shall be considered returnable to, entered, have day and be tried and determined in said Court of Common Pleas, at the respective terms thereof, as established by this act. And all matters and things to be heard, acted upon or have day, at the terms of the Court of Probate holden at Newport in January and August, as heretofore established, shall be heard, decreed upon and have day at the respective terms thereof, as established by this act.

Sec. 3. And be it further enacted, That so much of an act, entitled, an act, prescribing the times and places for holding the Superior Court, the Court of Common Pleas, and the Courts of Probate in the several Counties, passed January 3rd 1829, as provides for holding a term of the Court of Common Pleas at Keene in the County of Cheshire on the first Tuesday of January, and at Newport in the County of Sullivan on the third Tuesday of January. And so much of an act, entitled "an act to establish times and places of holding Courts of Probate in the County of Sullivan" Approved June 29, 1830, as provides for holding a Probate Court at Newport on the Wednesdays next, after the third Tuesdays of January and August, be and the same is hereby repealed. Provided however, that this act shall not take effect, until the eighteenth day of December 1832.

[CHAPTER 3.]

State of)
New Hampshire. }

AN ACT TO CHANGE THE NAME OF NORTH EFFINGHAM

[Approved December 6, 1832. Acts, vol. 29, p. 173. Session Laws, 1832, Chap. 99. See also act of June 16, 1831, *ante*, p. 186.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the town of North Effingham in the County of Strafford may assume, and shall hereafter be known by the name of Freedom, any law, custom or usage to the contrary notwithstanding.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT PROVIDING COMPENSATION FOR THE ELECTORAL BOARD.

[Approved December 6, 1832. Acts, vol. 29, p. 174. See also act of December 5, 1828, Laws of New Hampshire, vol. 9, p. 750.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the following persons be allowed the sum set against their respective names, in full for their services as Electors of President and Vice President of the United States. (viz) Benjamin Pierce fifteen dollars, Phineas Parkhust twenty one dollars, Samuel Collins ten dollars, John Taylor sixteen dollars, John Holbrook fourteen dollars, Joseph Weeks thirty one dollars, Moses White thirty four dollars, and that Cyrus Barton Secretary to said Board be allowed five dollars, and Henry Sweetser Doorkeeper be allowed four dollars, and that said sums be paid out of the treasury.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PORTSMOUTH IRON FOUNDRY COMPANY.

[Approved December 12, 1832. Acts, vol. 29, p. 171.]

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Court convened, That Andrew W. Bell, Samuel Hale, Charles Cushing, John Ball, their associates and successors, be and they hereby are incorporated and made a body politick forever by the name of the Portsmouth Iron Foundry Company, and in that name may sue and be sued, prosecute and defend to final judgment and execution, may have and use a common seal and the same at pleasure may break, alter or renew and said corporation are hereby vested with all the powers and privileges and subject to all the liabilities incident to similar corporations

Sec. 2. And be it further enacted, That said corporation be, and they hereby are authorized and empowered to hold, possess and enjoy real and personal estate of any value not exceeding fifty thousand dollars.

Sec. 3. And be it further enacted, That said corporation may choose such officers and pass such by laws not repugnant to the

laws of this State, as may be deemed necessary to carry into effect the purposes of said corporation.

Sec. 4. And be it further enacted, That hereafter in assessing publick taxes, all shares which any person in this State may own in the stock of said company, shall be valued at one half of one per cent of their real value.

Sec. 5. And be it further enacted, That in case the President or other principal officer of said company, on application of the Selectmen of any town in this State, shall refuse or neglect for the space of four days to furnish at the place of residence of such President or other principal officer an account in writing of all the shares in the stock of said company and their amount in value owned by any inhabitant or resident of any town in this State whereof such applicants are Selectmen, such President or other principal officer so refusing or neglecting shall forfeit and pay for every such offence a sum not less than twenty dollars, nor more than two hundred dollars, to be recovered by action of debt in the name and for the use of the town whereof such applicants are Selectmen.

Sec. 6. And be it further enacted, That Andrew W. Bell, Charles Cushing, and Samuel Hale or any two of them be authorized to call the first meeting of said corporation for the purpose of organizing the same, agreeably to the provisions of this act, by inserting notice of the time and place of holding said meeting in the New Hampshire Gazette printed at Portsmouth, at least fifteen days prior to holding the same.

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT RELATING TO MORTGAGES AND PLEDGES OF PERSONAL PROPERTY SUBJECT TO ANY LIEN CREATED BY LAW.

[Approved December 12, 1832. Acts, vol. 29, p. 175. Session Laws, 1832, Chap. 91. See also acts of July 3, 1829, *ante*, p. 76, and December 17, 1840, Session Laws, 1840, November session, Chap. 575. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any personal property not exempt by law from attachment, shall be mortgaged, pledged or subject to any lien created by law, the mortgagee, pledgee, or holder may be summoned into Court in the manner and by the process provided by a law of this State passed July 3^d A. D. 1829 entitled "An act directing the proceedings against the trustees of debtors" as the trustee of the Mortgagor, pledgor, or general owner. And if upon disclosure of the person summoned as afore-

said or otherwise, it shall appear that the property was mortgaged, pledged or subject to lien as aforesaid to secure the payment of a debt, or the performance of any other contract or condition, and that the mortgagor, pledgor or general owner has any subsisting right in law or equity to redeem the same by the payment of the debt, or performance of such contract or condition, the Court may order that on payment or tender of such debt, or on the performance of said contract or condition by the Plaintiff within such time as the Court may order, the person so summoned shall deliver over the property to the attaching officer to be holden by him in the same manner, as if it had been attached on mesne process and on default thereof that he shall be charged as the trustee of the principal debtor to the amount of such property, Provided, that said trustee shall be entitled to receive of said officer his reasonable expenses occasioned by his being so summoned, to be determined by the Court.

Sec. 2. And be it further enacted, That it shall be lawful to take on mesne process or execution, any personal property mortgaged, pledged, or subject to any lien as aforesaid, not exempt by law from attachment, as the property of the mortgagor, pledgor or general owner; unless the title of the mortgagee, pledgee or holder, thereto shall have become absolute. Provided the person for whose benefit such property shall be taken, shall first pay or tender to the mortgagee, pledgee, or holder the full amount for which said property is holden. And the officer who shall sell any property taken by him under the provisions of this act shall apply the proceeds of such sale, after deducting his fees and charges of the sale, to the payment of the sum so paid or tendered to the mortgagee, pledgee, or other person in redemption of said property and interest thereon from the time of such payment or tender and the residue shall be applied to the payment of the judgment of the Plaintiff in manner provided by law.

Sec. 3. And be it further enacted, That every mortgagee, pledgee, or holder of personal property shall, upon demand in writing being made by any person having a debt or demand against the mortgagor, or pledgor, who is desirous of attaching such property for a debt or demand against the mortgagor, pledgor or general owner on mesne process or execution, render in writing on oath a just and true account of the amount due upon the debt or demand secured by such mortgage, pledge, or lien. And if he shall after such demand unreasonably neglect to render such account and shall receive from the person attaching said property, more than is justly due him on account of the demand, secured by the mortgage pledge, or lien, he shall be liable to refund such excess with interest thereon at the rate of twelve per centum per annum to be recovered by an action for money had and received.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT REGULATING MARRIAGES AND FOR
 THE REGISTERING OF MARRIAGES, BIRTHS, AND BURIALS PASSED
 FEB. 15. 1791.

[Approved December 12, 1832. Acts, vol. 29, p. 177. Session Laws, 1832, Chap. 97. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 689. See also act of December 17, 1840, Session Laws, 1840, November session, Chap. 577. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That every regular ordained minister of the gospel, residing in this State and in regular standing with the denomination to which he belongs, shall be and hereby is authorized and empowered to solemnize marriage between persons, who may lawfully enter into that relation in any County in this State, after having caused the credentials of his ordination to be recorded in the office of the Clerk of the Court of Common Pleas in the County, where he shall solemnize any marriage as aforesaid. And every minister, who shall solemnize any marriage as aforesaid, shall return a certified copy of his record of the same, to the clerk of the town in which said marriage may be solemnized within thirty days thereafter.

Sec. 2. And be it further enacted, That if any minister of the gospel, shall join in marriage any persons, who may not lawfully enter into that relation, or who shall not have published their intention of marriage as the law directs; or shall neglect to make return of a certified copy of the record of such marriage as aforesaid, he shall be liable to the same penalties, as persons authorized to marry would be liable to, for the same offence or neglect by the act to which this is in addition.

Sec. 3. And be it further enacted, That it shall be the duty of the several clerks of the Court of Common Pleas, on application to record the credentials of the ordination of any minister as aforesaid, at the expense of the applicant, Provided, nevertheless, that nothing herein contained shall be construed to affect the rights or duties of any settled minister, who shall have a right to solemnize marriages under the act, to which this is in addition, in relation to any marriages, which he may solemnize in the County where he is settled, or hath his permanent residence.

[CHAPTER 8.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
FIRST FREEWILL BAPTIST SOCIETY IN SANDWICH.

[Approved December 12, 1832. Acts, vol. 29, p. 181. See also act of July 4, 1834, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Ambrose, Nathaniel Burley, Ezekiel Hoit, and their associates, successors and assigns, be, and hereby are incorporated and made a body corporate and politick, by the name of the First Freewill Baptist Society in Sandwich, and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said Samuel Ambrose and Nathaniel Burley or either of them, may call the first meeting of said corporation by posting up, at two or more publick places in Sandwich, a notice in writing expressing the time, place and design of said meeting six days prior to the holding the same, at which meeting or any adjournment thereof, all necessary officers may be chosen and by laws made for the regulation of the concerns of said corporation not repugnant to the constitution and laws of the State. And said society are hereby authorized to receive by donation or otherwise, and the same to hold and dispose of at pleasure, any estate real or personal not exceeding in value the sum of three thousand dollars.

[CHAPTER 9.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
MELVILLE ACADEMY.

[Approved December 21, 1832. Acts, vol. 29, p. 199.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Asa Parker, Luke How and John Fox and their associates and successors be, and hereby are incorporated and made a body corporate and politick by the name and style of the "Melville Academy" and by that name may sue and

be sued, prosecute and defend unto final judgment and execution, and shall have and enjoy all the powers, privileges and immunities and be subject to all the liabilities, incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may establish an Academy in the town of Jaffrey for the instruction of Youth, may erect, own and maintain suitable buildings therefor, may hold and possess real and personal estate of any kind and to any amount not exceeding fifteen thousand dollars in value, and may for the purpose of obtaining funds for the objects intended by this act, sell and convey any number of rights or shares in said corporation, not exceeding six hundred including those already subscribed for, and for any sum not less than twenty five dollars for each and every share; but shall in no case whatever by assessment upon any of the shares of said corporation add to the funds or estate thereof; and the shares of said corporation may be transferred at the pleasure of the owner, and shall be considered as personal estate to all intents and purposes.

Sec. 3. And be it further enacted, That all such gifts, donations, bequests and legacies as may from time to time be given and bequeathed to said corporation may be received, held and possessed in addition to all funds and estate which may be held and possessed by said corporation as aforesaid.

Sec. 4. And be it further enacted, That Asa Parker, Luke How and John Fox or any two of them may call the first meeting of said corporation, to be holden at a suitable time and place in said Jaffrey, by notifying the members thereof, at least fourteen days before the time for holding said meeting, when the manner of holding future meetings may be regulated and any business relating to said corporation may be transacted; and at any and every meeting duly holden, for any and every purpose; each share which shall be owned in said corporation may be entitled to one vote and no more.

Sec. 5. And be it further enacted, That said corporation may, at any meeting duly holden, make rules, regulations and by laws, not repugnant to the laws of the State, for the management of the interests and concerns of said corporation, may appoint such board of Trustees or Overseers and such and so many other officers, as may be thought proper and may prescribe their powers and duties.

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE YOUNG LADIES SEMINARY IN DERRY VILLAGE.

[Approved December 21, 1832. Acts, vol. 29, p. 201.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John Clark, Samuel Adams and Nathaniel Aiken, their associates and successors be and are hereby incorporated and made a body corporate and politick, under the name of the Proprietors of the Young Ladies Seminary in Derry Village, and by that name may sue and be sued, prosecute and defend unto final judgment and execution, and shall have and enjoy all the powers and privileges incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may and shall keep the said Seminary established in said Derry Village, for the instruction of young females and may erect, own and maintain suitable buildings therefor, near where their edifice now stands, may hold and possess real and personal estate of any kind and to any amount not exceeding fifteen thousand dollars in value and may for the purpose of obtaining funds for the object intended by this act, sell and convey any number of rights or shares in said corporation not exceeding forty two, for any sum not less than twenty five dollars for each and every share; but shall in no case whatever by assessment upon the shares sold and conveyed by said corporation add to the funds or estate thereof; and the shares of said corporation may be transferable and shall be considered as personal property to all intents and purposes.

Sec. 3. And be it further enacted, That all such gifts, donations, bequests, and legacies, as may from time to time be given and bequeathed to said corporation, may be received, held and possessed, in addition to all funds or estate, which may be held and possessed by the sale of shares in said corporation.

Sec. 4. And be it further enacted, That the said John Clark, Samuel Adams and Nathaniel Aiken or any two of them may call the first meeting of said corporation to be holden at a suitable time and place in said Derry Village by notifying the members thereof, at least fourteen days before the first meeting, when any business relating to said corporation may be transacted and regulated; And at any and every meeting duly holden for any and every purpose, each share shall be entitled to one vote and no more.

Sec. 5. And be it further enacted, That said corporation, at any meeting duly holden, may make rules, regulations and by laws not repugnant to the laws of this State for the management of the interests of said corporation. And may appoint a board of Trustees and such and so many other officers, as may be proper and may prescribe their powers and duties.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO REVIVE THE ACT ESTABLISHING A CORPORATION BY THE
NAME OF THE WALPOLE MANUFACTURING COMPANY APPROVED
JUNE 20. 1817.

[Approved December 21, 1832. Acts, vol. 29, p. 203. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 617. See also acts of June 17, 1836, Session Laws, 1836, June session, Private Acts, Chap. 71, and June 23, 1848, id., 1848, Chap. 676.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the act entitled an act to incorporate sundry persons by the name of the Walpole manufacturing Company approved June 20th 1817 be and the same is hereby revived and the said corporation is hereby authorized to meet and transact any business relating to the management of the affairs of said corporation and exercise all the powers incident to corporations of a similar nature, in as full and ample a manner as if the original charter, rules, regulations and by laws of said company had been fully complied with.

Sec. 2. And be it further enacted, That Thomas C. Drew and James Chandler, be and they hereby are authorized to call a meeting of said corporation by publishing notice thereof two weeks successively in the Farmers Museum printed at Keene and posting up notices in writing, in two publick places in said Walpole at least fifteen days prior to said meeting, at which meeting or at any subsequent meeting, the said Company may elect such officers, establish such rules and regulations and adopt such measures, as they may think proper for the management of the affairs of said corporation; provided their doings be not repugnant to the laws and the constitution of this State.

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO REPEAL THE CHARTER OF THE PROPRIETORS OF THE RINDGE TURNPIKE ROAD IN NEW HAMPSHIRE"

[Approved December 21, 1832. Acts, vol. 29, p. 204. The act referred to is dated June 12, 1807, Laws of New Hampshire, vol. 7, p. 570. See also acts of November 24, 1812, id., vol. 8, p. 143, and June 21, 1815, id., p. 394.]

Whereas, the proprietors of the Rindge Turnpike road in New Hampshire have applied to the General Court by petition, for the passage of an act, to repeal their act of incorporation, and whereas the several towns through which said road passes, have assented to such repeal. Therefore, Be it enacted by the Senate and House of Representatives in General Court convened, That the act entitled "An Act to incorporate a Company by the name of the Proprietors of the Rindge Turnpike Road in New Hampshire" passed June 12, 1807. be, and the same hereby is repealed, and all the rights, privileges and immunities granted to, and all the duties and liabilities imposed upon the said proprietors, by virtue of the Act hereby repealed shall hereafter cease and determine.

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE AQUEDOCTON COTTON MILL COMPANY.

[Approved December 21, 1832. Acts, vol. 29, p. 205.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Alexander Beaman, Otis Beaman, Stephen C. Lyford and Simeon Chase, their associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politick by the name and style of the "Aque-docton cotton Mill Company" and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Corporation be and hereby is authorized and empowered to commence, establish and carry on the business of manufacturing cotton goods in all its vari-

ous branches, together with such other branches of manufacture and trade, as are, or from time to time may be necessarily connected therewith in the town of Meredith in the County of Strafford, and for these purposes, the said corporation may purchase and hold real and personal estate to any amount, not exceeding one hundred thousand dollars, and the same may use, alienate, or dispose of at pleasure.

Sec. 3. And be it further enacted, That Alexander Beaman, Otis Beaman and Stephen C. Lyford may call the first meeting of the members of said Corporation, to be holden at any suitable time and place, by posting up notifications at two or more publick places in said Meredith, expressing therein the time, place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice at least six days prior thereto, at which said meeting there shall be chosen a clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation, and to give certified copies thereof, when lawfully required, and at the same meeting or any adjournment thereof, or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares, as they may deem proper and determine the manner of transferring them, may elect such officers and agents as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payments, may establish by laws, not repugnant to the laws of the State, for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of the votes of members present and represented allowing one vote to each share, provided however, that any member holding more than ten shares, shall be entitled to no more than one vote, for every five shares which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said corporation, shall be liable and holden for the payment of all assessments duly made thereon, and upon the non payment thereof, within the time fixed for their payment, the delinquent share or shares may be advertised and sold at publick auction, or so many of them, as may be necessary to pay such assessments, with the incidental charges, under such regulations as the Corporation in its by laws shall have prescribed.

[CHAPTER 14.]

State of }
New Hampshire. }

“AN ACT TO INCORPORATE ISRAELS RIVER MANUFACTURING COMPANY”

[Approved December 21, 1832. Acts, vol. 29. p. 207.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John W. Weeks, Samuel A. Pearson and Jared W. Williams and their associates, successors and assigns be and hereby are created and made a body politick and corporate by the name of the Israels River manufacturing Company and by that name may sue and be sued, plead and be impleaded defend and be defended in any Court of record, or any other place whatever to final judgment and satisfaction thereof, and may make, have and use a common seal and the same may at pleasure alter, break or renew; and also to make, ordain and establish such by laws and regulations not repugnant to the laws of this State or constitution, as to them shall appear necessary and convenient for the regulation and government of the affairs of said corporation and may annually, or as often, as may be necessary elect and dismiss all such officers, as they may think best; of whom the clerk and agent shall be sworn to the faithful discharge of all their duties, and said corporation are vested with all the privileges and powers, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said corporation for the purpose of manufacturing cotton and woollen cloths, may purchase, hold, possess and enjoy in fee simple real estate to the value of fifty thousand dollars and personal estate to the value of twenty five thousand dollars and the same or any part thereof may assign, sell, let, or dispose of in any manner, they please and on so doing may purchase or procure other estate of equal value and hold the same to them, their successors and assigns forever, and that the capital stock of said corporation shall be divided into one hundred and twenty equal shares.

Sec. 3. And be it further enacted, That the said John W. Weeks, Samuel A. Pearson, Jared W. Williams or any two of them, may call a meeting of the members of said corporation, as soon as they please, by giving personal notice to each of the proprietors of the time, place and object of said meeting, at least seven days before the day of meeting or by posting up a notice of the time, place and object of said meeting fourteen days before the time, in some publick place, in the town of Lancaster, when and where all such laws, regulations and rules may be made as aforesaid as may be thought best,

and that said corporation may then or at any other meeting to be called according to the vote of the proprietors at said first meeting pass any votes, ordain any bylaws or rules and choose any officers, they may think proper and decide how future meetings shall be notified and transact any business, they may judge best for the orderly conducting of the affairs of said corporation, and the same may alter or change at pleasure, all in accordance with the laws of this State.

Sec. 4. And be it further enacted, That said corporation at any regular meeting may vote any tax or assessments upon the shares thereof and for the nonpayment of such tax or assessment after due notice, may sell the delinquent share or shares at auction in such manner as by the bylaws of said corporation may be provided.

Sec. 5. And be it further enacted, That the said shares of said corporation shall be considered personal estate to all intents and purposes and may be transferred in such manner as by the bylaws of said corporation may be provided.

Sec. 6. And be it further enacted, That each Stockholder shall have his proportion of the capital stock set off to him in shares numbered and may transfer the same according to the bylaws of said corporation for the time being, the same being entered on the books of said corporation, and that the owner of every share shall be entitled to one vote and for two shares, two votes, and so on allowing one vote to each share represented, by any proprietor or person authorized in writing from him filed with the clerk, provided however that one proprietor shall in no case be entitled to more than fifty five votes

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT ALLOWING COMPENSATION TO THE SELECTMEN OF SHELBURNE AND OTHERS"

[Approved December 21, 1832. Acts, vol. 29, p. 210.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Selectmen of Shelburne be allowed the sum of seven dollars, and that the Selectmen of Jefferson be allowed the sum of five dollars and fifty cents, and that the Selectmen of Milan be allowed the sum of four dollars and that James F. Bragg be allowed the sum of three dollars in full of their several accounts, and that said sums be paid out of the treasury.

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
 WENTWORTH MECHANIC ASSOCIATION.

[Approved December 21, 1832. Acts, vol. 29, p. 211.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ebenezer Gove, Elisha Clifford, Reuben Clifford, Edward Gove, Daniel Clark Jr, Peter Dearborn, John Smart, and Seth Ford, and their associates and their successors be, and they are hereby incorporated into a body politic forever by the name of the Wentworth Mechanic Association for the purpose of benevolence, and for promoting useful improvement and knowledge in the Mechanic arts.

Sec. 2. And be it further enacted, That the said corporation be, and they are hereby made capable in law of having and holding, purchasing and taking in fee simple or any less estate by gift, grant or purchase any lands, tenements or other estate real or personal; provided the annual income thereof shall not exceed the sum of five hundred dollars, also to sell, demise or dispose of the same estate real or personal for the purpose above mentioned.

Sec. 3. And be it further enacted, That the said corporation shall have full power and authority, to make, have, and use, a common seal, and the same to break, alter and renew at pleasure. That it shall be capable in law to sue and be sued, prosecute and defend in all Courts of record, or other courts and places whatever, in all actions, real, personal or mixed, and to execute all matters and things that may appertain to them.

Sec. 4. And be it further enacted, That the said corporation may make, establish and put in execution all such regulations and by-laws, as may be necessary for the government of said corporation; provided, the same be not repugnant to the constitution and laws of this State and shall have such officers, as they shall hereafter appoint and from time to time elect; who shall be capable of exercising such powers, as shall be fixed and determined by the said laws and regulations.

Sec. 5. And be it further enacted, That the time for holding the first meeting under the authority of this act, shall be on the third Saturday in January next, which shall be done by giving notice at least seven days prior to holding said meeting by posting up a notice in writing at one or more public places in said Wentworth the time and place of holding the same, and Ebenezer Gove is hereby authorized to call the first meeting.

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND IN AMENDMENT OF AN ACT PASSED
 JUNE 26TH A. D. 1817 INCORPORATING THE FIRST CONGREGA-
 TIONAL SOCIETY IN GILMANTON”

[Approved December 21, 1832. Acts, vol. 29, p. 212. See act referred to,
 Laws of New Hampshire, vol. 8, p. 637.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, the charter of the first Congregational Society in Gilmanton shall be and hereby is so amended that forever hereafter, the Annual meeting of said Society shall be holden on the third Wednesday of March in each year any thing in the act to which this is an addition to the contrary notwithstanding.

Sec. 2. And be it further enacted, That it shall be and hereby is made the duty of Theophilus Gilman and William Smith, or either of them to call the first meeting of said Society under the provisions of this act, by posting up a notice in writing at the meeting house of said Society and at two other public places in Gilmanton at least fourteen days prior to the day of said meeting, therein stating the time, place and design thereof.

[CHAPTER 18.]

State of }
New Hampshire. }

“AN ACT TO INCORPORATE COLEBROOK ACADEMY”

[Approved December 21, 1832. Acts, vol. 29, p. 213. See also resolution
 of July 7, 1846, Session Laws, 1846, Chap. 460.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joseph Loomis, Daniel Harvey, Edmund Chamberlin, Lyman Lumbard, Ira Young, Frederick G. Messer, Albert Pitkin, Hezakiah Parsons, Lewis Loomis, Jonas Rolfe, and William Hawkins, their associates and successors be and hereby are made a body corporate by the name of the Trustees of the Colebrook Academy, and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may at any annual meeting elect a Board of Trustees, consisting of a number not less than seven, nor more than thirteen, at least two thirds, of whom shall constitute a quorum for the transaction of business, and shall have power to fill up any vacancy of their number and to make, and establish all such by laws and regulations, to appoint such officers for the government of said institution, as to them may seem requisite and proper.

Sec. 3. And be it further enacted, That said board of Trustees and their successors be, and hereby are made capable in Law, to take by gift, grant, devise or otherwise real or personal estate to the amount of ten thousand dollars, to have and to hold the same, on such conditions, as may be expressed in any will, deed or other instrument of conveyance, which may be made to them, or for their benefit. And said estate said board of Trustees are authorized to employ, sell or dispose of at pleasure. And all deeds, leases and other instruments made and executed by the Treasurer of said corporation, in pursuance of any vote, of the said Trustees, shall be binding on said Trustees and their successors and valid in law.

Sec. 4. And be it further enacted, That Joseph Loomis, Daniel Harvey and Lyman Lumbard or any two of them may call the first meeting of said corporation, by posting up a notice of the time, place and object of said meeting, at some public place in the town of Colebrook at least fifteen days prior to said day of meeting.

Sec. 5. And be it further enacted, That the Treasurer of this State be authorized to procure and deliver to said corporation one of Carrigains maps of the State of New Hampshire, as soon as the said Academy shall be in operation.

[CHAPTER 19.]

State of)
New Hampshire. }

AN ACT TO SEVER A CERTAIN TRACT OF LAND FROM THE TOWN OF
NEW CHESTER AND ANNEX THE SAME TO THE TOWN OF WILMOT"

[Approved December 21, 1832. Acts, vol. 29, p. 287. Session Laws, 1832, Chap. 95.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all that tract of land, situated in the town of New Chester in the County of Grafton, and included in the following described limits, to wit, beginning at the southwest corner of Danbury, thence running southeasterly on the easterly line of said Wilmot to the northerly line of Andover, thence

easterly on said northerly line, to the Southeast corner of Lot Number twenty-five in the fourth division of lots in said New Chester, thence northerly on the easterly side lines of lots Numbers twenty five, forty two and eighty nine in said fourth division, to the Northeast corner of said last mentioned lot, thence following the direction of the said east line of lot Number eighty nine, to the Southerly line of said Danbury, Thence southwesterly on said Danbury line to the bound first mentioned, be and hereby is severed from said town of New Chester and annexed to said town of Wilmot in the County of Merrimack; and said territory shall hereafter constitute and be a part of said town of Wilmot, and all the inhabitants of said territory shall enjoy the same privileges and be subject to the same liabilities, as other inhabitants of said town of Wilmot, and shall be entitled to their just proportion of all the publick funds in said town of New Chester, and also liable for their equal proportion of all debts due from said town of New Chester at the time of the passing of this act, and the State tax for the Year of our Lord one thousand eight hundred and thirty two, assessed upon the inhabitants severed by this act, as well as upon the inhabitants remaining in said New Chester shall be the ratio established for the purpose of ascertaining the just proportion of said sums to be received and debts to be paid as aforesaid.

Sec. 2. And be it further enacted, That said territory is hereby severed from the County of Grafton and shall hereafter constitute and be a part of the County of Merrimack aforesaid, and Hillsborough Counsellor District and Senatorial District No eight and to the thirtieth Regiment of Militia in this State.

[CHAPTER 20.]

State of)
New Hampshire.)

“AN ACT TO ANNEX WINSLOWS LOCATION TO PIERCY”

[Approved December 21, 1832. Acts, vol. 29, p. 293. Session Laws, 1832, Chap. 100.]

Be it enacted by the Senate and House of Representatives in General Court convened, That all the tract of land, situate in the County of Coos, that is now known by the name of Winslows Location be, and hereby is annexed to the town of Piercy in said County of Coos; and said Location shall hereafter constitute and be a part of said town of Piercy, and the inhabitants of said Location, shall enjoy the same privileges, and be subject to the same liabilities as other inhabitants of said town of Piercy.

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT ALLOWING COMPENSATION TO JOHN H. WHITE AND OTHERS.

[Approved December 21, 1832. Acts, vol. 29, p. 294.]

Be it enacted by the Senate and House of Representatives in General Court convened, That John H. White be allowed the sum of twenty two dollars, and that Jacob Whittemore be allowed the sum of twelve dollars, and that Gawin Gilmore be allowed the sum of five dollars and sixty cents, and that John Chadwick be allowed the sum of eleven dollars and thirty six cents, in full of their several accounts, and that said sums be paid out of the treasury.

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE SHELburnE & ANDROSCOGGIN BRIDGE CORPORATION.

[Approved December 28, 1832. Acts, vol. 29, p. 163.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Jonas Green, Austin Wheeler, Dustin P. Ordway, James S. Austin, Aaron Peabody, Robert Ingalls, Eliphalet Burbank, George Green, Stephen Peabody, and Barker Burbank their associates and successors be, and they hereby are incorporated and made a body politic by the name of the Shelburne Androscoggin Bridge Corporation and by that name may sue and be sued, prosecute and defend unto final judgment and execution, and they are hereby vested with all the powers and privileges and subject to all the liabilities, which are by law incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said proprietors are hereby authorized and empowered to construct and build a bridge over and across Androscoggin River in Shelburne in the County of Coos, at any convenient place between the Farm of George Green on the South side of said River and the Farm of Jonas Green on the north side of said River, or at any other convenient place within three miles next above said farm of George Green, and the same to keep in repair and from time to time rebuild and for this purpose, said corporation are authorized to purchase and hold such real es-

tate, not exceeding in value three thousand dollars as they may find necessary and convenient.

Sec. 3. And be it further enacted, That any three of the persons above named, may call the first meeting of said proprietors by posting up a notification therefor at some publick place in said Shelburne, at least fifteen days prior to said meeting, or by giving at least ten days personal notice of the time, place and design of said meeting. At which meeting the said proprietors may choose a clerk, who shall be sworn to the faithful discharge of the duties of his office, may agree on the manner of calling future meetings and at the same or at any subsequent meeting, the said proprietors may elect all necessary officers and agents and prescribe their duty, may divide the capital or joint stock into shares, and agree on the manner of transferring them; may order assessments and fix the time of their payments, may pass bylaws, not repugnant to the laws of the State, for their regulation and government and do, and transact any business necessary to carry into effect the objects of their association. All questions shall be determined by a majority of the votes, accounting one vote to each share; and absent members may vote by proxy, being authorized in writing, signed by the person represented and filed by the clerk.

Sec. 4. And be it further enacted, That for the purpose of reimbursing said proprietors, the money by them expended in building and keeping said bridge in repair, a toll be and hereby is granted and established, of the rate following, that is to say, for every foot person two cents, for every horse and rider or lead horse eight cents, for every cart, waggon, sleigh or sled or any other carriage drawn by one horse or one Yoke of oxen twelve cents, for every additional horse or yoke of oxen two cents, for every chaise, or carriage of pleasure seventeen cents, for each additional horse two cents, horses or mules in droves two cents each, neat cattle in droves one and a half cent, for sheep and swine in droves three fourths of a cent each

Sec. 5. And be it further enacted, That the shares in said corporation, shall be holden and liable for all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the said shares may be sold at publick auction, or so many of them, as will be necessary to pay said assessments, with incidental charges, under such regulations, as the said proprietors in their by laws may prescribe.

Sec. 6. And be it further enacted, That at any time or times after the expiration of five years, from the completion of said bridge, upon the application of said proprietors or of any other person or persons, the Justices of the Superior Court of Judicature, at any session of said Court in and for the County of Coos, upon an examination of the account of expenses incurred by said proprietors in building and keeping said bridge in repair, and the account of tolls by

them received for passing the same may alter the aforesaid rates of toll by increasing or diminishing them in such manner, that said proprietors shall never receive more than twelve per centum on the amount of the expense of building and repairing said bridge.

Sec. 7. And be it further enacted, That if said bridge shall not be completed within the term of five years from the passing hereof, this act and every part thereof shall be null and void.

[CHAPTER 23.]

State of)
New Hampshire. }

AN ACT TO CHANGE THE NAME OF PERCY TO THE NAME OF STARK”

[Approved December 28, 1832. Acts, vol. 29, p. 166. Session Laws, 1832, Chap. 98.]

Whereas the inhabitants of the town of Percy in the County of Coos at their town meeting holden in November last, by their vote expressed a wish, that the name of said town may be altered to the name of Stark

Therefore

Be it enacted by the Senate and House of Representatives in General Court convened, That the name of said Percy be altered, and that said town be hereafter called and known by the name of Stark, any law or usage to the contrary notwithstanding.

[CHAPTER 24.]

State of)
New Hampshire. }

“AN ACT RELATING TO THE ORGANIZATION OF THE COURTS OF JUSTICE”

[Approved December 29, 1832. Acts, vol. 29, p. 135. Session Laws, 1832, Chap. 89. This act repeals acts of June 25, 1818, Laws of New Hampshire, vol. 8, p. 704; January 2, 1829, id., vol. 9, p. 870; two sections of act of January 3, 1829, id., vol. 9, p. 930, and act of July 2, 1831, *ante*, p. 266. See also acts of November 30, 1832, *ante*, p. 349, January 3, 1833, *post*; July 4, 1834, *post*, and July 3, 1841, Session Laws, 1841, Chap. 602. Partly repealed by acts of June 27, 1835, *post*, and January 13, 1837, Session Laws, 1837, November session, Chap. 270. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That two suitable persons, residing in each of the Counties in this State shall be appointed by the

Governor, with advice of Council, and duly commissioned as Judges of the Court of Common Pleas for such County, who, together with the Judges of the Superior Court for the time being, who shall be *ex officio* Judges of the Courts of Common Pleas for the several Counties, shall constitute a Court of Common Pleas for such County—and the Chief Justice of the Superior Court shall be *ex officio* Chief Justice of the several Courts of Common Pleas, and the associate Justices of the Superior Court shall rank as senior Justices of the said Court of Common Pleas, according to the dates of their respective commissions. And the said several Courts of Common Pleas, so constituted, shall in their respective Counties have the power, jurisdiction and authority, and perform the duties prescribed by this act. And the Court of Common Pleas, as existing prior to the passage of this act, shall be and the same hereby is abolished.

Sec. 2. And be it further enacted, That all the jurisdiction, power and authority, by law now vested in the Court of Common Pleas, shall be, and the same hereby are vested in the Courts of Common Pleas hereby constituted and established; and all regulations and provisions of existing laws, applicable to the Court of Common Pleas, shall apply to the Courts of Common Pleas hereby established so far as such application shall not be inconsistent with the provisions of this act; and all judgments, orders, pleadings, records, writs, actions, processes, proceedings, matters and things whatsoever, now existing, pending and remaining in the Court of Common Pleas in the several Counties in this State; and all writs, actions, recognizances, warrants, complaints, processes, venire, matters and things made returnable to the Court of Common Pleas in any County in this State, before this act shall take effect, and which should have been returned to or entered at the said Court of Common Pleas, shall be returned to, entered, acted on, and have day in the several Courts of Common Pleas hereby constituted and established for such Counties, at the next terms thereof holden in the several Counties, and shall be heard, tried and determined, and may be proceeded on and prosecuted to a final end and judgment in the said several Courts of Common Pleas, or in the Superior Court of Judicature, according to the provisions of this act, and may be enforced and carried into execution in and by said Courts in the same way and manner as the same might have been had not this act been passed. And the several Clerks of the Courts of Common Pleas hereby established, shall have in their respective Counties all the authority vested in, and shall perform all the duties now required of the clerks of the Court of Common Pleas. And the several clerks of the Court of Common Pleas in commission on the passage of this act, shall and may hold the files and records, and officiate as Clerks of the Courts of Common Pleas until others are appointed. And all parties, jurors, witnesses and persons who may at any time before this act shall take

effect, be recognized, required, or directed to attend in the Court of Common Pleas at any time after this act shall take effect, shall appear and attend in the Courts of Common Pleas hereby established and abide the order thereof at the respective terms next to be holden in the several Counties where they may have been recognized, required, or directed to attend in the Court of Common Pleas as aforesaid, and under like penalties and liabilities for non attendance.

Sec. 3. And be it further enacted, That all files, and records of the Court of Common Pleas, or in the custody of the clerks of the same, shall be transfered and delivered over to the Courts of Common Pleas for the several Counties established by this act, and be considered to all intents and purposes as files and records of said Courts, and copies thereof may be made attested, and certified by the several Clerks of said Courts from time to time, in the same manner as if the same had been originally files and records of said Courts. And writs of review, scire facias, and execution, and all other writs, processes and proceedings whatsoever founded on said records and files, or on any matter pending in, or which may have been made returnable to the Court of Common Pleas, may be sued out, had, and sustained, taken recognizance of, prosecuted tried, determined and adjudged and final process issued thereon in the Courts of Common Pleas hereby established, or in the Superior Court of Judicature, in conformity to the provisions of this act, in like cases, and in the same manner, as if the same were judgments, orders, pleadings processes, proceedings, files and records of the Courts of Common Pleas hereby established.

Sec. 4. And be it further enacted, That all the jurisdiction, power and authority, civil and criminal, now by law vested in the Superior Court of Judicature, except as is herein after provided, shall be and the same hereby are transferred and vested in the said Courts of Common Pleas, hereby constituted and established, and all regulations and provisions of existing laws applicable to the Superior Court of Judicature shall apply to the Courts of Common Pleas hereby established, so far as such application shall not be inconsistent with the provisions of the constitution or this act. And all writs, actions, processes, matters and things whatsoever, now existing, pending and remaining undetermined in said Superior Court of Judicature in the several Counties in this State, and all writs actions, recognizances, warrants, complaints, processes, venire, matters and things made returnable to the Superior Court of Judicature in any County in this State, before this act shall take effect, and which should have been returned or entered at the Superior Court of Judicature, shall be returned to, entered, have day, and be acted upon in the several Courts of Common Pleas, hereby constituted and established for such Counties, at the next terms thereof holden in the several Counties, and shall be heard, tried and determined, and

may be proceeded on and prosecuted to a final end and judgment in said Courts of Common Pleas, or in the Superior Court of Judicature, according to the provisions of this act, and may be enforced and carried into execution, and final process issued thereon, in and by said Courts, in the manner provided by this act, as fully and effectually as the same might have been in the Superior Court of Judicature, had not this act been passed. And all files, processes, and proceedings, so transferred from the Superior Court of Judicature to the several Courts of Common Pleas, shall become and be to all intents and purposes, files and records of said Courts, and copies thereof may be made, attested and certified, in the same manner as if the same had been originally files and records of said Court. And writs of review, *scire facias*, and all other proper writs, processes and proceedings, founded on said files, processes and proceedings, so transferred may be sued out, had, sustained, taken cognizance of, prosecuted, tried, determined, adjudged and disposed of, in the same manner as other writs and processes of a similar nature may be sued out, prosecuted and determined according to the provisions of this act. And all parties jurors, witnesses and persons, who may at any time before this act shall take effect be recognized required or directed, to attend in the Superior Court of Judicature, at any time after this act, shall take effect, shall appear and attend in the Courts of Common Pleas, hereby established and abide the order thereof at the respective terms, next to be holden in the several counties, where they may have been recognized required or directed to attend in the Superior Court of Judicature as aforesaid and under like penalties and liabilities for non-attendance.

Sec. 5. *And be it further enacted*, that any person or persons, body corporate or politick who are or may be charged with any crime or offence against any law of this state shall be holden to answer in the Court of Common Pleas, for the proper County and may be there indicted prosecuted and proceeded against and being convicted of any such crime or offence shall be liable to the same punishment or punishments as are by law provided for like cases on conviction in the Superior Court of Judicature and may be sentenced in the same way and manner as such respondent or respondents might by the laws of this State, have been sentenced in the Superior Court of Judicature, at the time of the passage of this act, and on the trial of all indictments, where the punishment of the offence charged may by law be death there shall be present at least two of the Justices of the Superior Court upon such trial and it shall be the duty of the Clerk of the Court of Common Pleas, in the County where any such indictment may be found, and of any Justice of the Peace who may hold any person charged with any such offence to answer further, to certify the fact without delay to the several Justices of the Superior Court. And it shall be the duty of the Attorney General to attend

the several terms of the Courts of Common Pleas, in the same manner as he has been heretofore required to attend the Superior Court. And in case any indictment, information, process or proceeding of a criminal nature, against any person or persons, body corporate or politick, shall at any time be removed or transferred to the Superior Court of Judicature, by reason of any exceptions, motion or reservation of any question thereon arising, for the consideration and decision of the Superior Court, or in any other mode, in pursuance of any of the provisions of this act, the several Courts of Common Pleas may order the respondent or respondents to give suitable security for their appearance at the Superior Court, and for abiding the order of said Court thereon.

Sect. 6. And be it further enacted that there shall be two terms of the Courts of Common Pleas holden annually within each and every County at the several times and places by law designated and appointed, for the hearing, trial, decision, determination and adjudication of all actions and causes, and the transaction of all matters and business of which the said Courts of Common Pleas have jurisdiction, which said several terms in each County shall be holden by one or more of the Justices of the Superior Court of Judicature, and by the Justices of the Court of Common Pleas for said County, or one of them; at which said several terms the Justice of the Superior Court present, or if more than one of said Justices are present, then the Chief or senior Justice so present shall preside; and grand and petit jurors shall be drawn and summoned to attend the said several terms, in the same way and manner as they are now by law drawn and summoned to attend the terms of the Superior Courts of Judicature, and the said Court of Common Pleas so organized, shall hear, try, judge, order, award determine, do and perform all matters and business that shall lawfully be brought and come before them, and may make orders and render judgments, on which execution or such final process as the case shall require, may be issued in the same manner as such process is, was and has heretofore by law issued from the Superior Court of Judicature, or Court of Common Pleas, excepting in the cases herein otherwise provided.

Sect. 7. And be it further enacted, That at any term of the Courts of Common Pleas holden as aforesaid, it shall be lawful for any party thinking himself aggrieved by any opinion, direction, or judgment of the said Court, in any action, matter, process or proceeding of a civil or criminal nature, to alledge exceptions to the same at the term of said Court, where such opinion, direction or judgment shall be given or pronounced, and such exceptions being reduced to writing, in a summary mode, and presented to the Court before the adjournment thereof without day, and being conformable to the truth of the case, shall be allowed, and signed by the Justice presiding at such term, and the said action, matter, process or proceeding may

thereupon, if the presiding justice shall so direct, and order, be transferred to the Superior Court of Judicature, to be there entered and proceeded upon, (at the next term of said Superior Court to be holden in said county,) or judgment may be rendered in said action, matter, process, or proceeding, and the said matter of exceptions be filed in said Court of Common Pleas, as the foundation of a writ of error; and in like manner any issue of law, motion for a new trial, question arising upon any special verdict, and any other question or matter of law arising at any such term, may by the presiding Justice present, if he think fit be reserved and assigned and referred to the determination of the Superior Court of Judicature. And the action, cause, motion, petition, or matter, in which the same may arise shall, in such case be transferred, to the Superior Court of Judicature, to be there entered proceeded upon and disposed of, according to the provisions of this act. And the parties may in any action or matter, at any time pending in the Courts of Common Pleas, agree upon the facts arising and existing in such case, and the same being reduced to writing and signed by the parties, or their counsel or agents, such action or matter may if the presiding judge shall deem it proper, be reserved and assigned to the determination of said Superior Court, and be transferred and disposed of as aforesaid.

Sect. 8. And be it further enacted, that the Superior Court of Judicature as now by law established shall hereafter consist of a Chief Justice and three associate Justices, and said Court shall have jurisdiction of all writs of error and *audita querula*, all appeals from any judgment order, decree, or denial of any Judge of Probate, and all applications for such appeals, all questions of divorce and alimony, all applications for review or new trial upon any judgment rendered, or which may hereafter be rendered in the Superior Court of Judicature, Courts of Common Pleas, or before a Justice of the Peace, and in cases which have been or may be brought, and through mistake, accident, or misfortune, have failed to be prosecuted to final judgment, of petitions relating to the redemption and foreclosure of mortgages, or for the partition of real estate, of complaints and proceedings respecting or relating to the forfeiture of lands, bridges, canals, and locks; within this State, under certain acts, heretofore passed for that purpose; and of all actions, suits processes, matters, issues, and questions whatever, which shall be reserved and transferred from the Courts of Common Pleas for the decision of the said Superior Court of Judicature, by virtue of the provisions of this act, and said Superior Court and the several Judges thereof shall have jurisdiction of all applications for the privilege and benefit of the writ of *habeas corpus*, in the same way and manner as is now by law provided. And where any action, suit, process, matter or question is now pending in the Superior Court of Judicature, upon any writ of error, ap-

peal from any decree, order or denial of any Judge of Probate, exception to the direction of said Court, or any Judge thereof, any issue of law, special verdict, motion, petition or complaint, in which no issue of fact is to be tried by a jury, or upon any other question or matter of law, the same shall be retained in said Superior Court of Judicature, and determined and disposed of, in the same way and manner as other matters of which said Court have jurisdiction are to be determined and disposed of according to the provisions of this act.

Sect. 9. And be it further enacted that the said Superior Court of Judicature shall have chancery powers and jurisdiction in cases of gifts, grants, devises, donations and appointments of any lands, tenements, rents, hereditaments, corporeal or incorporeal, goods, chattels, money, securities for money, or other personal estate whatever, which heretofore have been or hereafter may be given, granted, made or appointed to or for any charitable uses, and also in all cases of fraud, trust, accidents or mistakes, cases respecting the adjustment of the concerns of copartners, joint tenants, and tenants in common, and respecting the secreting and withholding of any personal property, where there is not a plain, adequate, and sufficient remedy by the rules of the common law, and for remedy of abuses and breaches of trust in the cases aforesaid, and for carrying into effect the intention of the grantors and donors, and shall have power to decree a specific performance of all executory contracts and for doing equity and justice between party and party, the said Court shall make such orders, decrees and judgments, that the said lands, tenements, rents, hereditaments, goods, chattels, money, securities for money, and other personal estate, may be faithfully employed for the charitable uses to which they were or may be given, granted, or appointed, according to the true intent and meaning of the grantor's or donors thereof; and all other equitable and necessary decrees, orders, and judgments proper to carry into effect the powers hereby given. And said Superior Court may grant writs of injunction, whenever the same shall be necessary to prevent injustice; and any Justice of said Court may issue writs of injunction to stay proceedings or waste until the end of the next term of said Court in any county, unless sooner dissolved. And the powers and jurisdiction thus vested in the Superior Court shall be exercised according to the established principles of chancery, as far as shall be consistent with the laws and constitution of this State. And the proceedings to be had in said Court in pursuance of these provisions, shall be in conformity with the usual practice of Courts of chancery in like cases, and reasonable costs shall be allowed to the prevailing party; and when information shall be filed by the Attorney General at the relation of individuals, they shall give security for the payment of costs in such manner as the court may direct.

Sect. 10. And be it further enacted, That there shall be a term of the Superior Court of Judicature holden annually within and for each County in this state at the times and places by law designated and appointed for the hearing, trial, decision, determination and adjudication of actions and causes, petitions, complaints, questions, matters and business, which may lawfully come before said Courts. which said several terms shall be holden by the Justices of said Court, or a majority of them, and the said Justices so attending shall hear, try, judge, order, and determine all and every the causes, suits, petitions, complaints applications, matters and things which shall be so brought before them, and may make any necessary orders and decrees, and enter up judgments in any matter or thing before them. upon which execution, or such final or other process may issue as the case may require, and all reviews or new trials granted by the Superior Court shall be entered in the Courts of Common Pleas and proceeded upon as in other cases of suits of a like nature commenced in said Courts, according to the provisions of this act. And in all matters and proceedings of a civil nature before said Superior Court, if it shall be found necessary to ascertain and settle any matter or matters of fact by a jury, in any suit, process, application, petition, complaint or proceeding which may at any time be pending in said Superior Court of Judicature, an issue may be made up under the direction of the said Court, and the action, suit, or process be transferred to the Court of Common Pleas, for trial and judgment as in other cases, if such action, suit or process be one of which said Court of Common Pleas might have had original jurisdiction, according to the provisions of this act—otherwise the said issue so made up may be sent to the Court of Common Pleas, to be there found, and the verdict of the jury thereon be certified to the said Superior Court, and the said matter, or matters of fact being so ascertained, such decisions and judgments may be rendered thereon in the Superior Court as the case may require, and no jury shall be drawn or summoned to attend the terms of the Superior Court and no transfer of any suit or process from one of the said Courts to the other in pursuance of the provisions of this act, shall operate to discharge the Bail, or inderser or dissolve any attachment, made upon any such Suit or process.

Sect 11. And be it further enacted, That where any indictment, information, process, or proceeding of a criminal nature shall be transferred and removed from the Court of Common Pleas to the Superior Court of Judicature by reason of any exceptions, motion, or the reservation of any question thereon arising for the consideration and decision of the Superior Court the respondent, or respondents shall thereupon be liable in the same way and manner as they might have been in the Court of Common Pleas, and judgment may be entered, and the respondent, or respondents may be sentenced in

the Superior Court and the sentence enforced and carried into execution in the same way and manner as if Judgment had been entered and sentence pronounced in the Court of Common Pleas, or the respondent or respondents, in such case may be finally discharged by said Superior Court, and if upon the consideration and decision of any question which has arisen upon any such indictment, information, process or proceeding, a new trial or a further investigation of any fact or facts, shall in the opinion of the said Superior Court be necessary or proper, such indictment, information, process or proceeding shall be transmitted and sent back to the Court of Common Pleas, there to be heard and determined as in case of original process. And the respondent, or respondents may be required to appear there for that purpose, and said Superior Court may thereupon take suitable security for their appearance at the said Court of Common Pleas and abiding the order of said Court.

Sect. 12. And be it further enacted, That in all causes brought before the Court of Common Pleas, or in the Superior Court of Judicature in the manner herein provided to recover the forfeiture annexed to any articles of agreement, covenant, contract or charter-party, bond, obligation or other specialty, or for the forfeiture of real estate, upon condition, by deed of mortgage, or bargain and sale, with defeasance when the forfeiture, breach, or non performance shall be found by the jury, by the default or confession of the defendant or upon demurrer, the Court before whom the action is, shall make up judgment therein for the plaintiff, to recover so much as is due according to equity and good conscience—but in real actions on mortgage or bargain and sale, with defeasance, the judgment shall be conditional, that if the mortgager or vender, his heirs, executors or administrators shall pay unto the mortgagee or vendee; his executors or administrators such sum as the Court shall adjudge due, within two months from the time of entering up judgment, with interest, then the same judgment shall be void and discharged, otherwise that the demandant shall have his writ of possession. Provided, always, that when any action shall be brought and prosecuted on any bond or other specialty, with penalty for the payment of any sums of money, performance of covenants, contracts, agreements, matters or things to be done at several times, some of which times shall not have expired, and the plaintiff recover the forfeiture of any such penalty, the Court shall enter up judgment for the whole of such forfeiture, and award execution only for so much of the debt or damage as is justly due or sustained at that time—and the Plaintiff, his executors, or administrators, at any time afterwards may have from the Court where such judgment was rendered, a writ of scire facias, against the defendant, his heirs, executors or administrators, to show cause why execution should not be awarded upon said judgment for other and further damages by reason of the non performance or

breach of contracts, covenants, agreements or things, in such bonds or specialties contained, and the time for the performance of which had not elapsed at the time of awarding execution as aforesaid.

Sec. 13. And be it further enacted, That in all actions of the case for slanderous words, all actions for assault and battery, all actions for imprisonment, and all actions for malicious prosecutions, commenced and prosecuted in the Courts of Common Pleas, if the jury who inquire of the damages, do assess the same under thirteen dollars and thirty three cents, then the Plaintiff or Plaintiffs in any such action shall have and recover only so much cost as damages, and in all actions of trespass quare clausum fregit commenced in the same courts, when the title of real estate is not in question, if the damages found by the jury do not amount to thirteen dollars and thirty three cents, the Court in which judgment may be rendered may allow only such sums in costs as they shall think proper, not exceeding the sum found by the jury, and in all other actions commenced in the Courts of Common Pleas, if it shall appear to the Justices of the court in which judgment shall be rendered, that the plaintiff or plaintiffs had no reasonable expectation of recovering more than thirteen dollars and thirty three cents damages in such suit, the Justices of said Court may limit the Plaintiff or Plaintiffs in their costs to such sum as they may think just and reasonable, all circumstances duly considered.

Sec. 14. And be it further enacted, That all actions, suits and processes, on which judgment shall be rendered in either of the Courts aforesaid, in which any issue of fact has been joined, may be reviewed in the manner and under the limitations prescribed by law; and all writs of review upon any such judgment shall be made returnable in the Courts of Common Pleas in the County where the judgment was rendered, and be there entered and proceeded upon according to the provisions of the laws for such purpose, and after the manner of other actions of which said courts have original jurisdiction.

Sec. 15. And be it further enacted, That for the more speedy transaction and determination of the business of said Courts, any petition, complaint, libel, application, or motion in writing may be filed with the clerk of the Court having jurisdiction of the subject matter thereof, at any time, and order of notice may be issued thereon under the direction and rules of said Courts. And whenever any action, process, proceeding, matter or thing shall be pending in the Superior Court, or reserved or transfered, by the presiding Justice at the Court of Common Pleas in any County for the opinion and decision of the Superior Court, the cause may on motion of either party, under direction of said Superior Court or presiding justice, be reserved for such consideration and decision at a term of said Court to be holden in any other County, and judgment may be there pro-

nounced and given by said Court, which shall be forthwith certified by the Chief or Senior Justice present at such term, or by the clerk of the Court for said County under his direction, to the clerk of said Superior Court for the County in which such action, process or proceeding was originally pending, and upon such certificate being so received by said Clerk, he shall enter up judgment in said action suit or process, or make such disposition of the same as shall be directed in said certificate according to the rules of law. And in case of final judgment on which execution may issue the said clerk shall enter upon the record the date of said certificate, and any property attached in any such suit shall be holden for the space of thirty days from said date, in the same manner as if judgment had been rendered and entered at a regular term of said Court holden in the said County, and the bail and the endorser of the writ in any such suit shall be holden in like manner and for the same term from the date of said certificate as they are by law holden after judgment in other cases. And writs of scire facias against bail and endorsers founded upon any judgment and record of the Superior Court of Judicature may be brought, instituted and proceeded upon in the Courts of Common Pleas, in like manner as similar writs founded on judgments and records of the Court of Common Pleas. And all writs of execution and writs of possession issuing from the Superior Court of Judicature shall be made returnable at or before the expiration of six months from the date thereof, or at the next regular term of said Court in said County, if within said six months; and the forms of such writs shall be varied accordingly; and such writs, if returnable in vacation, shall be returned and filed with the clerk of said Court in said County.

Sec. 16. And be it further enacted, That, in order to ensure uniformity in the practice of the several Courts, the Justices of the Superior Court of Judicature shall have power from time to time to make all necessary rules for the conducting of the business in said Superior Court and Courts of Common Pleas, the same being not repugnant to the laws of the State.

Sec. 17. And be it further enacted, That the said several Courts shall have a Clerk in each County, who shall be under oath for the faithful discharge of the duties of said office and to whom the same fees shall be paid as by law are required to be paid to the clerks of the Superior Court, and there shall be paid to the clerks of the Courts for the entry of any action, petition, suit or process, removed, transferred or sent from one of said Courts to the other, the sum of fifty cents, and the clerks of said Courts shall immediately after any term of their respective Courts, account with and pay over to the respective County Treasurers all monies by them received for the use of their respective Counties, and it shall be the duty of the Justice presiding at each term at the close thereof, to certify the ac-

count of the Clerk. And the costs to be allowed parties recovering judgment in the Courts of Common Pleas shall be the same as are by law allowed in the Superior Court.

Sec. 18. And be it further enacted, That the said Superior Court of Judicature and Courts of Common Pleas shall have power and authority respectively to adjourn their sittings from time to time as they may think proper. And whenever, by reason of sickness, or other cause, the number of Justices requisite to hold any of the terms of said Court as in and by this act is prescribed, does not attend on the day appointed for holding said Court, the Justice or Justices present for the purpose of holding such term, may open said Court and may adjourn the same from day to day until a sufficient attendance shall be had, or to any future day, and if it should be deemed necessary, to the next stated term of said Court. And whenever none of said Justices shall attend at the time and place appointed for holding any such Court, the Sheriff of said County shall have power to adjourn the said Court from day to day, until one of the Justices authorized to hold such term shall attend.

Sec. 19. And be it further enacted, That whenever it shall happen in consequence of any legal disqualification of any of the Justices either of the Superior Court or Courts of Common Pleas, that there shall not be a quorum of said Justices for the trial of any cause pending in either of said Courts respectively, the Justice or Justices not disqualified, or a majority of them may hear, try and determine such cause, and make any order relative thereto and enter judgment and award execution thereon in the same manner as all the Justices of said Court might do if present and competent to try the same.

Sec. 20. And be it further enacted, That the chief Justice of the Superior Court of Judicature shall have and receive out of the treasury of the State the sum of fourteen hundred dollars annually, as a salary for his services as chief Justice, and that each of the other Justices of said Court have and receive out of the said treasury the sum of twelve hundred dollars annually, as their respective salaries for their services as Justices; and that the several Justices of the Courts of Common Pleas in each County have and receive out of the treasury of the State, the following sums, that is to say, in the Counties of Rockingham, Strafford and Grafton the sum of one hundred and fifty dollars each, in the County of Merrimack the sum of one hundred and ten dollars, in the County of Hillsborough the sum of one hundred and twenty six dollars, in the Counties of Cheshire, Sullivan and Coos the sum of one hundred dollars annually as their respective salaries for their services to be paid in quarterly payments.

Sec. 21. And be it further enacted, That the first term of the Courts of Common Pleas shall be holden at Portsmouth on the third tuesday of March next, and thereafterwards annually at Ports-

mouth, on the first tuesday of January, and at Exeter on the first tuesday of August, in and for the County of Rockingham; at Dover, on the third tuesday of January, and at Gilford, on the third tuesday of August, in and for the County of Strafford; at Concord on the first tuesday of February, and on the first tuesday of September, in and for the County of Merrimack; at Amherst, on the third tuesday of February, and on the third tuesday of September, in and for the County of Hillsborough; at Keene, on the first tuesday of April, and on the first tuesday of October, in and for the County of Cheshire; at Newport on the third tuesday of April, and on the third tuesday of October, in and for the County of Sullivan; at Haverhill on the first tuesday of May, and at Plymouth, on the first tuesday of November, in and for the County of Grafton; at Lancaster, on the third tuesday of May and on the third tuesday of November in and for the County of Coos.

Sec. 22. And be it further enacted, That from and after the passing of this act the Superior Court of Judicature shall be holden annually at Portsmouth and Exeter alternately, on the first tuesday of December in and for the County of Rockingham, commencing with Portsmouth; at Rochester and Gilmanton alternately, on the second tuesday of December, in and for the County of Strafford commencing with Rochester; at Concord on the third tuesday of December, in and for the County of Merrimack; at Amherst; on the fourth tuesday of December; in and for the County of Hillsborough; at Keene, on the first tuesday of July in and for the County of Cheshire; at Newport on the second tuesday of July in and for the County of Sullivan, at Haverhill and Plymouth, alternately, on the third tuesday of July in and for the County of Grafton, commencing with Haverhill, at Lancaster, on the fourth tuesday of July in and for the County of Coos.

Sec. 23. And be it further enacted, That an act to declare the jurisdiction of the Court of Common Pleas and of the Superior Court of Judicature, and to regulate the proceedings in the same Courts, passed January second A. D. 1829" "An act for establishing the salaries of the Justices of the Superior Court of Judicature" passed June twenty fifth A. D. 1818, "an act to alter the time of holding a term of the Court of Common Pleas in the County of Cheshire and Sullivan passed July second A. D. 1831., the first and second sections of "an act prescribing the times and places for holding the Superior Court, the Court of Common Pleas, and the Courts of Probate in the several Counties," passed January third A. D. 1829, and all other acts and parts of acts heretofore passed inconsistent with the provisions of this act, be and the same are hereby repealed.

[CHAPTER 25.]

State of)
New Hampshire. }

“AN ACT TO ESTABLISH THE BOSTON AND ONTARIO RAIL ROAD CORPORATION”

[Approved January 1, 1833. Acts, vol. 29, p. 215.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Sturgis, Amos Binney, Henry Williams, George Bond, Samuel Whitwell, Luther Faulkner, Henry H. Fuller, Jonas B. Brown, Pliny Cutler, George Hallet, Winslow Wright, Nathaniel Hammond, Joseph F. Buckingham, James K. Mills, Eliphalet Williams, John P. Bigelow, George Morey, Ward Jackson, Henry Rice, Cornelius Coolidge, Thomas R. Jewell, John Brown, Jonathan Whitney, David Moody, William Parker, Isaac Danforth, Daniel Hastings, E. A & W. Winchester, Reuben Richards Jr, John Thompson, A. Chandler, Thomas B. Wales, William Dehon and Andrew Dunlap their associates, successors and assigns be, and they hereby are made a body politic and corporate, under the name of the “Boston and Ontario Rail Road Corporation” and by that name shall be, and hereby are made capable in law, to sue and to be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any Court of record, or in any other place whatever; to make, have and use a common seal, and the same to break, renew or alter at pleasure, and shall be and hereby are vested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth. And the said Corporation are hereby authorized and empowered to locate, construct and finally complete a Rail Road, beginning at any point, on the Southerly line of the State in or near the town of Dunstable, and running northwardly and westerly to the Westerly line of the State on Connecticut River, in such manner and form, as they shall deem to be most expedient: And for this purpose the said corporation are authorized to lay out their road not exceeding six rods wide, through the whole length: and for the purpose of cuttings, embankments, and stone and gravel, may take as much more land, as may be necessary for the proper construction and security of said road. Provided however. That all damages that may be occasioned to any person or corporation by the taking of such land or materials for the purposes aforesaid shall be paid for by said corporation in the manner hereinafter provided.

Sec. 2. And be it further enacted, That the capital stock of said Corporation shall consist of twenty thousand shares, and the

immediate government and direction of the affairs of the said Corporation shall be vested in twelve directors, who shall be chosen by the members of the Corporation in the manner hereafter provided, and shall hold their offices, until others shall be duly elected and qualified to take their place as directors: And the said directors a majority of whom shall form a quorum for the transaction of business, shall elect one of their own number to be President of the Board, who shall also be President of the Corporation and shall have authority to choose a Clerk, who shall be sworn to the faithful discharge of his duty: and a treasurer, who shall give bonds to the corporation with sureties to the satisfaction of the Directors, in a sum not less than twenty thousand dollars, for the faithful discharge of his trust.

Sec. 3. And be it further enacted, That the President and Directors for the time being are hereby authorized and empowered by themselves or their agents, to exercise all the powers herein granted to the Corporation for the purposes of locating, constructing and completing said Rail Road; and for the transportation of persons, goods and merchandise thereon; and all such other powers and authority for the management of the affairs of the corporation not heretofore granted, as may be necessary and proper to carry into effect the object of this grant, to purchase and hold land, materials, engines, cars and other necessary things in the name of the corporation, for the use of said road, and for the transportation of persons, goods and merchandise: to make such equal assessments from time to time on all the shares in said corporation, as they may deem expedient and necessary in the execution and progress of the work, and direct the same to be paid to the treasurer of the Corporation; and the treasurer shall give notice of all such assessments. And in case any subscriber shall neglect to pay his assessments for the space of thirty days after due notice by the treasurer of said corporation the Directors may order the treasurer to sell such share or shares at public auction, after giving due notice thereof, to the highest bidder, and the same shall be transferred to the purchaser. And such delinquent subscriber shall be held accountable to the corporation for the balance, if his share or shares shall sell for less than the assessments due thereon, with interest and costs of sale, and shall be entitled to the overplus if his share or shares shall sell for more than the assessments due, with interest and costs of sale. Provided however, That no assessments shall be laid upon any shares in said corporation of a greater amount in the whole than one hundred dollars on each share.

Sec. 4. And be it further enacted, That the said corporation shall have power to make ordain and establish all such by laws rules, regulations and ordinances, as they shall deem expedient and necessary to accomplish the designs and purposes, and to carry into effect

the provisions of this act, and for the well ordering, regulating and securing the interests and affairs of the corporation: Provided the same be not repugnant to the Constitution and laws of this State.

Sec. 5. And be it further enacted, That a toll be, and hereby is granted and established, for the sole benefit of said corporation, upon all passengers and property of all description, which may be conveyed or transported upon said road, at such rates per mile as may be agreed upon and established, from time to time by the Directors of said corporation. The transportation of persons and property, the construction of wheels, the forms of cars and carriages, the weight of loads, and all other matters and things, in relation to the use of said road, shall be in conformity to such rules regulations and provisions, as the Directors shall from time to time, prescribe and direct; and said road may be used by any persons, who shall comply with such rules and regulations: Provided however, that if at the expiration of ten years from and after the completion of said road, the net income or receipts from tolls and other profits taking the ten years aforesaid, as the basis of calculation, shall have amounted to more than ten per cent per annum, upon the cost of the road, then the Legislature may take measures to alter and reduce the rate of tolls and other profits, in such manner as to take off the overplus for the next ten years, calculating the amount of transportation upon the road to be the same, as the ten preceding years; and at the expiration of every ten years thereafter, the same proceedings may be had: Provided farther, that the Legislature shall not at any time, so reduce said tolls and other profits, as to produce less than ten per centum, per annum, upon the cost of said road, without the consent of said corporation.

Sec. 6. And be it further enacted, That the Directors of said corporation for the time being are hereby authorized to erect toll-houses, establish gates, appoint toll gatherers and demand receive toll, upon the road when completed, and upon such parts thereof as shall from time to time be completed.

Sec. 7. And be it further enacted, That the said corporation shall be holden to pay all damages that may arise to any person or persons corporation or corporations by taking their land for said road, when it cannot be obtained by voluntary agreement to be estimated and recovered in the manner provided by law, for the recovery of damages happening by the laying out of highways by order of the Court of Common Pleas.

Sec. 8. And be it further enacted, That when the lands or other property or estate of any feme covert, infant or person non compos mentis shall be necessary for the construction of said Rail Road, the husband of such feme covert, and the guardian of such infant or person non compos mentis, may release all damages for any lands or estates, taken and appropriated as aforesaid as they might do, if the same were holden by them in their own right respectively.

Sec. 9. And be it further enacted, That if any person shall wilfully maliciously or wantonly and contrary to law, obstruct the passage of any carriage on said Rail Road, or any part thereof, or any thing belonging thereto, or any material or implements to be employed in the construction, or for the use of said road, he, she or they, or any person or persons assisting, aiding, or abetting in such trespass, shall forfeit and pay to said corporation, for every such offence treble such damages as shall be proved before the Justice, court or jury, before whom the trial shall be had; to be sued for and recovered before any justice, or in any court proper to try the same, by the treasurer of the corporation, or other officer whom they may direct, to the use of said corporation. And such offender or offenders shall be liable to indictment by the grand inquest for the County within which such trespass shall have been committed, for any offence or offences contrary to the above provisions and on conviction thereof before the Superior Court of Judicature to be holden in said County, shall pay a fine not exceeding one hundred dollars and not less than thirty dollars to the use of the State or may be imprisoned for a term not exceeding one year at the discretion of the court before whom the conviction may be had.

Sec. 10. And be it further enacted, That the annual meeting of the members of said corporation shall be holden on the first wednesday of July at such time and place, as the Directors for the time being shall appoint; at which meeting twelve directors shall be chosen by ballot, each proprietor being entitled to as many votes, as he holds shares. Provided, they do not amount to more than one tenth part of the whole number: And the three persons first named in this act, or any two of them are hereby authorized to call the first meeting of said corporation, by giving notice in the Daily Advertiser published in Boston and the Lowell Journal, published in Lowell Massachusetts, and in one or more public Newspapers in this State of the time, place and purpose of such meeting, at least ten days before the time mentioned in such notice.

Sec. 11. And be it further enacted, That if the said Rail Road should in the course thereof cross any private way the said corporation shall so construct said Rail Road as not to obstruct the safe and convenient use of such private way, and if said Rail Road shall not be so constructed, the party aggrieved shall be entitled to his action on the case in any Court proper to try the same, and shall recover reasonable damages for such injury; and if the said Rail Road shall, in the course thereof cross any canal, turnpike, or other highway, the said Rail Road shall be so constructed, as not to impede or obstruct the safe and convenient use of such canal, turnpike or other highway. And the said corporation shall have the power to raise or lower such turnpike, highway, or private way, so that the said Rail Road, if necessary may conveniently pass under or over the

same. And if said corporation shall raise or lower any such turnpike, highway or private way pursuant thereto, and shall not so raise or lower the same as to be satisfactory to the proprietors of such turnpike, or to the Selectmen of the town, in which said highway or private way may be situated, as the case may be, said proprietors or Selectmen may require, in writing of said corporation, such alteration or amendments as they may think necessary, and if the required amendment or alteration be reasonable and proper, and the said corporation shall unnecessarily and unreasonably neglect to make the same, such proprietors or selectmen as the case may be, may proceed to make such alteration or amendment and may institute and prosecute to final judgment and execution, in any court proper to try the same any action of the case against said corporation, and shall therein recover a reasonable indemnity in damages for all charges, disbursements, labor and services occasioned by making such alteration or amendments with costs of suit: And when any public highway shall hereafter be laid out by order of the Court of Common Pleas across said Rail Road, said corporation being thereto required in writing by the Selectmen of the town, where such highway may cross said Rail Road, shall make such alteration in said Rail Road, as may be necessary to the proper construction of said highway and the convenient and safe use thereof and in case said corporation shall lower said Rail Road, so that such highway shall pass over the same, said corporation shall construct, at their own expense such bridges and abutments as may be necessary for the purpose aforesaid and the same constantly maintain and keep in repair.

Sec. 12. And be it further enacted, That no other road, than the one hereby granted, shall, within thirty years from the passing of this act, be authorized to be made leading from the southern line of the State, or from Dracut or Dunstable in the State of Massachusetts, within five miles of the Rail Road hereby granted. Provided however, and the true intent and meaning of the foregoing is that no other Rail Road within the time aforesaid, shall be authorized running parallel with, or intended as a substitute for the road aforesaid within said distance of five miles: But the Legislature may authorize the building of any other Rail Road or Roads, connecting with or passing across the Road, hereby authorized, any thing in this act to the contrary notwithstanding.

Sec. 13. And be it further enacted, That the said Boston and Ontario Rail Road corporation, shall have full power and authority to extend the said Rail Road from the Southern line of this State, Southerly within and through the State of Massachusetts, and also within and through, northwesterly the States of Vermont and New York, all or either of them, whenever the said States or either of them shall have granted to said corporation power and authority so to do; and for that purpose said corporation may have and receive

from said States or either of them, the power and authority so to extend said Rail Road, with such reasonable and proper restrictions, qualifications and conditions, as may be required by said States, or either of them and agreed to by the stockholders of said corporation at a meeting duly called for that purpose, and to enable said corporation so to extend said Rail Road, the capital stock of said corporation may be increased and enlarged by new shares, so far as may be necessary to defray the expense of so extending said Rail Road through said States, or either of them, and other charges and expenses incident thereto.

Sec. 14. And be it further enacted, That the President, and Directors may call special meetings of the stockholders for such purposes and at such times and places, as they may judge expedient giving notice thereof in such manner, as the corporation by their by laws, shall prescribe at least ten days previously to the time of said meeting and assessments may be laid and collected upon such shares as are subscribed for at any time before the whole stock and shares shall be subscribed for and taken up.

Sec. 15. And be it further enacted, That if said corporation shall not have been organized, and the location of the route of said Rail Road filed with the Secretary of State previously to the first day of September in the Year of our Lord one thousand eight hundred and thirty five, or if the said corporation shall fail to complete the said Rail Road on or before the first day of September, in the Year of our Lord one thousand eight hundred and forty, in either of said cases this act shall be null and void.

Sec. 16. And be it further enacted, That said Rail Road Company shall constantly maintain in good repair, all bridges with their abutments and embankments, which they may construct for the purpose of passing their Rail Road, over any land, turnpike, or other highway, or any private way, or for passing such private way, turnpike, or other highway over said Rail Road, upon the penalty of incurring for each and every such defect or neglect the same liabilities, that towns or turnpike corporations are now subject to by the laws of this State.

[CHAPTER 26.]

State of }
New Hampshire. }

“AN ACT TO INCORPORATE THE PRESIDENT, DIRECTORS AND COMPANY OF THE LANCASTER BANK”

[Approved January 1, 1833. Acts, vol. 29, p. 224. See also act of July 13, 1855, Session Laws, 1855, Chap. 1780.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That James B. Sumner, Moses White, Ephraim Cross, Royal Joyslin William Sampson, Guy C. Cargill, John H. White, John Pendexter Jr, John McIntire, John Wilson, and Frederick G. Messer their associates and those who hereafter may become their associates in said Bank their successors and assigns shall be and they hereby are created and made a Corporation by the name and style of the President, Directors and Company of the Lancaster Bank, and shall so continue from the first day of June next, until the expiration of twenty years next following, and by that name shall be and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Court of record, or any other place whatever and also to make, have and use a common seal, and the same again at pleasure to break, alter and renew, and also to ordain, establish and put in execution such bylaws, ordinances and regulations, not repugnant to the laws of the State, as to them shall appear necessary and convenient for their regulation and government, and for the prudent management of said corporation, subject always to the rules restrictions, limitations and provisions herein after prescribed.

Sec. 2. And be it further enacted, That the capital stock of said corporation shall consist of a sum not less than fifty thousand dollars, nor more than one hundred thousand dollars and may be divided into not less than five hundred shares nor more than one thousand, and the Stockholders at their first meeting shall by a majority of votes determine the amount of payments to be made on each share, and the time when they shall be made, also the mode of transferring and disposing of the stock and the profits thereof, which being entered on the books of said corporation shall be binding on the stockholders their successors and assigns, provided, that no stockholder shall be allowed to borrow at said Bank, until he shall have paid in his full proportion of said sum of fifty thousand dollars at least, and said corporation is hereby made capable in law, to have, hold, purchase and receive, possess, enjoy and retain to them their successors and assigns, lands, rents, tenements and hereditaments to the amount of fifteen thousand dollars and no more at any one time,

with power to bargain, sell and dispose of the same and to loan and negotiate their money and effects, by discounting on banking principles on such personal or other security as they shall think advisable.

Sec. 3. And be it further enacted, That the following rules, limitations and provisions shall form and be the fundamental articles of said corporation. 1st that the said corporation shall not issue and have in circulation, at any one time bills, notes or obligations to a greater amount, than the amount of the capital stock actually paid in, at such time and then composing the capital stock of said Bank, and in case any Cashier, Director or other officer of said Bank at any time shall knowingly issue, or order, direct or cause to be issued and put in circulation bills, notes or obligations of said Bank, which together with those before issued and then in circulation shall exceed the amount of the capital stock as aforesaid, such Cashier, Director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars, nor less than one thousand dollars.

2nd That dividends may be made semiannually among the stockholders of said Bank of interest or profits actually received, but no part of the capital stock of said Bank shall either before or after the expiration of the time limited by this act for the continuance of said corporation be divided among or paid to the stockholders without the license of the Legislature of the State therefor, on penalty that any Cashier, Director or other Officer, who shall so divide or pay the same or order, direct or cause the same to be done shall forfeit and pay therefor a sum not exceeding ten thousand dollars, nor less than one thousand dollars, Provided nevertheless it shall be lawful for the stockholders after having given one year previous notice of their intention by advertisement in two Newspapers published in this State, and after payment of all outstanding debts due from said Bank, to make division of the capital stock among themselves, and thereby dissolve said corporation, and provided further, that said corporation shall in no case be dissolved, until they shall have made ample provision for the redemption of all bills, issued by said Bank, that may be presented for payment at any time within three years from and after the first publication of the notice aforesaid, which provision shall first be presented to the Governor and Council of this State for the time being, and be accepted and approved by them.

3rd That in case of a diminution or loss of any portion of the sum of the capital stock of said Bank by reason of bad or desperate debts, due to the Bank or other means whatever it shall be the duty of the Directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council to state the amount of such diminution or loss and the cause thereof and after such diminution or loss no dividend of interest or profit shall be made until such diminution or loss be replaced and sup-

plied by assessments and actual payments by the Stockholders or by appropriations therefor of the interest and profits actually received.

4th. That said Corporation shall not vest, use or improve any of their money, goods, chattels or effects in trade or commerce, but may sell all kinds of personal pledges lodged in their possession, by way of security to an amount sufficient to reimburse the sum or sums loaned.

5th. That none but a member of said corporation being a citizen of this State and resident therein shall be eligible for a Director and the Directors shall choose one of their own number to act as President, the Cashier before he enters upon the duties of his office shall give bond with two or more sureties to the satisfaction of the board of Directors in a sum not less than eight thousand dollars, with condition for the faithful performance of the duties of his office.

6th That for the well ordering of the affairs of said corporation, a meeting of the stockholders from and after their first meeting, shall be holden at such time and place as they shall direct annually and at any other time during the continuance of said corporation at such place, as may be appointed by the President and Directors for the time being by public notification being given at least two weeks prior thereto, at which annual meeting, there shall be chosen by ballot seven Directors to continue in office the year ensuing their election, and the number of votes to which each stockholder shall be entitled shall be according to the number of shares, he shall hold in the following proportion, that is to say, for every one share one vote, for every two shares above one and not exceeding twenty one vote, for every three shares above twenty one vote, provided that no one stockholder shall be entitled to more than fifteen votes, absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the Cashier.

7th. That no Director shall be entitled to any emoluments for his services, but the stockholders may make the President such compensation as to them shall appear reasonable.

8th That no less than four Directors shall constitute a board for the transaction of business, of whom the President shall be one, except in case of sickness or necessary absence in which case the Directors present, may choose a chairman for the time being in his stead.

9th That all bills issued from the Bank aforesaid signed by the President and countersigned by the Cashier shall be binding on said corporation.

10th That the Directors shall appoint a Cashier, Clerks and such other officers, agents or servants for conducting the business of the Bank with such salaries as to them shall appear just and proper.

11th That said Bank shall be established and kept in the town of Lancaster in the County of Coos.

12th. That the Legislature shall at all times have the right by persons duly appointed for the purpose to examine into the State and condition and all the doings and transactions of said Corporation and of its affairs relating to the same, for which purpose all the books and papers of the corporation together with all its money and securities for money shall be exhibited and submitted to the inspection and examination of such persons so appointed, and each officer of said corporation shall answer on oath if required all suitable and proper interrogatories, relating to the State, condition and transactions of said Bank.

Sec. 4. And be it further enacted, That the said James B. Sumner, John H. White, and Ephraim Cross or any two of them may call a meeting of the members of said corporation, as soon as may be, at such time and place, as they may see fit by advertisement in the Democratic Republican printed at Haverhill in our County of Grafton, giving at least, two weeks notice of the time, place and design thereof at which meeting or any adjournment thereof, the said members may make, ordain and establish such by laws, ordinances, and rules for the regulation and government of said corporation, as may be deemed necessary, may also elect a Board of Directors and such other officers or agents as the said members may see cause to choose.

Sec. 5. And be it further enacted, That all penalties incurred for the breach of any of the provisions of this act, may be recovered by information or suit in the name of the State.

[CHAPTER 27.]

State of }
New Hampshire. }

“AN ACT TO INCORPORATE THE DOVER LYCEUM”

[Approved January 1, 1833. Acts, vol. 29, p. 289.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Asa Freeman, James Bartlett, John B. H. Odiorne, Samuel W. Dow, James, S. Rowe Edmund J. Lawe, Daniel M. Christie, John H. White, William Hale Jr, Eri Perkins, Andrew Steele, George W. Kittredge, Benjamin T. Tredick. William Hale, Joseph Smith, Enoch Nutter, Moses Paul, Abner Caldwell, Thomas E. Sawyer, Samuel W. Carr, John P. Hale, and E. W. Fenner their associates successors and assigns be, and the same are hereby made a body politic and corporate by the name of the Dover Lyceum, and the said Corporation is hereby vested with all the powers, privileges and immunities and subject to all the liabilities of corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may hold real and personal estate, not exceeding in value the sum of ten thousand dollars, may establish a library and reading room, procure collections of minerals, natural and artificial curiosities, philosophical and other apparatus for illustrating the sciences, and may cause to be delivered such lectures, dissertations and discussions upon scientific and other subjects, as may be by them deemed useful.

Sec. 3. And be it further enacted, That Asa Freeman, James Bartlett, and John B. H. Odiorne or either two of them may call the first meeting of said corporation by publishing a notice expressing the time, place and object thereof, in some Newspaper printed in Dover, at least seven days prior to said meeting, at which or at any subsequent meeting, the said Corporation may elect such officers establish and adopt such by laws, rules and regulations as may be necessary to carry into full effect the purposes, intended by this act. provided such by laws, rules and regulations be not repugnant to the constitution and laws of this State.

[CHAPTER 28.]

State of)
New Hampshire. {

“AN ACT REGULATING THE SURVEY AND SALE OF SAWED CLAPBOARDS AND SHINGLES”

[Approved January 1, 1833. Acts, vol. 29, p. 290. Session Laws, 1832, Chap. 96. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act, all sawed clapboards manufactured from pine, spruce, or any other timber and offered for sale in this State shall be known by the following titles and descriptions, to wit, 1st clear clapboards shall be sawed from good pine, spruce or other timber, and shall be not less than four feet and two inches in length, five inches wide, and half of one inch thick on the back or lower edge, and shall be free from knots, worm holes, shakes, sap and rots excepting such clapboards as are sawed or manufactured from other timber than pine, which may retain the sap. 2nd Sap clear shall be of the same dimensions as the clear and shall be free from knots, worm holes shakes and rots. 3rd. merchantable clapboards shall be four feet and two inches long and from four to five inches wide and shall be free from rots, shakes and broken or loose knots, two peices of either of the above description of clapboards, neither of which pieces, being less, than thirty inches in length shall be allowed and

accounted one, and three pieces of two feet in length, each shall be allowed and accounted one, provided always, that there shall in all cases be at least ninety whole clapboards to every hundred.

Sec. 2. And be it further enacted, That all sawed shingles manufactured for sale in this State, whether of pine, spruce, or any other timber shall be surveyed and inspected in the same manner as is now required by law for the inspection and survey of shaved shingles

[CHAPTER 29.]

State of)
New Hampshire. }

“AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE NEW HAMPSHIRE BRIDGE”

[Approved January 1, 1833. Acts, vol. 29, p. 313. See also acts of June 26, 1835, *post*, and June 28, 1859. Session Laws, 1859, Chap. 2313.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William Claggett, Jacob Freese, Samuel Cushman, Arthur Branscomb, Thomas D. Bailey, Benjamin Wheatland, Richard Jenness, William W. Stickney, Valentine Smith Junior, Shadrach Robinson Junior, and their associates and successors be, and they hereby are created a Corporation by the name of the New Hampshire Bridge, and by that name may sue and be sued to final judgment and execution and do and suffer all matters, acts and things, which bodies corporate may or ought to do or suffer and the said Corporation may have and use a common seal and the same may break, alter and renew at pleasure.

Sec. 2. And be it further enacted, That said corporation may erect, build and maintain a bridge across the waters between the towns of Newington and Durham, at any place, between the southerly part of Footmans Island, and the northerly part of Furbers Ferry and Crummetts creek, and said corporation, if they locate their bridge at Furbers Ferry, shall also extend said Bridge across Crummetts creek, and said corporation are hereby empowered to purchase and hold in fee simple, any lands, necessary for erecting and maintaining said bridge between the places aforesaid.

Sec. 3 And be it further enacted, That said corporation may make and execute such by laws, as may be necessary for its regulations, and may conformably to the same, make such assessments as may be found necessary for accomplishing the object of this act, and collect the same by the sale of shares of delinquent proprietors. And at any meeting of said corporation, all questions shall be determined by a majority of the votes of the proprietors present or rep-

resented, allowing one vote for each share, and all representations shall be authorized by writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the Justices of the Superior Court of Judicature, on application to them for that purpose, shall determine and establish the rates of toll for passing said bridge and may from time to time, raise or reduce the same as to them shall appear just and reasonable, considering the expense of erecting and maintaining said bridge. And said corporation shall thereupon be authorized to demand, recover and receive of every person passing said bridge, the rate of toll established as aforesaid, and may prevent the passage of any person until such toll shall have been paid. And at all times when the tollgatherer shall neglect his duty the gate shall be left open.

Sec. 5. And be it further enacted, That a draw or hoist shall be constructed in said bridge, over the main channel of said waters of such dimensions, not exceeding forty feet in width, as the Justices of said Superior Court shall direct so as to admit of a convenient and safe passage for vessels through the same. And it shall be the duty of said corporation to cause said draw to be hoisted at all times when necessary, for the passage of vessels or other craft without unreasonable delay.

Sec. 6. And be it further enacted, That said corporation shall be answerable for all damages, which may be sustained, through the insufficiency of said bridge, or for any defect or want of repairs in the same or in said draw, and may also be indicted and fined therefor, as towns are by law indicted and fined for suffering highways and bridges to be out of repair.

Sec. 7. And be it further enacted, That said William Clagget Jacob Freese, Richard Jenness and Samuel Cushman or any two of them may call the first meeting of said corporation by publishing in the New Hampshire Gazette a notification stating the time, place and object of said meeting fifteen days prior thereto.

Sec. 8. And be it further enacted, That if said bridge shall not be completed within five years from the passing of this act, or if destroyed at any time and shall not within three years after such destruction be rebuilt, this act shall be null and void.

[CHAPTER 30.]

State of }
New Hampshire. }

“AN ACT TO INCORPORATE THE PRESIDENT, DIRECTORS AND COMPANY OF THE ASHUELOT BANK”

[Approved January 2, 1833. Apts. vol. 29, p. 245. See also act of December 17, 1852, Session Laws, 1852, Chap. 1341.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John H. Fuller, Samuel Dinsmoor Junior, Phinehas Fisk, John Elliot, Justus Perry, their associates, and those who may hereafter become associates in said Bank their successors and assigns, shall be, and they hereby are created and made a Corporation by the name and style of the President, Directors and Company of the Ashuelot Bank; and shall so continue from the first day of June next, until the expiration of twenty years next following, and by that name shall be, and hereby are made capable in law to sue and be sued, plead and be impleaded, defend and be defended in any Court of record or any other place whatever, and also, to make, have, and use a common seal, and the same again at pleasure to break, alter and renew, and also to ordain, establish and put in execution such by laws, ordinances and regulations not repugnant to the laws of the State, as to them shall appear necessary and convenient for their regulation and government and for the prudent management of the affairs of said Corporation; subject always to the rules restrictions, limitations and provisions hereinafter prescribed.

Sec. 2. And be it further enacted, That the capital stock of said Corporation shall consist of a sum not less than one hundred thousand dollars, nor more than two hundred thousand dollars, and may be divided into not less than one thousand nor more than two thousand shares; And the stockholders at their first meeting shall by a majority of votes, determine the amount of payments to be made on each share and the time when they shall be made; also, the mode of transferring and disposing of the stock and the profits thereof, which being entered on the books of said Corporation shall be binding on the stockholders, their successors and assigns. Provided that no stockholder shall be allowed to borrow at said Bank, until he shall have paid in his full proportion of said sum of one hundred thousand dollars at least, And said Corporation is hereby made capable in law to have, hold, purchase and receive, possess, enjoy retain to them, their successors and assigns, lands rents, tenements and hereditaments to the amount of twenty thousand dollars, and no more, at any one time, with power to bargain sell and dispose of

the same, and to loan and negotiate their moneys and effects by discounting on banking principles on such personal or other securities as they shall think advisable.

Sec. 3. And be it further enacted, That the following rules limitations and provisions shall form and be the fundamental articles of said Corporation.

1st. That the said Corporation shall not issue and have in circulation at any one time bills, notes or obligations to a greater amount than the amount of the capital stock actually paid in at such time and then composing the capital stock of said Bank; and in case any cashier, director or other officer of said Bank, at any time, shall knowingly issue or order direct or cause to be issued and put in circulation bills, notes or obligations of said Bank which together with those before issued and then in circulation shall exceed the amount of the capital stock as aforesaid, such cashier, Director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars, nor less than one thousand dollars.

2nd. That dividends may be made semiannually among the stockholders of said Bank of interest or profits actually received, but no part of the capital stock of said Bank shall, either before or after the expiration of the time limited by this act for the continuance of said Corporation, be divided among or paid to the stockholders without the licence of the Legislature of this State therefor, on penalty that any Cashier Director or other Officer, who shall so divide or pay the same, or order, direct or cause the same to be done, shall forfeit and pay therefor a sum, not exceeding ten thousand dollars, nor less than one thousand dollars. Provided, nevertheless that it shall be lawful for the stockholders, after having given one years previous notice of their intention by advertisement in two newspapers published in this State, and after payment of all outstanding debts due from said Bank, to make division of the capital stock among themselves and thereby dissolve said corporation. And provided further that said Corporation shall in no case be dissolved until they shall have made ample provision for the redemption of all bills issued by said Bank, that may be presented for payment, at any time within three years from and after the first publication of the notice aforesaid, which provision shall first be presented to the Governor and Council of this State, for the time being and accepted and approved by them.

3rd. That in case of a diminution or loss of any portion of the sum composing the capital stock of said Bank by reason of bad or desperate debts due to the Bank, or other means whatever, it shall be the duty of the Directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council, to state the amount of such diminution or loss, and the cause thereof, and after such diminution or loss, no dividend of in-

terest or profit shall be made until such diminution or loss shall be replaced and supplied by assessments and actual payments by the stockholders, or by appropriations therefor of the interest and profits actually received.

4th That said Corporation shall not vest, use or improve any of their moneys, goods, chattels or effects in trade or commerce, but may sell all kinds of personal pledges lodged in their possession by way of security to an amount sufficient to reimburse the sum or sums loaned.

5th That none but a member of said Corporation being a citizen of this State and resident therein, shall be eligible for a director, and the Directors shall choose one of their own number to act as President. The Cashier, before he enters on the duties of his office shall give bond with two or more sureties to the satisfaction of the board of Directors in a sum not less than ten thousand dollars, with condition for the faithful performance of the duties of his office.

6th That for the well ordering of the affairs of said corporation a meeting of the stockholders from and after their first meeting shall be holden at such place and time, as they shall direct annually, and at any other time during the continuance of said Corporation, at such place as may be appointed by the President, and Directors for the time being, by public notification being given at least two weeks prior thereto, at which annual meeting there shall be chosen by ballot seven directors to continue in office the year ensuing their election. And the number of votes to which each stockholder shall be entitled, shall be according to the number of shares he shall hold in the following proportion, that is to say, for every one share, one vote, for every two shares above one and not exceeding twenty one vote, for every three shares above twenty, one vote, provided that no one stockholder shall be entitled to more than fifteen votes. Absent members may vote by proxy being authorized in writing signed by the person represented and filed with the Cashier.

7.th That no Director shall be entitled to any emolument for his services; but the stockholders may make the President such compensation as to them shall appear reasonable

8th That no less than four Directors shall constitute a Board for the transaction of business of whom the President shall be one, except in case of sickness or necessary absence, in which case, the Directors present may choose a chairman for the time being in his stead.

9th That all bills issued from the Bank aforesaid, signed by the President and countersigned by the cashier shall be binding on said Corporation.

10th That the Directors shall appoint a Cashier, clerks, and such other officers, agents or servants, for conducting the business of the bank, with such salaries as to them shall seem just and proper

11. That said Bank shall be established and kept in the town of Keene in the County of Cheshire.

12th That the Legislature shall at all times have the right by persons duly appointed for the purpose to examine into the State and condition and all the doings and transactions of said Corporation and of its affairs, relating to the same, for which purpose all the books and papers of the Corporation, together with all its money and securities for money, shall be exhibited and submitted to the inspection and examination of such persons so appointed; and each officer of said Corporation shall answer on oath, if required, all suitable and proper interrogatories, relating to the State condition and transactions of said Bank.

Sec. 4. And be it further enacted, That the said John H. Fuller, Samuel Dinsmoor Junior, and Phinehas Fisk, or any two of them may call a meeting of the members of said Corporation as soon as may be, at such time and place as they may see fit, by advertisement in any newspaper published in said Keene, giving at least, two weeks notice of the time, place and design thereof, at which meeting, or at any adjournment thereof the said members may make, ordain, and establish such by laws, ordinances, and rules for the regulation and government of said Corporation as may be deemed necessary, and may also elect a Board of Directors and such other officers or agents as the said members may see cause to choose.

Sec. 5. And be it further enacted, That all penalties incurred for the breach of any of the provisions of this act, may be recovered by information or suit in the name of the State.

[CHAPTER 31.]

State of)
New Hampshire. (

“AN ACT DIRECTING THE PUBLICATION OF THE LAWS IN CERTAIN NEWSPAPERS”

[Approved January 2, 1833. Acts, vol. 29, p. 251. Session Laws, 1832, Chap. 113. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the Secretary of State be, and he hereby is directed to cause all public acts and resolves of this and each subsequent session of the Legislature to be published agreeably to an act entitled “an act, in addition to, and in amendment of an act entitled an act providing for the publication of the acts and journals of the Legislature passed July 3rd 1829 in the following newspapers, to wit, in the New Hampshire Gazette printed at Ports-

mouth; in the Dover Gazette and Strafford Advertizer printed at Dover, in the New Hampshire Patriot and State Gazette printed at Concord, in the Nashua Gazette printed at Dunstable, in the Farmers Museum printed at Keene; in the New Hampshire Spectator printed at Newport, in the Democratick Republican printed at Haverhill, and in the New Hampshire Statesman and State Journal printed at Concord, till otherwise ordered by the Legislature. Provided however, that no publisher shall receive any compensation for publishing any part of the same, unless he has published all the public acts and resolves of the preceeding session of the Legislature.

[CHAPTER 32.]

State of }
New Hampshire. }

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved January 3, 1833. Acts, vol. 29, p. 183. Session Laws, 1832, Chap. 112.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names which by this act they are respectfully allowed to assume. viz. Job Brooks Junior of Stoddard may take the name of Frederick Brooks, John Clark 3rd of Sandbornton may take the name of John Dearborn Clark, Caroline Georgiana Dinsmoor of Rindge may take the name of Caroline Georgiana Cutler, Benjamin Carter 2nd of Newtown may take the name of Benjamin F. Carter, John W. Tucker of Rye may take the name of Jay Wilmot Upham, Luke Vose of Antrim may take the name of Edward L. Vose, Thomas W. Carter of Newton may take the name of Thomas Carter, Adam Rutherford of Columbia may take the name of Francis Anderson Rutherford, Jonathan Prescott of Northfield may take the name of Jonathan H. Prescott, William G. Dalrimple of Rumney may take the name of William White Gibson, Danforth McIntire of Temple may take the name of Danforth Farrar, Joshua Otis Southern of Strafford may take the name of Joshua Otis Junior, Isaac Leathers of Strafford may take the name of Isaac Leighton, Abigail Leathers of Strafford may take the name of Abigail Leighton, Obadiah Morrill Leathers of Strafford may take the name of Obadiah Morrill Leighton, Samuel Drew Leathers of Strafford may take the name of Samuel Drew Leighton, Thias Leathers of Strafford may take the name of Thias Leighton, Trueworthy Leathers of Strafford may take the name of Trueworthy Leighton, Susan Leathers of Strafford may take the name of Susan Leighton, Mehitable Leathers of Strafford may take the name of

Mehitable Leighton, Sally Leathers of Strafford may take the name of Sally Leighton, Judith Leathers of Strafford may take the name of Judith Leighton, Sally Tanner of Farmington may take the name of Mary Jane G. Hayes, Lucy Hayward of New London may take the name of Lucy Whittemore, John Horne of Meredith may take the name of John Haven, Susan Horne of Meredith may take the name of Susan Haven, Elbridge G. Horne of Meredith may take the name of Elbridge G. Haven, Hannah Horne of Meredith may take the name of Hannah Haven, Maria Horne of Meredith may take the name of Maria Haven, Frances Horne of Meredith may take name Frances Haven, Henry R. Horne of Meredith may take the name of Henry R. Haven, Charles Horne of Meredith may take the name of Charles Haven, Elizabeth Horne of Meredith may take the name Elizabeth Haven, John Horne Jr of Meredith may take the name of John Haven Junior, Israel Tibbetts Jr of Barnstead may take the name of Israel Colman Tibbetts.

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT, ENTITLED AN ACT RELATING TO THE ORGANIZATION OF THE COURTS OF JUSTICE.

[Approved January 3, 1833. Acts, vol. 29, p. 185. Session Laws, 1832, Chap. 90. The act referred to is dated December 29, 1832, *ante*, p. 369. See also acts of July 4, 1834, *post*; June 27, 1835, *post*; January 13, 1837, Session Laws, 1836, November session, Chap. 270, and July 3, 1841, *id.*, 1841, Chap. 602.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all writs, actions, processes, matters and things whatsoever, which may be sued or prosecuted within fifteen days next, after the approval of the act to which this is an amendment, and made returnable to the Superior Court of Judicature or Court of Common Pleas as established before the passage of the act, to which, this is an amendment, shall be returned to, entered, have day and be acted upon in the several Courts of Common Pleas, by that act constituted and established, at the next terms thereof holden in the same Counties, and be prosecuted to final judgment and execution in said Court, as fully and effectually as the same might have been in the Superior Court of Judicature or Court of Common Pleas, to which the same may have been made returnable and to which they would have been returned had not the act to which this is an amendment, been passed.

Sec. 2. And be it further enacted, That a term of the Superior

Court of Judicature shall be holden at Rochester in the County of Strafford on the first tuesday of March next and at Exeter in the County of Rockingham on the second tuesday of March next.

Sec. 3. And be it further enacted, That so much of an act, entitled "an act for altering the time of holding a term of the Court of Common Pleas in the Counties of Cheshire and Sullivan, and for altering the time of holding the Court of Probate at Newport in the County of Sullivan," as relates to the holding of the Court of Common Pleas, be and the same is hereby repealed. Provided, however, that all writs, actions, processes, venires, and every matter and thing whatsoever, which may have been made returnable to said terms, shall be returned to, entered, have day and be heard at the next succeeding terms of the Court of Common Pleas in said Counties of Cheshire and Sullivan, as fixed by the act, to which this is an amendment.

[CHAPTER 34.]

State of)
New Hampshire.)

AN ACT REGULATING THE MODE OF PUTTING PINE TIMBER INTO CONNECTICUT RIVER.

[Approved January 3, 1833. Acts, vol. 29, p. 187. Session Laws, 1832, Chap. 94. This act revives act of December 28, 1805, Laws of New Hampshire, vol. 7, p. 469, and repeals act of June 10, 1808, id., p. 642. See also acts of June 18, 1807, id., p. 600; January 3, 1829, id., vol. 9, p. 933, and June 22, 1831, *ante*, p. 192.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That an Act passed June 10, 1808 entitled "An Act regulating the mode of putting pine timber into Connecticut River" and all acts and parts of acts heretofore passed in addition to or amendment of said Act, be and the same hereby are repealed.

Sec. 2. And be it further enacted, That an act entitled an act to prevent damage which may be done by lumber to owners of land lying on and adjoining any River in this State passed Dec. 28, 1805 be and the same is hereby revived and in force as to Connecticut River.

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO THE SEVERAL LAWS OF THIS STATE FOR THE
 EASE AND RELIEF OF POOR DEBTORS.

[Approved January 3, 1833. Acts, vol. 29, p. 188. Session Laws, 1832, Chap. 107. This act partly repeals act of January 3, 1829, Laws of New Hampshire, vol. 9, p. 937, and wholly repeals act of July 2, 1831, *ante*, p. 260. See also acts of May 21, 1774, Laws of New Hampshire, vol. 3, p. 619; June 21, 1782, *id.*, vol. 4, p. 467; January 3, 1784, *id.*, p. 541; June 10, 1789, *id.*, vol. 5, p. 442; February 15, 1791, *id.*, p. 704; June 13, 1796, *id.*, vol. 6, p. 321; December 13, 1796, *id.*, p. 372; November 30, 1803, *id.*, vol. 7, p. 167; June 16, 1807, *id.*, p. 583; December 23, 1808, *id.*, p. 785; June 24, 1813, *id.*, vol. 8, p. 261; June 23, 1814, *id.*, p. 343; June 26, 1816, *id.*, p. 499; June 25, 1818, *id.*, p. 705; July 2, 1825, *id.*, vol. 9, p. 465; January 13, 1837, Session Laws, 1836, November session, Chap. 275, and July 4, 1838, *id.*, 1838, Chap. 370. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any person shall be arrested or imprisoned on execution, he shall be discharged from such arrest or imprisonment, upon giving bond to the creditor, with two sufficient sureties, residents in this State, to be bound jointly and severally in double the sum for which such person is arrested or imprisoned with condition in the same bond underwritten in form following, namely, The condition of the above obligation is such that if the above bounden now a prisoner at the suit of shall within one year from the day of his arrest being the day of A. D. apply to the proper authority and be admitted to take and actually take the oath or affirmation prescribed by the laws of this State for the relief of poor debtors, or in default thereof shall surrender himself up to the Creditor in the manner prescribed by the laws of this State, then this obligation to be void or else to abide in full force and virtue, and the blanks in said condition shall be filled up as the respective cases may require. And when the debtor shall have been committed, the day of his commitment shall be considered the day of his arrest within the meaning of the condition of said bond. And if the sureties be not approved by the Creditor his agent or attorney, who prosecutes or prosecuted the said action, then any two Justices of the Superior Court or Court of Common Pleas, or either of said Justices with a Justice of the Peace, or any two Justices of the Peace of the Quorum within the County where such person shall be arrested or imprisoned being disinterested and approving of the sureties and certifying such their approbation on the back of said bond, the sureties shall be deemed sufficient. And the said bond shall remain with the officer

having the custody of the debtor at the time it is given, till the creditor demand the same, when it shall be given up to him on his giving the officer a receipt in writing purporting that he has received the same, And the sheriff or other officer shall not be liable to any action for an escape after the executing of such bond. And on condition broken the said creditor may put the said bond in suit and shall recover his just debt, damages and costs for which such prisoner was arrested or imprisoned with officers fees and ten per cent interest from the time of the arrest. Provided, that when any person shall be arrested or committed on execution founded on such bond he shall remain in close confinement in the common gaol and shall not be discharged on giving bond as herein provided. And on all executions issuing on any such bond, a minute that said execution issued on such bond shall be made on the back thereof by the Clerk issuing the same.

Sec. 2. And be it further enacted, That if any person having given bond as aforesaid shall not within one year from the day of his arrest as aforesaid take the oath or affirmation prescribed by the laws of this State for the relief of poor debtors or be otherwise discharged, he shall on the day next after the expiration of said Year unless the same be the sabbath day and in that case on the next succeeding monday, surrender himself up to the keeper of the gaol in the County where he was originally arrested or committed and remain at said gaol from twelve o'clock at noon, till three o'clock in the afternoon on said day so that the creditor may cause him to be again arrested on his said execution or upon a new execution, which he is hereby authorized and empowered to sue out on the original judgment, in case the former execution shall have become returnable; And the Creditor may cause said debtor to be arrested accordingly and committed to gaol where he shall remain in close confinement and shall not again be discharged on giving bond as provided by this act. And the sureties in any such bond are authorized to take the body of the principal and surrender him up in the manner and for the purpose aforesaid. And if there be more than one gaol in the County, where such surrender is to be made, the person or persons making the surrender shall give notice in writing to the creditor or his attorney in the action in which such execution was issued if either of them live in this State, at which of such gaols such surrender will be made at least ten days prior thereto, said notice to be given to said creditor or his attorney or left at his last and usual place of abode—And if the execution debtor shall surrender himself or be surrendered as aforesaid, or shall take the oath or affirmation prescribed by the law for the relief of poor debtors within the time above limited, the condition of the said bond shall be adjudged, kept and performed; but if he shall neglect to take the oath or affirmation in the time before limited and shall not surrender himself or be sur-

rendered as aforesaid the condition of the said bond shall be adjudged and held as broken.

Sec. 3. And be it further enacted, That any two Justices of the Peace of the Quorum shall have within their respective Counties all the powers and authority which now are, or hereafter may be vested in any two Justices of the Superior Court, or Court of Common Pleas, or in any two Commissioners of gaol delivery to administer the oath or affirmation prescribed by law for any person arrested or imprisoned upon execution and who may be entitled to take the same; and either of the said Justices of the Peace of the Quorum applied to, may make all necessary orders and do all things in relation to the application and discharge of any person arrested or imprisoned as aforesaid, in as full and ample manner as any Justice of the Superior Court, Court of Common Pleas, or as any Commissioner of gaol delivery may or can do. And the said Justices shall make return of the petition and their doings therein, in the same manner and at the same time, as is now required of Commissioners of gaol delivery and copies of the same shall be given as copies are now given of similar proceedings of such Commissioners.

Sec. 4. And be it further enacted, That every person arrested or imprisoned on execution and discharged on giving bond pursuant to this act, shall be entitled to all the benefits of the laws of this State for the relief of poor debtors in the same manner, as if such person remained in prison on said execution; and in all such cases the application to take the oath or affirmation by law prescribed for the relief of poor debtors, and all subsequent proceedings thereon shall be the same as now provided in the case of a person committed on execution so far as the same are not altered by this act. And the said Justices or Commissioners shall make a certificate of such oath when administered, in the form following.

State of New Hampshire

ss.

on the day of A. D at in said
County A. B. of heretofore a prisoner on execution at the
suit of C. D. &c. took the oath as prescribed by law for the relief
of poor debtors; the said C. D. or the attorney of the said C. D.
having been duly notified did (or did not) attend

G. H

addition

E. H

Sec. 5. And be it further enacted, That every judgment obtained against any person discharged as aforesaid shall notwithstanding such discharge be and remain good and effectual against any estate then or at any time after belonging to such judgment debtor, and a new execution may at any time issue against his estate in the same way and manner as if he had never been in execution.

Sec. 6. And be it further enacted, That if any person shall upon a surrender as provided in the second section of this act be committed to close confinement, he shall not be discharged from his said imprisonment till he shall pay the costs of his said commitment and all prison charges, and no female shall be arrested either on mesne process or on execution founded upon contract.

Sec. 7. And be it further enacted, That in all actions of trespass and of trespass on the case, when the cause of action has arisen from the wilful and malicious act or neglect of the defendant, the Court or Justice before whom said action is tried, shall cause a certificate thereof to be made on the back of the execution, issuing in said action: And the Defendant in such case shall not be discharged from arrest or imprisonment on giving bond as provided in this act, nor shall he be entitled as a matter of right to be discharged upon taking the poor debtors oath: but on application to any two of said Justices or Commissioners he may, if they in their discretion think it proper, be discharged upon taking the said oath or affirmation and upon such terms and conditions as they may think the case requires.

Sec. 8. And be it further enacted, That the second section of an act entitled "An Act for the ease and relief of poor debtors passed January 3. 1829. and an act entitled "An Act in addition to an act for the ease and relief of poor debtors" passed July 2. 1831 be and the same hereby are repealed, provided the same shall be and remain in full force as to all things heretofore done and transacted.

[CHAPTER 36.]

State of)
New Hampshire.)

"AN ACT TO INCORPORATE THE PROPRIETORS OF SEWALLS FALLS BRIDGE"

[Approved January 3, 1833. Acts, vol. 29, p. 255.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Ebenezer Eastman, Abraham Bean, Samuel Tilton Hugh McAllaster, Daniel C. Atkinson, Orlando Brown their associates, successors and assigns, be and they hereby are incorporated and made a body politic, by the name of the Proprietors of Sewalls Falls Bridge, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Proprietors be, and they hereby are authorized and empowered to construct, build, maintain and keep in repair a Bridge over Merrimack River at any place within half a mile from the head of Sewalls Falls in the northerly part of Concord in the County of Merrimack, and the same from time to time to rebuild and keep in repair forever, and also may purchase and hold so much real estate as may be necessary and convenient for carrying into effect the purposes of this act.

Sec. 3. And be it further enacted, That the said Ebenezer Eastman, Abraham Bean and Samuel Tilton or either two of them, may call the first meeting of said Proprietors at any suitable time and place by advertizement in any one or more of the newspapers published in Concord aforesaid, expressing therein the time, place and design of such meeting, at least two weeks prior thereto. At which said first meeting, or at any adjournment thereof, the said proprietors may agree on the manner of calling their future meetings; and at the same or at any subsequent meeting duly notified and holden they may elect such officers or agents, as they may deem necessary for conducting the affairs of said corporation; may divide their joint stock into shares and agree on the manner of transferring them, may order assessments and fix the time of their payment, may pass by laws, not repugnant to the laws of the State for their regulation and government and annex penalties to the breach thereof, not exceeding ten dollars for any one offence, and do and transact any business necessary for carrying into effect the objects of their association. All questions at any meeting of said Corporation shall be determined by a majority of votes of the members present or represented, allowing one vote to each share, and authority to vote at any such meeting in behalf of an absent member, shall be proved by writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof within the time fixed therefor, the delinquent share or shares may be advertized and sold at public auction, or so many of them as may be necessary to pay such assessments, with incidental charges, under such regulations as the Proprietors in their by laws may have prescribed.

Sec. 5. And be it further enacted, That to reimburse the Proprietors the moneys, by them expended in building and keeping said Bridge in repair, a toll be and hereby is granted and established; and any toll gatherer appointed by said Corporation, is hereby authorized to demand and receive the following rates of toll, and to stop and detain any person or persons from crossing said Bridge with their carriages, teams, horses or other creatures until the same shall be paid, that is to say,—For every foot passenger, one cent, for

each horse and rider or horse led four cents; for each horse and chaise, or other carriage drawn by one horse six cents, if drawn by two horses ten cents, and three cents for each additional horse, for each cart or other carriage drawn by two oxen, six cents, and four cents for each additional yoke of oxen, for each sleigh or sled with one horse or one yoke of oxen three cents, and two cents for each additional horse or yoke of oxen, for each horse or mule in droves two cents; for each neat creature in droves, one cent, for each sheep or swine one fourth of a cent, and one driver and no more to be allowed to pass with each team free of toll. And at all times when the toll gatherer does not attend his duty, the gate or gates upon or across said Bridge shall be left open.

Sec. 6. And be it further enacted, That if within four years from the passing hereof the said Bridge shall not be built and ready for the accommodation of passengers then this act shall be void and of no effect; and in case said Corporation shall fail to have and keep in good repair a convenient and safe bridge, within the limits aforesaid, according to the true intent and meaning hereof for the space of two years at any one time thereafter, then this act shall be void.

Sec. 7. And be it further enacted, That said Corporation shall not by means of the erection of any abutments, pier, or any part of their said Bridge, obstruct the navigation of Merrimack River, but shall leave a waste way for the free passage of all rafts of lumber, boats or other craft of a width not less than eighty feet.

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT EMPOWERING THE INHABITANTS OF THE TOWN OF PORTSMOUTH TO APPOINT HEALTH OFFICERS AND FOR PREVENTING NUISANCES IN SAID TOWN.

[Approved January 3, 1833. Acts, vol. 29, p. 259. Session Laws, 1832, Chap. 106. The act referred to is probably that of June 15, 1799, Laws of New Hampshire, vol. 6, p. 578. See also acts of June 10, 1803, id., vol. 7, p. 147, and June 18, 1807, id., p. 606. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the inhabitants of any town in this State qualified to vote in town affairs, may at their annual town meeting, or at any other town meeting duly warned and held for that purpose, choose by ballot three suitable persons, to be health officers, in such town, who shall be sworn to the faithful discharge of their duty and shall continue in office until the next annual town meeting, and in case of the neglect or refusal of any person so chos-

en to take such oath or in case of the death or resignation of any health officer, the Selectmen of the town, or a major part of them may by writing under their hands appoint some suitable person to fill such vacancy and such person being sworn as aforesaid, shall have the same power and authority as he would have, if chosen by the inhabitants at a legal town meeting.

Sec. 2. And be it further enacted, That the act to which this is in addition, with all, each, and every of the provisions thereof, except the sixth section of said act, shall be in force and have operation and effect in every town in this State, which shall choose health officers agreeably to the provisions of this act.

[CHAPTER 38.]

State of)
New Hampshire.)

“AN ACT RELATING TO STUDENTS OF COLLEGES.”

[Approved January 3, 1833. Acts, vol. 29, p. 260. Session Laws, 1832, Chap. 102. See acts of July 4, 1839, id., 1839, Chap. 447; July 14, 1871, id., 1867-71, p. 540; July 3, 1872, id., 1872-76, p. 20; June 26, 1874, id., p. 275, and July 12, 1876, id., p. 566.]

Be it enacted by the Senate and House of Representatives in General Court convened, That all laws and parts of laws of this State, so far as they go to exempt Students of Colleges, that are twenty one years of age and upwards, from the performance of military duty be, and the same are hereby repealed. Provided, nevertheless, that if any student of any College in this State, shall apply in writing to either of the Selectmen or Town Clerk of the town, where such College is situated, at least five days prior to any annual meeting in such town and request to have his name stricken from the list of voters in such town in that case, he shall not be allowed to vote at the annual or any other legal town meeting in said town, for such year, and such student at such College, in such case, shall be altogether exempted from the performance of military duty for that year, as if this law had not been passed, and he shall for the same year, also be exempted from taxation in such towns.

[CHAPTER 39.]

State of {
New Hampshire. }

“AN ACT TO INCORPORATE THE NEWPORT MANUFACTURING COMPANY”

[Approved January 3, 1833. Acts, vol. 29, p. 261.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Franklin Simons Aaron Nettleton Junior, William H. Cheney, James Breck, John B. Mcgregory, James Perham, Joseph Farnsworth, William Lowell and Calvin Wilcox, their associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politic by the name and style of the Newport Manufacturing Company and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities, incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said Corporation be, and hereby is authorized and empowered to commence establish and carry on the business of manufacturing cotton and woollen goods, in all their various branches, together with such other branches of manufacture and trade, as are, or from time to time may be necessarily connected therewith, in the town of Newport in the County of Sullivan, and for these purposes the said Corporation, may purchase and hold real and personal estate to any amount not exceeding five hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted, That any three of the persons above named, may call the first meeting of the members of said Corporation, by publishing a notice thereof, in the New Hampshire Spectator, expressing the time, place, and design of said meeting, at least fifteen days prior to the time of holding the same, or by giving personal notice at least six days before the day of said meeting, at which said first meeting there shall be chosen a clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof, when lawfully required, and at the same meeting or any adjournment thereof or at any subsequent meeting duly notified and holden the members of said Corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares, as they may deem proper and determine the manner of transferring them, may elect such officers and agents as may be deemed neces-

sary for managing their concerns and prescribe their duties, may order assessments, and fix the time of their payment, may establish by laws not repugnant to the laws of the State, for their regulation and government and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said Corporation shall be determined by a majority of votes present, and represented, allowing one vote to each share; provided however, that any member holding more than ten shares, shall be entitled to no more, than one vote for every five shares, which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4. And be it further enacted, That the shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non payment thereof, within the time fixed for their payment, the delinquent share or shares may be advertised and sold at public auction or so many of them, as may be necessary to pay such assessments with incidental charges, under such regulations as the Corporation in its by laws shall have prescribed.

[CHAPTER 40.]

State of)
New Hampshire.)

AN ACT AUTHORIZING SELECTMEN TO TAX THE RATABLE ESTATE OF LEGATEES AND WARDS IN THE HANDS OF EXECUTORS ADMINISTRATORS TRUSTEES AND GUARDIANS

[Approved January 3, 1833. Acts, vol. 29, p. 264. Session Laws, 1832, Chap. 105. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the real and personal estate of legatees and wards, all cestui que trusts and all taxable property held in trust by any person or persons in this State shall hereafter be assessed and taxed to the several Executors, Administrators, Trustees and Guardians or any person or persons having said taxable property in trust in the same way and manner as other estates are now or hereafter may be taxed.

Sec. 2. And be it further enacted. That Executors, Administrators, Trustees, Guardians and all others having property in trust as aforesaid shall annually exhibit to the Selectmen in the several towns, in which such legatees or wards may reside a just and true account of the ratable estate of their respective legatees, wards,

cestui que trusts, and of all property held in trust in the same way and manner as the inhabitants of towns are now required by law to exhibit an account of their own ratable estates and such Executors Administrators, Trustees, Guardians and all persons having property in trust shall be subject to the same penalties, as by law are imposed upon those, who neglect or refuse to give a true account of their own taxable property and shall be liable for the payment of all taxes legally assessed upon the estates of their respective legatees, wards, cestui que trusts or any estate, holden by any Trustee, as they are now liable for the payment of taxes legally assessed upon their own taxable property.

Sec. 3. And be it further enacted, That in case any Executor Administrator, Trustee, Guardian or any person having property in trust shall neglect or refuse to pay all taxes duly assessed upon the estate of their respective legatees, wards or estate holden by any trustee, agreeably to the provisions of this act, he shall for such refusal or neglect be subject to the same penalties as by law are imposed upon those, who refuse or neglect to pay the taxes legally assessed upon their own ratable estates. Provided nevertheless, that it shall be the duty of the Selectmen to make such deductions from the inventories of distracted persons and persons non compos mentis as they shall think just and reasonable, whenever it shall appear that the income of their estates is insufficient to support them.

Sec. 4. And be it further enacted, That any Executor, Administrator, Trustee, Guardian, or any person holding property in trust and having paid the taxes duly assessed upon the estates of their respective legatees, wards, or upon taxable property held in trust as aforesaid shall be entitled to receive the same out of the property held by them as aforesaid.

Sec. 5. And be it further enacted, That all acts and parts of acts that are inconsistent with the provisions of this act be and the same are hereby repealed.

[CHAPTER 41.]

State of }
New Hampshire. }

AN ACT FOR MAKING AND ESTABLISHING A NEW PROPORTION FOR THE ASSESSMENTS OF PUBLIC TAXES AMONG THE SEVERAL TOWNS AND PLACES WITHIN THIS STATE AND TO AUTHORIZE THE TREASURER TO ISSUE HIS WARRANTS FOR LEVYING THE SAME.

[Approved January 4, 1833. Acts, vol. 29, p. 231. Session Laws, 1832, Chap. 114.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay and for which the Treasurer of the State is hereby authorized to issue his warrant, shall be as follows, to wit

COUNTY OF ROCKINGHAM

Atkinson two dollars sixty three cents	2.63
Brentwood three dollars ninety eight cents	3.98
Candia four dollars ninety cents	4.90
Chester seven dollars forty cents	7.40
Deerfield eight dollars	8.00
Derry seven dollars ninety four cents	7.94
East Kingston one dollar eighty seven cents	1.87
Epping six dollars fifty four cents	6.54
Exeter eleven dollars forty three cents	11.43
Greenland three dollars sixty one cents	3.61
Hampstead three dollars fifty three cents	3.53
Hampton four dollars fifty five cents	4.55
Hampton Falls three dollars twenty six cents	3.26
Hawke one dollar eighty seven cents	1.87
Kensington three dollars twenty four cents	3.24
Kingston three dollars eighty cents	3.80
Londonderry five dollars seventeen cents	5.17
New Castle one dollar forty one cents	1.41
Newington two dollars twenty four cents	2.24
New Market nine dollars forty cents	9.40
Newtown one dollar and eighty cents	1.80
North Hampton three dollars thirty three cents	3.33
Northwood five dollars four cents	5.04
Nottingham five dollars twenty cents	5.20
Plaistow two dollars nine cents	2.09
Peplin one dollar eighty six cents	1.86
Portsmouth forty dollars forty one cents	40.41

Raymond three dollars forty cents	3.40
Rye three dollars ninety cents	3.90
Salem four dollars fifty cents	4.50
Sandown two dollars thirty cents	2.30
Seabrook three dollars fourteen cents	3.14
South Hampton two dollars thirty five cents	2.35
Stratham three dollars eighty eight cents	3.88
Windham three dollars twenty cents	3.20

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COUNTY OF STRAFFORD.

Alton five dollars thirty two cents	5.32
Barnstead six dollars	6.00
Barrington five dollars eighty eight cents	5.88
Brookfield one dollar ninety six cents	1.96
Burton seventy one cents	...71
Centre Harbour one dollar eighty two cents	1.82
Chatham one dollar thirty cents	1.30
Conway four dollars one cent	4.01
Dover twenty seven dollars thirty three cents	27.33
Durham six dollars	6.00
Eaton three dollars thirty six cents	3.36
Effingham three dollars thirty three cents	3.33
Farmington five dollars fifteen cents	5.15
Freedom two dollars sixteen cents	2.16
Gilmanton twelve dollars seventy cents	12.70
Gilford five dollars eighty cents	5.80
Lee three dollars twenty five cents	3.25
Madbury two dollars forty cents	2.40
Meredith nine dollars sixty nine cents	9.69
Middleton one dollar forty cents	1.40
Milton three dollars eighty one cents	3.81
Moltonborough four dollars seventeen cents	4.17
New Durham three dollars forty cents	3.40
New Hampton five dollars thirty nine cents	5.39
Ossipee four dollars seventy cents	4.70
Rochester seven dollars forty eight cents	7.48
Sanbornton ten dollars	10.00
Sandwich seven dollars ninety one cents	7.91
Somersworth fifteen dollars five cents	15.05
Strafford six dollars twenty eight cents	6.28
Tamworth four dollars twenty cents	4.20
Tuftonborough four dollars twenty five cents	4.25

Wakefield four dollars fifty three cents	4.53
Wolfeborough five dollars thirty cents	5.30
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	196.04

COUNTY OF MERRIMACK.

Allenstown one dollar fifteen cents	1.15
Andover four dollars sixty seven cents	4.67
Boscawen eight dollars twenty four cents	8.24
Bow three dollars forty cents	3.40
Bradford four dollars twenty four cents	4.24
Canterbury six dollars sixty six cents	6.66
Chichester three dollars forty five cents	3.45
Concord sixteen dollars	16.00
Dunbarton three dollars eighty eight cents	3.88
Epsom four dollars ninety four cents	4.94
Fishersfield two dollars twenty cents	2.20
Franklin three dollars sixty four cents	3.64
Henniker seven dollars eighty cents	7.80
Hooksett three dollars twenty cents	3.20
Hopkinton nine dollars forty cents	9.40
Loudon six dollars ninety cents	6.90
New London three dollars	3.00
Northfield five dollars thirteen cents	5.13
Pembroke five dollars fifteen cents	5.15
Pittsfield five dollars	5.00
Salisbury five dollars ninety cents	5.90
Sutton four dollars thirty cents	4.30
Warner six dollars ninety three cents	6.93
Wilmot two dollars fifty five cents	2.55
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	127.73

COUNTY OF HILLSBOROUGH

Amherst five dollars ninety two cents	5.92
Antrim four dollars seventy three cents	4.73
Bedford five dollars thirty one cents	5.31
Brookline one dollar eighty one cents	1.81
Deering five dollars twenty five cents	5.25
Dunstable eleven dollars ninety nine cents	11.99
Francestown seven dollars ten cents	7.10
Goffstown eight dollars twenty nine cents	8.29
Greenfield three dollars seventeen cents	3.17
Hancock five dollars three cents	5.03
Hillsborough seven dollars thirty six cents	7.36

Hollis four dollars eighty one cents	4.81
Hudson four dollars ten cents	4.10
Litchfield one dollar eighty one cents	1.81
Lyndeborough three dollars ninety two cents	3.92
Manchester two dollars sixty seven cents	2.67
Mason four dollars thirty seven cents	4.37
Merrimack three dollars ninety cents	3.90
Milford five dollars two cents	5.02
Mont Vernon two dollars fifty two cents	2.52
New Boston six dollars sixty two cents	6.62
New Ipswich seven dollars five cents	7.05
Pelham four dollars fourteen cents	4.14
Peterborough eight dollars thirty nine cents	8.39
Sharon one dollar fifty cents	1.50
Society Land sixty cents	...60
Temple two dollars eighty nine cents	2.89
Weare ten dollars twenty five cents	10.25
Windsor one dollar	1.00
Wilton four dollars sixty eight cents	4.68

 146.20

COUNTY OF CHESHIRE.

Alstead five dollars sixty seven cents	5.67
Chesterfield six dollars eighty seven cents	6.87
Dublin five dollars nine cents	5.09
Fitswilliam four dollars seventy cents	4.70
Gilsum two dollars four cents	2.04
Hinsdale two dollars ninety four cents	2.94
Jaffrey five dollars fifty cents	5.50
Keene ten dollars eighty nine cents	10.89
Marlborough two dollars sixty six cents	2.66
Marlow two dollars eighty three cents	2.83
Nelson three dollars forty three cents	3.43
Richmond four dollars thirty six cents	4.36
Rindge four dollars seventy four cents	4.74
Roxbury one dollar thirty two cents	1.32
Stoddard four dollars seventy cents	4.70
Sullivan two dollars fifty one cents	2.51
Surry two dollars	2.00
Swanzey six dollars twenty seven cents	6.27
Troy two dollars forty two cents	2.42
Walpole ten dollars sixty four cents	10.64
Westmoreland six dollars fifty three cents	6 53
Winchester six dollars eighty six cents	6.86

 104.97

COUNTY OF SULLIVAN

Acworth six dollars fourteen cents	6.14
Charlestown nine dollars thirteen cents	9.13
Claremont eleven dollars fifty five cents	11.55
Cornish seven dollars forty cents	7.40
Croydon three dollars eighty three cents	3.83
Goshen two dollars fifty five cents	2.55
Grantham four dollars	4.00
Langdon two dollars eighty three cents	2.83
Lempster three dollars sixty cents	3.60
Newport seven dollars eighty four cents	7.84
Plainfield seven dollars	7.00
Springfield three dollars seventy cents	3.70
Unity four dollars seventy five cents	4.75
Washington three dollars eighty five cents	3.85
Wendell two dollars thirty two cents	2.32
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	80.49

COUNTY OF GRAFTON.

Alexandria two dollars eighty four cents	2.84
Bath six dollars thirty seven cents	6.37
Bethlehem two dollars eleven cents	2.11
Bridgewater two dollars fifty nine cents	2.59
Bristol two dollars sixty two cents	2.62
Campton four dollars thirty six cents	4.36
Canaan five dollars ten cents	5.10
Coventry one dollar nine cents	1.09
Danbury two dollars fourteen cents	2.14
Dames Gore eighteen cents	...18
Dorchester two dollars twenty seven cents	2.27
Ellsworth fifty three cents	...53
Enfield six dollars fourteen cents	6.14
Franconia one dollar forty cents	1.40
Grafton three dollars eighty eight cents	3.88
Groton two dollars thirty two cents	2.32
Hanover eight dollars thirteen cents	8.13
Haverhill seven dollars fifty three cents	7.53
Hebron one dollar ninety five cents	1.95
Holderness four dollars fifty four cents	4.54
Landaff three dollars forty eight cents	3.48
Lebanon eight dollars twenty three cents	8.23
Linccln eleven cents	...11
Lisbon four dollars sixty nine cents	4.69
Littleton four dollars seventy nine cents	4.79

Lyman five dollars five cents	5.05
Lyme seven dollars twenty two cents	7.22
New Chester three dollars forty two cents	3.42
Orange one dollar six cents	1.06
Orford six dollars fifty cents	6.50
Peeling ninety four cents	...94
Piermont four dollars fourteen cents	4.14
Plymouth four dollars fifty five cents	4.55
Rumney three dollars forty four cents	3.44
Thornton three dollars forty two cents	3.42
Warren two dollars sixty six cents	2.66
Waterville seventeen cents	17
Wentworth three dollars forty one cents	3.41

135.37

COUNTY OF COOS.

Bartlett one dollar forty nine cents	1.49
Berlin thirty nine cents	...39
Beans Grant three cents	...03
Cambridge nineteen cents	...19
Colebrook two dollars four cents	2.04
Columbia one dollar fifty cents	1.50
Carroll thirty cents	...30
Clarksville twenty eight cents	...28
Dalton one dollar sixty one cents	1.61
Dixville nine cents	...09
Dummer thirty four cents	...34
Errol forty cents	...40
Ervins Location two cents	...02
Greens Grant two cents	...02
Hales Location four cents	...04
Harts Location eight cents	...08
Jefferson one dollar twenty four cents	1.24
Jackson one dollar thirty four cents	1.34
Kilkenny fifteen cents	...15
Lancaster three dollars eighty cents	3.80
Millsfield fifteen cents	...15
Low and Burbanks Grant two cents	...02
Milan seventy cents	...70
Northumberland one dollar fifty four cents	1.54
Nash and Sawyers Location ten cents	...10
Randolph forty cents	...40
Stark ninety three cents	...93
Stratford one dollar forty five cents	1.45
Shelburne one dollar fifteen cents	1.15

Shelburne Addition thirty cents	...30
Stewartstown one dollars seventy four cents	1.74
Success seventeen cents	...17
Whitefield one eighty four cents	1.84
Wentworth Location seven cents	...07
Second College Grant eight cents	...08
Grant to Gilmanton and Atkinson Academies four cents	...04
	26.03

Sec. 2. And be it further enacted, That the same shall be the proportion of the assessment of all public taxes, until a new proportion shall be made and established and that the Treasurer for the time being issue his warrants accordingly.

[CHAPTER 42.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND IN AMENDMENT OF AN ACT ENTITLED
 AN ACT FOR THE SUPPORT AND REGULATION OF PRIMARY SCHOOLS
 PASSED JULY 6. 1827"

[Approved January 4, 1833. Acts, vol. 29, p. 243. Session Laws, 1832, Chap. 101. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 661. See also acts of July 4, 1829, *ante*, p. 85; July 5, 1833, *post*: January 13, 1837, Session Laws, 1836, November session, Chap. 311, and December 23, 1840, *id.*, 1840, November session, Chap. 574. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any vacancy shall occur in the office of the prudential Committee in any School District in this State by death resignation, removal, or otherwise, it shall be the duty of the Selectmen of such town to supply the vacancy in such District on application being made to them in writing for that purpose by three or more freeholders residents in every such District.

Sec. 2. And be it further enacted, That it shall be the duty of the Selectmen in the several towns in this State to supply all vacancies, that may exist in the office of the Superintending School Committee from whatever cause the same may arise: and the acts of every such new incumbent so appointed, shall be as good and effectual in Law, as though the same had been originally appointed in the month of March of each and every year.

Sec. 3. And be it further enacted, That any town in this State may, at their annual meeting in March or at any adjourned meet-

ing of the same, or at any other legal Town Meeting duly notified and holden for that purpose, vote to dispense with the services of their Superintending School Committee so far as relates to the inspection or examination of schools.

Sec. 4. And be it further enacted, That when the prudential Committee or any member thereof of any School District in any town in this State shall not manage the financial or other prudential affairs of said District for the advantage of the same, the Selectmen of every such town, may on application made to them in writing signed by a majority of the legal voters resident in said District, dismiss such Committee or any member thereof, as the case may be, and shall give personal notice to said Committee of his or their dismissal or shall cause a notice in writing of his or their dismissal from office signed by said Selectmen to be left at his or their last and usual place of abode, and in all such cases may then proceed to supply any vacancy or vacancies by the appointment of a new prudential Committee.

Sec. 5. And be it further enacted, That when any poor child or children, who may attend school in any town, in this State, shall not have the necessary books to enable such child or children to prosecute their studies to advantage, it shall be the duty of the Selectmen of such town to provide suitable books for such child or children at the expense of their respective towns on application being made to them for that purpose.

Sec. 6. And be it further enacted, That so much of the fourth section of the act to which this is an addition, as provides for the purchase of books, and so much of the third section of the same act, relating to the inspection of schools inconsistent with the provisions of this act be, and the same is hereby repealed.

[CHAPTER 43.]

State of)
New Hampshire. }

AN ACT FOR TAXING BANK STOCK IN CERTAIN CASES.

[Approved January 4, 1833. Acts, vol. 29, p. 253. Session Laws, 1832, Chap. 109. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all bank stock in any bank in this State, not owned by residents therein, shall be taxed to the Corporation in the town where such bank is located, in the same way and manner as other ratable estate belonging to said corporation is by law taxed. And it shall be the duty of the Cashier or

other principal officer of said Corporation on application of the Selectmen of the town, where said banks are located, within four days from the time of such application, to give a just and true account, in writing of all the shares, and their amount in value, which shall be owned in said banks by individuals not residing in this State on the first day of April.

Sec. 2. And be it further enacted, That if any cashier or other principal officer of any bank to whom any selectmen may make application as aforesaid, for the purpose aforesaid shall neglect or refuse to furnish such Selectmen with an account of all the shares, or the stock of said bank, not owned by residents in this State; said cashier or principal officer shall pay for such neglect or refusal a sum not less than one hundred dollars, nor more than five hundred dollars, to be recovered by an action of debt, in the name and for the use of the town, of which such applicants shall be selectmen.

Sec. 3. And be it further enacted, That the ratable estate of said banking Corporation shall be held subject and liable for all taxes assessed as aforesaid in the same way and manner as the estate of individuals is, or may be by law liable, and said corporation shall have a lien on all bank shares taxed as aforesaid for the full amount of assessments, and said shares shall not be transferable until all taxes are paid which have been assessed as aforesaid.

[CHAPTER 44.]

State of)
New Hampshire. }

“AN ACT TO INCORPORATE THE TRUSTEES OF THE LEBANON ACADEMY”

[Approved January 4, 1833. Acts, vol. 29, p. 273. See act of June 26, 1835, *post.*]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That there be and hereby is established an Academical Institution in the town of Lebanon in the County of Grafton, for the education of youth in the various branches of literature, which shall be under the government, of a Board of Trustees consisting of not more than seven, nor less than five members, to be chosen in the manner hereinafter mentioned; and the Trustees are hereby incorporated and made a body politic by the name of the Trustees of the Lebanon Academy; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and be vested with all the powers and privileges, and subject to all the liabilities, which by law are incident to similar corporations; and shall also have power to purchase and hold, and

to receive by gift, grant, or otherwise, any estate real or personal to an amount not exceeding twenty thousand dollars at any one time and the same to use and employ, and sell and dispose of for the benefit of said Institution; subject always to such limitations and conditions, as are expressed in any will, deed or other instrument of conveyance—

Sec. 2. And be it further enacted, That Phinehas Parkhurst, Alpheus Baker, Benjamin Ela, Ziba Alden, Gideon Dickerson, Timothy Kendrick, Calvin Benton, Nathan B. Felton, Wareham Morse, Paul Buswell, Halsey R. Stevens, Caleb Plastridge, Roswell Sartwell, Arnold Porter, David Hough George H. Lathrop and their associates, being donors to said institution, may, at any convenient time and place hold a meeting, to be called by any two of the three persons first above named, by posting up notifications for that purpose at three or more public places in said Lebanon, expressing therein the time, place and design of said meeting at least ten days prior thereto, at which meeting a majority of said persons being present, they may choose a clerk, who shall be sworn faithfully to discharge the duties of his office; and any other officer, that may be deemed necessary; and at the same time, or at any adjournment of said meeting, they may elect by ballot a board of Trustees, and may do any other act or thing necessary to effect a due organization of said corporation.

Sec. 3. And be it further enacted, That the Trustees of said Institution, a majority of whom shall constitute a quorum in all cases, shall have power, and they are hereby authorized to prescribe and adopt from time to time all such rules, regulations and restrictions as they may deem necessary and proper for the government and well being thereof, and for the management and application of its funds, for the appointment and removal of instructors; for the admission, instruction, care and government of the students therein, and for the direction of all its concerns, and also, to carry into effect all such rules and regulations, as are not repugnant to the laws of the State, and for these purposes may appoint all necessary officers, agents or servants. And whenever any vacancy shall happen in said board by death, resignation or otherwise, the remaining Trustees, or a majority of them at any meeting held for that purpose, shall by ballot, make an election to fill such vacancies, and the person or persons thus elected and accepting the trust, shall thereupon be vested with all the power and authority incident to said office.

[CHAPTER 45.]

State of)
New Hampshire.)

AN ACT REGULATING THE OFFICE OF CONSTABLE.

[Approved January 4, 1833. Acts, vol. 29, p. 275. Session Laws, 1832, Chap. 103. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That any person, who may hereafter be chosen Constable of any town in this State, shall give bond for the faithful performance of the duties of his office, in such sum as the Selectmen of said town shall judge reasonable, not less than fifty dollars, nor more than one thousand dollars, with sufficient surety or sureties to be approved by the Selectmen of such town. And no constable shall be deemed qualified to perform the duties of his office, until he shall have given bond as aforesaid.

Sec. 2. And be it further enacted, That any person injured or aggrieved by the default, malfeasance, misfeasance, or nonfeasance of any such constable, may cause a suit to be instituted on such bond, at his own expense, in the name of the town, to which such bond may be given, provided, no suit shall be instituted on such bond by any person for his own use, until such person shall have recovered judgment against the Constable in an action brought for the default, malfeasance, misfeasance, or nonfeasance of such constable.

Sec. 3. And be it further enacted, That in every suit on such constables bond, the declaration shall set forth the condition of the bond and assign the breach or breaches thereof relied upon in the action; and judgment in such suit shall not be a bar to any other action, on such bond, assigning other breaches, and if, in any such suit, the defendant or defendants shall recover judgment for costs, execution shall not issue therefor against such town, but the indorser of the writ shall be liable to pay the same and scire facias may be forthwith sued out against him, and if the Plaintiff recover; judgment shall be rendered in favor of the town for the use of the person alleged in the declaration to be injured by the breach or breaches assigned therein and such person shall be taken and deemed to be the creditor for every purpose whatever.

Sec. 4. And be it further enacted, That the provisions of this Bill shall be binding only upon those towns, that adopt the same at their annual Town meetings or adjournments thereof, or some other legal meeting duly holden for that purpose.

Sec. 5. And be it further enacted, That after any town shall

have adopted the provisions of this act, as is herein before provided, the same shall be taken and deemed to be a public law so far as respects said town.

[CHAPTER 46.]

State of)
New Hampshire. }

AN ACT TO ESTABLISH THE RATES AT WHICH POLLS AND RATABLE ESTATE SHALL BE ASSESSED IN MAKING DIRECT TAXES.

[Approved January 4, 1833. Acts, vol. 29, p. 303. Session Laws, 1832, Chap. 108. This act repeals act of July 3, 1830, *ante*, p. 157. See also acts of July 6, 1833, *post*, and June 28, 1841, Session Laws, 1841, Chap. 631. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all public taxes shall be assessed on each male poll from eighteen to seventy years of age (except those from eighteen to twenty one years of age, enrolled in the militia, paupers and idiots, each to be valued at one dollar and ten cents, Stallions or stud-horses kept for the use of mares, that have been wintered three winters each, at ten dollars, and upon all ratable estate, both real and personal, which is set forth in the second section of this act, and which shall be appraised by the Selectmen or assessors of the several towns and places in this State at its full and true value in money, which appraisal shall include all said ratable estate possessed by the respective inhabitants of said towns and places on the first day of April of each and every year and shall be made sometime in the month of April of the same year, and all such estate so appraised shall in the Invoice of the respective towns upon which the taxes of each year are assessed be estimated at half of one per cent.

Sec. 2. And be it further enacted, That the said Selectmen and assessors shall set down in their invoices in separate columns the following classes of ratable estate, namely, Polls, Real estate including buildings, unimproved and improved land, whether owned by inhabitants or non residents; Mills, carding Machines, wharves and Ferries Factory buildings and machinery; Locks and canals and toll bridges to be assessed and invoiced in the town or towns where the same are located; Stallions, Horses and Mares wintered four winters and upwards; Jacks, jills and Mules, wintered four winters or upwards; oxen wintered four winters or upwards; Cows wintered four winters and upwards; all neat stock wintered two winters and upwards; all sheep wintered one winter and upwards; Stock in trade whether of Merchants, shopkeepers, tanners, Cur-

riers, Blacksmiths, or other tradesmen employed in the business of their trades, reckoning the same at the average value thereof for a year, Bank stock, whether owned within or out of the State, provided the stock without the State be not taxed in the State, in which the Bank or Banks be situated; money at interest more than the owner pays interest for, including money on hand, or deposited in any Bank and all deposites in any Savings Bank or Institution where the whole amount of deposites exceed one hundred dollars, also including all money loaned on, or by virtue of any Mortgage, pledge, bond, obligation or note discounted on any other security whatsoever; Marine and Fire Insurance stock, all stocks or securities in the public funds, Turnpike shares, and all other stock in any corporation, or company, on which an income is received and dividend made, or which may be subject to any dividend, all carriages of pleasure including coaches and chaises. and the appraised value of each class shall be set against it and upon said invoice thus annually made, the said Selectmen or assessors of each town or place, shall assess all public taxes, and shall annually leave with the Town Clerk, a list of said taxes together with the invoice on which the same are assessed there to be open for the inspection of the inhabitants thereof.

Sec. 3. And be it further enacted, That the said Selectmen, or assessors, who shall make their appraisal as is provided by the first section of this act, shall before entering on the duties of their office, take and subscribe the following oath, to wit, We severally solemnly swear or affirm (as the case may be) that we will make a just and true appraisement of all ratable estate subject to the assessment of public taxes in the town of _____ at its true and full value in money according to the best of our judgment

So help us God.....or this we do under the pains and penalties of perjury, which oath or oaths shall be filed and recorded in the office of the town Clerks in the towns or places in this State.

Sec. 4. And be it further enacted, That the act made and passed July 3. 1830. entitled an act to establish the rates at which polls and ratable estate shall be valued in making and assessing direct taxes, and all other acts, and parts of acts, inconsistent with the provisions of this act, be and the same hereby are repealed, provided. however, the same shall be in force for the collection of all taxes assessed under said acts, and that this act shall not take effect until the first day of April next.

[CHAPTER 47.]

State of)
New Hampshire. }

“AN ACT MAKING APPROPRIATIONS FOR THE MILITARY DEPARTMENT.

[Approved January 5, 1833. Acts, vol. 29, p. 267. Session Laws, 1832, Chap. 111. See also acts of June 30, 1831, *ante*, p. 239; June 22, 1832, *ante*, p. 319, and July 6, 1833, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the following sums be and the same are hereby appropriated for the purposes herein mentioned; the sum of seventy dollars for the purchase of ordnance harness, the sum of one hundred and eighty dollars for the purchase of Drums, the sum of twenty five dollars for the purchase of Fifes, the sum of fifty dollars for the purchase of Bugles, the sum of one hundred and fifty dollars for the purchase of orderly books, and blanks, and the sum of one hundred dollars for the repair of Gun Houses, and His Excellency the Governor is hereby authorized by warrant on the Treasurer, to draw said sums from the treasury at such times as he may think proper, and deliver the same to the Adjutant General, who is hereby required to apply the same to the purposes above specified, and render an account thereof to the Legislature.

[CHAPTER 48.]

State of)
New Hampshire. }

AN ACT REQUIRING THE WARDEN AND SUPERINTENDANT OF THE STATE PRISON TO FURNISH BONDS FOR THE SECURITY OF THIS STATE.

[Approved January 5, 1833. Acts, vol. 29, p. 285. Session Laws, 1832, Chap. 110. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Warden of the State Prison be and he hereby is required forthwith to renew his bond to this State, and the same to renew hereafter once in four years or oftener, if in the opinion of His Excellency the Governor and the Honorable Council the security of the public shall require it.

Sec. 2. And be it further enacted, That the Superintendent of

the new Prison be and he hereby is required forthwith to execute a bond to the State with sufficient sureties to be approved by His Excellency the Governor and the Honorable Council conditioned for the faithful application of all public monies or other property entrusted or to be entrusted to him as Superintendent as aforesaid and for rendering a just and true account of his doings as such superintendent to the board of visitors of the State Prison when required.

[CHAPTER 49.]

State of }
New Hampshire. }

“AN ACT IN FAVOR OF HILL AND BARTON AND OTHERS.

[Approved January 5, 1833. Acts, vol. 29, p. 286.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Hill and Barton be allowed the sum of three hundred and nine dollars and ten cents, and that McFarland and Ela be allowed the sum of seven dollars and twenty cents in full of their respective accounts and that the same be paid out of the treasury.

[CHAPTER 50.]

State of }
New Hampshire. }

AN ACT ALLOWING COMPENSATION TO BENJAMIN JENNESS AND OTHERS.

[Approved January 5, 1833. Acts, vol. 29, p. 295.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Benjamin Jenness be allowed the sum of eleven dollars and sixty cents, and that Atkinson Webster be allowed the sum of thirty five dollars, and eighty eight cents, and that Fisk and Chase be allowed the sum of one dollar and seventeen cents, and that John L. Putnam be allowed the sum of twenty one dollars and forty cents, and that Charles F. Gove be allowed the sum of forty nine dollars, and that Samuel W. Carr be allowed the sum of thirty eight dollars, and that Jacob Tyler be allowed the sum of three hundred and thirty five dollars and nineteen cents in full of their several accounts, and that said sums be paid out of the treasury.

[CHAPTER 51.]

State of }
New Hampshire. }

AN ACT ALLOWING COMPENSATION TO JAMES CLARK AND OTHERS.

[Approved January 5, 1833. Acts, vol. 29, p. 296.]

Be it enacted by the Senate and House of Representatives in General Court convened, That James Clark be allowed the sum of fifty one dollars and thirty three cents, and that Charles G. Ather-ton be allowed the sum of forty dollars and fifty cents and Joseph Robinson be allowed the sum of ninety six dollars in full of their several accounts and that said sums be paid out of the treasury.

[CHAPTER 52.]

State of }
New Hampshire. }

AN ACT FOR THE PRESERVATION OF BATH VILLAGE BRIDGE—

[Approved January 5, 1833. Acts, vol. 29, p. 321.]

Whereas the town of Bath in this State have at an expense of more than three thousand dollars, erected a free bridge across the Amonoosuc river at Bath village for the accommodation of the publick, and as said bridge is so constructed that it is liable to be greatly injured by persons riding or driving rapidly over the same

Therefore for the preservation of said bridge Be it enacted by the Senate and House of Representatives in general court convened, that if any person, or persons, shall ride or drive any horse or horses, or team or teams over or across said bridge, at a faster or greater rate of speed than a walk, such person or persons, so offending shall forfeit and pay the sum of one dollar to be recovered in an action of debt, before any Justice of the Peace or any court proper to try the same, on the complaint of, and to the use of the said town of Bath—Provided however that this act shall not take effect until the said town shall have erected at or near each end of said bridge, in some conspicuous place a board or boards with an inscription painted on the same signefying the penalty as aforesaid nor until the said town shall have chosen an agent or agents whose duty it shall be to prosecute for all penalties incurred under this act.

[CHAPTER 53.]

State of }
New Hampshire. }

AN ACT FOR THE AMENDMENT OF THE LAW IN CERTAIN CASES.

[Approved January 5, 1833. Acts, vol. 29, p. 322. Session Laws, 1832, Chap. 104. See also act of July 4, 1834, *post*. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened that when the defendant or defendants in any action, shall plead in abatement that there is any other person or persons who should be joined as defendants in said action, and the same on confession or otherwise shall be found to be true, the suit shall not thereby be abated, but such other person or persons shall be made parties to said action, and the plaintiff may have a writ of scire facias to summon such person or persons into Court, or the Court may order such notice by publication in some newspaper or otherwise as they may think proper: and the said action shall thereafter be prosecuted in the same way and manner, as if such person or persons had originally been joined as defendants.

Sect. 2. And be it further enacted that when any feme sole, being Plaintiff in any Action pending in any Court in this State, shall marry during the pendency of such suit, the action shall not thereby be abated: but the husband shall be permitted to become a party thereto; and the same shall thereafter be prosecuted in the same way and manner as if the action had originally been brought in the joint names of husband and wife. Provided nevertheless if the husband in such case after due notice to be directed by the court shall neglect to become a party to said suit, the said action shall be abated and judgment be rendered for the defendant for his costs, as if this act had not been made.

[CHAPTER 54.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be, and he hereby is authorized and directed to furnish for the town of Lincoln one of Carrigains maps at the expense of the State.

[Approved December 21, 1832. Acts, vol. 29, p. 301.]

[CHAPTER 55.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of ninety one dollars be allowed Messrs French & Brown in full of their account, and that the same be paid out of the Treasury.

[Approved December 21, 1832. Acts, vol. 29, p. 301.]

[CHAPTER 56.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary be directed to procure for the State Library three sets of the New Hampshire Reports and a complete set of the Reports of the State of New York and present his account for the same to the Governor His Excellency, who is hereby authorized to draw his order on the treasurer for the amount of the same.

[Approved December 21, 1832. Acts, vol. 29, p. 302.]

[CHAPTER 57.]

State of }
New Hampshire. }

Whereas, by a resolution of the Legislature of this State passed at its June Session 1828. a certain tract of land in the County of Coos, situate between Nash and Sawyers location on the north and Harts location on the South, was granted to Abel Crawford; and the Treasurer of the State was authorized to convey the same to said Crawford, on condition, that said Crawford should, prior to receiving a deed thereof, pay into the treasury of this State the sum of seventy four dollars, as a consideration for said land, And whereas the said Abel Crawford, having failed to comply with the condition of said resolve, now prays the Legislature to grant him the privilege of paying said sum in labor, to be laid out in improving the public highways in the town of Carroll.

Therefore resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of the State be di-

rected to convey to Abel Crawford of Harts Location in the County of Coos, all the right and title, which this State has to the land before mentioned and described, on condition that the said Abel Crawford shall, within one year from the passing of this resolution, cause that the said sum of seventy four dollars, together with the interest on the same from the twentieth day of June 1828 to the twentieth day of October 1833, be faithfully laid out and expended on the public highways in said town of Carroll, at such time or times, and in such place or places as Asa Taylor of Dalton and Joseph Colby of Whitefield, Esquires, shall direct; and shall also exhibit to the said Treasurer a certificate under the hands of the said Taylor and Colby, that the sum aforesaid together with the interest as aforesaid, have been fully laid out, and expended agreeably to the provisions of this resolution and their satisfaction. And be it further resolved, That if the said Abel Crawford shall neglect for the term of twelve months from and after the passing of this resolution, to perform the conditions herein contained, that this resolution, and the resolution before mentioned, which was passed June 1828 shall be inoperative and of no effect.

[Approved December 21, 1832. Acts, vol. 29, p. 307.]

[CHAPTER 58.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the sentiments contained in the Proclamation of the President of the United States dated Dec. 10. 1832, meet with the entire approbation of this Legislature and that we hail in these sentiments and in the general measures of his administration and particularly in the salutary exercise of his Veto, a chief Executive Magistrate, whose devoted patriotism and moral courage are equal to any crisis; and under the guidance of whose wisdom the ancient landmarks of the Constitution will be preserved and the confidence reposed in him, as manifested in his recent election by a vast majority of the American people will be fully justified. And resolved further that the Secretary of State be directed to transmit a copy of this resolution to the President of the United States and to each of our Delegates in Congress and the Governor of each State in the Union.

[Approved January 2, 1833. Acts, vol. 29, p. 311.]

[CHAPTER 59.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary of State be directed to furnish one of Carrigains Maps of the State of New Hampshire for the use of the Young Ladies Seminary in Derry Village at the expense of said State.

[Approved January 2, 1833. Acts, vol. 29, p. 312.]

[CHAPTER 60.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened. That the Secretary of State be directed to furnish one copy of the revised Statutes for the town of Errol at the expense of the State.

[Approved January 2, 1833. Acts, vol. 29, p. 312.]

[CHAPTER 61.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened. That the Secretary of State be, and he is hereby authorized and directed to furnish and deliver to the town of Carroll one of Carrigains Maps of the State of New Hampshire at the expense of said State.

[Approved January 2, 1833. Acts, vol. 29, p. 317.]

[CHAPTER 62.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Warden of the State Prison be directed forthwith to collect the debts due the State Prison, over one years standing, and that he be authorized to appropriate so much thereof as may be necessary to pay the debts of the new prison and to complete the same and provided, the collection cannot be made fast enough to meet the demands upon the prison, the Governor is hereby authorized to draw his warrant, upon the Treasury in favor of the Superintendent of the new prison for such sum or sums of money, not otherwise appropriated, as may in the opinion of the Governor and Council be necessary not exceeding in the whole the sum of six thousand dollars.

[Approved January 5, 1833. Acts, vol. 29, p. 283.]

[CHAPTER 63.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the town of Middleton may receive at the expense of the State one copy of Carrigains Map of New-Hampshire, for which the proprietor shall be reasonably compensated.

[Approved January 5, 1833. Acts, vol. 29, p. 284.]

[CHAPTER 64.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That His Excellency the Governor be and he hereby is requested to issue his precept to the Selectmen of the several towns and places in this State, directing them to insert an article in the warrant for the next annual town meeting for the choice of State and County officers, to take the sense of the qualified voters on the subject of a convention for a revision of the constitution, and make due return of the same agreeably to the provisions of the Constitution.

[Approved January 5, 1833. Acts, vol. 29, p. 297.]

[CHAPTER 65.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be and he hereby is authorized to receive of the Government of the United States, the amount, which is now, or hereafter may become payable on the three per cent stock of the United States, standing in the name of or due to this State, and to indorse on the Certificates of said stock the sums by him received, or to deliver up said certificates on receiving the amount thereof, to give such acquittances, as may be necessary in the premises, And be it further resolved, That the Treasurer of this State retain in the Treasury the sum of fifteen thousand, two hundred eighty five dollars and fifty eight cents, so by him received, to meet the ordinary expenses of Government and such appropriations, thereof as may be made and that he deposit the remainder in some one or more of the incorporated Banks within this State, on the most favorable terms that shall be offered him, thirty thousand dollars of said amount, until the twenty fifth day of June next, and the remainder for one year from the time of said deposit.

[Approved January 5, 1833. Acts, vol. 29, p. 298.]

[CHAPTER 66.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that Richard Webster have and receive out of the treasury the sum of forty-six dollars in full of his account.

[Approved January 5, 1833. Acts, vol. 29, p. 299.]

[CHAPTER 67.]

State of }
New Hampshire. }

Resolved by the Senate, and House of Representatives in General Court convened, That the Secretary of State be authorized to deliver to the town of Effingham a copy of the Revised Statutes of this State.

[Approved January 5, 1833. Acts, vol. 29, p. 300.]

[CHAPTER 68.]

State of }
New Hampshire. }

Resolved by the Senate, and House of Representatives in General Court convened That the Rev. Samuel Kelly be allowed the sum of fifty dollars in full compensation for his services as Chaplain to the Legislature during the present session, and that the same be paid out of the Treasury.

[Approved January 5, 1833. Acts, vol. 29, p. 309.]

[CHAPTER 69.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Arlond Carroll be allowed the sum of sixteen dollars in full for his services as clerk of the Committee on the new proportion act and that the same be paid out of the Treasury.

[Approved January 5, 1833. Acts, vol. 29, p. 319.]

[CHAPTER 70.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Aaron Carter receive one hundred and twelve dollars, and Atkinson Webster receive one hundred and one dollars and fifty cents, and that Jacob Tyler receive one hundred and four dollars in full of their several accounts, and that the Treasurer be directed to pay the same out of the Treasury.

[Approved January 5, 1833. Acts, vol. 29, p. 320.]

[CHAPTER 71.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That John Whipple be allowed the sum of sixty dollars in full of his claim as engrossing Clerk, for engrossing all the public acts and resolutions passed at this session and that said sum be paid out of the treasury.

[Approved January 5, 1833. Acts, vol. 29, p. 325.]

[CHAPTER 72.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of sixty dollars be allowed Philip Carrigan for four maps, one for the town of Carroll, one for the town of Lincoln, one for the town of Middleton, and one for the Young Ladies Seminary in Derry Village

[Approved January 5, 1833. Acts, vol. 29, p. 326.]

[CHAPTER 73.]

State of }
New Hampshire. }

To His Excellency Samuel Dinsmoor Governor of the State of New Hampshire

The Senate and House of Representatives in General Court convened, Satisfied that the public good requires, that the Honorable John Harris one of the Justices of the Superior Court of Judicature should no longer hold his office as Justice of said Court, respectfully address and request your Excellency with consent of the Council, to remove the said John Harris from his said office.

[Approved January 5, 1833. Acts, vol. 29, p. 269.]

[CHAPTER 74.]

State of)
New Hampshire.)

To His Excellency Samuel Dinsmoor Governor of the State of New Hampshire

The Senate and House of Representatives in General Court convened, satisfied that the Hon Boswell Stevens, Judge of Probate for the County of Merrimack, by an afflictive dispensation of Divine Providence, has become wholly incapable of discharging the duties of his office as Judge of Probate, and that the public good requires that he should no longer hold that office, respectfully request Your Excellency with consent of the Council to remove the said Boswell Stevens from the said office of Judge of Probate for said County of Merrimack.

[Approved January 5, 1833. Acts, vol. 29, p. 271.]

[FORTY-SECOND GENERAL COURT.]

[*Held at Concord, one session, June 5, 1833, to July 6, 1833.*]

[OFFICERS OF THE GOVERNMENT.]

SAMUEL DINSMOOR, GOVERNOR.
 RALPH METCALF, SECRETARY OF STATE.
 JOSEPH ROBINSON, DEPUTY SECRETARY OF STATE.
 ABNER B. KELLY, TREASURER.
 GEORGE SULLIVAN, ATTORNEY-GENERAL.
 JARED W. WILLIAMS, PRESIDENT OF THE SENATE.
 CHARLES G. ATHERTON, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Samuel Cushman,	Portsmouth.
Job Otis,	Strafford.
Stephen Peabody,	Milford.
Stephen Johnson,	Walpole.
Nathaniel Rix,	Littleton.

[MEMBERS OF THE SENATE.]

Daniel P. Drown,	Portsmouth.
Abel Brown,	South Hampton.
Jesse Carr,	Goffstown.
Cyrus Barton,	Concord.
James Farrington,	Rochester.
Warren Lovell,	Meredith.
Peter Woodbury,	Francestown.
Jacob Tuttle,	Antrim.
Nathan Wild,	Chesterfield.
Austin Corbin,	Newport.
Caleb Blodgett,	Dorchester.
Jared W. Williams,	Lancaster.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and	}	Richard Greenough.
Plaistow,		
Brentwood,		Simon Fellows.
Candia,		John Moore, Jr.
Chester,		David Currier, Jr.
		Stephen Dearborn.

Deerfield,	Joseph Merrill.
Derry,	Benning W. Sanborn.
	William Montgomery.
	John Porter.
East Kingston and } South Hampton, }	Jeremiah Morrill.
Exeter,	Jeremiah Dow.
	John Rogers.
Greenland,	Theodore A. Burleigh.
Hampstead,	Lorenzo Bachelder.
Hampton,	Amos Towle, Jr.
Hampton Falls,	Josiah Brown.
Hawke and } Sandown, }	Nicholas Quimby.
Kensington,	Smith Lamprey.
Kingston,	Isaac Webster.
Londonderry,	Hugh Bartley.
Newcastle,	Jonathan M. T. Vennard.
Newington,	James Pickering.
Newmarket,	David Murray.
Newton,	Elijah R. Currier.
North Hampton,	Morris Lamprey.
Northwood,	John J. Demeritt.
Poplin,	Daniel B. Chase.
Portsmouth,	Gideon Beck.
	John S. Jenness.
	Israel Marden.
	Thomas P. Treadwell.
	Isaac Waldron.
Raymond,	Gilman Dudley.
Rye,	Thomas J. Parsons.
Salem,	John Woodbury.
Seabrook,	John Locke.
Windham,	Isaac McGaw.

STRAFFORD COUNTY.

Alton,	Hezekiah D. Buzzell.
Barnstead,	Thomas P. Hodgdon.
	Samuel Kaime.
Barrington,	John McDaniel, Jr.
Brookfield,	Dudley Pike.
Burton and } Chatham, }	David Allard, Jr.
Center Harbor,	Simon Drake, 2d.
Conway,	Jonathan T. Chase.

Dover,	William Hale, Jr. Thomas E. Sawyer. John H. White. Nathaniel Young.
Durham,	Samuel Burnham.
Eaton,	Abraham Colby.
Effingham,	George W. Drake.
Farmington,	Jeremiah Jones.
Freedom,	William Harmon, 2d.
Gilford,	Ephraim Mallard.
Gilmanton,	Jeremiah Bean. Joseph Fellows. John S. Shannon.
Lee,	Joseph S. Lawrence, Jr.
Madbury,	Paul Meserve.
Meredith,	Ebenezer S. Mooney. William Pike.
Middleton,	Samuel L. Stevens.
Milton,	Stephen Drew.
Moultonborough,	Charles Bean.
New Durham,	Nicholas Noyes.
New Hampton,	Nicholas Smith.
Ossipee,	Joseph Hobbs.
Rochester,	Benjamin Hayes. John H. Smith.
Sanbornton,	Winthrop Dearborn.
Sandwich,	Abel Philbrick. George F. Marston.
Somersworth,	Paul Wentworth. Richard Kimball. Noah Martin. William Stearns.
Strafford,	John Wentworth, Israel Hall, Jr. William Tasker.
Tamworth,	John Woodman.
Tuftonborough,	John Peavey.
Wakefield,	Amasa Copp.
Wolfeborough,	Thomas J. Tibbets.

MERRIMACK COUNTY.

Allenstown,	Daniel Bachelder.
Boscawen,	William H. Gage.
Bow,	William R. Parker.
Bradford,	Samuel Jones.
Canterbury,	Otis Young,

Chichester,	Nathaniel Sherburne.
Concord,	Abel Baker.
	Isaac Emery.
	Charles H. Peaslee.
Dunbarton,	Silas Burnham.
Epsom,	Eliphalet Wiggin.
Fishersfield,	Jeremiah Morse.
Franklin,	Isaac Hale.
Henniker,	William L. Woods.
Hooksett,	Matthew Gault.
Hopkinton,	Stephen Darling.
	James Huse.
Loudon,	Samuel Hill, Jr.
New London,	Marshall Train.
Northfield,	Robert Gray.
Pembroke,	Thomas Knox.
Pittsfield,	Cotton W. Drake.
Sutton,	Jonathan Harvey,
Warner,	Nathan S. Colby.
	Daniel Jones.
Wilmot,	Jeremiah Mitchell.

HILLSBOROUGH COUNTY.

Amherst,	John Secombe.
Antrim,	Luke Woodbury.
Bedford,	William Moor, Jr.
Brookline,	David Harris.
Deering,	William Manahan.
Dunstable,	Charles G. Atherton.
	Moody D. Lovewell.
Fracestown,	Daniel Fuller, Jr.
Goffstown,	Charles F. Gove.
	Noyes Poor.
Greenfield,	Paul Cragin, Jr.
Hancock,	Jonas Hutchinson.
Hillsborough,	Hiram Monroe.
Hollis,	Ralph E. Tenney.
Hudson,	Thomas B. Wason.
Litchfield,	Moses Chase.
Lyndeborough,	Israel Putnam.
Manchester,	James McQuestion.
Mason,	John Stevens.
Merrimack,	Samuel McConeihe.
Milford,	John Wallace, Jr.
Mont Vernon,	Nathaniel Bruce,
New Boston,	John Atwood.

New Ipswich,	John Preston.
Pelham,	Jesse Gibson.
Peterborough,	James Walker.
Sharon,	James Law.
Society Land and } Windsor, }	John G. Flint.
Temple,	Nathan Wheeler.
Weare,	Seth N. Cilley.
	John L. Hadley.
Wilton,	Abram Whittemore.

CHESHIRE COUNTY.

Alstead,	Walter Tufts.
Chesterfield,	Otis Amidon.
Dublin,	Jonathan K. Smith.
Fitzwilliam,	John J. Allen.
Gilsum,	Allen Butler.
Hinsdale,	Lockheart W. Stebbins.
Jaffrey,	Levi Fisk.
Keene,	Henry Goodnow.
	Azel Wilder.
Marlborough,	Benjamin Whitney, Jr.
Marlow,	Thomas P. Richardson.
Nelson,	Abijah Wilson.
Richmond,	Joseph Newell.
Rindge,	Thomas Ingalls.
Roxbury,	Samuel Wadsworth.
Stoddard,	J. W. Eaton.
Sullivan,	Roswell Osgood.
Swanzy,	Elijah Sawyer.
Troy,	Lyman Wright.
Walpole,	Frederick Vose.
Westmoreland,	Timothy Hoskins, Jr.
Winchester,	William Allen.

SULLIVAN COUNTY.

Acworth,	Eliphalet Bailey.
Charlestown,	Jonathan Mack.
Claremont,	Zenos Clement.
	Godfrey Stevens.
Cornish,	John L. Putnam.
Crovdon,	Zina Goldthwait.
Goshen,	Virgil Chase.
Grantham,	John Gove, Jr.
Langdon,	Samuel Prentiss.

Lempster,	Daniel M. Smith.
Newport,	Benjamin B. French.
	Seth Richards.
Plainfield,	Thomas Chellis, Jr.
Springfield,	Sam Colby.
Unity,	Amos Perkins.
Washington,	Alfred Gordon.
Wendell,	John Colby.

GRAFTON COUNTY.

Alexandria,	Elias Perkins.
Bath,	Isaac Patterson.
Bethlehem,	John Pierce.
Bridgewater,	Nathaniel P. Melvin.
Bristol,	Nathaniel S. Berry.
Campton,	Arthur Livermore.
Canaan,	George Walworth.
Coventry,	Nathan Coburn.
Danbury,	Levi Frazier.
Dorchester,	Winthrop Folsom.
Enfield,	Nathan Currier.
Franconia and)	
Lincoln,)	John Wallace.
Groton,	William Crosby.
Hanover,	Daniel Oliver.
	Augustus Storrs.
Haverhill,	John Angier.
Hebron,	George W. Lang.
Holderness,	Jeremiah P. Hadley.
Landaff,	Jonathan Brownson.
Lebanon,	Ziba Alden.
	Paul Buswell.
Lisbon,	Caleb Aldrich.
Littleton,	Sylvanus Balch.
Lyman,	John Moulton.
Lyme,	Asa Shaw.
New Chester,	Samuel Murray.
Orange,	John Bullock,
Orford,	Leonard Wilcox.
Peeling and)	
Ellsworth,)	Jonathan Moulton.
Piermont,	Asa Prescott, Jr.
Plymouth,	Isaac Ward.
Rumney,	Timothy Harris.
Thornton,	Jacob Sargent.
Warren,	Jacob Patch.
Wentworth,	Enoch Page.

COOS COUNTY.

Bartlett,	George Pendexter.
Colebrook and } Columbia, } Dalton and } Carroll, } Jackson,	Jonas Mills.
Jefferson, } Kilkenny, } Randolph and } Nash and } Sawyer's Location, } Lancaster,	Thomas Smith.
Milan, Stark and } Dummer, } Shelburne, } Shelburne Addition, } Success and Berlin, } Stewartstown, } Dixville, } Millsfield, } Errol and } Clarksville, } Stratford and } Northumberland, } Whitefield,	George P. Meserve.
	Clovis Low.
	Richard Eastman.
	Ransom Twitchell.
	Robert Ingalls.
	Barzillai Brainard.
	Timothy L. Marshall.
	Joseph Colby.

[*First Session held at Concord, June 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, July 1, 2, 3, 4, 5, 6, 1833.*]

[CHAPTER 1.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE GONIC MANUFACTURING COMPANY.

[Approved June 27, 1833. Acts, vol. 30, p. 10. See also acts of June 27, 1859, Session Laws, 1859, Chap. 2301; June 21, 1861, id., 1861, Chap. 2562; July 16, 1864, id., 1864, Chap. 3044, and July 1, 1865, id., 1865, Chap. 4155.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That John B H Odiorne and his associates and successors, be and they hereby are incorporated and made a body corporate and politic forever, by the name of the Gonic Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final Judgment and execution; may have and use a common seal, and the same may break, alter and renew at pleasure; And may Also make, Ordain and put in Execution such byelaws and regulations, not being repugnant to the Constitution and laws of this State, as shall be necessary, proper and convenient for the government of said Corporation, and the due management of its concerns, and shall be, and hereby are vested with all the privileges and powers, And subject to all the liabilities which by law are incident to Corporations of a similar nature.

Section 2 And be it further enacted, That the said corporation be and the same is hereby empowered to establish, manage and carry on the Manufacture of Cotton, linen and woolen goods, and of all kinds of machinery and such other branches of trade and manufacture as shall be necessarily connected therewith, at any place or places, which they may or shall possess, in the town of Rochester, and to purchase, take, hold and convey real and personal estate of every kind, to such an amount as they shall find necessary or convenient in the management of their concerns; Provided the same shall not exceed the sum of ten hundred Thousand Dollars; And the same to manage, improve change and sell at their pleasure, And to erect on the real estate owned; or to be purchased and held by them as aforesaid, such dams, canals, mills, Buildings, machines and works as they may deem necessary or useful in managing and carrying on their manufactories and works, and in conducting the business of the corporation, and may also hold, use and improve for the purposes aforesaid all such mills and other property as is now owned by the members of said corporation.

Section 3. And be it further enacted, That the said John B H Odiorne may call the first meeting of said corporation, to be holden at some suitable time and place in the town of Rochester, by publishing notice thereof at least seven days prior to the holding of said meeting, in either of the Newspapers printed in the town of Dover, at which meeting a Clerk shall be chosen and sworn to the faithful discharge of the duties of his office, and it shall be his duty to record in a book or books, provided and kept for that purpose, the doings and proceedings of said corporation, and give certified copies thereof when legally required, and to perform such other services as the bye laws of said corporation shall require, and at the same or any subsequent meeting duly holden, the members or associates of said corporation, may prescribe and agree on the manner of calling, holding and conducting future meetings, may divide their capital or Joint stock into such number of shares, as they may deem proper, Provided the number shall not exceed Twenty Hundred: May prescribe the mode in which the shares in said capital stock shall be holden, and how the same shall be transfered, may make or provide for the making of assessments on the shares from time to time as occasion may require, and fix the time for the payment of the same; may appoint and constitute such officers, servants and agents of said corporation, as they shall think necessary, and prescribe their respective duties, and may do or transact any matter or thing relating to the property or concerns of said corporation.

Section 4. And be it further enacted, That at all meetings of said corporation, duly notified and holden, each member shall be entitled to cast one Vote for each share he may own and hold in the Capital stock thereof, upon any question that may come before such meeting, and absent members may be represented and Vote at such meetings by an Agent, for that purpose duly authorized by writing signed by the member or members to be represented, which writing shall be filed with the Clerk of said Corporation, and at such meetings all questions shall be decided by a majority of Votes Cast, Provided however, that in the Assessment of taxes on the shares in said Corporation, two thirds of the Votes cast shall be required to make such assessment binding on the members thereof.

Section 5 And be it further, enacted, That the shares in the capital stock of said corporation, shall be liable and holden for the payment of all assessments legally made thereon, and in case of neglect by any member to pay the sum assessed upon his share, or shares, or so many of them as shall be sufficient to pay the amount due thereon, may be sold and transfered for the payment of the same, in such way and manner as shall be prescribed in the Bye laws of said corporation; Provided nevertheless, that nothing in this act shall in any wise affect or impair any rights or privileges heretofore granted by the Legislature of this State to any individual or other corporation.

[CHAPTER 2.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF THE SANDWICH QUARTERLY MEETING FREE WILL BAPTIST EDUCATION SOCIETY.

[Approved June 27, 1833. Acts, vol. 30, p. 14.]

Section 1. Be it enacted, by the Senate and House of Representatives in General Court Convened, That Simeon Dana, Moses Cheney and their associates and successors be and hereby are incorporated and made a body corporate and politic by the name of the proprietors of the Sandwich Quarterly Meeting Free Will Baptist Education Society, And by that name may sue and be sued, prosecute and defend to final judgment, and execution And shall be, and hereby are Vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature—

Section 2. And be it further enacted, That said Simeon Dana and Moses Cheney may call the first meeting of said corporation, by causing a notification in writing to be posted up in some public place within the limits of each Society composing said Quarterly Meeting, fifteen days prior to the holding the same, at which meeting, or any adjournment thereof, all necessary officers may be chosen and By-Laws made for the regulation of the concerns of said corporation not repugnant to the constitution and Laws of the State. Provided however, That nothing in this act contained, shall be so construed as to authorise said corporation to take, possess and enjoy any estate, either real or personal exceeding in value ten thousand dollars.

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE ROCKINGHAM FARMERS MUTUAL FIRE INSURANCE COMPANY.

[Approved June 27, 1833. Acts, vol. 30, p. 15. See also act of July 19, 1862, Session Laws, 1862, Chap. 2685.]

Section 1. Be it enacted by the Senate and House of Representatives, in General Court convened, That Jacob Brown, Samuel Lamprey, Edmund Toppan, Tristram Shaw, Amos Jenness, Nathan Moulton, John Dow and their associates successors and assigns, be,

and they hereby are incorporated and made a body Politic by the name of the Rockingham Farmers Mutual Fire Insurance Company; for the purpose of insuring their respective dwelling houses and other buildings, with their contents against loss or damage by fire, whether the same shall happen by accident, lightning or any other means, except that of design in the insured, or by the invasion of an enemy, or insurrection of the citizens of this, or any other state; And by that name may sue and be sued, prosecute and defend to final judgment and execution; may have and use a common seal, and the same alter or renew; may hold such real and personal estate as may be necessary to carry into effect the objects of their association, and at pleasure may dispose of the same: may establish such by laws not repugnant to the laws of this State, as may be deemed necessary for the management of their affairs; and may have all the powers, and shall be subject to all the liabilities incident to corporations of a similar nature.

Section. 2. And be it further enacted, That each and every person who shall become interested in said company by insuring therein, and also their respective heirs, executors and assigns, continuing to be insured therein, as herein after prescribed, shall be considered members of said corporation, for and during the terms of their respective policies, and no longer, and shall at all times be bound by the provisions of this Act.

Section 3. And be it further enacted, That there shall be an annual meeting of said corporation, at such time and place, in the county of Rockingham as may be thought most expedient; at which meeting, shall be chosen by a major vote of the members present, a board of directors, consisting of not more than nine, nor less than five members, to continue in office till others shall have been chosen in their stead. Special meetings of said corporation may be called in such manner as their by laws shall prescribe.

Section 4. And be it further enacted, that the Board of Directors shall superintend the concerns of said Corporation, and shall have the management of the funds and property thereof, and of all matters and things thereunto relating, not otherwise provided for by said company. They shall have power from time to time to appoint a Secretary, and Treasurer and such other officers, Agents and assistants as they may deem proper, may prescribe their duties, fix their compensation, take such security as may be thought necessary for the faithful performance of their respective duties, and may remove them at pleasure. Said Directors shall determine the rates of insurance, the sum to be insured on any building, not exceeding three fourths of its value, and the sum to be deposited, for the insurance thereof. They shall order and direct the making and issuing of all policies of insurance, the providing of books, stationary and other things needful for the office of said company, and for carrying on the affairs thereof, and may draw upon the Treasurer

for the payment of all losses which may have happened, and for the general expenses of said Corporation: They shall elect one of their own number to act as President, and may hold their meetings monthly or oftener for transacting Company business, And shall keep a record of their proceedings; and any Director disagreeing with a majority of the board at any Meeting may enter his dissent, with his reasons therefor, on the records of said Corporation.

Section 5 And be it further enacted, That any person, who shall become a member of said Corporation by effecting insurance therein, shall, before he receives his policy, pay into the treasury such a percent on the property insured as the Directors shall require, and annually thereafter, such sum as may be required by the Directors, not exceeding the original sum paid in; And any member neglecting to pay his annual assessment by the day appointed for such payment, shall cease to have his property insured until the day on which he pays, and can have no allowance, nor alteration in the time of the next payment. Should any member neglect to pay the annual assessment, for one year after it becomes due, his right to the capital Stock shall be forfeited.

Section. 6. And be it further enacted, That in case of any loss or damage by fire happening to any member upon property insured, in and with said Corporation, the said member, shall give notice thereof in writing to the Directors, or to some one of them or to the Secretary of said Corporation, within thirty days from the time such loss or damage may have happened, and the Directors upon a view of the same, or in such other way as they may deem proper, shall ascertain and determine the Amount of such loss or damage; And if the party suffering is not satisfied with the determination of the Directors, the question may be submitted to referees, or the said party may bring an action against said company, for said loss or damage at any Court to be holden in and for the County of Rockingham; within one Year from the time of such loss or damage, and not afterwards; And if upon trial of said action, a greater amount shall be recovered than the amount determined upon by the Directors, the party suffering shall have judgment therefor against said Company with interest thereon from the time said loss or damage happened, and costs of suit; but if no more shall be recovered than the amount aforesaid, the said party shall become nonsuit, and the said Company shall recover their costs: provided however, that the judgment last mentioned, shall in no wise affect the claim of said suffering party to the amount of loss or damage as determined by the Directors aforesaid; and provided also, that execution shall not issue on any judgment against said company until after the expiration of three months from the rendition thereof.

Section. 7. And be it further enacted, That the said Company may make insurance for any term not exceeding seven Years; And any policy of insurance issued by said company, signed by the Presi-

dent and countersigned by the Secretary shall be deemed binding on said company in all cases,

Section 8. And be it further enacted, That the Directors shall settle and pay all losses within three months after they shall be notified as aforesaid; unless they shall judge it proper within that time to rebuild the house or houses destroyed, or repair the damages sustained, which they are hereby empowered to do in convenient time; provided they do not lay out and expend in such building or repairs more than the sum insured on the premises; but no allowance is to be made in estimating damages in any case for gilding, historical or landscape painting, stucco or carved work; nor are the same to be replaced if destroyed by fire.

Section 9. And be it further enacted, That if any alteration shall be made in any house or building by the proprietor thereof after insurance has been made thereon by said company, whereby it may be exposed to greater risk or hazard from fire than it was at the time it was insured, then and in every such case the insurance made upon such house or building shall be void, unless an additional premium and payment after such alteration be settled with and paid to the directors; but no alteration or repairs in buildings not increasing such risk or hazard shall in any wise affect the insurance previously made thereon.

Section 10. And be it further enacted, That if insurance on any house or building shall be, and subsist in said company, and in any other office, or from and by any other person or persons, at the same time, the insurance made in and by said company shall be deemed and become void, unless such double insurance subsists with the consent of the directors, signified by endorsement on the back of the policy signed by the President and Secretary.

Section 11. And be it further enacted, That if it should ever happen that the stock of said company shall not be sufficient to pay all the loss occasioned by any fire, then, and in such case, the sufferers insured by said company, shall receive toward making good their respective losses a proportionable dividend of the said whole stock according to the sums to them respectively insured by said company.

Section 12. And be it further enacted, That the directors shall never require assessments, which shall make the funds of the company exceed three per cent, on the Amount of property insured.

Section 13. And be it further enacted, That Jacob Brown Samuel Lamprey and Edmund Toppan or either two of them, may call the first meeting of said company at any suitable time and place in the county of Rockingham, by advertisement in some Newspaper printed in said county, giving at least twenty days notice of the time, and place and design of said meeting, at which, or any subsequent meeting, said company may choose such officers, and establish such by-laws as shall be deemed expedient for carrying into effect the purposes of their associations.

[CHAPTER 4.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT, ENTITLED AN ACT TO PREVENT ENCROACHMENTS UPON HIGHWAYS PASSED FEBRUARY 27th 1786.

[Approved June 27, 1833. Acts, vol. 30, p. 21. Session Laws, 1833, Chap. 127. The act referred to is printed in Laws of New Hampshire, vol. 5, p. 121. See also act of January 3, 1829, id., vol. 9, p. 897. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court Convened, that whenever there shall be occasion for any fence or gate across any highway leading through meadow or intervale lands liable to freshets, the selectmen of the town in which such meadow or intervale land is situated, shall be, and they are hereby empowered, on application to them made by petition in writing, by any owner of such meadow or intervale, to make an order granting the petitioner license to keep a gate at a suitable place to be designated in their order under such restrictions as shall best accord with the accommodation of the petitioner, and the public convenience, which order the said selectmen or their successors in office, may at any time alter or revoke; And any person not satisfied, with the doings of the said Selectmen may apply by petition, to the Court of Common Pleas, in the same County, for redress, and the said court shall be, and hereby is empowered to take cognizance of the subject matter of said petition, and having ordered such notice to all concerned as said Court shall deem sufficient, and the order of Court having been complied with, may and shall proceed to consider the petition pending before said Court, and either affirm the order of the said Selectmen, or alter or quash the same.

And be it further enacted, that the proviso at the end of the act of which this act is in amendment, being the last sentence thereof, be and the same hereby is repealed.

[CHAPTER 5.]

State of }
New Hampshire. }

AN ACT IN FAVOUR OF ELIJAH CARPENTER AND OTHERS.

[Approved June 27, 1833. Acts, vol. 30, p. 22.]

Be it enacted, by the Senate and House of Representatives in General Court convened, that, Elijah Carpenter be allowed the sum of

six dollars in full of his account, that Gawin Gilmore be allowed the sum of three dollars in full of his account, that John H White be allowed the sum of twenty dollars in full of his account, that John Chadwick be allowed the sum of six dollars in full of his account, that Jacob Whittemore be allowed the sum of five dollars in full of his account, and that Horace Chase be allowed the sum of four dollars and ten cents, in full of his account, and that said sums be paid out of the Treasury.

[CHAPTER 6.]

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF THE CIVIL LIST.

[Approved July 2, 1833. Acts, vol. 30, p. 39. Session Laws, 1833, Chap. 135. See acts of July 1, 1831, *ante*, p. 251; June 21, 1832, *ante*, p. 298; July 4, 1834, *post*, and June 24, 1835, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Governor have and receive as a salary from June 1833, to June 1834, the sum of twelve hundred dollars; That the Secretary of State have and receive as a salary, for the same term, the sum of eight hundred dollars in full compensation for all services rendered by him in the capacity of Secretary, and that all fees allowed him by law be paid into the treasury, excepting those received for copies and certificates made by him for individuals for private use; that the Treasurer have and receive as a salary for the same term the sum of six hundred dollars; that the Adjutant and Inspector General have and receive as a salary for the same term, the sum of two hundred dollars; that the person doing the duty of Quarter Master General have and receive for his services for the same term, two hundred dollars, and that he pay all postages that may arise by his doing the duties of said office; that the Commissary General have and receive as a salary for the same term, the sum of forty dollars; that the members of the Council have and receive each two dollars per-day during the session of the Legislature, and two dollars and fifty cents, when the members are called together during the recess thereof, and ten cents per mile for travel to and from the place of meeting; that the President of the Senate and Speaker of the House of Representatives each receive two dollars and fifty cents per day during the sitting of the Legislature, and ten cents per mile for travel to and from the place of sitting; that the members of the Senate and House of Representatives receive two dollars each per day during the sitting of the Legislature, and ten cents per mile for travel to and from the place of sitting; that

the Clerks and assistant Clerks of the Senate and House of Representatives receive each two dollars and fifty cents per day during the sitting of the legislature, and ten cents per mile for travel to and from the place of sitting, and that they be allowed one day extra for making up the rolls and filing the papers.

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED "AN ACT FOR THE PUNISHMENT OF IDLE AND DISORDERLY PERSONS, AND FOR THE SUPPORT AND MAINTENANCE OF THE POOR," PASSED 16 DEC. 1828—

[Approved July 2, 1833. Acts, vol. 30, p. 41. Session Laws, 1833, Chap. 128. The act referred to is printed in *Laws of New Hampshire*, vol. 9, p. 753. This act repeals act of July 1, 1831, *ante*, p. 236. See also acts of July 1, 1834, *post*, and January 13, 1837, Session Laws, 1836, November session, Chap. 274. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That when any poor person happening to be in any town in this State not chargeable by law with his or her maintenance shall there die, the overseers of the poor in such town, shall cause such poor person to be decently buried, and such town shall recover by action of the town or person chargeable with the maintenance of such poor person, at and during the time of his or her last sickness, all reasonable expenses incurred by such overseers of the poor in and about the burial of such poor person, in the same way and manner as is provided in and by the eleventh section of the act to which this is in addition, for the recovery of such sums as may be expended by the overseers of the poor of such town in the maintenance of poor persons, the proper charge of some other town or person, and in case such poor person at the time of his or her death were not an inhabitant of this State, nor by the laws thereof the proper charge of any town or person in this State, then the reasonable expenses so incurred by the overseers of the poor as aforesaid, shall be a proper charge on the county in which such town is situated, and shall be allowed and paid to said town in the same manner as is provided for the allowance and payment of claims on counties for the support and maintenance of paupers in the ninth section of the act to which this is in addition.

Sec. 2. And be it further enacted, That an act entitled "an act in addition to an act entitled an act for the punishment of idle and disorderly persons and for the support and maintenance of the poor" passed July 1st 1831 be and the same is hereby repealed.

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO CHANGE THE NAME OF BURTON.

[Approved July 2, 1833. Acts, vol. 30, p. 46. Session Laws, 1833, Chap. 138.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the town of Burton in the county of Strafford, may assume and shall hereafter be known by the name of Albany any law custom or usage to the contrary notwithstanding.

[CHAPTER 9.]

State of }
New Hampshire. }

AN ACT TO ALTER THE TIMES OF HOLDING THE PROBATE COURT IN DEERFIELD, CHESTER AND DERRY IN THE COUNTY OF ROCKINGHAM.

[Approved July 2, 1833. Acts, vol. 30, p. 47. Session Laws, 1833, Chap. 120. See acts of June 28, 1818, Laws of New Hampshire, vol. 8, p. 689; June 29, 1819, *id.*, p. 811; December 15, 1824, *id.*, vol. 9, p. 318; July 6, 1826, *id.*, p. 532; July 5, 1827; *id.*, p. 641; June 16, 1831, *ante*, p. 188, and June 23, 1832, *ante*, p. 340. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That a court of Probate for the County of Rockingham shall be holden at Derry in said County on the last Tuesdays of April, August and December; at Chester in said County on the Wednesdays next following the last Tuesdays of April, August and December; and at Deerfield in said County on the Thursdays next following the last Tuesdays in April, August and December annually.

Section 2. And be it further enacted, That so much of any act or acts as require a Court of Probate to be holden in either of said towns on any other days than those above mentioned, be and the same hereby is repealed, and all proceedings matters and things whatsoever pending in said Court of Probate and now ordered to be returned to and heard and tried at the Court of Probate that would be holden at Derry aforesaid on the first Tuesday of September next, were it not for the passage of this act, shall be returned to and heard and tried at the Court of Probate to be holden at said Derry on the last Tuesday of August next; and all such like matters that would be

returned to and heard and tried at the Court of Probate that would be holden at Chester aforesaid on the first Tuesday of November next; were it not for the passing of this act, shall be returned to and heard and tried at the Court of Probate to be holden at said Chester on the Wednesday next following the last Tuesday of December next; and all such like matters that would be returned to and heard and tried at the Court of Probate that would be holden at Deerfield aforesaid on the Wednesday next following the first Tuesday of September next, were it not for the passing of this act, shall be returned to and heard and tried at the Court of Probate to be holden at said Deerfield on the Thursday next following the last Tuesday of December next.

[CHAPTER 10.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE UNION MANUFACTURING COMPANY.

[Approved July 2, 1833. Acts, vol. 30, p. 48.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Joshua G. Hall and his associates and successors, be and they are hereby incorporated and made a body politick forever, by the name of Union Manufacturing Company, and in that name may sue and be sued, posecute and be prosecuted, defend and be defended to final judgment and execution, in law and in equity; and they shall be and hereby are vested with all the rights, powers and privileges, and they shall be subject to all the liabilities by law incident to corporations of a similar nature; and they may have and use a common seal which they may break, alter or renew at pleasure.

Section 2. And be it further enacted, That said company be and the same are hereby empowered to carry on the manufacture of cotton and woollen goods or either of them and such other branches of trade and manufactures as may necessarily and conveniently be connected therewith at Wakefield, in the county of Strafford, and may erect such mills, dams, works, machines, and buildings, and dig and make such canals and sluices, as may be necessary for carrying on such manufacture of cotton and woollen goods and other branches of trade and manufactures.

Section 3. And be it further enacted, That said company be and the same are hereby authorised and empowered to acquire by purchase or otherwise, and to hold and enjoy to them and their successors as a capital stock such real and personal estate as may be

useful and necessary in conducting the business of said company, not at any time exceeding one hundred thousand dollars; and said company may sell, convey and dispose of said estate at pleasure; and said capital stock may be divided into as many shares as the proprietors thereof at any legal meeting shall by major vote determine; and at any legal meeting the said proprietors may determine and fix the manner of transferring said shares; and shall choose a clerk who shall be sworn and whose duty it shall be to keep a record of all the proceedings of said corporation, and to give certified copies thereof when thereto legally required; and may elect such officers, agents and servants as shall be deemed necessary, and prescribe their respective duties; and may vote and order assessments and fix the time of the payment thereof, and may limit the amount; which said assessments shall not be enlarged without the consent of all the proprietors; and may pass by-laws necessary for their regulation and government not inconsistent with the laws and constitution of the State; and may do and transact any and all other business in relation to the concerns and for the benefit of said company; and all elections and all other questions, if required by one of said proprietors shall be decided by a majority of all the votes of the proprietors present or represented at any meeting, allowing one vote to each share in all cases; and all powers to represent a proprietor at any meeting shall be in writing, signed by the proprietor represented, and filed with the clerk of the company before any act shall be done by virtue of such power.

Section 4. And be it further enacted, That the shares in said company shall be liable to and holden for all assessments legally made thereon, and upon the non-payment of such assessments or any part thereof for the space of thirty days after the same shall have become due and payable, the Treasurer shall proceed in the manner prescribed in the by-laws of said company to advertise and sell at publick vendue such delinquent proprietor's shares, or so many of them as may be necessary to pay the assessment or assessments due thereon, with incidental charges.

Section 5. And be it further enacted, That the said Joshua G Hall may call the first meeting of said company, to be holden at any suitable time and place, by publishing a notice thereof in some newspaper printed in Dover, in said county of Strafford, three weeks successively, the last publication whereof to be before the day of meeting.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE SULLIVAN MANUFACTURING COMPANY.

[Approved July 2, 1833. Acts, vol. 30, p. 51.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Austin Tyler, Ephraim Tyler, Timothy S Gleason, Zenas Clement, Joel Wallingsford and William Rosseter, their associates, successors and assigns, be and they hereby are incorporated and made a body corporate and politick, by the name and style of the Sullivan Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities which by law are incident to corporations of a similar nature.

Section 2. And be it further enacted, That the said corporation be and hereby is authorised and empowered to commence and carry on the business of manufacturing cotton and woollen goods, and paper in all their various branches, together with such other branches of Manufacture and trade, as are, or from time to time may be necessarily connected therewith, in the town of Claremont, in the County of Sullivan; and for these purposes the said corporation may purchase and hold real and personal estate to the amount of five hundred thousand dollars, and the same may use alienate or dispose of at pleasure.

Section 3. And be it further enacted, That Austin Tyler, Ephraim Tyler and Timothy S Gleason, or any two of them may call the first meeting of the members of said corporation, to be holden at any suitable time and place, by posting up notifications at two or more publick places in said Claremont, expressing therein the time, place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice, at least seven days prior thereto, at which said first meeting there shall be chosen a clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be, to record the acts and doings of said corporation, and to give certified copies thereof when lawfully required; and at the same meeting or any subsequent meeting thereof duly notified and holden, the members of said corporation may agree on the manner or calling their future meetings; may divide their capital or joint stock into so many shares as they may deem proper, and determine the manner of transferring them; may elect such officers and agents as may be deemed necessary for managing

their concerns and prescribe their duties; may order assessments and fix the time of their payment; may establish by-laws not repugnant to the laws of the State, for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation, shall be determined by a majority of the votes of members present and represented, allowing one vote to each share. Provided however, that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares, which he may hold above ten; absent members may vote by proxy, being authorised in writing signed by the person represented and filed with the clerk.

Section 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon and upon the non-payment thereof within the time fixed for their payment the delinquent share or shares may be advertised and sold at publick auction, or so many of them as may be necessary to pay such assessments with the incidental charges, under such regulations as the corporation in its by-laws shall have prescribed.

[CHAPTER 12.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT TO INCORPORATE
THE ROCKINGHAM MUTUAL FIRE INSURANCE COMPANY.

[Approved July 2, 1833. Acts, vol. 30, p. 53. The act referred to is dated June 22, 1832, *ante* p. 309. See also acts of June 26, 1838, Session Laws, 1838, Private Acts, Chap. 2; July 3, 1841, *id.*, 1841, Private Acts, Chap. 9, and December 20, 1842, *id.*, 1842, November session, Private Acts, Chap. 5.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened; that the board of directors of the Rockingham Mutual Fire Insurance Company, shall consist of such number of members as the said company shall determine by vote at any annual meeting, and said company may at such annual meeting determine the number of directors who shall constitute a quorum for the transaction of business; and may authorise the board of directors to appoint committees with such powers as they may judge expedient, not inconsistent with the laws of the State.

[CHAPTER 13.]

State of)
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE LERNED
 RELIEF ASSOCIATION IN HOPKINTON.

[Approved July 2, 1833. Acts, vol. 30, p. 54.]

Section 1. Be it enacted by the Senate and House of Representatives in General court convened,

That Mathew Harvey, Horace Chase and Nathaniel Curtis, their associates and successors be, and they hereby are incorporated and made a body corporate and politick by the name of the Lernal Relief Association in Hopkinton, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, and subjected to all the liabilities, which by law, are incident to corporations of a similar nature.

Section 2. And be it further enacted, That said corporation is hereby authorised and empowered to acquire and hold, by gift or otherwise, personal estate to any amount not exceeding two thousand dollars, as a fund to be appropriated when thought expedient by said association, exclusively for the relief of any member or members of said association who may become needy or distressed by fire, family sickness, or any other calamity; Provided that no appropriation of the annual interest or principal shall be made untill the said fund shall exceed the sum of five hundred dollars; and provided also, that no appropriation shall ever be made that shall reduce said fund below the said sum of five hundred dollars.

Section 3. And be it further enacted, That said corporation, at any meeting thereof, duly notified and legally holden, may elect such officers, and establish such by-laws, rules and regulations, not repugnant to the Constitution and laws of this State, as may be deemed necessary to carry the object of said association into effect.

Section 4. And be it further enacted, That Mathew Harvey, Harace Chase and Nathaniel Curtis, or either two of them may call the first meeting of said corporation by posting up notifications in writing, in two or more publick places in Hopkinton, stating the time, place and purposes of said meeting, at least seven days prior to the day of said meeting.

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT, ENTITLED AN ACT, TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE BROOKFIELD SOCIAL LIBRARY, APPROVED JUNE 19, 1811.

[Approved July 2, 1833. Acts, vol. 30, p. 56. The act referred to is printed in Laws of New Hampshire, vol. 8, p. 29.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That said corporation may assume and hereafter shall be known and called by the name of Brookfield, Wolfborough and Wakefield Social Library, and that the next annual meeting of said corporation for the choice of officers and transacting such other business as may be authorised by the act to which this is an amendment, shall be holden on the last Monday of October next, instead of the first Monday of September as is provided by said act, and the same shall be notified by posting up at some publick place in said Wakefield, a notification in the same way and manner as the meetings of said corporation have been heretofore notified, and that all subsequent annual, and other meetings of said corporation shall be holden at such times and be notified in such manner as may be established at any legal meeting by the vote or by-laws of said corporation.

Section 2. And be it further enacted, That so much of said act to which this is an amendment as is inconsistent with the provisions of this act, be and the same is hereby repealed.

[CHAPTER 15.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT TO ESTABLISH TIMES AND PLACES FOR HOLDING COURTS OF PROBATE IN THE COUNTY OF HILLSBOROUGH.

[Approved July 4, 1833. Acts, vol. 30, p. 57. Session Laws, 1833, Chap. 122. The act referred to is probably that of June 25, 1829, *ante*, p. 14. See also acts of December 21, 1824, Laws of New Hampshire, vol. 9, p. 359; January 3, 1829, *id.*, p. 930, and July 3, 1841, Session Laws, 1841, Chap. 626. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General court convened. That a court of Probate for the county of

Hillsborough shall be holden at Amherst on the first Tuesday of May annually, and at Temple on the Wednesday next following the first Tuesday of May annually.

And be it further enacted, that so much of the act of which this is an amendment, as requires a court of Probate to be holden at said Amherst on the Monday preceeding the first Tuesday of May in every year, and at said Temple on the Wednesday next after the third Tuesday of May in every year, be, and the same is hereby repealed.

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
PORTSMOUTH MARINE RAIL WAY COMPANY.

[Approved July 4, 1833. Acts, vol. 30, p. 58.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Samuel Hale, Charles Cushing and John Salter their associates and successors, be and they hereby are incorporated and made a body corporate and politic by the name of the Portsmouth Marine Rail Way Company, and in that name may sue and be sued, prosecute and defend to final judgment and execution, may have and use a common seal, and the same at pleasure may break, alter or renew; and said Company are hereby vested with all the powers and privileges, and subject to all the liabilities incident to similar corporations.

Sec 2. And be it further enacted, that the capital stock of said Company shall not exceed the sum of One Hundred Thousand Dollars, and shall be divided into shares of not less than one hundred Dollars each.

Sec 3. And be it further enacted that said corporation may choose such officers, and pass such by-laws, not repugnant to the laws of this State, as may be deemed necessary to carry into effect the purposes of said corporation.

Sec. 4. And be it further enacted that said Company are hereby authorised to purchase, and hold real estate not exceeding in value the sum of Fifty Thousand Dollars, and the same to dispose of at pleasure.

Sec. 5. And be it further enacted that the said Samuel Hale, Charles Cushing and John Salter, or either two of them are authorised to call the first meeting of said Corporation, for the purpose of organizing the same agreeably to the provisions of this act, by inserting notice of the time and place of said meeting in some

newspapers printed in Portsmouth at least fifteen days prior to the time of holding the same.

Sec. 6. And be it further enacted that hereafter in assessing public taxes, all shares which any person or corporation in this state may own in the stock of said company shall be valued in such manner as the shares in stock in other corporations of a similar nature, are or may be liable by law to be valued.

Sec. 7. And be it further enacted, That in case the President or other principal officer of said company on application of the selectmen of any town in this State, shall refuse or neglect for the space of four days to furnish at the place of residence of such president or other principal officer, an account in writing under oath of all the shares in the stock of said company, and their amount in value, owned by any corporation, inhabitant or resident of any town in this State, whereof such applicants are selectmen, such President or other principal officer, so refusing or neglecting shall forfeit and pay for every such offence a sum not less than twenty dollars, nor more than four hundred dollars, to be recovered by action of debt in the name and for the use of the town whereof such applicants are selectmen.

Sec. 8. And be it further enacted that all shares or stock in said corporation not owned by any person or persons residing in this state, or by any body corporate not created by the laws of this State shall be taxed to said corporation, in the town of Portsmouth at the same rate that such shares or stock would be taxed if owned by any person residing in this state, and it shall be the duty of the President or other principal officer of said Corporation, on application of one or more of the selectmen of said town of Portsmouth, at any time in the month of April in each year within four days from the time when such application may be made, to give a just and true account in writing under oath if required, of all the shares or stock in said corporation owned on the first day of such month of April by any person or persons not residing in this State, nor by any body corporate not created by the laws of this State, and every such President or other principal officer neglecting or refusing to give such just and true account as aforesaid within the time aforesaid shall forfeit and pay for every such offence a sum not less than twenty dollars, nor more than four hundred dollars to be recovered by action of debt in the name and for the use of said town of Portsmouth.

Sec. 9. And be it further enacted, that nothing in this act contained, shall be so construed as to empower said corporation to carry on any business except what shall appertain and be necessary and convenient to the making, having using keeping in repair or renewing a Rail Way or Rail Ways in said town of Portsmouth for the repairing of ships or vessels.

[CHAPTER 17.]

State of)
New Hampshire.)

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE
 PETERBORO COMPANY.

[Approved July 4, 1833. Acts, vol. 30, p. 61. The name of this corporation was changed to P. C. Cheney Company by act of August 1, 1878, Session Laws, 1877-81, p. 286. See also act of July 17, 1889, id., 1889-91, p. 163.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened. That Charles H. Atherton, Samuel Appleton, Samuel May, Isaac Parker, Nathan Appleton, John Pratt Asaph Evans, John Allison and David Stiles and their associates, their successors and assigns be and they hereby are incorporated by the name of the Peterboro Company and by that name may sue and be sued and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident by law to corporations of a similar nature.

Sec 2. And be it further enacted that the said corporation be and the same is hereby empowered to establish, manage and carry on the manufacture of cotton linen & woolen goods, all or either of them, and all kinds of machinery and such other branches of trade and manufacture, as shall be necessarily connected therewith, at any place or places which they may or shall possess in the town of Peterborough, and to purchase, take, hold and convey real and personal estate of any kind, to such an amount as they shall find necessary or convenient in the management of their concerns, provided the same shall not exceed the sum of One hundred thousand dollars and the same to manage improve, change and sell at their pleasure.

Sec. 3. And be it further enacted that Charles H. Atherton, Samuel Appleton and Samuel May or any two of them may call the first meeting of said corporation by giving ten days personal notice, or by advertising it in some newspaper printed in the County of Hillsborough, giving at least twenty days notice of the time, place and design of such meeting, at which they shall choose a clerk who shall be sworn faithfully to discharge the duties of his office, who shall record their proceedings, and give certified copies thereof when lawfully required, and perform such other duties as the by-laws may require. And at the same or any subsequent meeting, duly holden, may agree on the manner of calling future meetings, may divide their stock into any number of shares not exceeding one hundred, and agree on the manner of transferring them, may order assessments, elect a treasurer, such agents, officers and servants as

they may deem necessary, and prescribe their duties; pass bye laws for their regulation and government, and do and transact all such matters and things as have relation to their concerns. A majority of votes present or represented, shall decide all questions before any meeting of the corporation, Counting one vote to each share in all cases; and all representations shall be in writing signed by the person represented, and filed with the Clerk.

Sec. 4. And be it further enacted, that the shares in said Corporation, shall be liable and holden for the payment of all assessments legally made thereon. And upon the non payment of such assessments or any part thereof, for the space of thirty days after the same shall have become due and payable, the treasurer may proceed in the manner prescribed in the bye laws to advertise and sell at auction such delinquent shares or so many of them as may be necessary to pay the sums due thereon, with incidental charges.

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE STRAFFORD COTTON MILL COMPANY.

[Approved July 4, 1833. Acts, vol, 30, p. 64. The name of this corporation was changed to Belknap Manufacturing Company by act of December 15, 1842, Session Laws, 1842, November session, Private Acts, Chap. 6.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Eastman Jr, Samuel G. Sanborn, John Philbrick, Mayhew Clark, Nathan Bagley, Elisha Smith Jr, and Moses S. Boynton, their associates, successors and assigns, be, and they hereby are, incorporated and made a body politic, by the name of the Strafford, Cotton Mill Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution; and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted that said corporation, be and hereby is authorised and empowered to commence, establish and carry on the business of manufacturing cotton and woolen goods, in all their various branches, together with such other branches of manufacture and trade as may be necessarily connected therewith, in the town of Merideth in the county of Strafford, and for these purposes the said Corporation may purchase and hold real and personal estate, to any amount not exceeding one hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3. And be it further enacted that Thomas Eastman Jr, Samuel G. Sanborn and John Philbrick or any two of them, may call the first meeting of said Corporation, at any suitable time and place, by posting up in two or more public places in the town of Merideth a written notice of the time place and design of said meeting, at least fifteen days prior to the time of holding the same, or by giving personal notice at least six days previous to said meeting, at which meeting there shall be chosen a Clerk, who shall be sworn to a faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the Corporation, and to give certified copies thereof, or any part thereof when lawfully required, and at the same meeting, or any adjournment thereof or at any subsequent meeting duly notified and holden, the members of said Corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper and determine the manner of transferring them, may elect such officers and agents as may be deemed necessary for managing their concerns, and prescribe their duties, may order assessments and fix the time of their payment, may establish by-laws not repugnant to the laws of this State, for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of the votes of members present, and represented, allowing one vote to each share; provided however that any person holding more than ten shares shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy, being authorised in writing, signed by the person represented, and filed with the Clerk.

Sec. 4. And be it further enacted, That the shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the delinquent's share or shares may be advertised and sold at public auction, or so many of them as may be necessary to pay such assessments with the incidental charges, under such regulations as the Corporation shall have prescribed.

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE WILLIAM BARNES, OLIVER LAMPREY, AND CHARLES RANLET BY THE NAME OF THE EAGLE MANUFACTURING COMPANY.

[Approved July 4, 1833. Acts, vol. 30, p. 67.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that William Barnes, Oliver Lamprey and Charles Ranlet, and their associates and successors be and they hereby are incorporated and made a body politic forever by the name of the Eagle Manufacturing Company, and by that name may sue and be sued, prosecute and be prosecuted, defend and be defended to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities which by law are incident to corporations of a similar nature and may have and use a common seal, which they may break alter and renew at pleasure.

Sec. 2. And be it further enacted, That the said Corporation shall have power and is hereby authorised to carry on the making and fabricating of cotton goods and such other manufactures necessarily connected therewith, as they may from time to time think fit in Newmarket, and may carry on such branches of trade and business as may be found necessarily and conveniently connected therewith, and may erect and build such mills, dams, buildings, machines and other works as may be necessary and convenient for carrying on said manufactures and business.

Sec 3. And be it further enacted, That the said Corporation shall be and the same is hereby authorised to acquire by purchase or otherwise and to hold and enjoy all such real and personal estate as may be necessary and convenient for the establishing and carrying on said factories, and the business therewith connected, and the same may sell and dispose of at pleasure, provided such estate shall not exceed the sum of fifty thousand dollars.

Sec 4. And be it further enacted that the capital or joint stock of said Corporation may be divided into as many shares as the proprietors at a legal meeting may think fit and shall be numbered in progressive order beginning at number one and each proprietor shall have a certificate under the hand of the treasurer, and seal of said corporation, expressing his number of shares, the progressive number of each, and certifying that he is the owner thereof, which share or shares may be alienated by the proprietor thereof, his executors or administrators in such manner as said Corporation may prescribe.

Sec. 5. And be it further enacted, That the said shares in said Corporation shall be liable and holden for all assessments legally made thereon, and upon the non payment of such assessment, or any part thereof for the space of thirty days after the same shall have become due and payable, the treasurer may proceed in the manner prescribed in the by laws of said Corporation to advertise and sell at public auction such delinquent shares or so many thereof as may be necessary to pay the sums due thereon with incidental charges.

Sec. 6. And be it further enacted that the said William Barnes, Oliver Lamprey and Charles Ranlet or either of them may call the first meeting of said Corporation, to be holden at any suitable time and place by giving to each of the others personal notice thereof two weeks previous to said meeting, and the members of said Corporation at that or any legal meeting, by vote of the majority of those present and represented, allowing one vote in all cases to each share represented, may choose all such officers and servants as may be deemed necessary, and prescribe their respective duties, may order assessments, and the time of their payments, may pass by-laws for their due regulation and government, prescribe rules for the transfer of their stock, agree on the manner of calling future meetings, and until such method shall be agreed on, any future meeting of said corporation may be called in the same way and manner as is herein prescribed for calling their first meeting, and may do and transact such other business in relation to the concerns of said Corporation as they shall see fit.

Sec. 7. And be it further enacted that the presiding officer or clerk who may be appointed by said Corporation shall give certified copies of the doings of the Corporation when thereto legally required.

[CHAPTER 20.]

State of)
New Hampshire. (

AN ACT GRANTING COMPENSATION TO RALPH METCALF AND OTHERS.

[Approved July 4, 1833. Acts, vol. 30, p. 70.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Ralph Metcalf receive a compensation of one hundred fifty one dollars and sixty four cents in full of his account, that John Whipple receive a compensation of four dollars and seventy cents in full of his account, and that Amos A Brewster receive a compensation of seven dollars in full of his account, and that the same sums be paid out of the Treasury

[CHAPTER 21.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
 STRAFFORD UNION ACADEMY.

[Approved July 4, 1833. Acts, vol. 30, p. 71. This corporation was merged in Strafford Academy by act of December 22, 1836, Session Laws, 1836, November session, Private Acts, Chap. 96.]

Sect. 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Job Otis Daniel Winkley and Hudson Peavey their associates, successors and assigns be, and hereby are incorporated and made a body politic and corporate, under the name of the Strafford Union Academy, and by that name may sue and be sued, prosecute and defend unto final judgment and execution, and shall have and enjoy all the powers and privileges, and be subject to all the liabilities, incident to corporations of a similar nature.

Sect 2 And be it further enacted, that said corporation may establish an Academy in the town of Strafford for the instruction of youth, may erect, own and maintain, suitable buildings therefor, may hold and possess real and personal estate of any kind and to any amount, not exceeding fifteen thousand dollars in value.

Sect 3 And be it further enacted, that all such gifts, donations, bequests and legacies, as have been, or may from time to time, be given or bequeathed to said corporation, may be received, held and possessed by said corporation.

Sect 4 And be it further enacted, that Job Otis Daniel Winkley and Hudson Peavey, or either two of them, may call the first meeting of said corporation, to be holden at some suitable time and place in said town of Strafford, by notifying the members thereof at least fourteen days prior to the meeting in one of the Newspapers printed in the town of Dover, when the manner of holding any future meetings may be regulated and any business relating to said corporation transacted.

Sect 5 And be it further enacted, that said corporation, at any meeting duly holden, may make rules regulations and by-laws, not repugnant to the laws of this State, for the management of the interests and concerns of said corporation and may appoint a board of trustees and such and so many other officers as they shall think proper, and prescribe their powers and duties.

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF SUTTON ACADEMY

[Approved July 4, 1833. Acts, vol. 30, p. 81.]

Sec—1 Be it enacted by the Senate and House of Representatives in General Court convened. That there be, and hereby is established, in the town of Sutton in the County of Merrimack an Academical Institution for the education of youth in the various branches of literature, which shall be under the government of a board of Trustees consisting of not more than seven, nor less than five members, to be chosen in the manner herein after described; and the Trustees are hereby incorporated and made a body politic by the name of the Trustees of Sutton Academy: and by that name may sue and be sued, prosecute and defend to final judgment and execution, and be vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature; and shall also have power to purchase and hold or to receive by gift, grant or otherwise any estate real or personal to an amount not exceeding twenty thousand dollars at any one time, and the same to use and employ sell and dispose of for the benefit of said institution; subject always to such limitations and conditions, as are expressed in any will, deed or other instrument of conveyance.

Sec 2 And be it further enacted, That Robert Lane, Reuben Porter, Joseph Harvey, Benjamin Wadleigh, John Felch, Amos Pressey, James Messer, Reuben. G. Andrew, John Pressey, Jonathan Woodward, Moses Pillsbury, Daniel Masten, Nathaniel. W. Knowlton, Philip. S. Harvey, Nathaniel. A. Davis, David Ambrose, Erastus Wadleigh, William Pressey, Charles French and Timothy Bean, may, at any convenient time and place, hold a meeting to be called by any two of the three persons first above named, by posting up notifications for that purpose at three or more public places in said town of Sutton, expressing the time place and design of said meeting, at least ten days prior thereto, at which meeting a majority of said persons being present, they may choose a clerk, who shall be sworn faithfully to discharge the duties of his office; and any other officer that may be deemed necessary; and at the same time or at any adjournment of said meeting they may elect by ballot a board of Trustees and may do any other act or thing necessary to the organizing of said corporation.

Sec 3 And be it further enacted, That the Trustees of said institution, a majority of whom shall constitute a quorum in all cases shall have power and they are hereby authorised to prescribe and

adopt from time to time, all such rules regulations and restrictions not repugnant to the laws of this State as they may deem necessary for the government and well being thereof; and for the management and application of its funds for the appointment and removal of instructors for the admission instruction and government of students therein, and for the direction of all its concerns; and for this purpose may appoint all necessary officers agents or servants, and whenever any vacancy shall happen in said board, by death resignation or otherwise, the remaining Trustees or a majority of them at any meeting held for that purpose, shall by ballot make an election to fill such vacancies, and the person or persons thus elected and excepting the trust, shall thereupon be vested with all the power and authority incident to said office.

[CHAPTER 23.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE MASSABESICK CANAL COMPANY.

[Approved July 4, 1833. Acts, vol. 30, p. 86. See act of January 13, 1837, Session Laws, 1836, November session, Private Acts, Chap. 110.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Samuel Aiken, William Graham, John Clark, David Currier Junior, John Folsom, Jesse. J. Underhill, Jay T. Underhill, Flagg. T. Underhill, Rufus Kittredge, Benjamin Chase, Amos Chase John S. Brown, James Hoyt, Israel Webster Junior, Amos Weston Junior, Joseph Moore and Elibu Thayer, and their associates and successors, be, and hereby are incorporated and made a body corporate and politic forever, by the name of the Massabesick Canal Company, and by that name may sue and be sued, prosecute and defend, to final judgment and execution, may have and use a common seal, and the same alter and renew at pleasure, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That the said David Currier Jr, John Clark and John Folsom, or either two of them may call the first meeting of said Corporation, by publishing notice thereof, in two of the newspapers printed in Concord, in the county of Merrimack, which meeting shall be holden in Chester, in the County of Rockingham, fourteen days at least after the publication of said notice, and said Corporation, at that or any subsequent meeting, may elect such officers, and make and establish such rules regulations and by-laws, not repugnant to the Constitution and laws of

this State. as to them shall appear necessary or convenient for the due regulation and government of said Corporation.

Sec. 3. And be it further enacted, that said Corporation be and hereby is authorised to locate construct and fully complete a navigable Canal, with locks, tow-paths, basins culverts, wharves, dams, embankments, toll houses and other necessary appendages, commencing at some convenient point on the shore of Massabesick pond, at or near the head of the stream called Cohas brook, thence on the most convenient and practicable route to Merrimac River, at or near the mouth of said stream, and also to remove trees, bushes, driftwood and other obstructions from, and to excavate, deepen and improve the natural channel of said stream or any part thereof and to make such dams, slips, side cuts, and canals on or near said stream and pond or any part thereof as may be necessary and proper for safely and conveniently floating boats. Lumber, or wood thereon—And said Corporation may use as reservoirs or feeders for the purpose of supplying with water said canal, slips or other works the said Massabesick pond and the different ponds and streams of water near and over which, said canal, or slips may pass, and shall have power to connect with said canal or slips by feeders, any of said ponds, streams and reservoirs.

Sec 4. And be it further enacted, That the said Corporation shall build and keep in repair, for the free use of the public, suitable and convenient bridges over said canal locks, slips or other works, and such part or parts of said stream as may be taken and used for the purposes contemplated by this act, in all places where the same shall pass any highway or road, and in all cases where any road or public highway is so located that said canal, locks or slips cannot be judiciously laid out, or made without interfering therewith. Said Corporation may cause such road or highway to be so shifted and altered as that said canal or Slips may be made on the best scite or ground; the Corporation putting said new road in as good repair as the old one was at the time of such alteration, and satisfying all damages which may be occasioned by such alteration, or deviation in manner herein after provided.

Sec. 5. And be it further enacted that said Corporation may purchase and hold such real and personal estate as shall be necessary to carry into effect the purposes contemplated by this act, not exceeding in value the sum of five hundred thousand dollars, and may occupy, use hold or dispose of any water power or mill privileges, which may be obtained from or created by any of the locks, slips or other works erected by said corporation, and may erect such works and buildings as may be found necessary and convenient for the profitable management of their property aforesaid.

Sec. 6. And be it further enacted. That all damages which any person or persons, corporation or corporations may sustain by the

construction of said canal, locks, slips reservoirs or feeders or the clearing out and improving said stream or any of said works authorised by the provisions of this act, shall be paid and satisfied by said Corporation. And before said Corporation shall enter upon any lands, or take possession of any ponds, streams or other bodies of water by virtue of the provisions of this act they shall pay to the owner or owners thereof who shall be injured thereby a reasonable compensation for his or their damages. And in case the Corporation and the owner or owners injured, shall not agree on the compensation for said damages, the Court of Common Pleas for the county of Hillsborough, upon the application of said corporation or the owner or owners injured, may appoint a committee of three judicious disinterested persons who shall consider and adjust the claims for said damages. And said committee before considering or deciding upon any claim for damages made as aforesaid shall give due notice in such manner as shall be directed by said Court, to all parties interested, or to their agent or attorney of the time and place of considering the same, and if either party having been notified as aforesaid shall neglect to attend said Committee may proceed *ex parte*, and make such award as to them shall seem just, taking into view the benefit as well as the injury which may accrue to the complaining party. And said corporation may tender in money the damages so assessed by said committee to the person or persons, Corporation or Corporations whose property or rights have been taken or injured and thereupon have a right to enter upon and forever hold use and possess, any land or other property right or privilege, for which compensation has been awarded and tendered in manner aforesaid. And in all cases when damages shall be assessed in pursuance of this act, if said corporation shall neglect to pay or tender to the person or persons to whom such damages shall be awarded, or to the guardian, husband, agent or attorney of such person the amount of such damage within six months after such award shall be made, all right of such Corporation to such property then appraised shall cease, unless they shall purchase the same of the owner thereof.

Sec. 7. And be it further enacted, That said corporation may divide their property into such number of shares as they shall think proper, which shares may be transferred by deed duly executed and acknowledged before a justice of the Peace, and recorded by the clerk of said corporation, and which shall be deemed and held as personal estate, and the share or shares of any proprietor may be sold at public auction by said corporation on non payment of all assessments duly made thereon.

Sec. 8. And be it further enacted, That for the purpose of compensating said corporation for the monies by them expended, a reasonable toll is hereby granted from and after the time said stream canal, locks or slips are made navigable for the passage of

Boats, rafts or lumber. And in case any person shall think the toll demanded by said corporation too high, he may apply to the aforesaid Court of Common Pleas, who shall establish such rates of toll as they may think just and reasonable.

Sec. 9. And be it further enacted. That if said stream, canal, locks, or slips shall not be made navigable so as to admit the convenient passage of boats, rafts or lumber within six years from the passage of this act, then this act shall be null and void; Provided always that the Legislature of this State may from time to time upon notice given to said corporation, make such further provisions and regulations as they may think proper—

[CHAPTER 24.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE NORTH MEETING HOUSE IN CONWAY.

[Approved July 5, 1833. Acts, vol. 30, p. 109.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened That Gilbert M'Millan, James Willey, Henry Eastman, Nathaniel Abbot, Leavitt Hill William Chadbourne, Thomas Eastman Isaac Merrill, Parley Foster, Henry Sherburne Amos Merrill Jr, Mark Broughton, Alvah Russell, Samuel Knox, Benjamin Bean, Amos Barns, Simon Seavy Jr, Noah Eastman, Charles S. Whittaker, Job Eastman and Jonathan Thompson, and their associates and such other persons as may hereafter become proprietors of a pew or pews in said meeting house, be and they hereby are incorporated and made a body politic forever by the name of the proprietors of the north meeting house in Conway and the said body corporate is hereby empowered to hold and possess real and personal estate not exceeding in value the sum of three thousand dollars to be vested exclusively in the said meeting-house common and out houses, and is vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted, That Gilbert McMillan, James Willey and Henry Eastman or any two of them may call the first meeting of said corporation by posting up a notice of the time and place of said meeting at said meeting house, and at Abbots corner in Conway and some public place in Bartlett fourteen days previous thereto, and at said meeting or any other subsequent meeting the members of said corporation may choose a Secretary and Treasurer and such other officers and establish such by laws,

rules and regulations as they may deem necessary for the carrying into effect the objects of their incorporation provided said by-laws, rules and regulations be not repugnant to the constitution and laws of this State.

Sec 3. And be it further enacted, That each proprietor of said meeting house corporation, shall be entitled to as many votes in any meeting thereof, as he may at the time of casting his vote own pews in said meeting house and no more.

Sec. 4. And be it further enacted that said corporation may at any meeting duly notified for that purpose by a majority of the voters present raise any sum or sums of money that they may deem necessary for the purpose of repairing said meeting house, and for keeping the same in repair so long as they may think proper. And all sums of money raised for the purpose aforesaid shall be assessed on the pews in said house owned by the members of said corporation according to their value which value shall be assessed by a committee of three persons, to be chosen for that purpose by said corporation and if the owner or proprietor of any such pew or pews shall neglect or refuse to pay any assessment made as aforesaid, said delinquent proprietors' pew or pews may be sold for the payment thereof in such way and manner as said corporation may determine.

[CHAPTER 25.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NEW ENGLAND MUTUAL LIFE INSURANCE AND ANNUITY COMPANY.

[Approved July 5, 1833. Acts, vol. 30, p. 111.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened that John K. Simpson, Isaac Hill, Joseph Low Henry Y. Simpson, Horatio Hill and their associates are hereby created a body politic and corporate by the name and Style of the New-England Mutual Life Insurance and Annuity Company, and shall by the same name be capable of suing and being sued and maintaining and defending any action to final judgment and execution and shall be in law capable of purchasing, holding, improving and conveying any estate real or personal for the use of said corporation provided they shall not hold real estate beyond the value of twenty thousand dollars excepting such as may be taken on execution for debt. And the said Corporation shall have power to ordain and establish and put in execution such by laws, ordinances and regulations as shall be necessary for the government thereof.

Sec 2. And be it further enacted that the President and Directors of the New England Fire Insurance Company for the time being are hereby authorised and empowered to manage the affairs of said Corporation by appointing an Actuary whose duty it shall be to sign all policies in behalf of the Corporation created by this Act; also Clerks and other Officers necessary for transacting the business of said Corporation. And the said President and Directors are further authorised to fix the amount of salaries, which shall be paid to said officers and to do and order whatever else may be necessary for the conducting and well ordering of the affairs of the said New-England Mutual Life Insurance and Annuity Company. And to enable them to pay the salaries and other expenses connected with said Corporation they are hereby authorised to receive not exceeding one per cent on the amount of all policies issued by said Corporation. And the surplus after paying the salaries and expenses, shall be paid over to the New England Fire Insurance Company.

Sec 3. And be it further enacted that the Actuary on behalf of said Corporation shall with the consent of the President and Directors of the New England Fire Insurance Company have full power to make insurances on lives by sea and on land and to contract for reversionary payments and generally to make all kinds of contracts in which the casualties of life, and interest of money, are principally involved; and to make, execute and perfect such or so many contracts, bargains, agreements policies and other instruments as shall be necessary, and as the nature of the case shall or may require.

Sec 4. And be it further enacted, That every person Insured by the New England Mutual Life Insurance and Annuity Company, shall be a member of said Corporation and in addition to the sum mentioned in the second section of this act, which shall be paid in cash, shall, before receiving his policy deposit his promissory note for such sum of money as shall be determined by the Directors of the New-England Fire Insurance Company.

Sec 5. And be it further enacted, That the Directors of the New England Fire Insurance Company shall meet on the first Tuesday in January, and the first tuesday of July in every year, and in their capacity of Directors of the New-England Mutual Life Insurance and Annuity Company proceed to settle and determine the sums to be assessed on the several notes due the Company, to meet the claims on it for losses; and proceed forthwith to collect the same and pay it over to the claimants.

Sec 6. And be it further enacted that if it shall ever so happen that the whole amount of deposit notes shall be insufficient to pay the losses, a proportionate dividend of the whole amount of said notes shall be made to the claimants according to the sums by them respectively insured.

Sec 7. And be it further enacted, That this Corporation shall not have power to pay over any sums to the heirs of those who shall die by the hand of justice, or by suicide or in consequence of a duel.

Sec 8. And be it further enacted, That it shall be the duty of the Directors of the New England Fire Insurance Company once in each year to make a full fair and explicit statement of all the real estate, funds and investments of every kind whatever, which belong to this Corporation, which shall be subscribed and verified by the oath of a majority of the Directors, and on or before the tenth day of January, annually to deliver the same to the Secretary of State, who shall cause the same to be laid before the Governor and Council. And the General Court or either branch of the Legislature shall have power by their Committee to examine the records and doings of said Corporation; and for this purpose shall have free access to all their buildings, offices and places of business, and to all places of deposit of their files, records and proceedings.

[CHAPTER 27.]

State of)
New Hampshire.)

AN ACT IN RELATION TO THE MILITIA.

[Approved July 5, 1833. Acts, vol. 30, p. 115. Session Laws, 1833, Chap. 124. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That the first and thirty-fifth Regiments of the Militia of this State, be and the same are hereby united into one Regiment to be known as the first Regiment, and the thirty fifth regiment is hereby abolished.

Sec 2. And be it further enacted, That each rifle Company within this State may consist of forty two rank and file.

Sec 3. And be it further enacted, that in addition to the Division Staff which the Major General is now by law authorised to appoint there shall be in each division a Division Quartermaster, with the rank of Colonel who shall be appointed by the Major General and Commissioned by the Governor.

Sec. 4. And be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act, be and the same hereby are repealed.

[CHAPTER 28.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT FOR THE SUPPORT AND REGULATION OF PRIMARY SCHOOLS, PASSED JULY 6, 1827.

[Approved July 5, 1833. Acts, vol. 30, p. 120. Session Laws, 1833, Chap. 131. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 661. See also acts of July 4, 1829, *ante*, p. 85, and January 4, 1833, *ante*, p. 418. Repealed by act of January 13, 1837, Session Laws, 1836, November session, Chap. 304.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That it shall be the duty of the Selectmen of the several towns and places in this State, to assign to each school district in their respective towns and places a proportion of the money assessed in each year for the support of schools according to the valuation thereof for that year, unless the said towns and places shall at a meeting holden for that purpose direct it to be divided according to the number of scholars in each district.

Sec 2. And be it further enacted, That the second section of the second Act of which this is an amendment be and is hereby repealed.

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT TO AN ACT INCORPORATING THE SECOND PARISH IN ALSTEAD, PASSED JUNE 18 1795—

[Approved July 5, 1833. Acts, vol. 30, p. 124. Session Laws, 1833, Chap. 137. The act referred to is printed in Laws of New Hampshire, vol. 6, p. 252.]

Be it enacted by the Senate and House of Representatives in General Court convened, That any person who may hereafter desire to join said society and shall communicate to the clerk thereof, such, his desire in writing by him subscribed, such person being an inhabitant of Alstead shall after being accepted by vote of said society at some legal meeting thereof, and not otherwise be entitled to all the rights privileges and immunities to the same belonging and shall be subjected to a share of all the burdens and expenses of said society.

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT TO RAISE FORTY FIVE THOUSAND DOLLARS FOR THE USE OF THE STATE.

[Approved July 5, 1833. Acts, vol. 30, p. 125. Session Laws, 1833, Chap. 132.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of forty-five thousand dollars shall be raised for the use of the State; which sum shall be assessed, collected and paid into the treasury on or before the first day of December, in the year of our Lord one thousand eight hundred and thirty four; and the Treasurer is hereby directed seasonably to issue his warrant to the Selectmen of the several towns and places within this State, according to the apportionment of public taxes, made at the November Session A.D. 1832, and the Selectmen and Assessors are hereby respectively required to assess the sums specified in said warrants, and to cause the same to be paid into the treasury, on or before the first day of December, in the year of our Lord one thousand eight hundred and thirty four. And the Treasurer is hereby authorised to issue extents for all taxes which shall then remain unpaid.

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CHESHIRE PROVIDENT INSTITUTION FOR SAVINGS.

[Approved July 5, 1833. Acts, vol. 30, p. 133. See acts of July 2, 1851, Session Laws, 1851, Chap. 1168; June 24, 1868, id., 1867-71, p. 174; June 30, 1869, id., p. 367, and June 26, 1872, id., 1872-76, p. 66.]

Sect 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Bellows Samuel Grant John Wood Salma Hale Eliphalet Briggs Justus Perry Aaron Hall Levi Chamberlain Azel Wilder Abijah Wilder Jr. John Elliot Oliver Holman Josiah Colony Amos Twitchell, Charles G Adams Levi W Leonard John H Steele James Walker, Azel Hatch Walter Tufts Joseph Weeks Larkin Baker Elijah Carpenter Levi Blake Abner Boyden William S Brooks and George Tilden, be, and they hereby are made a body corporate and politic by the name of the Cheshire Provident Institution for savings, and that they, and such others as shall be duly elected members of the said corporation as

is in this act provided shall be, and remain a body politic and corporate by the same name, style and title, for the term of twenty years from the passage of this act, and the office of said corporation shall be kept at Keene in the county of Cheshire.

Sect 2 And be it further enacted, that the said corporation shall be capable of receiving from any person or persons, any deposit or deposits of money, and to use and improve the same for the purposes, and according to the directions herein mentioned and provided.

Sect 3 And be it further enacted, that all deposits of money received by said corporation shall be used and improved by said corporation to the best advantage, and the income or profit thereof shall be by them applied and divided among the depositors their executors or administrators in just proportion according to their deposits, with such reasonable deductions as may be necessary to defray the unavoidable expenses of said corporation, and the principal of such deposits may be with drawn at such times, and in such manner as said corporation shal direct and appoint.

Sect 4 And be it further enacted, that the said corporation shall at their first meeting under this act, and at any subsequent annual meeting thereafter, have power to elect by ballot any other person or persons (not exceeding fifty including those who are at that time members) to be members of said corporation.

Sect 5 And be it further enacted, that the said corporation may have a common seal which they may change and renew at pleasure, and that all deeds, conveyances, grants, covenants and agreements made by their Treasurer or any other person by their authority, shall be good and valid in law and said corporation may sue and be sued, and shall have power to prosecute and defend to final judgment and execution by the name and title aforesaid.

Sect. 6 And be it further enacted, that the officers of said corporation shall consist of a President, two Vice-Presidents a Treasurer a Secretary as many Trustees or directors as the said corporation may deem necessary, and such other officers as may be requisite for managing the affairs of the institution, which officers shall be elected by ballot, shall hold their offices for one year, and until others are chosen and have accepted in their stead, and shall be sworn to the faithful performance of the duties of their offices respectively.

Sect 7 And be it further enacted, that the said corporation shall be capable of taking and holding such buildings and real estate as shall be necessary and convenient for managing their affairs, Provided that such real estate held at any one time for the purpose aforesaid shall not exceed in value, at the time of the purchase or acceptance thereof by said corporation, the sum of six thousand dollars. And the said corporation shall be further able to take, hold and dispose of any real estate whatever, which may

in good faith be mortgaged or pledged for the security of its loans, or debts due to it, or which may be in good faith conveyed to or taken by said corporation in satisfaction or discharge of debts, demands or liabilities which shall have been previously contracted or incurred.

Sect 8 And be it further enacted, that the said corporation shall not make and issue any bill or promissory note to circulate as currency, and the President and members aforesaid shall receive no compensation for their services in said institution, nor derive any emolument therefrom—Provided however, that a reasonable allowance may be made to the treasurer, and such clerks as the business of the Institution may render necessary, and the books and accounts of the Institution shall at all times be open to the inspection of the Governor of this State, or any Justice of the Superior Court of Judicature or of a committee appointed for that purpose by either branch of the Legislature.

Sect 9 And be it further enacted, that said corporation shall have power to make such by-laws as are necessary and proper for the management of the affairs of the institution, provided they are not repugnant to the constitution and laws of the State

Sect 10 And be it further enacted, that at the expiration of twenty years from the passage of this act, the concerns of the Institution shall be closed by an equitable distribution of all the property of the same among the depositors in proportion to their respective amounts of deposits for the time being and the time they have respectively continued the same in said Institution.

Sect 11 And be it further enacted, that George Tilden is authorised to call the first meeting of said corporation by giving personal notice of the time and place of such meeting to the corporators herein named or by publishing such notice in each of the Newspapers published in Keene at least fourteen days before the day of such meeting.

[CHAPTER 32.]

State of)
New Hampshire. }

AN ACT TO ESTABLISH AN ADDITIONAL TERM OF THE COURT OF PROBATE IN THE COUNTY OF STRAFFORD

[Approved July 6, 1833. Acts, vol. 30, p. 143. Session Laws, 1833, Chap. 123.]

Be it enacted by the Senate and House of Representatives in General Court convened, That a Court of Probate shall be holden at Dover in the County of Strafford on the third Tuesday of January annually.

[CHAPTER 33.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE MERRIMAC RIVER STEAM NAVIGATION COMPANY.

[Approved July 6, 1833. Acts, vol. 30, p. 146. See act of July 4, 1837, Session Laws, 1837, Private Acts, Chap. 27.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened that Joel Stone Jr. Charles Bradburn and Charles Stone their associates, successors and assigns be and they hereby are incorporated and made a body politic forever, by the name of the Merrimac River Steam Navigation Company; and by that name may sue and be sued, prosecute and defend to final judgment and execution, make contracts, may have and use a common seal and the same alter or renew at pleasure, and shall have exercise and enjoy all rights powers and privileges, and be subject to all the liabilities incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That Joel Stone Jr. Charles Bradburn and Charles Stone or any two of them may call the first meeting of said Corporation, by leaving at the residence of each of the proprietors a written notice of the time and place of said meeting at least fourteen days prior to the time of holding the same; at which meeting the said Corporation shall choose a clerk who shall be sworn to the faithful discharge of the duties of his office, and at the same meeting or any subsequent one, may adopt by laws, and choose a treasurer, directors and such other officers as may be deemed necessary, and may prescribe their respective duties. And at all meetings, all elections and questions shall be determined by a majority of votes accounting and allowing one vote for each share; and absent members may vote by proxy duly authorised in writing, which writing shall be filed with the clerk.

Sec 3. And be it further enacted that said Corporation be and they hereby are vested with the sole and exclusive right of using and employing upon the waters of the Merrimac River, between the line dividing this State from Massachusetts, and Moore's Falls so called, Steam boats and steam vessels for the term of ten years from and after the first day of April next.

Sec. 4. And be it further enacted that the said Corporation be and hereby is authorised to remove any obstruction not authorised by law, to the convenient navigation of said part of Merrimac river, and may purchase, take and hold any lands in the vicinity of said grant, necessary for effecting the objects of this act, and the same alienate, sell or convey, provided such lands so holden shall not at any one time exceed in value twenty thousand dollars and provided

also that the whole capital stock of said Corporation shall never exceed in value Fifty thousand dollars, and may plan build and erect thereon such wharves, ware-houses and other buildings as they may deem expedient.

Sec 5. And be it further enacted, That if said Corporation shall not within one year from the first day of April next put into use and operation on said river for the purpose aforesaid one Steam boat or steam vessel, or if said Company shall afterwards for the term of four months at any one time during the season for boating discontinue or omit to use and employ a steam boat or steam vessel on said river for the purpose aforesaid, unless said boat or vessel be injured and prevented from running by inevitable accident, or shall for the term of one year at any one time, for any cause discontinue or omit to use and employ a steamboat or steam vessel for the purpose aforesaid, this act shall become wholly null and void.

Sec 6. And be it further enacted, That the said corporation may fix such rate of freight for the transportation of passengers and merchandise as they may deem expedient. Provided however that if any three or more persons shall feel themselves aggrieved at the rates of freight so fixed they may apply to the justices of the Superior Court at any term of said Court holden in the County of Rockingham or Hillsborough, to have the said rates prescribed by the justices of the said Court, who after due notice shall have power to alter and prescribe such rates of freight if they may deem it expedient and to decree costs to be paid to the prevailing party if they think proper.

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED "AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF THE FOURTH TURNPIKE ROAD IN NEW-HAMPSHIRE.

[Approved July 6, 1833. Acts, vol. 30, p. 150. The act referred to is dated December 8, 1800, Laws of New Hampshire, vol. 6, p. 656. See also act of June 17, 1807, id., vol. 7, p. 591.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the proprietors of the fourth Turnpike road in this State be and they hereby are authorised and empowered to alter and change the route of said road, in such place or places as they may deem expedient within the limits of the towns of Lebanon and Enfield; and on any other ground within such limits, where in their opinion the public convenience may require,

the said proprietors may survey and lay out, make and keep in repair a road four rods wide which when completed and open for the use and accommodation of travellers, shall be taken and used as part or parts of the said Turnpike road—

Sec 2. And be it further enacted, That if the said proprietors and the owner or owners of land over which said alterations shall be made shall disagree on the amount of compensation to be made therefor and shall not agree on the appointment of persons to determine such compensation; the selectmen of the town in which such land lies upon application of either party and due notice to the adverse party may proceed to ascertain and fix the same in the way and manner that compensation is ascertained for damage done to land over which town roads are laid out.

Sec. 3. And be it further enacted that whenever any such alterations shall from time to time have been completed and the said road thus altered open for travel, such part or parts of said turnpike road as shall have become unnecessary in consequence of such alterations shall be and hereby are discontinued.

[CHAPTER 35.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO ESTABLISH THE RATES AT WHICH POLLS AND RATEABLE ESTATE SHALL BE ASSESSED IN MAKING DIRECT TAXES, PASSED JANUARY 4, 1833.

[Approved July 6, 1833. Acts, vol. 30, p. 152. Session Laws, 1833, Chap. 126. See act referred to *ante*, p. 423. See also acts of July 3, 1830, *ante*, p. 157, and June 28, 1841, Session Laws, 1841, Chap. 631. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened: That all shares in any corporation or company liable to be taxed by the laws of this state shall be taxed in the same way and manner when owned by a corporation as if owned by an individual.

Sec 2. And be it further enacted, That if the President, Treasurer, Clerk, Cashier or principal officer of any corporation in this State, the shares or property of which is liable to be taxed on application of the selectmen of any town in this State shall refuse or neglect for the space of four days to furnish at the place of residence of such president, Treasurer, Clerk, Cashier or principal officer an account in writing under oath of all the shares property or deposits in such corporation and their amount in value, owned by any corporation or by any inhabitant or resident of any town in this State, such President, Treasurer, Clerk, Cashier or principal

officer so refusing or neglecting shall forfeit and pay for every such offence a sum not less than one hundred dollars nor more than one thousand dollars, to be recovered by action of debt in the name and for the use of the town whereof such applicants are selectmen.

Sec 3. And be it further enacted, That all shares or deposits in any corporation in this state for which residents are liable to be taxed shall when not owned by inhabitants of this state, be taxed to the Corporation in the town where such corporation is located, in the same way and manner as is provided by the law passed January 4. 1833, for taxing bank stock in certain cases. And if the President, Treasurer or other principal officer shall neglect to furnish the selectmen of such town with an account of all shares or deposits in such corporation, not owned by residents in this state and their amount in value in writing and under oath at the residence of such President, Treasurer or other principal officer for the space of four days after application made by said selectmen, said President, Treasurer or other principal officer shall incur the same penalty, to be recovered in the same way, and to the same uses as is provided in the second section of this act.

Sec. 4. And be it further enacted, That all shares or stock in any corporation or company situated without this State, belonging to any person or corporation in this State, shall be taxed in the same way and manner as said shares or stock would be liable to be taxed if the said company or corporation were located in this State: Provided said shares or stocks be not assessed in public taxes in the state where such corporation or Company is situated.

Sec 5. And be it further enacted that hereafter polls in making and assessing direct taxes shall be set in the list at one dollar and fifty cents.

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NEW HAMPSHIRE BAPTIST SABBATH SCHOOL UNION.

[Approved July 6, 1833. Acts, vol. 30, p. 155.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Josiah Quincy, Ebenezer E. Cummings, Ira Person, Eli B. Smith, Leonard Tracy, Gibbon Williams, James A. Boswell and Phinehas Richardson together with their associates successors and assigns be and they are hereby made a body corporate and politic forever by the name of the New Hampshire Baptist Sabbath School Union and by this name may

sue and be sued prosecute and defend to final judgment and execution and shall enjoy all the privileges and be subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted, That the said Josiah Quincy, Ebenezer E. Cummings and James A Boswell or any two of them may call the first meeting of said Corporation, at which said first meeting, or at any adjournment of the same the members of said Corporation may appoint such officers, and adopt such by-laws as may be necessary for the regulation and management of the concerns of said Sabbath School Union not repugnant to the laws of this State, and said corporation may take, possess and hold any funds or estate, to any amount not exceeding in value the sum of ten thousand dollars, and the same may sell convey and dispose of at pleasure.

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE ADJUTANT GENERAL TO FURNISH A PIECE OF ORDNANCE FOR THE NEW BOSTON ARTILLERY COMPANY AND FOR OTHER PURPOSES.

[Approved July 6, 1833. Acts, vol. 30, p. 156. Session Laws, 1833, Chap. 136.]

Sec 1. Be it enacted by the senate and House of Representatives in General Court convened, That the Adjutant General be and he is hereby authorised and empowered to furnish at the expense of the State a piece of ordnance, gun, carriage and harness for the use of the New Boston Artillery Company attached to the ninth regiment and to deliver the same piece of ordnance, gun, carriage and harness to the captain or commanding officer of said company of Artillery.

Sec 2. And be it further enacted that the Captain or commanding officer of said Company, be and he is hereby authorised and empowered to enlarge said Company by volunteer enlistment, to the number of sixty four rank and file exclusive of all necessary officers.

[CHAPTER 38.]

State of)
New Hampshire. }

AN ACT TO REGULATE THE WEIGHING OF BEEF IN THIS STATE.

[Approved July 6, 1833. Acts, vol. 30, p. 157. Session Laws, 1833, Chap. 129. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, that from and after the first day of September next, it shall be the duty of the Selectmen of every town or place within this state, where beef cattle are sold for the purpose of market or barreling to appoint one or more suitable person or persons, not being dealers in cattle and conveniently situated in such town or place, to be weigher or weighers of beef who shall be sworn to the faithful and impartial discharge of the duties of their office, and shall receive such fees as are hereinafter described.

Sec. 2. Be it further enacted that all beef sold for the purposes aforesaid shall be weighed by the said sworn weighers, and certificates of the weight of all the beef, hide and tallow of each head of cattle, in the form following shall be signed by the said weighers and delivered to the seller or sellers thereof on application.

FORM OF CERTIFICATE.

This certifies that I have fairly and properly weighed the Cattle
 bought by _____ of _____ from _____ of
 this _____ day of _____ 18____

No of Head	
Beef	
Hide	
Tallow	
Total Weight	

SWORN WEIGHER.

Sec 3. Be it further enacted, That the fees for weighing shall be as follows; for weighing any quantity of cattle not exceeding six head, seventeen cents per head, all over six and not exceeding twelve head twelve and a half cents per head, and all over twelve and not exceeding twenty head eight cents per head, all over twenty head five cents per head, over and above the first twenty head, which fees

shall be paid by the buyers of such cattle and twelve and one half cents for each certificate duly signed, which shall be paid by the sellers thereof which certificate shall contain the several weights of all the cattle offered for weight by any one person and weighed as aforesaid by said sworn weigher unless otherwise requested by the seller or sellers thereof.

Sec. 4. Be it further enacted, That any butcher or butchers, purchaser or purchasers of beef cattle intended for the aforesaid purposes, who shall purchase any such beef cattle contrary to the true intent and meaning of this Act shall forfeit and pay the sum of fifty dollars for each and every such offence, to be recovered by action of debt with costs of suit, before any Court proper to try the same, one half to the use of the State and the other half to the person who may sue for the same.—Provided that nothing in this Act shall prevent any person or persons from buying or selling live cattle, called cattle on the foot or hoof. Provided also that no person shall be obliged to weigh any beef cattle, when the weight or mode of weighing shall be agreed on by the seller and buyer.

[CHAPTER 39.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE NEW-CHESTER ACADEMY, IN THE TOWN OF NEW CHESTER IN THE COUNTY OF GRAFTON.

[Approved July 6, 1833. Acts, vol. 30, p. 161.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened, that George M. Phelps, Ebenezer Webster, George W. Sumner, John Sargeant their associates and successors be and hereby are incorporated and made a body politic by the name of the proprietors of New Chester Academy in New Chester in the County of Grafton, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted, That the said Corporation be and hereby are authorised and empowered to have, receive and hold in fee simple or any less estate, by gift grant or otherwise, any real estate, the annual income of which shall not exceed five hundred dollars, and personal estate not exceeding five thousand dollars, and the same may use and employ in the promotion of science, and the

useful arts: and for the benefit of said corporation may sell, alienate and convey at pleasure.

Sec 3. And be it further enacted that said Academy shall be under the care, superintendance and control of a board of trustees consisting of not less than ten of whom the principal instructor shall be one, all of whom may in case the proprietors deem it expedient be appointed annually and continue in office until others are chosen.

Sec 4. And be it further enacted, That the said George M. Phelps, Ebenezer Webster, and George W Sumner or any two of them may call the first meeting of said proprietors at any convenient time and place by posting up a notification for that purpose at the East Meeting House in said town of New-Chester, expressing therein the time, place and design of said meeting, at least fourteen days prior to holding the same, at which meeting the said proprietors may elect their board of Trustees, may make and establish such rules, regulations, and by-laws as they may deem necessary or expedient for the government of the corporation, and do and transact any business in relation to the beneficial designs contemplated by the establishment of this institution.

[CHAPTER 40.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE A PROVIDENT INSTITUTION TO BE CALLED
"THE FRANKLIN SAVINGS BANK IN HOPKINTON"

[Approved July 6, 1833. Acts, vol. 30, p. 165.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court convened that Horace Chace, Nathaniel Curtis, Trueworthy Gilman, Isaac Long Jr, William Little, T. Wiggin Little, James Stanwood, Matthew Harvey, Andrew Leach, Moses Gould, Ebenezer Dustin, Timothy Chandler, Stephen Darling and James Huse, be and they hereby are incorporated and made a body politic by the name and style of the Franklin Savings Bank in Hopkinton, and by that name sue and be sued, prosecute and defend to final judgment and execution; and that they and such others as shall be duly elected members of said corporation, at any annual meeting thereof according to such by laws as may hereafter be established, shall be and remain a body politic and corporate by said name and style for the term of twenty years from and after the first day of September next for the purpose of enabling industrious persons of all descriptions to deposit such parts of their earnings as they can conveniently spare in a safe and profit-

able manner and shall be and hereby are invested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature.

Sec 2. And be it further enacted that said corporation shall be capable of receiving from any person or persons disposed to enjoy the advantages of said Savings Bank any deposit or deposits of money or other personal property, and to use manage and improve the same for the benefit and advantage of the person or persons by or for whom the same shall have been deposited respectively; and the nett income and profits of all deposits of money received by said Corporation shall be paid out and distributed in just proportions among the several persons by or for whom the said deposits shall have been made; and all deposits may be withdrawn by the person or persons entitled thereto, at such reasonable times and in such manner as said corporation in its by laws may direct and appoint, or according to such lawful conditions and limitations as the depositors, agreeably to the regulations of said corporation may have respectively prescribed and annexed to their deposits.

Sec 3. And be it further enacted, that said corporation shall be capable of receiving and holding such real estate as shall be necessary and convenient for managing their affairs, provided such real estate held at any one time shall not exceed in value, at the time of the purchase or occupation thereof, the sum of two thousand dollars. And the said corporation shall be further authorised and empowered to take, hold and dispose of any real estate whatever, which may be bona fide mortgaged, or pledged for the security of its loans or debts due it, or which may be bone fide conveyed to, or taken by said corporation in satisfaction or discharge of debts demands or liabilities, which shall have been previously contracted or incurred.

Sec 4. And be it further enacted that said corporation shall not make and issue any bill or promissory note to circulate as currency. And the President and members of said corporation shall receive no compensation for their services in said Savings bank nor derive any emolument therefrom; provided however that a reasonable compensation may from time to time be made to the Treasurer or Secretary of said Corporation for his services as such.

Sec 5. And be it further enacted that the books and accounts of said Corporation shall at all times be open to the inspection of the Governor of this State, any Justice of the Superior Court of Judicature, or any Committee appointed by either branch of the Legislature.

Sec 6. And be it further enacted that the number of members of said corporation shall not exceed thirty at any one time; and any number not less than seven present at any meeting of said Corporation, notified and holden in conformity to the by-laws of said Corporation, shall constitute a quorum for the transaction of

business; provided that said corporation may by their by laws require the attendance of one or more of their officers by them designated in addition to the number of members before prescribed, to constitute a quorum for the election of new members.

Sec. 7. And be it further enacted that said corporation at any meeting thereof duly notified, may elect such officers and establish such by-laws and regulations, not repugnant to the Constitution and laws of this State as may be thought necessary to carry into effect the object and intent of said Corporation.

Sec 8. And be it further enacted that Horace Chase, Nathaniel Curtis and William Little or either two of them may call the first meeting of said corporation at such time and in such manner as they shall deem proper.

[CHAPTER 41.]

State of)
New Hampshire. {

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS

[Approved July 6, 1833. Acts, vol. 30, p. 171. Session Laws, 1833, Chap. 133.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons, herein named shall hereafter be called and known by the names which by this act they are respectively allowed to assume, viz. Benjamin Philbrook 4th of Sandbornton may take the name of Andrew Philbrook and William Convers Nash of Gilsum may take the name of Willard Convers Evelith and William Badcock of Andover may take the name of William Babcock, and Mary Hanniford of Bridgewater may take the name of Mary Pillsbury and Jacob Peasley of Bridgewater may take the name of Arthur M Bliss and John Hunkins of Sandbornton may take the name of John M Hunkins, and Benjamin Weeks of Dover may take the name of Benjamin Kingsbury and Charles Huctchins of Barnstead may take the name of Charles Jackson Eldridge, and Betty Rowell of Newtown may take the name of Betsy Henrietta Rowell; Rebecca Rolf Hardy of Hopkinton may take the name of Harriet Rebecca Hardy; Jeremiah Colbath of Farmington may take the name of Henry Wilson; Charles Cummings Jun^r of Gilsum may take the name of Charles Heminway Cummings; Miles Thompson of Concord may take the name of Moses Thompson; Caroline Place Hill of Strafford may take the name of Caroline Place Brock; Dudley Straw of Campton may take the name of Israel Weston; Jonathan Hazen Burton of Amherst may take the name of Hazen J Burton; John Lane of

Portsmouth may take the name of John J Lane; Jeremiah Russell Lovejoy of Claremont may take the name of Russell Lovejoy; Stillman Hunt of Haverhill may take the name of Harrison Carroll Hunt; Joseph Warren Bachelder of Exeter may take the name of Joseph Warren; Betsy Glidden of Merideth may take the name of Betsy Robinson; John Barns of Portsmouth may take the name of John Edward Holyoke Barnes; Sally Dustin of Sandbornton may take the name of Caroline Sarah Dustin; Rufus R Blumpee of Sandbornton may take the name of Rufus R Woodbury

[CHAPTER 42.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF SEWALL'S FALL'S
 LOCKS AND CANAL.

[Approved July 6, 1833. Acts, vol. 30, p. 175. See acts of December 31, 1836, Session Laws, 1836, November session, Chap. 293; January 7, 1837, id., Private Acts, Chap. 103; June 30, 1837, id., 1837, Private Acts, Chap. 28, and June 20, 1840, id., 1840, June session, Private Acts, Chap. 8.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened. That Jonathan Eastman, John Eastman Stephen Ambrose, Cyrus Robinson, Elisha Morrill, Jonathan Eastman Jr, Robert Eastman, Jeremiah Pecker, Robert Pecker, their associates and successors be, and they hereby are made a body politic by the name of the Proprietors of the Sewall's Fall's Locks and Canal; and by that name may sue and be sued, prosecute and defend to final judgment and execution; and shall be and hereby are vested with all the powers and privileges which by law are incident to corporations of a similar nature.

Sec 2. And be it further enacted, that said proprietors be, and they hereby are authorised and empowered to survey, lay out, excavate construct and build a Canal of such width and depth as may be deemed expedient, on the most practicable ground between the head of Sewalls Falls and the mouth of Mill Brook in Concord in the county of Merrimack, and upon such Canal to erect, make and build such and so many Locks or Slips as may be requisite and necessary; and to clear the Merrimack River of all obstructions to the navigation thereof, between the said Falls and the junction of the Winepisseogee and Pemigewasset Rivers in Franklin and also to maintain and keep in repair said Canal and Locks or Slips and the same supply with water from said Merrimack River for the purpose of transportation, and may construct such dam or dams as may be deemed necessary for the purposes of the association:

Provided they do not obstruct the free passage, of logs or rafts on said river, and if complaints of that kind arise the County Common Pleas for the County of Merrimack upon application may appoint a committee of three suitable persons to view such dams and locks erected by said proprietors, and the report of said Committee made to said Court, and by said Court accepted, shall be the rule to which said proprietors shall conform in regulating their dams and locks.

Sec 3. And be it further enacted, That said Proprietors may purchase and hold so much land as may be necessary for the purposes of this grant, not exceeding thirty acres, and the same may exchange, sell and dispose of at pleasure. An in case said Proprietors and the owner or owners of the land through which said Canal may be laid out, cannot agree upon the quantity of land necessary to taken, nor upon the compensation to be made therefor, the Court of Common Pleas for the county of Merrimack, upon application of either party, and due notice to the adverse party, may appoint a Committee of one, two or three suitable persons to ascertain and determine such quantity and compensation, and their report made to and accepted by said Court shall be final and conclusive.

Sec. 4. And be it further enacted, That Stephen Ambrose and Jonathan Eastman Junior, may call the first meeting of said proprietors by giving seven days personal notice, or by posting up notifications thereof in at least two public places in said Concord, or by advertisement in one or more of the Newspapers printed in Concord, expressing therein the time place and design of said meeting. At which said first meeting, or at any adjournment thereof, or at any subsequent meeting duly holden, the said proprietors may, by a majority of the votes of the members present or legally represented, choose a Clerk who shall be sworn to the faithful discharge of the duties of his office, and may agree on the method of calling future meetings, may elect such officers, and make and establish such by-laws and regulations not repugnant to the laws of this State, as may be deemed necessary and convenient for carrying into effect the objects of their association.

Sec 5. And be it further enacted, That said proprietors may agree with and purchase of the owner or owners of land within the limits aforesaid, over and above the aforesaid quantity of thirty acres, any quantity of land not exceeding one hundred acres, which shall be holden by said Corporation for the purposes aforesaid.

Sec 6. And be it further enacted, That said Corporation may and shall divide their capital stock into as many shares as they may deem proper, may order assessments and fix the time of their payment, and said shares may be transferred by deed duly executed and recorded by the clerk and shall ever be deemed and held as

personal estate, and the share or shares of any proprietor may be sold at public auction by said corporation on non payment of any assessment made thereon.

Sec. 7. And be it further enacted, that for the purpose of reimbursing said proprietors for the moneys by them expended in building and maintaining such canal and Locks, a toll forever from and after the time said River is made navigable by locks and canals for the passage of boats is hereby granted to said Corporation the rates thereof to be established by the Court of Common Pleas for the County of Merrimack, and on application made by any person to them for that purpose, to be by them at any time altered in such manner as they may think just and reasonable.

Sec. 8. And be it further enacted, That if said River shall not be made navigable so as to admit of the convenient passage of boats, as large as are used in the Merrimac River, within five years from and after the passing of this Act, then every part and clause thereof shall be void; provided always that the Legislature of the State may from time to time hereafter upon due notice given to said Corporation make such further provisions and regulations as they may deem proper.

[CHAPTER 43.]

State of)
New Hampshire.)

AN ACT PROVIDING FOR THE APPOINTMENT OF TOWN OFFICERS IN CERTAIN CASES.

[Approved July 6, 1833. Acts, vol. 30, p. 185. Session Laws, 1833, Chap. 130. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect 1 Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any vacancy shall occur by death resignation or otherwise in the office of fence viewer, clerk of the markets sealer of Weights and measures, sealer of Leather corder of wood, culler of staves, or pound Keeper, in any town in this State, it shall be the duty of the selectmen of such town to supply such vacancy by appointment.

Sect 2 And be it further enacted that any town officer so appointed, before he enters upon the duties of his offices, shall be sworn to the faithful discharge of his duty, by one of the Selectmen or town clerk of such town, or a justice of the Peace, and shall cause a certificate of such appointment, signed by a majority of the selectmen, with a certificate that the oath of office has been duly administered, signed by the person administering the same, to be recorded in the records of the town clerk of such town.

Sect 3 And be it further enacted, that any person so appointed to supply any such vacant office, shall hold such office until the next annual meeting, or until at a legal meeting duly holden for that purpose another person shall be elected to such office, and shall have the same authority and be subject to the same liabilities that he would have been had he been elected at the annual meeting. Provided however that no person shall be compelled to accept such appointment against his will.

[CHAPTER 44.]

State of)
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITARY DEPARTMENT.

[Approved July 6, 1833. Acts, vol. 30, p. 190. Session Laws, 1833, Chap. 134. See acts of June 30, 1831, *ante*, p. 239; June 22, 1832, *ante*, p. 319 and January 5, 1833, *ante*, p. 425.]

Be it enacted by the Senate and House of Representatives in General Court convened. That the following sums be, and the same are hereby appropriated for the purposes herein mentioned; the sum of eighty dollars for making regimental returns; the sum of four hundred and eighty dollars for the anual allowance to the several companies of Artillery; the sum of one hundred dollars for orderly and roll books; the sum of one hundred and fifty dollars for Military blanks; the sum of two hundred dollars for musical instruments; the sum of eight hundred and sixty dollars for two pieces of ordnance gun-carriages and harnesses. And his Excellency the Governor is hereby authorised by warrant on the Treasurer, to draw said sums from the Treasury at such times as he may think proper and deliver the same to the Adjutant General, who is hereby required to apply the same to the purposes above specified and render an account thereof to the Legislature.

[CHAPTER 45.]

State of)
New Hampshire. }

AN ACT MAKING COMPENSATION TO THE HON. SAMUEL GREEN AND THE HON GEORGE SULLIVAN FOR CERTAIN SERVICES

[Approved July 6, 1833. Acts, vol. 30, p. 193.]

Be it enacted by the Senate and House of Representatives in General Court convened. That the Hon Samuel Green be allowed

the sum of thirty Dollars in-full for his services in relation to the claim of the Hon Jeremiah Smith, and that the Hon George Sullivan be allowed the sum of thirty dollars in full for his services in relation to the same claim, and the Treasurer is hereby authorised to pay said sums out of any money in the Treasury not otherwise appropriated.

[CHAPTER 46.]

State of)
New Hampshire. {

AN ACT TO REPEAL AN ACT ENTITLED AN ACT RELATING TO THE TIMES AND PLACES OF HOLDING COURTS OF PROBATE IN THE COUNTY OF GRAFTON.

[Approved July 6, 1833. Acts, vol. 30, p. 194. Session Laws, 1833, Chap. 121. The act referred to is dated July 3, 1829, *ante*, p. 63. See also acts of July 6, 1837, Session Laws, 1837, Chap. 325, and December 17, 1840, *id.*, 1840, November session, Chap. 558.]

Be it enacted by the Senate and House of Representatives in General Court convened, That an act entitled an act relating to the times and places of holding courts of Probate in the county of Grafton passed the third day of July Anno Domini one thousand eight hundred and twenty nine, be and the same hereby is repealed.

[CHAPTER 47.]

State of)
New Hampshire. {

AN ACT IN FAVOUR OF JAMES CLARK AND OTHERS.

[Approved July 6, 1833. Acts, vol. 30, p. 195.]

Be it enacted by the Senate and House of Representatives in General Court convened, That James Clark be allowed the sum of ninety five Dollars in full of his account; that Abner B Kelley be allowed the sum of fifty three dollars and thirty two cents in full of his account; that Benjamin Jenness be allowed the sum of seven dollars in-full of his account: and that Hezekiah Parsons be allowed the sum of seventy five dollars in-full of his account; and that the Treasurer be, and he is hereby authorised and directed to pay the several sums aforesaid out of any money in the Treasury not otherwise appropriated.

[CHAPTER 48.]

State of }
New Hampshire. }

A ACT GRANTING COMPENSATION TO JACOB TYLER AND AN OTHER.

[Approved July 6, 1833. Acts, vol. 30, p. 202.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Jacob Tyler be allowed two hundred and ten dollars and seventy six cents in-full of his account, and that Charles G Atherton be allowed the sum of thirty two dollars and fifty cents in-full of his account, and that the same sums be paid out of the Treasury.

[CHAPTER 49.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO, AND IN AMENDMENT OF, AN ACT IMPOSING FINES FOR NEGLECT OF MILITARY DUTY & FOR OTHER PURPOSES, PASSED JANUARY 3RD. 1829.—

[Approved July 6, 1833. Acts, vol. 30, p. 205. Session Laws, 1833, Chap. 125. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 898. See also acts of July 1, 1819, id., vol. 8, p. 831; December 22, 1820, id., p. 955; July 5, 1834, *post*, and June 26, 1838, Session Laws, 1838, Chap. 399. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section. 1.—Be it enacted by the Senate and House of Representatives in General Court convened, That each and every free, ablebodied, white male citizen of this State resident therein, who now is, or hereafter may be, of the age of eighteen years, and under the age of forty-five years, or who shall hereafter come to reside in the State, except such as are hereinafter exempted, shall be liable to do military duty in the company within whose bounds such citizen may reside, or into which he may have enlisted under the provisions and restrictions hereinafter named.

Sec. 2.—And be it further enacted. That the following persons shall be, and they hereby are, exempted from military duty, to wit: The Vice President of the United States; the officers, judicial and executive, of the government of the United States; members of both houses of congress and their officers; all custom-house officers and their clerks; all post-officers and stage-drivers who are employed in the care and conveyance of the mail of the United States;

all ferrymen necessarily employed at any ferry on any post road; all inspectors of exports; all pilots; all mariners actually employed in the sea service of any citizen or merchant within the United States; the members of the Legislature and its officers while the same is in session; all officers of the militia who have heretofore held, or who may hereafter hold commissions in the Militia of this, or any other state in the Union, or in the Army or Navy of the United States, for the term of *four* years, and have been, or may be, regularly discharged, or who have been, or may be superseded; all fife and drum majors who have held, or may hold, a warrant and have done, or may actually do duty, for the term of four years; fire engine men, not exceeding eighteen to each engine, who shall, annually produce to the commanding officer of the Company within whose limits they reside, certificates from the Selectmen or firewards of their respective towns, that they have been legally appointed, and are bound to perform the duty of Engine-men; clergymen of every religious denomination; and every person of the religious denomination of quakers or shakers, who shall annually, on or before the twentieth day of April, procure and deliver, to the commanding officer of the company, within whose limits he shall reside, a certificate signed by two or more of the elders or overseers, and countersigned by the Clerk of the meeting or society, with which he meets for worship, in substance as follows:

We the subscribers, elders (or overseers as the case may be) of the meeting of the Society of _____ do hereby certify, that _____ frequently and usually attends with said Society for public worship, is a regular member thereof, and, we believe, he is conscientiously scrupulous of bearing arms.

A.B } Elders (or
C.D } overseers)

E.F. Clerk.

Sec. 3.—And be it further enacted, that the following persons be and they hereby are conditionally exempted from military duty, namely:

The members of the executive Council; the judges of the Superior Court of Judicature and all other Courts of record and their Clerks; judges and registers of Probate, registers of deeds; the Attorney general; the Secretary & Treasurer of the State; all physicians and surgeons on whom has been conferred the degree of doctor of medicine, or who shall be recommended by any regular medical society; provided that each of the foregoing persons shall annually pay to the Selectmen of the town, in which they reside, the sum of two dollars, & on or before the twentieth of April, annually, produce to the Captain or commanding officer of the company within whose limits they reside, a certificate of such payment—any person who may have procured a surgeon's certificate, who shall annually, on or before the twentieth of April, produce to the com-

manding officer of the company within whose limits he may reside, the certificate of the Selectmen of the town that he has paid into the town Treasury two dollars, or that they, on account of his pecuniary circumstances have excused him from making such payment—and all persons who are, or may hereafter be between the ages of forty and forty-five years, who shall constantly keep themselves furnished with the arms and equipments required by law, and shall on the first Tuesday of May in each year carry or send said arms and equipments for inspection to the captain or commanding officer of the company within whose bounds they reside at the time he inspects his company

Sec. 4—And be it further enacted, That all fines for non-appearance, or for deficiency of equipments, incurred by any non-commissioned officer or private, under any act of this State, and of which a record shall have been made by the Clerk of the company to which the delinquent belongs, shall be levied by distress and the sale of the delinquent's goods and chattels, and for want thereof upon his body, by warrant, under the hand and seal of the Captain or commanding officer of the company to which such delinquent belongs, to be directed to the Clerk of said Company, who is to levy the same in the manner hereinafter prescribed, excepting when the Clerk may be liable to a fine, in which case the warrant shall be directed to some other sergeant of the Company to which he belongs.—

Sec—5—And be it further enacted, That the Clerk or the person serving the same, shall have, for the service of said Warrant the same fees that are allowed to Sheriffs for the levying of Executions.—

And no such warrant shall be issued after sixty days shall have elapsed from the time when any fine is incurred, nor until fifteen days after the day upon which any fine may be incurred, that the delinquent may have time to make his excuse (if any he has) for his non appearance or non equipment, which is to be made to the commanding officer of the Company

Sec. 6—And be it further enacted, That the warrant of distress, to be issued as aforesaid shall be in substance as follows:

“State of New Hampshire

ss
[Seal] To Clerk or Sergeant of
Company of in the Regiment of
Militia in said State—Greeting

Whereas of
in the County of a enrolled according to law and
liable to do Military duty in said Company, was duly notified and
warned to appear on the parade near in
on the day of A.D. 18

at _____ of the clock in the _____ noon armed and equipped according to law for inspection and military exercise, and there to wait until further orders, being the time and place for mustering said company, but the said _____ did unnecessarily neglect [here insert the offence] and whereas more than fifteen days have elapsed from said day of training, and the said _____ has neglected to make a sufficient excuse to the commanding officer of said Company for his non appearance (or for deficiency of equipments as the case may be) as aforesaid whereby the said _____ has incurred the penalty of _____ and became liable by law to pay the same.

You are therefore, in the name of the State of New Hampshire hereby required, by distress and sale of the goods and chattels of the said _____ to levy and collect the aforesaid sum of _____ together with forty cents more for this precept, and thereof also to satisfy yourself for your own fees. And for want of such goods and chattels, whereon to make distress, you are hereby commanded to take the body of the said _____ and him commit unto the gaol in _____ in said County, and the keeper of said gaol is hereby commanded to receive the said _____ and him detain in his custody within said gaol until he pay the aforesaid sums with all lawful fees, or is otherwise discharged by due course of law.—And you are hereby directed to make a return of this precept, with your doings thereon, unto me the undersigned, or to the commanding officer of said Company for the time being within forty days from the date hereof.

Dated at _____ this _____ day of _____ A.D. 18—
 { Captain or
 { Commanding Officer

And any person committed to gaol on such warrant shall have the liberty of the gaol yard and shall be admitted to take the oath prescribed by law for poor debtors, and be discharged in the same manner as by law he may be upon execution issued upon a judgment for debt.—

Sec. 7.—And be it further enacted, That all fines which may be collected under the provisions of this act shall be for the use and benefit of the Company, to which the offender may belong.

Sec. 8.—And be it further enacted, That in any action of trespass which may be commenced in consequence of any of the provisions of this act, the plaintiff shall not recover any more costs than damages, excepting it shall appear to the Court before whom the same may be tried, that the proceedings of the defendant or defendants were wilful and malicious:

Provided, nevertheless, that the plaintiff, if he recover shall be entitled to recover all costs arising from continuances granted at the request of the defendant or from an appeal claimed by him.

Sec. 9.—And be it further enacted, That in case there is no Surgeon or Surgeon's-mate attached to any regiment in this State, application for certificates may be made to any regular physician within that regiment.

Sec. 10. And be it further enacted, That the 1st. 2nd. 3rd 17th 18th 19th 20th & 21st Sections of the act to which this is in addition, and all other acts and parts of acts inconsistent with this act, be, and the same hereby are repealed

Provided however that they shall remain so far in force that all actions commenced under them, shall be prosecuted to final judgment and execution,—Provided further that it is not the intention of this act to repeal any part of the 4th. Section of an act defining the powers and duties of firewards and other persons in certain cases.

Sec. 11.—And be it further enacted, That at the annual inspection in May it shall be the duty of the Captain of each company to read this act or cause it to be read to his Company, together with the several sections which remain in force, of the act to which this is an amendment.—Provided however that this act shall not take effect until the first day of January next.—

[CHAPTER 50.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE HILLSBOROUGH MUTUAL FIRE INSURANCE COMPANY.—

[Approved July 6, 1833. Acts, vol. 30, p. 213. See acts of June 23, 1857, Session Laws, 1857, Chap. 2039, and June 30, 1865, id., 1865, Chap. 4149.]

Sec. 1.—Be it enacted by the Senate and House of Representatives in General Court convened. That Stephen Peabody, Charles H. Atherton, Abiel Lovejoy, Solomen K. Livermore, Robert Read, David Underhill, Charles L. Stewart, Richard Boylston, David M. G. Means, David Stewart, Matthias Spalding, Isaac Spalding, Daniel Abbott & John M^cConihe and all other persons who may hereafter become members of said Company in the manner herein prescribed, be, and they hereby are, incorporated and made a body politick by the name of the Hillsborough Mutual Fire Insurance Company, for the purpose of insuring their respective dwelling houses, Stores, Shops and other buildings, household furniture & merchandise, against loss or damage by fire, whether the same shall happen by accident, lightning or by any other means, excepting that of design on the Assured or by the invasion of an enemy, by riots or civil commotion & by that name may sue and be sued, plead and im-

pleaded, appear, prosecute and defend in any Court of record or other place whatever; may have and use a common seal, may purchase and hold such Real and personal Estate as may be necessary to effect the objects of their association and the same may sell & convey at pleasure, may mak, establish and put in execution such By Laws, ordinances and resolutions, not being contrary to the laws of the State as may seem necessary or convenient for their regulation & government and for the management of their affairs; And do & Execute all such Acts & things as may be necessary to carry into full effect the purposes intended by this grant—

Sec. 2.—And be it further enacted, That all and every person or persons, who shall at any time become interested in said Company by insuring therein and also their respective heirs executors, administrators and assigns, continuing to be insured therein, as hereinafter provided, shall be deemed and taken to be members thereof for and during the terms, specified in their respective policies & no longer and shall at all times be conducted and bound by the provisions of this Act.

Sec. 3.—And be it further enacted, That there shall be a meeting of said Company at Amherst in the County of Hillsborough on the first Monday in March annually, or on such other day as the said Company may hereafter determine, at which meeting shall be chosen, by a major vote of the members present, a Board of Directors consisting of not more than nine nor less than five members, who shall continue in Office, until others shall have been chosen and accepted the trust in their stead—

All vacations happening in said Board may be filled by the remaining members until the next annual meeting & a majority of the whole number shall constitute a quorum for the transaction of business—Special meetings of the company may be called by order of the Directors or in such manner as the By Laws thereof may have prescribed.

Sec. 4.—And be it further enacted, That the Board of Directors shall superintend the concerns of said Company and shall have the management of the funds and property thereof, and of all matters & things thereunto relating, not otherwise provided for by said Company—They shall have power from time to time, to appoint a Secretary, Treasurer & such other Officers, Agents and Assistants, as to them may seem necessary & prescribe their duties, fix their compensation, take such security from them as they may deem necessary for the faithful performance of their respective duties & may remove them at pleasure—

They shall determine the rates of insurance, the sum to be insured, on any building not exceeding three fourths of its value, & the sum to be deposited for the insurance thereof—

They shall order & direct the making and issuing of all policies of insurance, the providing of Books, stationary & other things

needful for the Office of said Company, and for the carrying on the affairs thereof, and may draw upon the Treasurer for the payment of all losses which may have happened & for expenses incurred in transacting the concerns of said Company--They shall elect one of their own number to act as President & may hold their meetings monthly & oftner if necessary for transacting the business of the Company and shall keep a record of the proceedings and any Director disagreeing with a majority of the Board at any meeting, may enter his dissent with his reasons therefor on record

Sec-5—And be it further enacted, That every person who shall become a member of said Company by effecting insurance therein, shall, before he receives his Policy, deposite his promissory Note for such sum of Money as shall be determin'd by the Directors, a part not exceeding five per cent of which said Note shall be immediately paid for the purpose of discharging the incidental expenses of the institution and to meet losses, and the remainder of said Deposite-Note shall be payable in part or the whole, at any time when the Directors shall deem the same requisite for the payment of Losses or other expenses; and at the expiration of the term of insurance the said Note or such part of the same as shall remain unpaid, after deducting all losses and expenses occuring during said term, shall be relinquished and given up to the signer thereof.—

Sec. 6.—And be it further enacted, That every member of said Company shall be & hereby is bound and obliged to pay his proportion of all losses and expenses happening or accruing in & to said Company, in the order of their happening, to the extent of the balance unpaid on the Note deposited as aforesaid, provided that no member shall contribute towards any loss a sum larger in proportion to the original amount of his said Note, than the loss and expenses bear to the original aggregate amount of the Notes of those insured at the time of the loss,—and all buildings insured by and with said Company, together with the right, title and interest of the insured to the lands on which they stand, and to five acres of the land appurtenant & adjoining thereto, shall be pledged to said Company, and the said Company shall have, by virtue of said insurance a lien thereon similar to the lien created by attachment for the liabilities of the insured on his deposite Note until discharged.—

Sec. 7 And be it further enacted, That in case of any loss or damage by fire happening to any member upon property insured in and with said Company, the said member shall give notice thereof in writing to the Directors, or some one of them, or to the Secretary of said Company, within thirty days from the time such loss or damage may have happened, & the Directors, upon a view of the same, or in such other way as they may deem proper, shall ascertain & determine the amount of said loss or damage; & if the party

suffering is not satisfied with the determination of the Directors, the question may be submitted to referees, or the said party may at any time, within one year, and not afterwards, bring an action in the County of Hillsborough against said Company for said loss or damage, & if upon trial of said action a greater sum shall be recovered than the amount determined upon by the Directors, the party suffering shall have judgment therefor against said Company, with interest thereon, from the time when said loss or damage happened, and costs of suit, but if no more shall be recovered than the amount aforesaid the said party shall become nonsuit, and the said Company shall recover their costs; Provided however, that the judgment last mentioned shall in nowise affect the claim of said suffering party, to the amount of loss, or damage; as determined by the Directors, aforesaid, and provided also, that execution shall not issue on any judgment against said Company until after the expiration of three months from the rendition thereof.

Sec.-8.—And be it further enacted, That the Directors, shall after receiving notice of any loss or damage by fire, sustained by any member & ascertaining the same, or after the rendition of any judgment as aforesaid against said Company for such loss or damage, settle and determine the same to be paid by the several members thereof, as their respective proportions of such loss, and shall publish in the Farmers Cabinet, printed at Amherst, or in such other manner as the By Laws shall prescribe, the loss and the rate per cent. required to be paid by the members, which payment shall be made to the Treasurer within thirty days next after the publication of such notice.—

Sec.-9.—And be it further enacted, That the Directors may, when it shall be deemed expedient for the purpose of promptly paying losses, and to prevent the trouble of calling for small assessments borrow money on the credit of the Corporate funds, and to be paid therefrom in the same manner as losses are paid and not exceeding two pr. cent. on the amount insured—

Sec. 10.—And be it further enacted, That the said Company may make insurance for any term not exceeding six years; & any Policies of Insurance, issued by said Company, signed by the President, and countersigned by the Secretary shall be deemed valid & binding on said Company, in all cases where the assured has a title in fee-simple, unincumbered, to the building or buildings insured, and to the land covered by the same; but if the assured have a less estate therein, or if the premises be incumbered, the Policy shall be void unless the true title of the assured & the incumbrances on the premises be expressed therein—

Sec.-11.—And be it further enacted, That the directors shall settle and pay out of the corporate funds & in the manner & to the extent by this Act, provided, all losses within three months, after they shall have been notified as aforesaid, unless they shall judge

it proper within that time, to rebuild the house or houses, or other building or buildings, destroyed, or repair the damages sustained, which they are hereby empowered, to do in convenient time; provided they do not lay-out and expend in such buildings or repairs more than the sum insured on the Premises; but no allowance is to be made in estimating damages, in any case for gilding, historical or landscape painting, stucco or carved work, nor are the same to be replaced if destroyed by fire—

Sec.-12—And be it further enacted, That when any house or other building shall be alienated by sale, or otherwise, the Policy shall thereupon be void and be surrendered to the Directors of said Company to be cancelled; and upon such surrender the assured shall be entitled to receive his, her, or their deposite, Notes upon the payment of his, her, or their proportion of all losses and expenses that have accrued prior to such surrender, provided, however that the grantee or alienee, having the policy assigned to him, may have the same ratified and confirmed to him, her or them, for his, her, or their own proper use and benefit upon application to the Directors, and with their consent, within thirty days next after such alienation on giving proper security, to the satisfaction of said Directors for such portion of the deposite or premium Note, as shall remain unpaid, and by such ratification and confirmation the party causing the same shall be entitled to all the rights and privileges, and subject to all the liabilities to which the original party insured was entitled and subjected under this act—

Sec.-13 And be it further enacted, That if any alteration should be made in any house or building, by the proprietor thereof, after insurance has been made thereon with said Company, whereby, it may be exposed to greater risk or hazard from fire than it was at the time it was insured, then and in every such case the insurance made upon such house or building shall be void, unless an additional premium and deposite, after such alteration, be settled with and paid to the directors, but no alteration or repairs on buildings, not increasing such risk or hazard, shall in any wise affect the insurance previously made thereon.

Section 14 And be it further enacted, That in case any building or buildings, situated upon leased land, and insured by said Company, be destroyed by fire and the owner or owners thereof shall prefer to receive the amount of such loss in money in such case the Directors may retain the amount of the premium note given for the insurance thereof until the time for which insurance was made shall have expired, and at the expiration thereof the assured shall have the right to demand and receive such part of said retained sum or sums as has not been expended in losses and assessments.

Section 15. And be it further enacted, That if insurance on any house or building shall be and subsist in said company and any other office or from and by any other person or persons at the same time the insurance made in said Company, shall be deemed and become

void unless such double insurance subsist with the consent of the Directors, signified by endorsement on the back of the Policy, signed by the President and Secretary.

Sec. 16. And be it further enacted, That the said Stephen Peabody, Charles H. Atherton and Abiel Lovejoy, or either two of them may call the first meeting of the members of said Company, at any suitable time and place in Amherst aforesaid, by advertisement in the Farmers Cabinet printed at Amherst giving at least ten days notice of the time place and design of said meeting, for the purpose of choosing the first board of Directors and making and establishing By laws, and transacting any business necessary and proper to carry into effect, the provisions and intentions of this Act, Provided however that no policies shall be issued by said Company until application shall be made for insurance of Fifty-Thousand dollars at least.

[CHAPTER 51.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor be requested to order out such companies of the militia (not exceeding eight) to form a military escort, as to him may be thought proper for the occasion when the President shall visit the capital, provided it shall be while the Legislature is in session, and that the Quarter Master General make suitable provision for said companies.

And that a committee, to consist of two members on the part of the Senate and fifteen on the part of the House be appointed to make all necessary arrangements for the reception of the President of the United States when he shall arrive in the vicinity of the Capital, and said committee may appoint such officers of the day as they may think proper to carry such arrangements into effect.

And be it further resolved that his Excellency the Governor be authorized to draw on the treasury for such sum or sums of money as may be necessary to carry into effect the foregoing resolutions.

[Approved June 19, 1833. Acts, vol. 30, p. 1.]

[CHAPTER 52.]

State of)
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That Richard Kimball be allowed thirty nine Dollars in full for his travel and attendance as a representative from the town of Somersworth at the present session, and that the same be paid out of the Treasury.

[Approved June 20, 1833. Acts, vol. 30, p. 5.]

[CHAPTER 53.]

State of)
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That the Adjutant General be, and he hereby is Authorised and directed to furnish the Company of Artillery Attached to the fourth Regiment of New Hampshire Militia a new Piece of Ordnance, in exchange for the gun which they now have.

[Approved June 27, 1833. Acts, vol. 30, p. 9.]

[CHAPTER 54.]

State of)
New Hampshire. }

Resolved, by the Senate and House of Representatives, in General Court convened, That the Treasurer of this State be, and is hereby Authorized and empowered to execute and deliver in behalf of the State to Daniel Pinkham, his heirs and assigns, a good and sufficient quit-claim deed of all the right title interest or claim, of this State, to the following described parcels of land, to *wit*, all the lands belonging to and being the property of this State, situated, and lying in the town of Jackson in the county of Coos, and also all the un-located lands belonging to and being the property of this State, lying between said town of Jackson and the town of Randolph, Adjoining a road laid out by said Daniel Pinkham, and extending to the distance of one hundred and sixty rods on each side of said road, provided however, that this resolution shall not be so construed as to include any lands situate in said town of Jackson con-

tained in any grant of the State made prior to the session of the Legislature began on the first Wednesday of June. A D. 1824.

[Approved June 27, 1833. Acts, vol. 30, p. 13.]

[CHAPTER 55.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That the Treasurer be instructed to collect the balance due, or have secured with such securities as he may deem responsible, the note signed by Moses Foss Junior and others.

[Approved June 27, 1833. Acts, vol. 30, p. 23.]

[CHAPTER 56.]

State of }
New Hampshire. }

Resolved that the Governor be requested to direct the Selectmen of the several towns in this State, to make inquisition as to the number, state and condition of all such persons as are blind, or partially blind, within theri respective towns; and to report their doings to him in season to be communicated to the Legislature at its next session.

[Approved June 27, 1833. Acts, vol. 30, p. 23.]

[CHAPTER 57.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the town of Jackson and the place called Hart's Location, be, and they hereby are classed for the purpose of electing a Representative, and the inhabitants thereof are hereby authorised to elect and send a Representative to the General Court, until the Legislature shall other wise order.

[Approved July 2, 1833. Acts, vol. 30, p. 37.]

[CHAPTER 58.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives, in General Court convened, That the towns of Hampton-Falls, New-Castle, Centre Harbour, Temple, Brookline and Middleton, have each the privilege to choose a Representative, and they are hereafter authorised to send a Representative from each of said towns to the General Court of this State, until the said General Court shall otherwise order.

[Approved July 2, 1833. Acts, vol. 30, p. 37.]

[CHAPTER 59.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the sum of thirty six dollars be allowed Simon Brown, in full of his account, and that the same be paid out of the Treasury.

[Approved July 2, 1833. Acts, vol. 30, p. 38.]

[CHAPTER 60.]

State of)
New Hampshire. {

Resolved by the Senate, and House of Representatives in General Court convened, That the Secretary of State be authorised to procure to be bound a sufficient number of the surplus sets of the New Hampshire Reports remaining in his or the Treasurers office and exchange for the Reports of the decisions of Courts of such States as may offer or be willing to exchange—and that the Governour be requested to transmit a copy of this resolution to the Governours of the several States of the Union.

[Approved July 2, 1833. Acts, vol. 30, p. 45.]

[CHAPTER 61.]

State of)
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That there be and hereby is granted to Sally Hayes, widow of Nathaniel Hayes deceased, her heirs and assigns, a certain tract of land bounded as follows viz. beginning at the south east corner of Rogers', Wentworth's and Treadwell's location: thence north sixty degrees west, one hundred and sixty rods: thence south thirty degrees west, one hundred rods: thence south sixty degrees east, one hundred and sixty rods: thence to the bounds first named: containing one hundred acres, and the Treasurer of the State is hereby authorised and directed to execute and deliver in behalf of the State to the said Sally Hayes, a quit claim deed of all the right and title of the State in and to the tract of land herein before described to her the said Sally Hayes her heirs and assigns.

[Approved July 2, 1833. Acts, vol. 30, p. 45.]

[CHAPTER 62.]

State of)
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That the Adjutant General be, and he hereby is directed to furnish the Artillery company attached to the tenth Regiment, with a gun-carriage and a pair of Harnesses, and that he dispose of the old carriage and harnesses, and account to the State for the proceeds of the same.

[Approved July 4, 1833. Acts, vol. 30, p. 83.]

[CHAPTER 63.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the sum of fifteen hundred dollars of any money not otherwise appropriated, be, and the same is hereby appropriated for the purpose of educating indigent deaf and dumb children belonging to this State at the Asylum in Hartford Con-

necticut, and that the sum of five hundred dollars be appropriated for the education of any blind children belonging to this State at the New England Asylum at Boston, to be expended and applied for the benefit of such children as his Excellency the Governor shall think proper, and the Governor is hereby authorised to draw said sum from the Treasury by Warrant.

[Approved July 4, 1833. Acts, vol. 30, p. 84.]

[CHAPTER 64.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Zebina Lincoln and his associates, have leave to erect a gate in the North wall of the State house yard, similar to that in the south wall, the same to be erected, and kept in repair at their expense.

[Approved July 4, 1833. Acts, vol. 30, p. 85.]

[CHAPTER 65.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor by & with advice of the Council be empowered to adjust, and allow, all expenses incurred under any resolve of the Senate and House of Representatives, or by direction of the Executive relating to the late visit of the President of the United States, and that he be authorised to draw his warrant on the Treasury for the same.

[Approved July 4, 1833. Acts, vol. 30, p. 105.]

[CHAPTER 66.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court Convened, That the organization of the Militia, of the United

States being a matter entrusted by the Constitution to the General Government, requires its attention,—and can be only efficiently and satisfactorily done by that government.

Resolved that our Senators in Congress be and are hereby instructed, and our Representatives requested to use their exertions, to procure the passage of a law providing for a more perfect and uniform organization of the Militia, of the several States of the Union.

Resolved that his Excellency the Governor of this State, be directed to transmit to each of our Senators, and to our Representatives in Congress, a copy of the foregoing Resolutions, also a Copy to the Governors of the other States in the Union, With a view that the same may be submitted to their different Legislatures.

[Approved July 5, 1833. Acts, vol. 30, p. 117.]

[CHAPTER 67.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the treasurer be and he is hereby directed to procure at the expense of the State, and deliver to the sealer of weights and measures for the County of Coos, a sett of weights and measures similar to those now furnished to the other counties by this State.

[Approved July 5, 1833. Acts, vol. 30, p. 118.]

[CHAPTER 68.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the Secretary be directed to procure one of Carrigain's maps of New Hampshire for the Proprietors of the New Chester Academy at the expense of the State.

[Approved July 5, 1833. Acts, vol. 30, p. 120.]

[CHAPTER 69.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Clovis Low and Barker Burbank be and they hereby are absolved and discharged from their joint Bond to this State, conditioned to do and perform certain things therein mentioned agreeably to the requirements of a resolution of the Legislature, passed July 2d. 1831.

[Approved July 5, 1833. Acts, vol. 30, p. 121.]

[CHAPTER 70.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that if the proprietors of the "White River Locks and canals" situated at Lebanon in this State, shall apply to the justices of the Superior Court of Judicature, next to be holden at Haverhill in and for the County of Grafton on the third tuesday of July A.D. 1833, and by some instrument in writing satisfactory to the Attorney General, to be deposited in the office of the secretary of state, on or before the first day of September next, obligating themselves to be bound by the rate of toll to be established, pursuant to this resolution—That then and in that case, the justices aforesaid, be and they hereby are authorised and empowered at any term of said Court, in any County in this state to fix and establish the rate of tolls, to be by said proprietors taken at said Locks and Canals for Boats, Rafts, Lumber and all other articles which may pass through said locks and canals, and Thereupon all proceedings now pending against any person, persons or body politic in the name of the State in relation to said locks and canals, such provisions being made in regard to costs, which have or may arise, as the said Court shall deem equitable, shall cease and determine. And all causes of forfeiture of the rights of said proprietors, heretofore accruing shall be waived, remitted and extinguished, and the justices of said Court may if they deem it expedient appoint a committee of three disinterested persons, to investigate the condition of said locks and canals, and to report thereon, provided the same be done at the expense of said Proprietors. And at the expiration of every five years from the fixing the rate of toll as aforesaid and upon application for that purpose being made to the justices of the Superior Court of Judica-

ture holden in said county of Grafton and after notice given to all concerned as the said justices may order, it shall be the duty of the proprietors of said locks and canals to exhibit a just account of all the expenses by them incurred and of all tolls by them received, and the said justices shall be empowered thereupon to alter the rates of tolls to be taken at said locks and canals as to them may seem just and equitable

[Approved July 5, 1833. Acts, vol. 30, p. 122.]

[CHAPTER 71.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened. That the inhabitants of Pinkham's Grant in the County of Coos be and they hereby are annexed to the District of Jefferson, Randolph &c. for the choice of Representative to the General Court until otherwise ordered.

[Approved July 6, 1833. Acts, vol. 30, p. 141.]

[CHAPTER 72.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened. That Messrs Hill and Barton be allowed the sum of one hundred and thirty nine dollars in full of their account and that the same be paid out of the Treasury.

[Approved July 6, 1833. Acts, vol. 30, p. 142.]

[CHAPTER 73.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened That the business of the present session of the Legislature may be closed on Saturday the sixth day of July instant.

[Approved July 6, 1833. Acts, vol. 30, p. 142.]

[CHAPTER 74.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That his Excellency the Governor be, and he hereby is requested to issue his precept to the selectmen of the several towns and places in this state, directing them to insert an article in the warrant for the next annual town meeting for the choice of State and County officers, to take the sense of the qualified voters on the subject of a Convention for a revision of the Constitution, and make due return of the same agreeably to the provisions of the Constitution.

[Approved July 6, 1833. Acts, vol. 30, p. 145.]

[CHAPTER 75.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened; That the Accounts on the books of the States Prison ought to be closed and new accounts opened at the end of the present quarter namely the thirty first of July instant, that the accounts of all financial transactions of the Prison subsequent to the day last mentioned ought to be kept separate and distinct from those prior to said day, that all payments on account of articles purchased or expenses incurred subsequent to said day should be kept separate from payments on account of debts owing or expenses incurred on or prior to said day, and that all receipts for articles sold or profits accruing subsequent to said day should be kept separate from receipts on account of debts due, or articles sold prior to said day.

[Approved July 6, 1833. Acts, vol. 30, p. 149.]

[CHAPTER 76.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives of the State of New Hampshire in General Court convened, That it is inexpedient to legislate at this time on the subject of the Tariff or the doctrine of nullification.

Resolved, That it is inexpedient for Congress to call a Convention for proposing amendments to the Constitution at this time.

Resolved, That the Governor be requested to transmit copies of these resolutions to the Governors of the several States, and also to our Senators and Representatives in Congress.

[Approved July 6, 1833. Acts, vol. 30, p. 160.]

[CHAPTER 77.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court Convened, That the accounts both of the old and new Prison ought to be settled, and the demands due to the prison collected, and the debts owing from it paid as soon as circumstances will permit, and the Governor by and with advice of council is hereby authorised to draw his Warrant on the treasury for such sum or sums of money as may be necessary to pay off the debts of the New Prison, not exceeding two thousand dollars, with the exception of what may be due to the old prison for the labor of convicts.

Resolved further, That it is expedient that the North Wall of the States Prison Yard be taken down and rebuilt, and that the yard be enlarged, and that his Excellency the Governor be authorised and requested by and with the advice of Council to determine how far the yard be extended not beyond the limits of the states land, and to contract for removing and rebuilding the wall, or to appoint some suitable person, not being an officer of the prison to superintend the same. And His Excellency the Governor be and he is hereby authorised to draw his warrant upon the Treasury for such sum or sums of money as shall be necessary for completing said work not exceeding Three thousand dollars, and that the above sum be and is hereby appropriated for that purpose.

[Approved July 6, 1833. Acts, vol. 30, p. 163.]

[CHAPTER 78.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the sum of thirty dollars be allowed Joseph Clough for engrossing all the publick acts and resolutions at this

session and in full of his account, and that said sum be paid out of the Treasury.

[Approved July 6, 1833. Acts, vol. 30, p. 169.]

[CHAPTER 79.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer be, and he is hereby authorized to borrow on the credit of the State, and for the use of the same, a sum not exceeding twenty five thousand dollars in such portions and at such times as may in his opinion be requisite and proper, at the lowest rate of interest for which the same can be procured, and in no case exceeding the rate of six per cent per annum, and so much of the State tax payable into the Treasury on the first day of December 1834, as may be required to pay said loan, and the interest, is hereby appropriated for that purpose; and the Treasurer is hereby required to apply the same to that purpose, as soon as a sufficient amount shall be paid into the Treasury.

[Approved July 6, 1833. Acts, vol. 30, p. 170.]

[CHAPTER 80.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That Jacob Carter be, and he hereby is appointed Librarian of the State Library during the present year.

[Approved July 6, 1833. Acts, vol. 30, p. 173.]

[CHAPTER 81.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the Treasurer of this State be directed to take such measures as to him shall seem most proper to ascertain

the causes of the non payment of all taxes now standing upon the Treasury books from the year 1795 to the year 1830 inclusive and report thereon to the Legislature at their next session.

[Approved July 6, 1833. Acts, vol. 30, p. 189.]

[CHAPTER 82.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That the sum of two hundred seventy nine dollars and fifty three cents be allowed Joseph Hill in-full of his account, and that the same be paid out of the Treasury.

[Approved July 6, 1833. Acts, vol. 30, p. 192.]

[CHAPTER 83.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That there be presented to Andrew Jackson President of the United States a copy of Carrigains Map of New Hampshire, and that his Excellency the Governor be requested to transmit one (free of expence) to the President, prepared and finished agreeably to his Excellency's directions by the Author, for which he shall receive the customary compensation.

[Approved July 6, 1833. Acts, vol. 30, p. 196.]

[CHAPTER 84.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened, That there be and hereby is granted to the Trustees of the Colebrook Academy one of Carrigains Maps of New Hampshire for the use and benefit of said Academy.

[Approved July 6, 1833. Acts, vol. 30, p. 197.]

[CHAPTER 85.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That his Excellency the Governor be, and hereby is authorised to draw on the Treasury for a sum not exceeding five hundred dollars to defray the contingent expenses of the State for the year ensuing.

[Approved July 6, 1833. Acts, vol. 30, p. 198.]

[CHAPTER 86.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Jacob Tyler be appointed to take charge of the State House and State House yard the ensuing year.

[Approved July 6, 1833. Acts, vol. 30, p. 198.]

[CHAPTER 87.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Aaron Carter & Atkinson Webster be allowed one hundred and twenty eight dollars, in-full of their accounts; that Jacob Tyler be allowed sixty four dollars in full of his account; and that Joseph Robinson, be allowed seventy dollars in full of his account, and that said sums be paid out of the Treasury.

[Approved July 6, 1833. Acts, vol. 30, p. 199.]

[CHAPTER 88.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Daniel Russell be allowed the sum of ninety

six dollars in-full of his several claims against the State, and the Treasurer is hereby authorised to pay the same out of any money in the Treasury not otherwise appropriated.

[Approved July 6, 1833. Acts, vol. 30, p. 203.]

[CHAPTER 89.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court convened.

That the sum of Forty five dollars be allowed Philip Carrigain for three of his maps of New Hampshire, namely, one for New Chester Academy, one, for Colebrook Academy; and one for the President of the United States.

[Approved July 6, 1833. Acts, vol. 30, p. 204.]

[CHAPTER 90.]

State of)
New Hampshire. {

To his Excellency Samuel Dinsmoor, Captain General and Commander in Chief of the Militia of New Hampshire.

The Senate and House of Representatives in General Court convened, represent to your Excellency that William Burbank Junior, Captain of the fourth Company of Infantry in the thirty sixth Regiment does not sustain a good moral character.

For which cause the Senate and House of Representatives request your Excellency to remove him from his said command, agreeably to the provisions of the Constitution.

[Approved July 5, 1833. Acts, vol. 30, p. 119.]

[CHAPTER 91.]

State of)
New Hampshire. {

To his Excellency Samuel Dinsmoor Commander in chief of the Militia of New Hampshire.

The Senate and House of Representatives in General Court

convened, Represent to your Excellency, That the following persons have been duly appointed and commissioned, as officers of the militia of the State of New Hampshire, and have removed and gone to reside without the limits of their respective commands, and have neglected to resign their commissions, viz Mark Taylor Lieutenant in the 2d Company of Infantry in the 34th Regiment; Curtis C. Dearborn Lieutenant of the company of Artillery in the second Regiment, Albert G. Cobb Lieutenant in the Westmoreland company of Light Infantry in the 20th Regiment, Samuel Dix Captain of the 2d Company of infantry in the 37th Regiment, Levi S. Rollings Ensign in the 2nd Company of infantry in the 14th Regiment, Bradly V. Webster Captain in the 4th Company in the 14th Regiment, Ira Waldow Ensign in the 5th Company of infantry in the sixteenth Regiment. Jonathan Cushing Lieutenant in the 8th Company of infantry in the 37th Regiment, Asa Jenne Junior, Ensign in the 4th company of infantry and Benjamin Smalley Lieutenant in the 3^d Company of infantry in the 15th Regiment. Rufus Thompson and Luther Emerson Captains in the sixth Regiment, For which causes, the Senate and House of Representatives respectfully request your Excellency to remove the aforesaid persons from their respective commands in conformity with the provisions of the constitution.

[Approved July 6, 1833. Acts, vol. 30, p. 191.]

[CHAPTER 92.]

State of)
New Hampshire. (

To his Excellency Samuel Dinsmoore Captain General and Commander in Chief of the Militia of New Hampshire.

The Senate and House of Representatives in General Court convened. Represent to your Excellency, That the following persons have been duly appointed and commissioned as officers of the Militia of the State of New Hampshire, and have removed and gone to reside without the limits of their respective commands, and have neglected to resign their commission: namely—Thomas K Wentworth, an Ensign of the first Company of Infantry in the 35th Regiment, and Samuel Bowman Ensign of the first Company in the 16th Regiment, for which cause the Senate and House of Representatives respectfully request your Excellency, to remove the aforesaid persons from their respective commands, in conformity with the provisions of the constitution.

[Approved July 6, 1833. Acts, vol. 30, p. 200.]

[CHAPTER 93.]

State of }
New Hampshire. {

To his Excellency Samuel Dinsmoore Commander in chief of the Militia of New Hampshire. The Senate and House of Representatives in General Court convened, That the following persons have been duly appointed and commissioned, as officers of the Militia of the State of New Hampshire, and have removed and gone to reside without the limits of their respective commands, and have neglected to resign their commissions, viz, Ralph Eames Lieutenant in the second Company of Infantry and Jabez D Philbrick Captain of the company of Artillery both of the 24th Regiment. For which causes, the Senate and House of Representatives respectfully request your Excellency to remove the aforesaid persons from their respective commands in conformity with the provisions of the constitution.

[Approved July 6, 1833. Acts, vol. 30, p. 201.]

[FORTY-THIRD GENERAL COURT.]

[*Held at Concord, one session, June 4, 1834, to July 5, 1834.*]

[OFFICERS OF THE GOVERNMENT.]

WILLIAM BADGER, GOVERNOR.
 RALPH METCALF, SECRETARY OF STATE.
 JOSEPH ROBINSON, DEPUTY SECRETARY.
 ABNER B. KELLY, TREASURER.
 GEORGE SULLIVAN, ATTORNEY-GENERAL.
 JARED W. WILLIAMS, PRESIDENT OF THE SENATE.
 CHARLES G. ATHERTON, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Samuel Cushman,	Portsmouth.
Job Otis,	Strafford.
Jacob Tuttle,	Antrim.
Stephen Johnson,	Walpole.
Elijah Miller,	Hanover.

[MEMBERS OF THE SENATE.]

Tristram Shaw,	Hampton.
Abel Brown,	South Hampton.
Jesse Carr,	Goffstown.
Cyrus Barton,	Concord.
James Farrington,	Rochester.
Warren Lovell,	Meredith.
Israel Hunt, Jr.,	Dunstable.
Reuben Porter,	Sutton.
Nathan Wild,	Chesterfield.
Austin Corbin,	Newport.
Caleb Blodgett,	Dorchester.
Jared W. Williams,	Lancaster.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson and } Plaistow, }	Moses F. Peaslee.
Brentwood,	Jonathan Morrill.
Candia,	John Moore, Jr.
Chester,	Stephen Dearborn.
	Jesse J. Underhill.

Deerfield,	Joseph Merrill.
Derry,	Benning W. Sanborn.
	John H. Miltimore.
	William Montgomery.
East Kingston and } South Hampton, } Exeter,	Barnard Jewell.
	John Rogers.
	John Sullivan.
Greenland,	Theodore A. Burleigh.
Hampstead,	Lorenzo Bachelder.
Hampton,	David Marston.
Hampton Falls,	Moses Batchelder.
Hawke and } Sandown, }	Samuel Pillsbury.
Kingston,	Isaac Webster.
Londonderry,	Hugh Bartley.
Newcastle,	Jonathan M. T. Vennard.
Newington,	Simes Frink.
Newmarket,	James B. Creighton.
Newton,	Matthias Bartlett.
North Hampton,	Morris Lamprey.
Northwood,	John J. Demeritt.
Nottingham,	Samuel Dame.
Poplin,	Jonathan Tuck.
Portsmouth,	John S. Jenness.
	Israel Marden.
	Joseph Sherburne.
	Thomas P. Treadwell.
	Isaac Waldron.
Raymond,	John Scribner.
Rye,	Thomas J. Parsons.
Salem,	John Woodbury.
Seabrook,	Dudley S. Locke.
Stratham,	Noah Piper.
Windham,	Alexander Park, Jr.

STRAFFORD COUNTY.

Albany and } Chatham, }	Jonathan K. Eastman.
Alton,	Hezekiah D. Buzzell.
Barnstead,	Thomas P. Hodgdon.
	Samuel Kaime.
Barrington,	John McDaniel, Jr.
Brookfield,	Joseph T. Churchill.
Center Harbor,	Gilman Fox.

Conway,	Jonathan T. Chase.
Dover,	Thomas W. Kittredge.
	John B. H. Odiorne.
	John H. White.
	Nathaniel Young.
Durham,	Samuel Burnham.
Eaton,	Abraham Colby.
Effingham,	George W. Drake.
Farmington,	Jeremiah Jones.
Freedom,	Amos Towle, Jr.
Gilford,	Peaslee Hoyt.
Gilmanton,	David Bean.
	Jeduthan Farrar.
	John S. Shannon.
Lee,	Joseph S. Lawrence, Jr.
Madbury,	Paul Meserve.
Meredith,	John L. Perley.
	William Pike.
Middleton,	Samuel L. Stevens.
Milton,	Stephen Drew.
Moultonborough,	Charles Bean.
New Durham,	Nicholas Noyes.
New Hampton,	Nicholas Smith.
Ossipee,	Edward Grant, Jr.
Rochester,	Jonathan Hussey.
	John H. Smith.
Sanbornton,	John Connerford.
	William Jones.
Sandwich,	Neal McGaffey.
	Paul Wentworth.
Somersworth,	Jacob Davis.
	Richard Kimball.
	John Wentworth, 2d.
Strafford,	William Tasker.
	Daniel Winkley.
Tuftonborough,	John Peavey.
Wakefield,	Amasa Copp.
Wolfeborough,	Nathaniel Rogers.

MERRIMACK COUNTY.

Allentown,	Charles Rowell.
Andover,	Joseph Swett.
Boscawen,	John Farmer.
Bow,	William R. Parker.
Bradford,	Jason H. Ames.

Canterbury,	Otis Young.
Chichester,	Nathaniel Sherburne.
Concord,	Charles H. Peaslee.
	Jeremiah Pecker.
	Joseph P. Stickney.
Dunbarton,	Caleb Stark.
Epsom,	William Ham, Jr.
Fishersfield,	Simeon Stevens.
Franklin,	George W. Nesmith.
Henniker,	Moses Brown.
Hooksett,	Matthew Gault.
Hopkinton,	Abram Brown.
	James Huse.
Loudon,	Samuel B. Dyer.
New London,	Marshall Train.
Northfield,	Robert Gray.
Pembroke,	Jeremiah H. Wilkins.
Pittsfield,	Cotton W. Drake.
Sutton,	John Pillsbury.
Warner,	Nathan S. Colby.
	Timothy Davis.
Wilmot,	John Cross.

HILLSBOROUGH COUNTY.

Amherst,	Daniel Campbell, Jr.
Antrim,	Samuel Fletcher.
Bedford,	James M ^c K. Wilkins.
Brookline,	Reuben Baldwin.
Deering,	Samuel Gregg.
Dunstable,	Charles G. Atherton.
	Moody D. Lovewell.
	Zebadiah Shattuck.
Francestown,	Ebenezer Boyd.
Goffstown,	Charles F. Gove.
	Noyes Poor.
Greenfield,	Paul Cragin, Jr.
Hancock,	Jonas Hutchinson.
Hillsborough,	Hiram Monroe.
Hollis,	Ralph E. Tenney.
Litchfield,	Moses Chase.
Lyndeborough,	Israel Putnam.
Manchester,	James McQuestion.
Mason,	John Stevens.
Merrimack,	Samuel McConihe.
Milford,	John Wallace, Jr.

Mont Vernon,	Daniel W. Baker.
New Boston,	John Atwood.
New Ipswich,	Seth King.
Pelham,	Jesse Gibson.
Peterborough,	James Walker.
Sharon,	Abiel Sawyer.
Society Land and } Windsor. }	Moody Butler.
Temple,	Nathan Wheeler.
Weare,	Seth N. Cilley.
	John L. Hadley.
Wilton,	Abram Whittemore.

CHESHIRE COUNTY.

Alstead,	Ezra Kidder.
Chesterfield,	Otis Amidon.
Dublin,	Jonathan K. Smith.
Fitzwilliam,	John J. Allen.
Gilsum,	Jehiel Day.
Hinsdale,	Obed Slate.
Jaffrey,	John Conant.
Keene,	Thomas M. Edwards.
	James Wilson, Jr.
Marlborough,	Benjamin Whitney, Jr.
Marlow,	William Lewis.
Nelson,	Cyrus Harris.
Richmond,	Joseph Newell.
Rindge,	Amos Keyes.
Stoddard,	Jacob Taylor.
Sullivan,	Samuel Locke.
Surry,	Peter Hayward.
Swanzey,	Edward Goddard.
Troy,	Chester Lyman.
Walpole,	Thomas Bellows.
	Lemuel Starkweather.
Westmoreland,	Timothy Hoskins, Jr.
Winchester,	Elijah Alexander.

SULLIVAN COUNTY.

Acworth,	Eliphalet Bailey.
Charlestown,	William Gordon.
Claremont,	Zenas Clement.
	Godfrey Stevens.
	Arad Taylor.

Cornish,	Sylvanus Bryant.
Croydon,	Samuel Morse.
Goshen,	Levi Trow.
Grantham,	Amasa Hall.
Langdon,	March Chase.
Lempster,	Daniel M. Smith.
Newport,	Amasa Edes.
	Josiah Stevens, Jr.
Plainfield,	Thomas Chellis, Jr.
Springfield,	Sam Colby.
Unity,	Amos Perkins.
Washington,	Charles Jones.
Wendell,	Samuel Knowlton.

GRAFTON COUNTY.

Alexandria,	Elias Perkins.
Bath,	Isaac Patterson.
Bethlehem,	John Pierce.
Bridgewater,	Nathaniel P. Melvin.
Bristol,	Nathaniel S. Berry.
Campton,	John Keniston.
Canaan,	George Walworth.
Coventry,	Daniel Batchelder.
Danbury,	Levi Frazier.
Dorchester,	Winthrop Folsom.
Enfield,	Nathan Currier.
Franconia and } Lincoln, }	John Wallace, Jr.
Grafton,	Abner Hale.
Groton,	William Crosby.
Hanover,	Timothy Owen, Jr.
	Ira Perley.
Haverhill,	John L. Rix.
Hebron,	George W. Lang.
Holderness,	Jeremiah P. Hadley.
Landaff,	Jonathan Brownson.
Lebanon,	Timothy Kenrick.
	Nathaniel Porter.
Lisbon,	David Cowing.
Littleton,	Sylvenus Balch.
Lyman,	Horace Duncan.
Lyme,	Bezer Latham.
New Chester,	George M. Phelps.
Orange,	Micajah M. Smith.
Orford,	Leonard Wilcox.

Peeling and	}	Thomas Vincent, Jr.
Ellsworth,		
Piermont,	}	Asa Prescott, Jr.
Plymouth,		Isaac Ward.
Rumney,		Timothy Harris.
Thornton,		Jacob Sargent.
Warren,		Moses H. Clemert.
Wentworth,		Enoch Page.

COOS COUNTY.

Bartlett,		George Pendexter.
Colebrook and	}	Abraham Boynton.
Columbia,		
Dalton and	}	Asa Taylor.
Carroll,		
Jackson and	}	John Chesley.
Hart's Location,		
Jefferson, Kilkenny, Ran-	}	Daniel Pinkham.
dolph, Nash and Sawyer's		
Location and Pinkham's		
Grant,		
Lancaster,		Richard Eastman.
Milan, Stark and	}	Aaron Potter.
Dummer,		
Shelburne, Shelburne Ad-	}	Benjamin Thompson.
dition, Success and Berlin,		
Stewartstown, Dixville,	}	Gideon Tirrell.
Millsfield, Errol and		
Clarksville,	}	Timothy L. Marshall.
Stratford and		
Northumberland,	}	William Dodge.
Whitefield,		

[*First session held at Concord, June 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 30, July 1, 2, 3, 4, 5, 1834.*]

[CHAPTER 1.]

State of)
New Hampshire.)

AN ACT SUPPLEMENTARY TO AN ACT AND IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PEQUAWKETT BRIDGE IN CONWAY.—

[Approved June 24, 1834. Acts, vol. 30, p. 228. The acts referred to are printed in Laws of New Hampshire, vol. 9, p. 727, and *ante*, p. 235.]

Be it enacted by the Senate and House of Representatives in General Court convened. That the proprietors of Pequawkett Bridge in Conway be, and they hereby are allowed, six years from and after the first day of July in the year of our Lord One thousand eight hundred and thirty four, to build and complete said Bridge any thing in any former Act to the contrary notwithstanding.—

Sec. 2. Be it further enacted, That all the privileges granted to the said corporation and their successors, as well as all the liabilities incident to said corporation, are hereby fully revived and continued in the manner intended by the Original Act of incorporation of said Bridge, passed June session 1828, and the Act in addition thereto passed July 1.st 1831.—

[CHAPTER 2.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PROPRIETORS OF THE ROCKINGHAM HOUSE.

[Approved June 24, 1834. Acts, vol. 30, p. 229.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Richard H. Ayer, Joseph Wilson, John Fisher Sheafe, Mark W. Peirce; Samuel Hale, Samuel Sheafe, Henry Ladd and Alexander Ladd, their associates, successors, and assigns, being owners or proprietors of the Rockingham House (so called) situate in Portsmouth, shall be and are hereby created and made a body corporate and politick, by the

Name of the Proprietors of the Rockingham House, with all the powers and privileges, rights, franchises, and immunities, and subject to all the liabilities by law incident to corporations of a similar nature.—

Sec. 2. Be it further enacted, That the said Corporation for the sole purpose of keeping a publick boarding house and hotel for the general Entertainment and accommodation of strangers, travellers and customers, are hereby authorized and empowered to receive, hold and enjoy all such real and personal Estate, whether houses, lands, buildings stables, cattle, horses, carriages, furniture, provisions, or otherwise, to any amount not exceeding Forty thousand dollars, and to make all such rules regulations, and by laws (not inconsistent with the laws of this State); and to appoint, employ, and discharge all such officers, agents, and servants, as may be necessary and proper for the suitable managing, regulating and carrying on their said business, and evry part and department thereof, in such manner as may from time to time be required by the demands and exigences of the same.

Sec. 3. Be it further Enacted, That the property or capital stock of said Corporation shall be divided into such number of equal shares, not exceeding fifty, as the said proprietors may direct; and the owner or proprietor shall be entitled to a vote for each and evry share he may hold, on all questions to be acted upon at any meeting of said Corporation.

Sec. 4. Be it further Enacted, That meetings of the said Corporation may be held by giving personal notice of the same seasonably to each proprietor, or by advertising the same a reasonable time beforehand in some publick Newspaper printed in Portsmouth. The owners or representatives of a majority of the shares shall constitute a quorum for the transaction of any business regularly before such meeting; and every vote shall be determined by a majority of the shares represented.—

Sec. 5. Be it further Enacted, That all meetings of the said corporation shall be holden in Portsmouth and the said Richard H. Ayer and Joseph Wilson are authorized to call the first meeting.—

[CHAPTER 3.]

State of }
New Hampshire.}

AN ACT TO INCORPORATE THE COMPANY OF WESTMORELAND LIGHT
INFANTRY.

[Approved June 24, 1834. Acts, vol. 30, p. 231.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Tileston A. Barker, Charles Butterfield, Prentis Daggett, their associates and successors, so long as they shall do military duty in said company, be and they hereby are made a body corporate and politic, by the name of Westmoreland Light Infantry and by that name may sue, and be sued, prosecute and defend to final Judgement and execution, and are hereby authorized to exercise all the powers and made subject to all the liabilities of corporations of a similar nature; and the said corporation is hereby empowered to hold real estate not exceeding in value the sum of Five hundred dollars and personal property to the amount of One thousand dollars and no more.—

Section 2. Be it further Enacted, That the said Tileston A. Barker, Charles Butterfield and Prentis Daggett or any two of them may call the first meeting of said company by giving personal notice of the time and place thereof to the members of said company at least four days prior to the time of said Meeting, at which time, or at any subsequent meeting, they may make such By Laws and ordain such rules and regulations, as may be necessary for the carrying into effect the objects of this Act; Provided always that no power shall accrue to the said company, by or under this Act whereby they may be exempted from any liabilities which they are now, or hereafter may be under to do, and perform, military duty agreeably to the existing military law, for the time being, of this State; nor in any case shall the said Company have power to assess upon its members more than the sum of One dollar and fifty cents upon any one member annually.

[CHAPTER 4.]

State of)
New Hampshire. \

AN ACT IN RELATION TO WARRANTS OF DISTRESS FOR TAXES ISSUED AGAINST COLLECTORS, SELECTMEN AND INHABITANTS OF TOWNS IN CERTAIN CASES.—

[Approved June 24, 1834. Acts, vol. 30, p. 233. Session Laws, 1834, Chap. 180. See acts of February 9, 1791, Laws of New Hampshire, vol. 5, p. 644; June 28, 1827, id., vol. 9, p. 610; July 7, 1827, id., p. 670, and July 4, 1829, *ante*, p. 94. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of representatives in general Court Convened that when any goods or chattels shall be seized by virtue of any warrant of distress or execution issued against any collector of taxes, any selectmen, or the inhabitants of any town under an act passed on the ninth day of February A. D. 1791, entitled an act directing the proceedings against deficient Collectors, or under the thirteenth section of the act passed on the seventh day of July A. D. 1827, entitled an act for establishing an equitable method of making taxes, or under the eighteenth section of the act passed on the twenty eighth day of June A. D. 1827, entitled an Act regulating towns, and the choice of town officers, the officer making the seizure shall proceed in the sale of such goods and chattels in the same way and manner as is by law prescribed for the sale of goods and chattels seized by virtue of executions issued by the courts of law. And such Warrants of distress issued as aforesaid shall in all respects be adjudged and deemed to be executions within the true intent and meaning of the fourth section of the Act passed on the fourth of July A. D. 1829, entitled an act subjecting lands, tenements and hereditaments to the payment of debts and directing the mode of extending and levying executions upon real and personal estate.—

Sec. 2. And be it further enacted, That when any real estate shall be seized by virtue of any Warrant of distress issued in any of the cases aforesaid the same shall be sold in the manner prescribed in the third section of the said statute entitled an act directing the proceedings against deficient collectors. And the officer shall make a deed to the purchaser of the real estate sold in form following, to wit,—

Know all men by these presents, that I.....Sheriff (or deputy sheriff) of the County of.....in the State of New Hampshire by virtue of a Warrant of distress to me directed by.....against.....dated.....and in consideration of.....to me in hand paid by.....

do hereby sell and convey to him the said.....
 his heirs and assigns forever a tract of land bounded.....To
 have and to hold the said premises to him the said.....
 his heirs and assigns forever. And I do covenant with the said
that I have in my said capacity good right
 to sell and convey the same in manner aforesaid and that I have
 observed and pursued all the directions of the law by virtue of
 which this conveyance is made.—

In witness whereof I have hereunto set my hand and seal this
day ofA.D.....

Signed, sealed and delivered

in presence of us.....

[CHAPTER 5.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
 NEWMARKET AQUEDUCT COMPANY.—

[Approved June 28, 1834. Acts, vol. 30, p. 247.]

Sec. 1. Be it enacted by the Senate and House of Representa-
 tives in General Court convened. That Stephen A. Chase, Benja-
 min D. Watson, Benjamin Wheatland, Columbus Warren and their
 associates and successors, be and they hereby are created a corpo-
 ration, by the name of the Newmarket Aqueduct Company, for the
 purpose of conveying water by subteraneous pipes into the Village
 of Lamprey River in Newmarket in the County of Rockingham,
 and by that name may sue and be sued to final judgment and exe-
 cution, and do and suffer all matters acts and things, which bodies
 corporate may or ought to do or suffer.—

Sec. 2. And be it further enacted, That said corporation be,
 and the same hereby is authorised to acquire by purchase or other-
 wise and to hold and enjoy all such real and personal estate as
 may be necessary and convenient for the conveyance of water as
 aforesaid, and the same may sell and dispose of at pleasure, pro-
 vided such estate shall not exceed the sum of ten thousand dollars.—

Sec. 3. And be it further enacted, That said corporation be and
 and the same hereby is authorised and empowered to enter upon
 and break up the ground and dig ditches and trenches in any land
 or enclosure and in any street or highway through which it may
 be convenient for said Aqueduct to pass, and therein to place such
 pipes and posts as may be necessary for building and completing
 said Aqueduct, and maintaining and repairing the same when re-

quisite, provided that in case said Corporation, and the Owners of such land shall not agree on the compensation to be made for the damage done to said land, the Superior Court of Judicature, upon application of said corporation, or of the Owners of said land, may appoint a committee, who shall estimate the damage and make report thereof to said court. And if either of said parties shall be dissatisfied with the report of said committee, on application to said court a trial by Jury for the purpose of assessing said damage, shall be had in the same way and manner as other jury trials are had at said court. And the said court are authorised to render judgment on said report or verdict of said jury and issue execution accordingly. And provided also that no publick street or highway shall be so incumbered or injured by said Aqueduct as to obstruct or hinder the citizens of said State from passing therein with teams and carriages with convenience.—

Sec. 4. And be it further enacted, That the capital or joint stock of said corporation may consist of as many shares as the proprietors shall at any legal meeting determine, and the said shares shall be holden and liable for all assessments legally made thereon and upon nonpayment of any such assessment, the Treasurer may in the manner to be prescribed in the by-laws of said corporation, sell at publick Auction the shares of any delinquent proprietor or so many thereof as may be necessary to pay the sum due thereon with incidental charges.—

Sec. 5. And be it further enacted, That said corporation may make and execute such by laws as may be necessary for its regulation and government and may conformably to the same make such assessments as may be found necessary for accomplishing the object of this Act, and at any legal meeting may choose such officers as may be deemed necessary, and prescribe their respective duties, and may prescribe the manner in which the shares may be alienated or transferred. And at any meeting of said corporation all questions shall be determined by a majority of the votes of the proprietors present or represented, allowing one vote for each share, and all representations shall be in writing signed by the person represented and filed with the clerk.—

Sec. 6. And be it further enacted. That the said Stephen A. Chase and Benjamin D. Watson or either of them may call the first meeting of said corporation by giving to each of the other members thereof notice of said meeting at least three days prior thereto.—

[CHAPTER 6.]

State of)
New Hampshire. }

AN ACT IN FAVOUR OF JOHN H. WHITE AND OTHERS.—

[Approved June 28, 1834. Acts, vol. 30, p. 250.]

Be it enacted by the Senate and House of Representatives in General Court convened, That John H. White be allowed the sum of twenty two dollars in full of his Account, That Gawen Gilmore be allowed the sum of four dollars in full of his Account, and that Elijah Carpenter be allowed the sum of eight dollars in full of his Account, and that said sums be paid out of the Treasury.

[CHAPTER 7.]

State of)
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE MEREDITH VILLAGE MANUFACTURING AND MACHINE COMPANY.

[Approved June 28, 1834. Acts, vol. 30, p. 251.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Daniel Smith, Joseph W. Lang, Tom Devenport, Daniel Woodman, Abel Philbrook and Daniel Smith Jr. and such other persons as shall associate with them and their successors and assigns, shall be and hereby are constituted and made a corporation by the name of the Meredith Village Manufacturing and Machine company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and may have and use a common seal and the same they may alter and renew at pleasure, and also may make and ordain and put in execution such By Laws and regulations not repugnant to the Constitution and Laws of this State, as shall be necessary, proper and convenient for the government of said corporation and the due management of its concern, and shall be, and hereby are vested with all the privileges and powers, and made subject to all the liabilities, which by law are incident to corporations of a similar nature.—

Sec. 2. And be it further enacted, That the said corporation be and the same is hereby empowered to establish, manage and carry on the manufacture of all kinds of machinery adopted to the

use of Cotton Factories, and also the manufacture of Cotton yarn and Cloth, and the same to sell and dispose of at pleasure, and to purchase and hold all such personal and real estate as they may find necessary and convenient for the proper enjoyment of the privileges hereby granted, and on such real estate erect such buildings as they may deem fit and proper, in the transaction and management of the business of said Corporation.—Provided the whole amount of real and personal estate at any time vested in the business of said corporation shall not exceed the sum of Twenty thousand dollars, which sum shall be divided into equal shares of One hundred dollars per share.—

Sec. 3. Be it further enacted that Daniel Smith and Abel Philbrook or either of them may call the first meeting of said corporation by giving three days previous notice to each of the persons herein before named, at which meeting a clerk shall be chosen, who shall be sworn faithfully to discharge the duties of his office and it shall be his duty to record the doings and proceedings of said corporation and perform such other duties as the By Laws of said corporation may require, and at the same or any subsequent meeting duly holden the members of said corporation may prescribe and agree on the manner of calling, holding and managing future meetings, and prescribe the mode or manner in which the shares of the capital stock shall be holden, and how the same shall be transferred, may make and provide for the making of Assessments on the shares from time to time as occasions may require, and fix the time of payment for the same, may appoint and constitute such officers, servants, and Agents, of said corporation as they shall think necessary, and prescribe their respective duties and may do and transact any matter or thing relating to the property, business or Concern of the Corporation.—

Sec. 4. And be it further enacted, That at all meeting of the members of said Corporation duly notified and holden, each member shall be entitled to cast one vote for each share that he may be the owner, and holder in said Corporation on all questions which may come before such meetings, absent members may be represented and vote at all such meetings by an agent for that purpose, duly appointed by writing signed by the member or members to be represented which writing shall be filed with the Clerk of said Corporation, and at all such meetings all questions shall be decided by a majority of Votes cast.—Provided however that in raising Assessments on the shares in said corporation two thirds of the votes cast shall be required to make such assessments binding on the members of said Corporation.

Sec. 5. And be it further enacted, That shares in the Capital or joint stock of said Corporation shall be liable and holden for the payment of all assessments legally made thereon, and in case of the

neglect of any member to pay the Assessment on his share or shares the same, or so many of them as shall be sufficient to pay the Amount of the Assessment or Assessments, may be sold or transferred for the payment of the same, in such way and manner as shall be prescribed by the By Laws or the regulations of said Corporation.—Provided however that no share or shares or owners thereof, shall be holden for the payment of any Assessment made upon any share or shares after he has paid in to the corporation the amount of one hundred dollars for each share, which he may own and hold in said corporation.

[CHAPTER 8.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO DECLARE THE JURISDICTION AND REGULATE THE PROCEEDINGS OF JUSTICES OF THE PEACE IN CIVIL AND CRIMINAL CASES PASSED DECEMBER 31. 1828.—

[Approved June 28, 1834. Acts, vol. 30, p. 255. Session Laws, 1834, Chap. 177. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 819. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court Convened; That every Justice of the Peace within his County be and is, hereby, authorized to punish by fine, not exceeding ten dollars, any person who shall assault or beat another, or in any way break the peace; and may require such person to recognize, with surety or sureties, to keep the peace, and be of good behaviour till the next Court of Common Pleas to be holden in the same County.—

[CHAPTER 9.]

State of)
New Hampshire. }

AN ACT, IN AMENDMENT OF AN ACT, EMPOWERING THE SEVERAL JUDGES OF PROBATE TO LICENSE EXECUTORS, ADMINISTRATORS AND GUARDIANS TO SELL REAL ESTATE IN CERTAIN CASES, AND FOR PERPETUATING THE EVIDENCE OF SUCH SALES.—

[Approved June 28, 1834. Acts, vol. 30, p. 256. Session Laws, 1834, Chap. 183. The act referred to is probably dated July 2, 1822, Laws of New Hampshire, vol. 9, p. 123. See also acts of July 3, 1822, id., p. 155, and June 30, 1826, id., p. 517. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That notwithstanding any thing in the Act, to which this is in amendment, any guardian who may be licensed to sell the real estate of his ward, as provided by said Act, may after receiving license for such sale, and before proceeding to Act under the same, take the Oath provided by said statute before the Judge of Probate, or any Justice of the Peace, which Oath if taken before a Justice of the Peace, shall be returned to and filed in the Probate Office, before the allowance of the Account of guardianship.—

[CHAPTER 10.]

State of)
New Hampshire. }

AN ACT TO PREVENT THE DESTRUCTION OF PINE AND OTHER FOREST TREES.—

[Approved June 28, 1834. Acts, vol. 30, p. 259. Session Laws, 1834, Chap. 190. See also act of July 3, 1827, Laws of New Hampshire, vol. 9, p. 632. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That if any person shall wilfully injure, cut, fell, destroy or carry away any pine or other timber tree or trees, standing or growing on any tract of land within this State, without leave or license of the Owner or proprietor thereof, every such trespasser and every person aiding and abetting in the commission of such trespass, or in any wise accessory thereto before the fact by counselling, hiring or procuring the same to be committed, or after the fact, by aiding in removing the same after they are cut

or felled as aforesaid, each and every person thus guilty shall be liable to the person or persons injured in a sum equal to five times the value of all the trees which shall be wilfully injured, cut, felled, destroyed or carried away as aforesaid, to be recovered by action of debt in any court of competent jurisdiction. Provided all prosecutions for breaches of this Act shall be commenced and prosecuted within two years from the time of committing such trespass and not afterwards.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT ENTITLED
AN ACT DIRECTING THE PROCEEDINGS AGAINST TRUSTEES OF
DEBTORS.

[No approval date given, but probably June 28. See House Journal, 1834, p. 294. Acts, vol. 30, p. 260. Session Laws, 1834, Chap. 163. See acts of February 12, 1791, Laws of New Hampshire, vol. 5, p. 678; July 2, 1825, *id.*, vol. 9, p. 469, December 24, 1828, *id.*, p. 787; July 3, 1829, *ante*, p. 65; June 24, 1835, *post*, and June 30, 1841, Session Laws, 1841, Chap. 601. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That in all cases when the principal debtor lives in one County in this State, and the trustee in another County, it shall be the duty of the Justices of the Peace within and for the County, wherein the said principal debtor lives, and they are hereby authorized and empowered to issue trustee process in due form of law against the said principal debtor, and trustee or trustees directed to the sheriff of any County in this State or his deputy or to either of the Constables of the town or towns wherein the trustee or trustees live, commanding them to serve such process according to the precept thereof, and it shall be the duty of said officers to serve and return such process to the said Justice of the Peace, by whom the same is issued, in the same way and manner, as they are now required by law to serve and return trustee writs, pursuant to the act, to which this is an addition, and the said Justice shall render judgment against such principal debtor and trustee or trustees, if adjudged liable, in the same way and manner as in ordinary cases, and the said Justice shall issue execution on such judgment, directed in the same way and manner as the original writ was directed, commanding them to execute and return the same in like manner as other executions, issued by Justices, are by law required to be executed and returned.—

Provided, That in all cases when the trustee or trustees shall be

summoned as aforesaid, the Plaintiff shall enter into recognizance with one or more sureties in such sum as the magistrate before whom such suit is brought shall deem sufficient to cover the Amount of such trustees lawful fees, and to insure the payment thereof in case the same is not otherwise paid and satisfied.

[CHAPTER 12.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE MEREDITH MANUFACTURING COMPANY.—

[Approved June 28, 1834. Acts, vol. 30, p. 262.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Woodbury Melcher and his associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politick by the name and style of the Meredith Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested, with all the powers and privileges and subject to all the liabilities, which by law are incident to corporations of a similar nature.—

Sec. 2. And be it further enacted, That the said corporation be and hereby is authorized and empowered to commence, establish and carry on the business of Manufacturing Cotton and Woollen goods in all their various branches, together with such other branches of manufacture and trade, as are, or from time to time may be connected therewith at Meredith Bridge in the County of Strafford, and for these purposes the said corporation may purchase and hold real and personal estate to any amount not exceeding One hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.—

Sec. 3. And be it further enacted, That Woodbury Melcher may call the first meeting of said corporation, to be holden at any suitable time and place, by posting up notifications at two or more publick places at said Meredith Bridge expressing therein the time, place and design of said meeting, at least fifteen days before the day of meeting, or by giving personal notice at least six days prior thereto, at which said meeting there shall be chosen a Clerk, who shall be sworn to the faithful discharge of the duties of his Office, and whose duty it shall be to record the Acts and proceedings of the corporation, and to give certified Copies thereof when lawfully required, and at the same meeting or any adjournment thereof, or

at any subsequent meeting duly notified and holden, the members of said Corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper, and determine the manner of transferring them, may elect such officers and agents as may deemed necessary for managing their concerns, and prescribe their duties, may order Assessments and fix the time of their payments, may establish by laws, not repugnant to the laws of the State, for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of the votes of members present and represented, allowing one vote to each share, provided however, that any member holding more than ten shares, shall be entitled to no more than one vote, for every five shares which he may hold above ten. Absent members may vote by proxy, being authorized in writing signed by the person represented and filed with the Clerk.—

Sec. 4. And Be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof, within the time fixed for their payment, the delinquents share or shares may be advertized and sold at publick auction, or so many of them as may be necessary to pay such assessments with incidental charges, under such regulations as the corporation in its by laws shall have prescribed.—

[CHAPTER 13.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PORTSMOUTH LYCEUM.—

[Approved July 1, 1834. Acts, vol. 30, p. 265.]

Section. 1. Be it enacted by the Senate and House of Representatives in General Court convened.—That Charles Burroughs, Charles W. Cutter, Charles A. Cheever, George Jaffrey, George Manet, Silas Durkee and John Locke and their associates and successors, be and they hereby are made a body politick and corporate forever by the name of the Portsmouth Lyceum, and by that name may sue, and be sued, unto final judgment and execution, and may have and use a common seal, and may possess all powers, and subject to all the liabilities incident to private Corporations.

Section 2. And be it further enacted, That the said Corporation

may take and hold real estate of the value of Five thousand dollars, and personal estate of the value of Ten thousand dollars, and no more, and the same may dispose of at pleasure.—

Section 3. And be it further enacted, That the three persons first above named, or any two of them may call the first meeting of said corporation, by giving one weeks notice of the time and place of such meeting in some Newspaper printed in said Portsmouth.—

Section 4. And Be it further enacted, That at the said first meeting or at any other meeting, called for the purpose, the said Corporation may adopt bye laws for the well ordering and governing the affairs of said Corporation, and may appoint such officers as they may deem necessary and proper.—

[CHAPTER 14.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT FOR THE PUNISHMENT OF IDLE AND DISORDERLY PERSONS, AND FOR THE SUPPORT AND MAINTENANCE OF THE POOR, PASSED DECEMBER 16, 1828.—

[Approved July 1, 1834. Acts, vol. 30, p. 267. Session Laws, 1834, Chap. 179. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 753. See also acts of July 1, 1831, *ante*, p. 236; July 2, 1833, *ante*, p. 452, and January 13, 1837, Session Laws, 1836, November session, Chap. 274. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1.st Be it enacted by the Senate and House of Representatives in General Court convened. That the Justices of the Court of Common Pleas in their respective Counties be and hereby are authorized and empowered to employ the overseers of the poor in any town, in their County to set to work in their workhouses or elsewhere, or bind out as apprentices all such children as have no settlement in any town in this State, and as are chargeable to such County,—The Males until they arrive to the Age of twenty one years, and the females until they arrive to the age of eighteen years.—And such binding out shall be as good and effectual in Law to all intents and purposes as any way and method of binding out apprentices whatever,—And the said Overseers shall make the contract equitably and as much as may be for the interest of the persons bound out, and so as to provide such instruction in reading, writing, work and business as may be suitable to their circumstances and Condition. And the said overseers shall inquire into the usage of all such persons so bound out, and shall endeavour to redress any wrong or injuries they may sustain.—

Section 2. And be it further enacted, That the persons to whom such apprentices may be bound, shall have the same authority over them, that other masters have by law over their apprentices during their Apprenticeship—Any law, usage or custom to the contrary notwithstanding.—

[CHAPTER 15.]

State of }
New Hampshire.}

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE PROPRIETORS OF CLAREMONT BRIDGE.—

[Approved July 1, 1834. Acts, vol, 30, p. 269. See acts of December 21, 1820, Laws of New Hampshire, vol. 8, p. 943, and June 16, 1836, Session Laws, 1836, June session, Private Acts, Chap. 75.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened.—That Austin Tyler, Samuel Seward, Arad Taylor, and their associates and successors, be, and they hereby, are created a corporation by the name of the Proprietors of Claremont Bridge.

Sec. 2. And be it further enacted, That, said corporation may erect and maintain a Bridge across Connecticut River at any place between the southern limits of the grant to the Proprietors of Cornish Bridge, and the northern limits to the grant of a ferry to Oliver Ashley in said Claremont; and if said Corporation and the owner or owners of any right of ferry within the limits of this grant, shall not agree on the compensation to be made for the loss that may be sustained by such owner in diminishing the income of said ferry by erecting and forever maintaining said Bridge, the Justices of the Court of Common Pleas within and for the County of Sullivan, after due notice to such owner or owners, of such application, may appoint a Committee of three persons, whose duty it shall be, after hearing said parties, or if either of them shall neglect to attend after reasonable notice of the time and place of hearing, then after a hearing *exparte*, to make a report in writing stating the notice given, the attendance or non-attendance of the parties, as the Case may be, and the amount of damage and costs; and return the same to said Court. And said Corporation shall pay or tender said amount of damages and cost to the owner or owners to whom the same shall be awarded; and in Case of refusal to receive the same, such sum shall be paid into Court and placed in the hands of such person as the said Court shall direct, for the use of such owner or owners; and said Corporation shall have no right to erect said Bridge till such payment shall have been made.—

Sec. 3. And be it further enacted, That said corporation may lay out and make a road of convenient width, and in the most convenient place for publick accommodation, between the river road in said Claremont and the Bridge herein contemplated, and may purchase and hold, in fee simple or otherwise, so much land as will be necessary for said road. And if said corporation and the owner or owners of the land which may be taken for said road, shall not agree on the amount of damages to be paid for the same, the Justices of the Court of Common Pleas within and for the County of Sullivan, on application after due notice to all parties of such application, may authorise the committee aforesaid, or appoint three other suitable persons to estimate and report such damages with cost, which committee shall in so doing proceed in the manner prescribed in the second section of this Act in relation to the ferry aforesaid. And said Corporation shall pay or tender the amount of damages and cost to the owner or owners to whom the same shall be awarded; and in case of refusal to receive the same, such sum shall be paid into Court and placed in the hands of such person, as the said Court shall designate, for the use of such owner or owners; and said corporation shall have no right to make said road till such payment shall have been made.—

Sec. 4. And be it further enacted. That said corporation may make and execute such bye Laws as may be necessary for its regulation; and may conformably to the same, make such assessments as may be found necessary for completing the object of this Act, and may collect the same by sale of the shares of delinquent proprietors, And at the meetings of said Corporation all questions shall be determined by a majority of the votes of the proprietors present or represented, allowing one vote for each share; and all representations shall be Authorized by writing signed by the persons represented.

Sec. 5. And be it further enacted, That said corporation may demand, receive, and recover the following toll of every person passing said Bridge, and may prevent the passage of any person until the same shall have been paid, that is to say, for every foot passenger, two cents for every horse and rider six cents; for every Chaise, Sulkey, Chair or other two wheeled Carriage of pleasure drawn by one horse twelve and a half cents, and for each Additional horse, four cents, for every Chariot, Phaeton, Coach, or other four wheeled carriage of pleasure, or for passengers drawn by two horses twenty five cents, for each additional horse four cents, for each Cart, waggon, or other carriage of burden drawn by one beast ten cents; and for each Additional beast three cents; for each pleasure sleigh drawn by one horse, eight cents; and for each Additional horse four cents; for every sleigh or sled of burden drawn by one beast, six cents; and for each Additional beast three Cents; for horses, Jacks,

Mules, or neat cattle exclusive of those rode on or in Carriages, two Cents each; for sheep and swine, one half cent; each, and for each team one person only shall be allowed to pass free of toll. And at all times when the toll gatherer does not attend to his duty the gate shall be left open.—

Sec. 6. And be it further enacted, That said Corporation shall be answerable for all damages which may be sustained through insufficiency, or want of repairs in said Bridge, and may also be indicted and fined, as towns are by law indicted and fined, for suffering highways and Bridges to be out of repair.—

Sec. 7. And be it further enacted, That said Austin Tyler, Samuel Seward, and Arad Taylor, or any two of them, may call the first meeting of said corporation by posting up Notifications for that purpose, at some publick place in said Claremont, and at Weathersfield in the State of Vermont, fifteen days prior thereto.

Sec. 8. And be it further enacted, That if said Bridge shall not be completed within three years from the passing of this Act; or if destroyed at any time, and shall not, within two Years from said destruction, be rebuilt, this Act shall be null and void.—

[CHAPTER 16.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PROPRIETORS OF ORFORDVILLE MEETING HOUSE.—

[Approved July 1, 1834. Acts, vol 30, p. 275.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Abijah Stone, Alexander Strong and such other persons as now are owners of any pew or pews in the Brick Meeting House in Orford, and such persons as shall hereafter become owners or proprietors of any pew or pews in said Meeting House, shall be and they hereby are created a corporation and body politick with all the rights and immunities and subject to all the liabilities of similar corporations, by the name of the proprietors of Orfordville Meeting House; and by their said name may sue and be sued, may have and use a common seal, which they may alter and renew at pleasure, may make, ordain, and establish, and put in execution such by laws, ordinances and regulations, not repugnant to the Constitution and laws of this State, as they may deem necessary for the well governing the affairs of such Corporation.—

Sec. 2. And be it further enacted, That the said Abijah Stone

and Alexander Strong shall call a meeting of the proprietors aforesaid by posting up a notification of said Meeting on the door of said Meeting House, three weeks at least before such meeting, for the purpose of establishing by laws and choosing all necessary officers for superintending the affairs of said corporation; at which and all other meetings of said corporation, each proprietor shall be entitled to as many votes as he owns pews in said Meeting House and no more.—

Sec. 3. And be it further enacted, That the said Proprietors may at any meeting Notified for that purpose, by a majority of the votes present, raise any sum or sums of money, that they may deem necessary for the purpose of repairing their meeting House and of keeping the same in repair, so long as they may think proper.—

And all sums of money raised for the purpose aforesaid shall be assessed on the pews in said Meeting House according to their value which shall be ascertained by a Committee of three persons to be chosen for that purpose by the said proprietors; And if the owner or proprietor of any pew or pews shall neglect or refuse to pay any assessment made as aforesaid, the pew or pews belonging to such delinquent proprietor or proprietors may be sold for the payment thereof, in such manner as said proprietors may direct.—

Sec. 4. And be it further enacted, That the said corporation may, for the purposes thereof, take and hold any estate personal or real to an amount not exceeding ten thousand dollars, and the same may convey and dispose of at pleasure.—

[CHAPTER 17.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT TO INCORPORATE CERTAIN PERSONS FOR THE PURPOSE OF BUILDING A BRIDGE OVER CONNECTICUT RIVER IN HAVERHILL AT OR NEAR CHAMBERLAIN'S FERRY SO CALLED, AND FOR SUPPORTING THE SAME. APPROVED JUNE 18, 1795.

[Approved July 1, 1834. Acts, vol. 30, p. 278. The act referred to is printed in Laws of New Hampshire, vol. 6, p. 261.]

Be it enacted by the Senate and House of Representatives in General Court convened, That for the purpose of reimbursing said corporation the money by them expended, and to be expended in building, repairing and supporting said Bridge a toll be and hereby is granted and established for the benefit of said corporation. According to the following rates, Namely.

For each foot passenger, passing said Bridge one cent. For each Horse and Rider..... $6\frac{1}{4}$ Cents.

For each Horse Chaise, Chair, Sulkey or other riding Carriage drawn by one Horse..... $\}= .12\frac{1}{2}$ Cents
 For each riding Sleigh drawn by one horse..... = $.6\frac{1}{4}$ Cents
 wheeled Carriage, drawn by more than one horse.... $\}= 25$ Cents.
 For each riding Sleigh drawn by more than one horse $\}= .12\frac{1}{2}$ Cents.
 For each Coach, Chariot, Phaeton, or other four
 For each Curricule..... = 15 Cents.
 For each cart or other carriage of burden drawn
 by two beasts..... $\}= .12\frac{1}{2}$ Cents.
 For every Additional beast..... = 2 Cents.
 For every horse or neat Cattle exclusive of those
 rode on, or in Carriages $\}= 2$ Cents.

For each sheep or swine One cent.

And to each team One person and no more shall be allowed as a driver to pass free of Toll.....

Sec. 2. Be it further enacted, That the 4th section of the Act, to which this is in Addition be, and the same is hereby repealed.—

[CHAPTER 18.]

State of }
New Hampshire. }

AN ACT RELATING TO THE ENLARGEMENT AND ORGANIZATION OF THE COLUMBIAN ARTILLERY.—

[Approved July 1, 1834. Acts, vol. 30, p. 280. Session Laws, 1834, Chap. 175.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That the Columbian Artillery Company belonging to the 11th Regiment, third Brigade and first division of N. H. Militia, be and they hereby are authorized and empowered to enrol and hold in said company sixty four Matrosses, eighteen gunners, four ostlers, eight musicians, and two additional subalterns; which subalterns shall be commissioned and have the rank of second Lieutenants. Any act or parts of acts, inconsistent with the provisions of this Act, to the Contrary Notwithstanding.

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CONGREGATIONAL EVANGELICAL SOCIETY IN MILFORD.—

[Approved July 1, 1834. Acts, vol. 30, p. 281.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Solomon K. Livermore, John W. Smith, Josiah French, Abiel Lovejoy, Daniel Russell, Joseph Tucker, Henry Lovejoy, Jacob Gutterson, Jacob Hutchinson, William Darracott, Jonathan Buxton, Frederick Lovejoy and their associates and successors, be and they hereby are made a body corporate and politick, by the name of the Congregational Evangelical Society in Milford, and by that name shall have perpetual succession, and may possess, exercise and enjoy all the powers, privileges and immunities and shall be subject to all the liabilities incident to corporations of a similar nature; shall have power and authority, and be capable in law to take, hold, and possess to them and their successors, for their use and benefit, by purchase, gift, grant, devise, or otherwise, any real or personal estate for the purpose of erecting and repairing a house of publick Worship and a parsonage house, and other buildings necessarily connected therewith, and for supporting moral and religious instruction, publick worship, and Gospel ordinances, in said society.—

Provided that the Annual value or income of the estate of said society shall not at any one time exceed One thousand dollars.—

Sec. 2. And be further enacted, That each and every inhabitant of the town of Milford in the County of Hillsborough shall have the privilege of becoming a member of said society if he or she shall see fit so to do, and of remaining a member, as long, as he, or she shall remain an inhabitant of said town; and inhabitants of other towns may become members of said society with the consent thereof.—

Sec. 3. And be it further enacted, That said Society may have and use a common seal, and the same alter and renew at pleasure, and shall have Authority to choose all such Officers, and make and ordain such Constitution, by laws, statutes and ordinances as they may deem expedient for the due government of said society and the management of their funds.

Provided such constitution, by laws, Statutes and ordnances be not repugnant to the Constitution and laws of this State; provided also that said society shall not by virtue of any constitution, by-laws statute or ordinance, have a right to refuse admittance into said

society, or to expel therefrom any inhabitant of said Town of Milford, nor to deprive of the privilege of voting in said society any member, qualified by the Constitution and laws of this State, to vote in twon affairs; provided also, that if any member of said society shall choose to separate himself therefrom, and shall leave a written notice thereof with the Clerk of said society and shall have paid all legal assessments and arrearages from him due, he shall thereupon cease to be a member, and no longer be liable for any future expences, which may be incurred by said society.—

Sec. 4. And be it further enacted, That said society shall have full power and authority, at any meeting, legally notified and holden for that purpose, to assess and raise money by taxes upon the polls and rateable estates of the members, and shall have power to collect and appropriate the same for the purposes aforesaid; and the Assessors and collectors of said society shall have the same powers in assessing and collecting taxes, and shall be subject and liable to the same penalties as similar town officers have and are liable to.—

Sec. 5. And be it further enacted, That Solomon K. Livermore, John W. Smith, Josiah French, Abiel Lovejoy and Daniel Russell or any three of them be and they hereby are appointed and authorized to notify the first meeting of said society for the purpose of choosing their necessary Officers, and for other purposes relating to the organization and government of said society, by posting a notification in writing near the front door of the Congregational meeting house in said Milford, where notifications and Warrants for town meetings are usually posted, at least fifteen days prior to the day which shall be appointed for said meeting, in which Notification shall be expressed the time, place and purposes of said Meeting.

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE NEWBURY SEMINARY TO HOLD AND CONVEY
LANDS IN THIS STATE.

[Approved July 1, 1834. Acts, vol. 30, p. 285.]

Whereas the General Assembly of the State of Vermont on the second day of November in the year of our Lord 1833, passed an Act incorporating the Newbury Seminary to be located in the Town of Newbury in the County of Orange in the State of Vermont, And whereas it is the desire, and would be for the interest of said Corporation to purchase, hold and Convey real estate in this State.—

Therefore. Be it enacted by the Senate and House of Repre-

sentatives in General Court convened, That said corporation shall have full power, and hereby is authorized to take by gift, grant, purchase or devise any estate whether Real, personal or mixed, given, or to be given for the use of said institution, or the promotion of education therein to the amount of fifty thousand dollars, and the same to receive, hold, use and convey at the pleasure of said Corporation and in pursuance of the Will of the donors, and for the use and benefit of said institution. And by themselves, their Agents or Attornies are hereby Authorized to institute maintain or defend any suit or suits, which may, or shall be sued, prosecuted or impleaded, either in Law or equity for the recovery or defence of said estate.—

Sec. 2. And be it further enacted, That all the privileges of this Act shall be under the control of any future legislature, so as to alter, amend, or repeal the same as the publick good may require.—

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE SUNCOOK MANUFACTURING COMPANY.—

[Approved July 1, 1834. Acts, vol. 30, p. 287. See act of July 10, 1846, Session Laws, 1846, Chap. 427, and resolution of July 2, 1853, id., 1853, Chap. 1462.]

Sec. 1. Be it enacted, by the Senate and House of Representatives in General Court Convened.—That Mark Healey, Samuel F. Cooledge, and Elisha Haskell and their associates, their successors and Assigns be and they hereby are incorporated by the name of the Suncook Manufacturing Company, and by that name may sue and be sued, and shall be and hereby are vested with all the liabilities incident by law to corporations of a similar nature.—

Sec. 2. And be it further enacted, That the said corporation be, and the same is hereby empowered to establish, manage and carry on the manufacture of Cotton, linen and woollen goods, all or either of them, and kinds of machinery and such other branches of trade and manufacture, as shall be necessarily connected therewith, at any place or places, which they may or shall possess in the town of Pembroke, and to purchase, take, hold and convey real and personal estate of any kind to such an amount as they shall find necessary and convenient in the management of their concerns, provided the same shall not exceed the sum of One hundred thousand dollars, and the same to manage, improve, change and sell at their pleasure.—

Sec. 3. And be it further enacted, That Mark Healey, Samuel

F. Cooledge, and Elisha Haskell or any two of them may call the first meeting of said Corporation by giving ten days personal notice, or by advertizing it in some Newspaper printed in the County of Merrimack, giving at least twenty days notice of the time, place and design of such meeting, at which they shall choose a clerk, who shall be sworn faithfully to discharge the duties of his Office, who shall record their proceedings and give certified copies thereof, when lawfully required, and perform such other duties as the bye-laws may require. And at the same or any subsequent meeting, duly holden, may agree on the manner of calling future meetings, may divide their stock into any number of shares not exceeding One hundred, and agree on the manner of transferring them, may Order Assessments, elect a treasurer, such agents, officers and servants as they may deem necessary, and prescribe their duties, pass by-laws for their regulation and government, not repugnant to the laws of this State, and do and transact all such matters and things as have relation to their concerns.—A majority of votes present or represented shall decide all questions before any Meeting of the corporation, counting one vote to each share in all cases; and all representations shall be in writing signed by the person represented, and filed with the Clerk.—

Sec. 4. And be it further enacted, That the shares in said corporation shall be liable and holden for the payment of all assessments legally made thereon, And upon the nonpayment of such assessments or any part thereof, for the space of thirty days after the same shall have become due and payable, the treasurer may proceed in the manner prescribed in the bye-laws, to advertise and sell at Auction, such delinquent shares or so many of them as may be necessary to pay the sums due thereon, with incidental charges.—

[CHAPTER 22.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE CONTOOCCOOK VILLAGE MANUFACTURING COMPANY IN HOPKINTON.—

[Approved July 1, 1834. Acts, vol. 30, p. 290.]

Section 1st Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Burnham, Abram Brown, Solomon Phelps, Isaac Bailey Jr. and John Burnham and their associates, successors and assigns be and hereby are created and made a body politick and corporate, by the name of the Contoocook Village Manufacturing Company in Hopkinton: and by

that name, may sue and be sued, plead and be impleaded, defend and be defended in any court of record or in any other place whatever to final Judgment and satisfaction thereof, and may make, have, and use a common Seal, and the same may at pleasure break, alter or renew, and also to make, ordain and establish such by laws and regulations not repugnant to the Constitution and the laws of this State—as to them shall appear necessary and convenient for the regulation and government of the affairs of said corporation, and may Annually, or as often as necessary elect or dismiss all such officers as they may think best, of whom the clerk and Agent shall be sworn to the faithful discharge of their duties; and said corporation is vested with all the powers, and made subject to all the liabilities which by law are incident to corporations of a similar nature.

Section 2nd. And be it further enacted, That the said Corporation for the purpose of manufacturing Cotton and Woolen cloths, may purchase, hold, possess and enjoy in fee simple, real estate to the value of fifty thousand dollars and personal estate to the value of twenty five thousand dollars, and the same or any part thereof, may assign, sell, let or dispose of in any manner they please, and in so doing may purchase, or procure other estate of equal value and hold the same to their successors and assigns forever: And the capital stock of said corporation shall be divided into one hundred shares.—

Section 3rd. And be it further enacted, That the said Thomas Burnham and Abram Brown or any two of them may call a meeting of the members of said corporation as soon as they please by giving personal notice to each proprietor, of the time, place and object at least seven days before the day of meeting, or by posting up in some publick place in said Village fourteen days previous to said meeting the time place and object of it. when and where all such by laws and regulations, and rules may be made as aforesaid, as may be thought best, and that said corporation may then or at any other meeting to be called according to votes of the proprietors at said first meeting, pass any Votes ordain any by laws or rules, and choose any officers they may think proper, and decide how future meetings shall be notified, and transact any business they may judge best for the orderly conducting the affairs of said Corporation, and the same may alter or change, at pleasure all in accordance with the Laws of State.—

Section 4th. And be it further enacted, That said corporation at any regular meeting may vote any tax, or assessment upon the shares thereof, and for the nonpayment of such tax or assessment, after due notice, may sell such delinquent share or shares at auction in such manner as by the by laws of said corporation may be provided.—

Section 5th. And be it further enacted, That the said shares of

said corporation shall be considered personal property, to all intents and purposes, and may be transfered in such manner as by the by laws of said corporation may be provided.

Section 6th. And be it further enacted, That suth stock holder shall have his proportion of the capital stock set off to him in shares numbered and may transfer the same according to the by laws of said corporation for the time being, the same being entered on the books of the Corporation, and the owner of every share shall be entitled to one vote, the owner of two shares to two votes, and so on allowing one vote to each share, present or represented, an absent member may by a writing by him signed and filed with the Clerk, vote by proxy, as if present.—

[CHAPTER 23.]

State of }
New Hampshire. }

AN ACT TO AUTHORIZE THE FIELD OFFICERS OF THE FIFTH REGIMENT OF MILITIA IN THIS STATE TO ORGANIZE A COMPANY OF LIGHT INFANTRY AT DUNSTABLE.—

[Approved July 1, 1834. Acts, vol. 30, p. 294. Session Laws, 1834, Chap. 172.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court Convened. That the Field Officers of the fifth Regiment of Militia in this State may organize a Company of Light Infantry at Dunstable in the County of Hillsborough, which company may consist of forty eight men rank and file to be officered, Armed and equipped, in the same manner as Companies of Light Infantry now are.—

Sec. 2. And be it further enacted, That said company of Light Infantry, when formed Agreeably to the provisions of the first section of this Act shall be Annexed to the fifth Regiment of Militia in this State.

[CHAPTER 24.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT, TO REMEDY THE LOSS OF ANNUAL MEETINGS.—

[Approved July 1, 1834. Acts, vol. 30, p. 295. Session Laws, 1834, Chap. 185. See act of December 11, 1812, Laws of New Hampshire, vol. 8, p. 161. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court Convened, That when it shall become necessary for any corporation or body politick, (other than towns,) in this State to hold any meeting to elect any officer or officers, or assess any tax or money or for the furtherance of the objects of such corporation in any manner and such corporation have no mode of calling such meeting legally, the owner or owners, of one tenth part of the shares of the stock of any such corporation may apply to any Justice of the Peace in this State, who shall notify or call a meeting of the members of any such corporation or body politick, which application and notice shall be in the same manner as is prescribed in the act to which this is an addition, and any meeting of any corporate body in this State, by virtue of this act shall be deemed and held good, and any business done or transacted in any such Meeting shall be as binding and valid to all intents and purposes as if such meeting had been held by requirement of charter or bye laws of such corporation.—

[CHAPTER 25.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PROPRIETORS OF THE PINKHAM TURNPIKE ROAD.

[Approved July 4, 1834. Acts, vol. 30, p. 297. See acts of June 29, 1838, Session Laws, 1838, Private Acts, Chap. 23, and December 22, 1840, id., 1840, November session, Private Acts, Chap. 9.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened that Benjamin Stephenson, Danil Pinkham John Pendexter Jr, John Chesley, Richard Eastman, and George P. Meserve, their associates, successors and assigns be and they are hereby incorporated and made a body corporate and politic forever, under the name of the proprietors of the Pinkham turn-

pike road, and in that name may sue and prosecute, and be sued and prosecuted to final judgment, and execution, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities, which by law are incident to corporations of a similar nature.

Sec. 2. And be it farther enacted, that the said Benjamin Stephenson and Daniel Pinkham, shall call a meeting of the said proprietors by advertisement in the New Hampshire Patriot and State Gazette printed at Concord, to be holden at any suitable time and place, after fourteen days notice, and the proprietors by a vote of a majority of those present or represented at said meeting, accounting and allowing one vote to each share in all cases, shall choose a Clerk who shall be sworn to the faithful discharge of said Office, and shall agree on the method of calling future meetings, and at the same time, or any subsequent meeting may elect such Officers, and make and establish such rules and by-laws as to them shall seem necessary or convenient for the regulation and government of said corporation for carrying into effect the purposes aforesaid, and for collecting the toll hereinafter established, and the same by laws, may cause to be executed, and annex penalties to the breach thereof, not exceeding twenty dollars, provided the said rules and by-laws are not repugnant to the Constitution and laws of this State, and representation at any meeting of said Corporation shall be proved by writing signed by the person to be represented, which shall be filed by the Clerk, and this act, and all rules, by laws regulations and proceedings of said corporation shall be fairly and truly recorded by the Clerk in a book or books, provided and kept for that purpose.

Sec. 3. And be it further enacted, that the said corporation are empowered to survey, lay out, make and keep in repair, a turnpike road or highway four rods wide, in such route or track as in the best of their judgment and skill will combine shortness of distance, with the most practicable ground, from the south line of the lot or farm now occupied by George Perkins in the town of Jackson, through the Pinkam Grant, to the north line of a lot of land owned by Jonas Green, lying on the Pinkam road in Randolph, being a distance of thirteen miles.

Sec. 4. And be it further enacted, that if said proprietors and the owners of land, through which the said road may run shall not agree on the compensation to be made for said land, and shall not agree in appointing persons, to ascertain such compensation, then the Judges of the Court of Common Pleas, holden within and for the county in which said land lies upon application of said proprietors or the owner or owners of such land reasonable notice of such application having been given by the applicant to the adverse party, shall appoint a Committee who shall ascertain the same in

the same manner as compensation is made to owners of land for highways as usually laid out, and execution on non payment shall issue against said proprietors of course—provided, that if said road shall be laid out through the land of residents, it shall not be lawful for said proprietors to make said road unless the damages done to the owners of the land, through which the same is laid out be ascertained and paid or tender thereof made.

Sec. 5. And be it further enacted, that the said corporation may erect and fix, such and so many gates upon or across said road as will be necessary and sufficient to collect the tolls and duties herein after granted to the said company, from all persons travelling in the same, with cattle, horses, carts and carriages.

Sec. 6. And be it further enacted, that it shall and may be lawful for said corporation to appoint such and so many toll gatherers, as they shall think proper, to collect and receive of and from all and every person and persons using the said road the tolls and rates herein after mentioned, and to stop any person riding, leading or driving any horses, cattle, hogs, sheep, sulkey, chaise phaeton, coach, chariot, cart, waggon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates, until they shall have respectively paid the same, that is to say for every mile of the said road, and so in proportion for any greater or less distance, or greater or smaller number of sheep, hogs or cattle, viz. for every ten sheep three fourths of a cent, for every ten cattle or horses one and half cent, for every sulkey, Chair or Chaise with two wheels one and half cent, for every charriot Coach, stage Waggon, Phaeton, or Chaise with two horses and four wheels two cents, for either of the carriages last mentioned with four horses three cents, for every other carriage of pleasure the like sums according to the number of wheels and horses drawing the same, for each cart or other carriage of burden drawn by one beast three fourths of cent, (for each cart or other carriage of burden) drawn by two beasts one cent, if by more than two beasts, for each additional yoke of oxen or pair of horses three fourths of a cent, for each sleigh drawn by one horse three fourths of a cent, if drawn by two horses one and half cent, if by more than two horses three fourths of cent, for each additional horse, for each sled drawn by two horses or one Yoke of Oxen one cent, if by more than two horses or one Yoke of Oxen three fourths of cent, for each additional pair of horses, or Yoke of Oxen, and at all times when the toll gatherer shall not attend his duty, the gates shall be left open.

Sec. 7. And be it further enacted, that the said proprietors are hereby empowered to purchase and hold in fee simple, so much land as will be necessary for said turnpike road, and that the share or shares, of any of the said proprietors may be transferred by

deed duly executed, acknowledged and recorded by the Clerk of said proprietors on their records, and the share or shares of any proprietors may be sold by said corporation, on non payment of assessments duly made.

Sec. 8. And be it further enacted That no toll shall be taken by said corporation for any mile of said road until five hundred dollars shall have been expended thereon, or a proportionate sum upon the whole number of miles.

Sec. 9. And be it further enacted, That said Corporation may be indicted for defect of repairs of said road, after the toll gates are erected, and fined as towns are by law fineable for suffering roads to be out of repair, and said fines may be levied on the profits and tolls arising or accruing to said proprietors.

Sec. 10. And be it further enacted, That no toll shall be demanded or taken of any person who shall be passing with his horse or carriage to, or from public worship, or with his horse team or cattle to or from any mill, or their common or ordinary business of family concerns, within the towns where such persons belong.

Sec. 11. And be it further enacted, That when the proprietors shall make it appear to the Judges of the Court of Common Pleas for the county in which said turnpike road lies, that they have expended said sum of five hundred dollars on each mile, or a proportionate sum as aforesaid, said Justices being convinced that the road is made passable agreeable to the intent of this act, the proprietors shall have leave to erect the gates as aforesaid.

Sec. 12. And be it further enacted, That at the end of every six years after the setting up of any toll gates, an account of the expenditures upon said road, and the profits arising therefrom, shall be laid before the Legislature of this State under the forfeiture of the priviledges of this act in future, and a right is hereby reserved to said Legislature, to reduce the rates of toll before mentioned as they may think proper, so however that if the net profits shall not amount to more than nine percent, per annum, the said rates of toll shall not be reduced.

Sec. 13. And be it further enacted, That when the net income of the toll shall amount to the sum which the proprietors have expended on said road with nine per cent on such sums so expended from the time of their actual disbursements, the said road with all its rights, privileges, and appurtenances, shall revert to the State of New-Hampshire and become the property thereof to all intents and purposes, any thing in this act to the contrary notwithstanding.

Sec. 14. And be it further enacted That if in four years from the passing of this act the said road shall not be completed according to the provisions of this act, every part and clause thereof shall be null and void.

Provided also, that the State of New-Hampshire, may at any

time after the expiration of forty Years from the passing of this act, pay the proprietors of said road the amount of the sums expended by them thereon, with nine per centum in addition thereto, deducting the toll actually received by the proprietors, and in that case the said road with all its privileges and appurtenances, shall to all intents and purposes be the property of the State of New Hampshire, any-thing in this act to the contrary notwithstanding, and, Provided also that the State of New-Hampshire shall have a right at any time to compel said corporation to keep said road in repair—

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT REGULATING ATTACHMENTS ON MESNE PROCESS.

[Approved July 4, 1834. Acts, vol. 30, p. 306. Session Laws, 1834, Chap. 162. See act of July 2, 1825, Laws of New Hampshire, vol. 9, p. 464. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any personal property shall be attached on mesne process, on one or more writs, and the respective parties shall express their consent in writing that the same may be sold at any time before judgment, it shall be the duty of the attaching officer to cause the same to be sold in manner provided by law for the sale of similar property on execution and the money produced by said sale deducting all lawful charges shall be held and retained by such officer and shall stand bound to respond the judgment or judgments to be rendered upon such writ or writs in the same manner as if the said property had remained specifically in the hands of such officer and sold on execution.

Sec. 2. Be it further enacted, That whenever any live stock, or any goods chattels or merchandize liable to perish, waste or greatly depreciate in value by moveing or keeping, or which cannot be kept without great and disproportionate expense shall be attached on mesne process, issued by any court of Justice in this State, of competent jurisdiction or by any justice of the peace, and the parties shall not consent in writing to the sale thereof before judgment, it shall be lawful for either of the parties to apply to the attaching officer, to have such property examined and appraised, and thereupon it shall be the duty, of such officer to give notice of such application to the other party or parties, or to their attorney or attorneys, and to cause a schedule of such property to be prepared enumerating and describing the same as particularly as the case

will admit, and three discreet and disinterested persons conversant with the nature and value of such property, to be appointed, and sworn before a magistrate, to the faithful discharge of their duty as appraisers in such case, and to be nominated by the creditor or creditors, and by the debtor, or debtors, and one by such officer and if either of the parties shall neglect or refuse to nominate such appraiser or not agree to such nomination, after reasonable notice then an appraiser on the part of such party, so neglecting shall be nominated by such officer; or in case the debtor has absconded or is resident in parts unknown leaving no agent or attorney to act for him, then in such case the attaching officer may nominate the appraiser the said debtor agent or attorney would be allowed to nominate as aforesaid, and it shall be the duty of such appraisers to examine such attached property and to certify whether in their opinion such live stock, goods chattels or merchandise or any part thereof are or are not liable to perish, waste or greatly depreciate in value by moving or keeping, and whether the same can or cannot be moved or kept without great and disproportionate expense, and if such appraisers or a major part of them shall be of opinion that such property or any part thereof is liable so to perish waste or depreciate in value, or that the moving or keeping the same will require great expense, disproportionate to their value, it shall be their duty so to certify, and thereupon to value and appraise the same according to their best skill and judgment, estimating them at the exact cash value thereof at the time of such appraisement and it shall be the duty of such officer to cause the property or goods thus certified and appraised to be sold and to hold the nett proceeds of such sale subject to such attachment or attachments in the manner herein before directed unless security shall be given for the appraised value thereof as hereinafter provided.

Sec 3. Be it further enacted, That when any property shall be attached certified and appraised as aforesaid, such property at any time before the sale thereof shall and may be delivered and restored to the defendant or defendants in such suit on giving bond to the sheriff of the County in case such attachment be made by a sheriff or his deputy, otherwise to the coroner or constable making the same in a sufficient penalty with one or more sufficient sureties conditioned to satisfy the judgment or judgments which may be recovered in such suit or suits or to pay over the appraised value of such property towards the satisfaction of the execution or executions which may be issued thereon, in order of their priority to any officer or officers to whom the same may be committed if demanded within thirty days after the time within which such judgment creditor or creditors shall be entitled to demand the same, and in case two or more attachments shall be made upon the same property for which security is given as aforesaid, the judgment,

creditor in such case shall not be entitled to demand payment of said appraised value or any part thereof until final judgment shall have been rendered in the suit or suits on which any prior attachment of the same property may have been made.

Sec. 4. Be it further enacted, That whenever property shall be attached and security for the value thereof given in manner aforesaid it shall be the duty of the officer to make return of his doings on the writ or writs on which such attachment is made, together with such bond; and in case there be more than one, it shall be his duty to return such bond with the writ on which the first attachment is so made; and the same shall be taken and deemed to be of record of the court to which such writ is returned. And in case of the forfeiture of such bond it shall be lawful for either of said attaching creditors or their representatives respectively to bring an action of debt in the name of such officer on writ of scire facias thereon; in which two or more of the parties interested therein may join and thereupon judgment may be rendered and the separate executions awarded thereon, in favor of the party or parties respectively interested therein according to their respective interests. And in case an action of debt shall be brought thereon, the same shall be deemed and taken to be brought for the use and benefit and at the cost and charge of the party or parties interested therein: and in addition to the usual endorsement the name or names of such party or parties interested therein shall be endorsed on the writ; and in case judgment shall be rendered thereon for the defendants execution for costs may be awarded against such endorsee or endorsers. And no action or scire facias shall be on said bond unless the same shall be commenced within two years after the cause of such action shall accrue.

Sec. 5. Be it further enacted, That whenever any property attached on mesne process shall be sold by mutual consent or after a certificate and appraisal as aforesaid the money produced by said sale whilst remaining in the hands of such officer shall be liable to be further attached as the property of the original defendant in the same manner as the specific articles of property themselves would have been liable had the same remained specifically in the hands of such officer. And such moneys, the proceeds of all such sales shall be deemed and taken to be bound by all attachments lawfully made thereon, for the space of thirty days next after judgment, or in case there were two or more attachments on the same property then the same shall be held liable in each case for the space of thirty days next after final judgment in the suit or suits in which any attachment may have been previously made and no longer and in case the same or any part thereof shall not be demanded at the expiration of thirty days after final judgment in all the suits in which the same shall be attached, it shall be the

duty of the officer holding the same to refund and return the same to the defendant.

Sec. 6. Be it further enacted, That no provisions in this act shall be so construed as to deprive any debtor whose property may be attached from procuring a receipt of said property so attached to be given or tendered to said attaching officer, also the right of commencing and prosecuting his action of replevin in the same manner as may be provided in the laws now in force, provided said receipt be given or tendered or said action of replevin be presented at any time, before the sale of said property, as is provided by this act.

[CHAPTER 27.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT, ENTITLED AN ACT FOR THE AMENDMENT OF THE LAW IN CERTAIN CASES. PASSED JANUARY 5TH. 1833.—

[Approved July 4, 1834. Acts, vol. 30, p. 314. Session Laws, 1834, Chap. 178. See act referred to *ante*, p. 428. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That in all actions wherein two or more defendants are joined, and it shall be made to appear, on trial, by confession or otherwise that any of the defendants are not liable, and ought not to have been joined in the action; the suit shall not, for that cause, abate or be quashed, but the said defendant or defendants so improperly joined, shall be discharged with cost of suit, to be adjudged to him or them, by the Court or Justice of the peace before whom said action shall be tried at their discretion, according to the circumstances of the case; and that the action may thereafter, proceed against the other defendant or defendants, and be prosecuted to final judgment and execution, in the same way and manner as if the defendant or defendants found not liable and discharged, had not been originally joined in the suit.

[CHAPTER 28.]

State of }
New Hampshire.}

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF "THE
 NEWMARKET IRON FOUNDRY."

[Approved July 4, 1834. Acts, vol. 30, p. 316.]

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Court convened, That Freeman Drake, Lincoln Drake, and Temple Paul with their associates successors and assigns be and hereby are made and constituted a body politic and corporate to be called and known by the name of the New-market Iron Foundry, and that said corporation be and hereby is authorised and empowered to have and use a common seal, to elect such officers, and make ordain and establish such by-laws as a majority of the members of said corporation shall from time to time deem necessary and expedient, not being inconsistent with the Constitution or laws of this State, and to have all the privileges and be subject to all the liabilities of similar corporations in this State.

Sec. 2. And be it further enacted, That said corporation be and hereby is authorised and empowered in said name of said corporation to sue and be sued, to prosecute and defend, any action or suit, in any Court in this State proper to try the same, and to purchase and hold real estate in this State in fee simple or otherwise, not exceeding five thousand dollars, and to cast and manufacture all sorts of Iron wares, and to purchase and sell all wares and stocks, belonging to and connected with the business of Iron Founders.

Sec. 3. And be it further enacted That said corporation be, and hereby is authorised and empowered to employ a capital stock not exceeding the sum of thirty thousand dollars, and that the same may be divided into any number of equal shares not exceeding thirty each of which shares shall entitle the owner thereof to one vote—

Sec. 4. And be it further enacted that the said Freeman Drake, Lincoln Drake and Temple Paul or any two of them be and hereby are empowered to call the first meeting of the members of said corporation, by giving to each of them in person a written notice of the time and place of meeting at least seven days before the day of holding the same.

[CHAPTER 29.]

State of }
New Hampshire. }

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved July 4, 1834. Acts, vol. 30, p. 319. Session Laws, 1834, Chap. 192.]

Be it enacted, by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names which by this act they are respectively allowed to assume, Viz. Thomas Jefferson Leathers of Somersworth, may take the name of Thomas Jefferson Orange; Nathaniel Franklin Leathers, of Somersworth, may take the name of Nathaniel Franklin Langley; Susan Garland Leathers of Somersworth may take the name of Susan Garland Langley; Sarah Leathers of Somersworth may take the name of Sarah Langley; Mariah Leathers, of Somersworth may take the name of Maria Langley; Alexander Whitehouse Daniels, of Barnstead, may take the name of John Alexander Whitehouse Daniels; Israel Weston of Campton may take the name of Dudley Straw; Israel Straw of Campton may take the name of Israel Weston; Daniel Annis of Warner may take the name of Matthew D. Annis; William M. Hunt of Hawke, may take the name of William W. Merrill; Lorenzo Dow Huntress of Hillsborough, may take the name of Lorenzo Dow; Frederick Johnson Clark of Walpole, may take the name of Frederick Clark Johnson; Gilman Goodwin of Newtown, may take the name of Gilman W. Goodwin; Thomas I Trefethen of Rye, may take the name of Sebastin I Trefethen; Peter Plunkett of Somersworth may take the name of Peter Hale; Charles Plunket of Somersworth may take the name of Charles Hale; Amos G Bean of Hawke may take the name of Amos G. Towle; William Ordway of Hopkinton may take the name of William Way; Betsy Ordway of Hopkinton may take the name of Betsy Way; Martha Lorana Ordway of Hopkinton may take the name of Martha Lorana Way; Mary Emily Chace of Hopkinton, may take the name of Mary Greenleaf Chace; and Richard Evans of Portsmouth may take the name of Richard Penhallow Evans.

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE RUMFORD ACADEMY AT CONCORD.

[Approved July 4, 1834. Acts, vol. 30, p. 322.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Isaac Hill, George Kent, Francis N. Fisk, Stephen Brown and Joseph Robinson, their associates and assigns be, and they hereby are incorporated, and made a body politic and corporate, by the name of the Rumford Academy at Concord, and by that name may sue and be sued, prosecute and defend unto final judgment and execution, and shall have and enjoy all the powers and privileges, and be subject to all the liabilities, incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That said corporation may establish an Academy in the town of Concord for the instruction of youth; may erect, own, and maintain suitable buildings therefor, and may hold personal and real estate to any amount not exceeding twenty thousand dollars in value.

Sec. 3. And be it further enacted, That all such gifts, donations, bequests and legacies, as may from time to time be given or bequeathed to said corporation may be received, held and possessed by said corporation.

Sec. 4. And be it further enacted, That Isaac Hill, George Kent, and Francis N. Fisk, or either two of them may call the first meeting of said corporation, to be holden at some suitable time and place in said town of Concord, by notifying the members thereof at least fourteen days prior to said meeting, in one of the newspapers printed in said town, when the manner of holding any future meetings, may be regulated, and any business relating to said corporation transacted.

Sec. 5. And be it further enacted, That said corporation at any meeting duly holden, may make rules 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, and may appoint a board of trustees and such and so many other officers, as they shall think proper and prescribe their powers and duties.

[CHAPTER 31.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
 PROPRIETORS OF THE WASHINGTON HOUSE.

[Approved July 4, 1834. Acts, vol. 30, p. 325.]

Sec. 1. Be it enacted by the Senate and house of Representatives in General Court convened, that Jesse Bowers, Jesse Estey, Ebenezer Dearborn, Thomas Chace, Isaac Spaulding, and John M. Hunt, their associates, successors and assigns, being owners and proprietors of the Washington House (so called) situate in Dunstable, shall be, and hereby are created and made a body corporate and politick by the name of the Proprietors of the Washington House, with all the powers and privileges, rights franchises and immunities, and subject to all the liabilities by law incident to corporations of a similar nature.

Sec. 2. Be it further enacted, that the said corporation for the sole purpose of keeping a public boarding house and Hotel for the general entertainment and accommodation of strangers travelers and customers, are hereby authorised and empowered to receive, hold and enjoy, all such real and personal estate, whether houses, lands buildings, stables, cattle, horses, carriages, furniture, provisions or otherwise to any amount not exceeding forty thousand dollars, and to make all such rules, regulations and by laws, not inconsistent with the laws of the state, and to appoint, employ and discharge all such officers, agents and servants, as may be necessary and proper for the suitable managing, regulating and carrying on their said business, and every part and department thereof, in such manner as may from time to time be required, by the demands and exigencies of the same.

Sec. 3. Be it further enacted, That the property or capital stock of said corporation, shall be divided into such number of equal shares, not exceeding one hundred as the said proprietors may direct, and the owner or proprietor shall be entitled to a vote for each and every share he may hold, on all questions to be acted upon at any meeting of said Corporation.

Sec. 4. Be it further enacted, That the meetings of said Corporation may be held by giving personal notice of the same, seasonably to each proprietor, or by advertising the same a reasonable time beforehand, in some public newspaper printed in Dunstable. The owners or Representatives of a majority of the shares shall constitute a quorum for the transaction of any business, regularly before such meeting, and every vote shall be determined by a majority of the shares represented.

Sec. 5. Be it further enacted, that all meetings of said Corporation shall be holden in Dunstable, and the said Jesse Bowers and Jesse Estey are authorised to call the first meeting.

[CHAPTER 32.]

State of)
New Hampshire.)

AN ACT IN ADDITION TO AN ACT, ENTITLED "AN ACT, RELATING TO THE ELECTION OF GOVERNOR, COUNSELLORS, SENATORS, AND REPRESENTATIVES" PASSED JUNE 29 1827.

[Approved July 4, 1834. Acts, vol. 30, p. 328. Session Laws, 1834, Chap. 184. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 622. Repealed by act of July 3, 1839, Session Laws, 1839, Chap. 444.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That it shall be the duty of the Selectmen of the several towns, and unincorporated places in this State, to make out a list containing the names of all the rateable polls, including therein all free male citizens, of twenty, one years of age, and upwards, in their respective towns at the time of the annual election, and to file the same with the town clerks of said towns and unincorporated places.

Sec. 2. And be it further enacted, That it shall be the duty of the town clerks in the several towns, and unincorporated places in this state, in making out the certificates of the election of Representatives to the General Court, to certify therein the number of rateable polls said list contains.

[CHAPTER 33.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE SMART BROOK MINING COMPANY.

[Approved July 4, 1834. Acts, vol. 30, p. 330.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Caleb Smart, John Durgin, Moses Cook their associates be and they hereby are erected into a body politick and corporate forever by the name of the Smart Brook Mining Company and in that name may sue and be sued, prosecute and defend to final judgment and execution for the purpose of exploring a mine in the town of Sandwich, and for refining

and working copper ore, or any other ore said mine may contain, and are hereby vested with all the privileges, and subject to all the liabilities, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted that Caleb Smart, John Durgin Moses Cook or either two of them may call the first meeting of said proprietors by posting up a notification therefor in writing at some public place in the towns of Thornton and Campton in said state at least fourteen days prior to said meeting specifying the time place and design of said meeting, at which meeting the said proprietors may choose a Clerk who shall be sworn to the faithful discharge of the duties of his office may agree on the manner of calling future meetings, and at the same or any subsequent meeting, may elect all necessary officers and agents and prescribe their duties, may divide their capital or joint stock into shares and agree on the manner of transferring them, may order assessments, and fix the time of their payment, may pass by-laws not repugnant to the laws of this state, for their regulation and government and do and transact any business, necessary to carry into effect the objects of their association. All questions shall be determined by a majority of votes present, counting one vote to each share, and absent proprietors may vote by proxy, by persons authorised in writing, signed by the person represented and filed with the Clerk, and this act, the by-laws of said corporation and all the proceedings thereof shall be recorded by the clerk, in a proper book or books of record kept for that purpose.

Sec 3. And be it further enacted, That the Shares in said corporation shall be liable and holden for all assessments duly made thereon, and upon the non payment thereof within the time fixed for their payment, the said shares may be sold at public auction, or so many of them as may be necessary to pay such assessments with incidental charges under such regulations as the said proprietors in their by-laws shall prescribe, and the overplus if any shall be paid over to such delinquent whose share or shares was so sold, on demand, provided in all cases any proprietor may have the privilege of relinquishing his share or shares unto said corporation, upon his paying all assessments which shall have been voted by said proprietors, before his relinquishing the same, which relinquishment shall be made in writing and left with the Clerk of said corporation, and the shares of said proprietors may be transferred by will or by deed acknowledged and recorded by the clerk of said corporation.

Sec. 4. And be it farther enacted, that said proprietors may purchase and hold personal and real estate sufficient for carrying into effect the purposes for which they are incorporated, provided it shall not exceed the sum of fifty thousand dollars, and the same may dispose of at pleasure.

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT, IN AMENDMENT OF AN ACT, ENTITLED AN ACT RELATING TO THE ORGANIZATION OF COURTS OF JUSTICE PASSED THE 29TH. DAY OF DECEMBER IN THE YEAR OF OUR LORD 1832.—

[Approved July 4, 1834. Acts, vol. 30, p. 337. Session Laws, 1834, Chap. 182. See act referred to, *ante*, p. 369. See also acts of January 3, 1833, *ante*, p. 400; June 27, 1835, *post*, and July 3, 1841, Session Laws, 1841, Chap. 602. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened,—That the superior Court of Judicature shall have Chancery powers and jurisdiction in all cases respecting the redemption and foreclosure of Mortgages; and in all cases respecting the assignments of dower, where the Judges of Probate have not jurisdiction, and said court may make all equitable and necessary decrees, orders and judgments, proper to carry into effect the powers hereby given, and the powers and jurisdiction thus vested in the Superior Court, shall be exercised according to the established principles of Chancery, as far as shall be consistent with the laws and Constitution of this State.—And the proceedings to be had in said Court in pursuance of this Act, shall be in conformity with the usual practice in courts of Chancery in like cases, and reasonable costs shall be allowed to the prevailing party.—

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE STODDARD WOOLLEN MANUFACTURING COMPANY.—

[Approved July 4, 1834. Acts, vol. 30, p. 339.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Otis Barden and his associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politick, by the name and style of the Stoddard Woollen Manufacturing Company, and by that name, may sue and be sued, prosecute and defend to final judgment and execution, and shall be, and hereby, are vested with all the powers and privileges, and subject to all the liabilities, which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted, That, the said corporation be and hereby is authorized and empowered to establish and carry on the business of manufacturing Woollen goods in all its branches, together with such other branches of manufacture, as may be from time to time connected therewith at Stoddard in the County of Cheshire, and for these purposes the said corporation may purchase and hold real and personal estate to any amount not exceeding twenty thousand dollars, and the same may use, alienate, or dispose of at pleasure.—

Sec. 3. And be it further enacted, That Otis Barden may call the first meeting of said corporation, to be holden at any suitable time and place, by posting up notifications at two or more publick places in said Stoddard, expressing therein the time, place and design of said meeting at least fifteen days prior to the said day of meeting, or by giving personal notice at least seven days prior thereto; And at said meeting there shall be chosen a Clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and proceedings of the corporation, and to give certified copies thereof when lawfully required, and at the same meeting, or any adjournment thereof, or at any subsequent meeting duly notified and holden, the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock, into so many shares as they may deem proper, and determine the manner of transferring them, may elect such officers and agents as may be thought necessary for managing their concerns, and prescribe their duties, may order assessments and fix the time of their payments, may establish by-laws not repugnant to the laws of this State, for their regulation and government, and may do and transact any business necessary to carry into effect the objects of their association.—All questions at any meeting of said corporation, shall be determined by a majority of the votes of members present and represented, allowing one vote to each share, provided however, that any member holding more than five shares, shall be entitled to no more than one vote for every five shares which he may hold above that number, absent members may vote by proxy being authorized in writing signed by the person represented, and filed with the Clerk.—

Sec. 4.—And be it further enacted, That the shares in said corporation, shall be liable and holden for the payment of all assessments duly made thereon, and upon the non-payment thereof, within the time fixed for their payment, the delinquents share or shares may be advertized and sold at publick Auction, or so many of them, as may be necessary to pay such Assessments, with incidental charges, under such regulations as the corporation in its by-laws shall have prescribed.

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT ENTITLED AN ACT RELATING TO THE POWERS AND DUTIES OF CERTAIN OFFICERS OF THE MILITIA PASSED JANUARY 3, 1829.—

[Approved July 4, 1834. Acts, vol. 30, p. 343. Session Laws, 1834, Chap. 166. The act referred to is dated January 2, 1829, Laws of New Hampshire, vol. 9, p. 830. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened.—That it shall be the duty of the Quarter Master General to furnish at the expence of the State, a standard for each regiment, and for each company of Artillery and Cavalry of good scarlet silk, on which shall be marked the number of the regiment or company, with white silk, by the Officer receiving them, as often as such regiment or company shall be destitute; and also to furnish all camp equipage, musical instruments, and all and every other thing which by law or custom belong to his department, or which is now or may hereafter be authorized to be purchased, received and distributed for the use of the Militia of this State.—

And the Quarter Master General shall in the Month of June annually, and at such other times as the Commander in Chief may require; consolidate the returns of the several regimental quarter Masters, so as to exhibit at one view all the articles of publick property in the several regiments and in his own hands; he shall also add to it an account of all articles received or purchased by him and issued to the Regimental Quarter Masters; which shall be laid by him before the Commander in Chief for his information

Sect. 2—And be it further enacted, That it shall be the duty of the quarter Master General to furnish at the expence of the State, the several division Inspectors, and quarter Masters, Brigade Majors, and quarter Masters, Adjutants, and quarter masters of Regiments, and Clerks of Companies, with all suitable and necessary books for keeping their records, taking their receipts for the same; to furnish the several officers all the necessary blank Warrants, and returns which may be required for the division or Brigade inspectors, or for the Adjutants or Clerks of Companies; and to furnish the division brigade, and regimental quarter Masters with all the necessary blanks for their several departments, and shall explain the principles on which they are to be made.—

Sect. 3. And be it further enacted, That when any Officer or Officers, person or persons, have heretofore received or shall hereafter receive from this State, any Military books, papers, or any other property, or shall have in their hands any monies received for fines, not expended for purposes authorized by law, and on resigning their commissions, or otherwise discharged from their several commands, have retained or shall retain the same, every such person or persons shall account for and deliver over the same to the quarter Master General or his order, and the quarter Master General is hereby authorized and empowered to sue for and recover all such books, papers and other property, in an action in the Name of the State; and also in the name of the State, to sue for and recover damages for any injuries which may be done by any person or persons to any Gun-house belonging to the State, or to any piece of Ordinance being the property of the State, or to the carriage, harness, or apparatus, appertaining or belonging thereto, or to any Musical instrument, Military books, papers or other property, belonging to the State, in his care, or in the care of any other officer for the use of the Militia of the State.

Sect. 4. And be it enacted, That the quarter Master General be and he hereby is Authorized and empowered to examine into any and all cases of omissions or neglect to make the returns required by law of division brigade, or regimental quarter Masters, or the neglect of any Captain or commanding officer of any Company, to make due returns to their several regimental quarter Masters, and to report a statement of facts to the Commander in Chief, and if in the opinion of the Commander in Chief said omissions or neglect arose from circumstances which ought to excuse the person or persons so omitting or neglecting, from paying said fines and penalties, he may direct the quarter Master General to omit to prosecute for the same, or to suspend any prosecution which may have been commenced for the recovery of such fines and penalties.—

Sect. 5. And be it further enacted, That it shall be the duty of the quarter Master General, unless otherwise ordered by the Commander in Chief, to sue for and recover all penalties and forfeitures, incurred by any person or persons against the provisions of this Act, by an action of debt, in the name of the State, in any court of competent jurisdiction. And the quarter Master General shall annually account to the State, for all monies by him received from the State, and for all monies, fines and forfeitures by him received under the provisions of this Act.—

Sect. 6. And be it further enacted, That the postage, or other reasonable expences incurred in the transmission of any orders or returns, or for the distribution of any publick property required or authorized by law, shall be at the expense of the State, and paid

by the Quarter Master General, on such vouchers being produced as shall satisfy him, that the expenditure was actually and necessarily incurred, and was just and reasonable.—

Sect. 7. And be it further enacted, That all parts of an Act to which this is an Amendment, and which is inconsistent with any of the provisions of this Act passed January 3^d 1829, be and the same is hereby repealed.—

[CHAPTER 37.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE CONTOOCCOOK MANUFACTURING AND MECHANICK COMPANY.—

[Approved July 4, 1834. Acts, vol. 30, p. 348. The name of this company was changed to Contoocook Manufacturing Company by act of July 10, 1846, Session Laws, 1846, Chap. 450.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That William M. Kimball, and Calvin Gage, their associates, successors and Assigns shall be, and hereby are constituted and made a Corporation by the Name of the Contoocook, Manufacturing and Mechanick Company, to be located in the towns of Boscawen and Concord, and by that name may sue and be sued, prosecute and defend, to final judgment and Execution, and may have and use a common seal, and the same may alter and renew at pleasure; and also may make, ordain and put in execution, such by Laws, and regulations, not being contrary to the Constitution and laws of this State, as shall be necessary, proper and convenient for the government of said Corporation, and the due management of its concerns; and shall be and hereby is vested with all the privileges and powers and incident to all the liabilities, which by law are incident to corporations of a similar nature.—

Section 2. And be it further enacted, That the said corporation be, and the same is hereby empowered to establish manage and carry on the manufacture of all kinds of Machinery adapted to the use of Cotton, Woolen and Linen, Yarn, Thread and Cloth factories, and the same to sell and dispose of at their pleasure, and to purchase and hold all such models, patterns, places and patent rights as they shall judge fit and proper, and to purchase and hold all such personal and real estate as they may find necessary or convenient for the proper enjoyment of the privileges hereby granted, and on such real estate to erect such houses, stores, Work-shops, dams, mills, steam engines, Cotton, Woolen and Linen Fac-

tories and other, buildings, as they may deem, fit and proper, in the transaction and management of the business of said Corporation, and for the manufacturing all kinds of Cotton, Woolen and Linen, Yarn, thread and Cloth, provided that the whole amount of the real and personal estate, at any time vested in the business of said Corporation, shall not exceed the sum of two hundred thousand dollars.—

Section 3. And be it further enacted, That the said William M. Kimball and Calvin Gage may call the first Meeting of said corporation by giving three days previous notice by posting up two publick notices, setting forth the time, place, and design of said Meeting, at which Meeting a Clerk shall be chosen who shall be sworn faithfully to discharge the duty of his Office; And it shall be his duty to record the doings and proceedings of said corporation, and to perform such other duties as the bye Laws of said corporation may require, at the same, or any subsequent Meeting duly holden, the Members or associates of said corporation may prescribe and agree on the manner of calling, and managing future meetings; may divide their Capital or joint stock into such number of shares as they may deem proper, and prescribe the mode or manner in which the shares in their Capital Stock shall be holden, and how the same shall be transfered, may make, or provide for the making of assessments on the shares, from time to time as accation may require, and fix the time for payment of the same, may appoint and constitute such officers, servants and agents of said corporation as they shall think necessary, and prescribe their respective duties, and may do and transact any matter or thing relating to the property, business or concerns of said corporation.—

Section 4. And be it further enacted, That at all meetings of the members of said Corporation duly notified and holden each member shall be entitled to cast one vote for each share that he may be the owner and holder of in said corporation, on all questions which may come before such meeting; and absent members may be represented and vote at all such Meetings by an agent, for that purpose duly appointed by writing signed by the member or members to be represented, which writing shall be filed with the Clerk of said corporation, and at all such meetings, all questions shall be decided by a majority of the votes cast, Provided however that in the Assessments, of taxes on the shares in said corporation two thirds of the votes cast shall be required to make such Assessments binding on the members of said corporation.—

Section 5. And be it further enacted, That the shares in the Capital or joint stock of the said corporation shall be liable and holden for the payment of all assessments legally made thereon. And in case of the neglect of any member to pay the assessment on his share or shares, the same or so many of them as shall be

sufficient to pay the amount of the assessment or assessments, may be sold or transferred for the payment of the same, in such way or manner as shall be prescribed by the bye laws or regulations of said Corporation.—

[CHAPTER 38.]

State of }
New Hampshire. }

AN ACT RELATING TO THE FORECLOSURE OF MORTGAGES.—

[Approved July 4, 1834. Acts, vol. 30, p. 353. Session Laws, 1834, Chap. 165. See act of July 3, 1829, *ante*, p. 76. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened. That hereafter no possession of any lands and tenements by any Mortgagee or his assigns shall operate to bar or preclose the right to redeem said Mortgaged premises or against any person but the mortgagor and his heirs, unless the mortgagee or other person so in possession, for the purpose of foreclosing the right to redeem, shall at least six months before such right to redeem would be foreclosed by the law now in force, give notice in some public Newspaper printed in the County where such premises are situated, and if no newspaper be printed in such county, then, in some newspaper printed at Concord in the County of Merrimack, which notice shall state at what time such possession for condition broken commenced, the name of the Mortgagor and Mortgagee, and date of the Mortgage, and shall give such description of the premises as the same are generally known by; and shall be published three weeks successively; Provided that nothing herein contained shall be construed to extend to, or in any way to affect the foreclosure of the right of redemption under a possession obtained by a suit at law.

Sec 2. Be it further enacted, That if after publick notice given as aforesaid, the Mortgaged premises shall be redeemed, the Mortgagee or person having his right, shall have and receive of the person or persons redeeming, thirty four cents for the Notice furnished the printer, and also the sum paid for the publication of said Notice.

[CHAPTER 39.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT ALLOWING A CERTAIN PREMIUM FOR KILLING BEARS, WILD-CATS, CROWS AND FOXES." PASSED JUNE 22. 1832.

[Approved July 4, 1834. Acts, vol. 30, p. 355. Session Laws, 1834, Chap. 189. See act referred to, *ante*, p. 330. See also acts of December 25, 1828, Laws of New Hampshire, vol. 9, p. 794, and July 4, 1838, Session Laws, 1838, Chap. 377. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court Convened.—

That the Selectmen of the several towns and places in this State in which premiums shall be paid for killing bears, Wild-cats, Crows, or foxes, under the Act to which this is in addition, shall keep an account of the moneys so paid from time to time; and their general account of the same shall specify the number of each species of Animals for which premiums have been paid, and shall be presented to the Treasurer of this State in the month of June annually, and at no other time. And the Majority of the Selectmen of each town and place shall certify that the account so presented is just and true, and that the crows, (if any) on which premiums were paid, were killed within the time prescribed by statute.—

Sec. 2. Be it further enacted, That the money due on accounts so presented may be paid to the Representatives of the Towns, or districts, or to the Selectmen presenting the same, or to their written order.—

[CHAPTER 40.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF NOYES ACADEMY.

[Approved July 4, 1834. Acts, vol. 30, p. 357.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Samuel Noyes, George Kimball, Nathaniel Currier, George Walworth and John H. Harris, their associates and successors be, and hereby are incorporated and made a body politic, under the name of Noyes Academy, and

by that name may sue and be sued, prosecute and defend, unto final judgment and execution, and shall have and enjoy all the powers and privileges incident to Corporations of a similar nature.

Sec. 2. And be it further enacted, that said corporation may establish an Academy at Canaan for the instruction of Youth, may erect, own and maintain suitable buildings therefor, may hold and possess real and personal estate of any kind, and to any amount not exceeding fifteen thousand dollars in value, and may for the purpose of obtaining funds for the objects intended by this Act, sell and convey any number of rights or shares in said corporation not exceeding one thousand, for any sum not less than fifteen dollars for each and every share, but shall in no case whatever by Assessment upon the shares sold or conveyed by said corporation add to the funds or estate thereof, and the shares of said corporation shall be transferable and shall be considered as personal property to all intents and purposes.—

Sec. 3. And be it further enacted, That all such gifts, donations, bequests, and legacies, as may from time to time be given and bequeathed to said corporation may be received, held and possessed in addition to all funds or estate which may be held and possessed by the sale of shares by said corporation.—

Sec. 4. And be it further enacted, That Samuel Noyes, George Kimball and George Walworth or any two of them may call the first meeting of said corporation to be holden at a suitable time and place in said Canaan by Notifying the members thereof at least fourteen days before the first Meeting when the manner of holding future meetings may be regulated and any business relating to said corporation transacted; and at any and every Meeting duly holden for any and every purpose each share which shall have been sold by said corporation may be entitled to one vote and no more—

Sec. 5. And be it further enacted, That said corporation at any Meeting duly holden may make rules, regulations and bye-laws not repugnant to the laws of this State, for the management of the interests and concerns of said corporation and may appoint a board of trustees and such and so many other officers as they shall think proper and prescribe their powers and duties.

[CHAPTER 41.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT TO INCORPORATE A PROVIDENT INSTITUTION FOR SAVINGS IN THE TOWN OF CONCORD TO BE CALLED THE NEW HAMPSHIRE SAVINGS BANK IN CONCORD.—

[Approved July 4, 1834. Acts, vol. 30, p. 360. The act referred to is dated June 25, 1830, *ante*, p. 126. See also acts of July 7, 1881, Session Laws, 1877-81, p. 548; July 28, 1887, *id.*, 1883-87, p. 574, and February 14, 1893, *id.*, 1893-95, p. 107.]

Section 1. Be it enacted, by the Senate and House of Representatives in General Court Convened.—

That said act to which this is an addition shall have continuance for the term of twenty years from the twenty fifth day of June in the year of our Lord 1830. and that the whole Amount of property owned by said corporation or the whole Amount of monies deposited in said Bank shall not at any one time exceed the sum of three hundred thousand dollars.—

Section 2.—Be it further enacted, That it shall be in the power of said corporation at any legal meeting duly warned to vote a suitable compensation to the President of said Institution for any services rendered by him in the necessary discharge of the duties of his office.—

Section 3. Be it further enacted, That said corporation shall annually exhibit to the Legislature of this State at their June session, a statement showing the situation of the property and management of said Institution, meaning hereby to include the whole number of depositors, the amount deposited, the amount of deposits withdrawn, the expences and losses incurred by said corporation with all such other facts and proceedings as may show the real situation of the financial operations of said Institution.

Section 4. Be it further enacted, That the several parts of the Act to which this is an addition which may be inconsistent with the provisions of this Act shall be and are hereby repealed.

[CHAPTER 42.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE BARNSTEAD MANUFACTURING COMPANY.—

[Approved July 4, 1834. Acts, vol. 30, p. 369.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Charles Hodgdon Jr. Samuel Kaime, Hazen Wheeler, Joshua M. Babcock and Samuel Winkley, their associates, successors, and assigns, be and they hereby are incorporated and made a body politick forever, by the name of the Barnstead Manufacturing Company, and by that name may sue and be sued, prosecute and defend unto final judgment and execution, may have and use a common seal, and the same may break, alter, or renew at pleasure, and shall be and hereby are vested with all the powers and privileges, and made subject to all the liabilities, incident to corporations of a similar nature.

Section 2. And be it further enacted, That the said corporation be, and hereby is Authorized and empowered to establish and carry on the manufacture of Cotton, Woollen, linen and other goods, and all kinds of machinery and such other branches of trade and manufacture as shall be necessarily connected therewith at Barnstead in the County of Strafford, and may erect at any place or places, which said corporation shall possess all such Mills, dams, works, machines, and buildings, as may be necessary for establishing and carrying on these manufactures and branches of business; and the said corporation is hereby authorized to acquire by purchase or otherwise, and to hold, and enjoy all such real and personal estate as may be necessary and useful in conducting the business of said corporation, and the same to sell, convey, and dispose of at pleasure, provided said estate shall not at any time exceed the sum of Sixty thousand dollars.—

Section 3. And be it further enacted, That Charles Hodgdon Jr. Samuel Kaime, and Hazen Wheeler or any two of them shall call the first meeting of said corporation, by posting up notices of the time and place of such meeting at two publick places in the said town of Barnstead at least fifteen days prior to the day of such meeting, or by causing a like notice to be published in some newspaper printed in the county of Strafford twenty days previous thereto; at which meeting said corporation shall choose a Clerk, who shall be sworn faithfully to discharge the duties of his office, and at that or any subsequent meeting duly held, may choose all

such officers and agents as they may think necessary, and prescribe their duties; may divide the capital or joint stock of said corporation into as many shares as the proprietors shall agree and decide, and may agree upon, and prescribe the manner of transferring them; and may make ordain and establish such by-laws and regulations as may be necessary for the well-ordering the affairs of said corporation, provided the same be not repugnant to the laws of this State; and may do and transact any other business, in relation to the concerns, and for the benefit of said corporation.

Section 4. And be it further enacted, That the shares of said corporation shall be liable and held for assessments legally made thereon, and upon the nonpayment of such assessments or any part thereof within the time fixed for their payment, the treasurer of said corporation may proceed in manner prescribed in the by-laws to advertise and sell such delinquents shares or so many of them as may be necessary to pay the sums due thereon, with incidental charges, provided however that the whole amount of all the assessments that shall ever be made, shall never exceed the sum of one hundred dollars to each share without the consent of all the proprietors.—

Section 5. And be it further enacted, That all elections, and all other questions, if required, shall be determined by a majority of votes present or represented accounting and allowing one vote for each share, provided however if any one proprietor shall own in said Corporation more than twenty shares, he shall be entitled to one vote for each share for the first twenty shares, and but one vote for every five additional shares; and all representations shall be in Writing, signed by the person represented and filed with the Clerk.

[CHAPTER 43.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT RELATING TO THE ORGANIZATION AND EQUIPMENT OF THE MILITIA, AND FOR OTHER PURPOSES.—

[Approved July 4, 1834. Acts, vol. 30, p. 373. Session Laws, 1834, Chap. 168. Repealed by acts of December 22, 1840, id., 1840, November session, Chap. 544, and December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Students of Dartmouth College who are, or may hereafter be liable to do military duty,

shall constitute one company to be known by the Name of the Dartmouth College Phalanx, and shall be uniformed, armed and Officered in the same manner, and be under the same liabilities, as other companies of Light Infantry in this State, and shall be attached to the twenty third Regiment of the Militia of New Hampshire. Provided that said students shall forthwith proceed to organize themselves into a company, and shall hereafter keep up the Organization, and adopt such uniform as the Field Officers shall prescribe, and all such students as shall fail to comply with the requisitions contained in this act, shall be liable to enrolment, and to the performance of Military duty in the Company of Infantry within whose limits they may reside.—

[CHAPTER 44.]

State of)
New Hampshire. }

AN ACT IN FAVOUR OF RALPH METCALF AND OTHERS.—

[Approved July 4, 1834. Acts, vol. 30, p. 375.]

Be it enacted by the Senate and House of Representatives in General Court Convened, That Ralph Metcalf be allowed the sum of one hundred, seventy dollars and forty cents in full of his account, and that John Chadwick be allowed the sum of nine dollars and thirty six cents in full of his Account, and that Jacob Whittemore be allowed the sum of five dollars in full of his Account, and that said sums be paid out of the Treasury.—

[CHAPTER 45.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE ALSTEAD COTTON AND WOOLEN MANUFACTURING COMPANY.

[Approved July 4, 1834. Acts, vol 30, p. 376.]

Sec. 1. Be it enacted, by the Senate and House of Representatives in General Court Convened, That Ezra Kidder and his associates, successors and Assigns, be and they hereby are incorporated and made a body corporate and politick by the name and style of the Alstead Cotton and Woolen Manufacturing Company, and by that name may sue and be sued, prosecute and defend to final

judgment and execution, and shall be, and hereby are vested with all the powers and privileges, and subject to all the liabilities which by law are incident to corporations of a similar nature.—

Sec. 2. And be it further enacted, That the said corporation be and hereby are authorized and empowered to establish and carry on the business of Manufacturing Cotton and Woolen goods in all their various branches, together with such other branches of manufacture as may be from time to time connected therewith at Alstead in the County of Cheshire, and for these purposes the said corporation may purchase and hold real and personal estate to any Amount not exceeding forty thousand dollars, and the same may use alienate or dispose of at pleasure.—

Sec. 3. And be it further enacted, That Ezra Kidder may call the first meeting of said corporation to be holden at any suitable time and place by posting up notifications at two or more publick places in said Alstead expressing therein the time and place and design of said meeting at least ten days prior to the said day of meeting, or by giving personal notice at least seven days prior thereto, And at said meeting there shall be chosen a Clerk who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record all the Acts and proceedings of said corporation and to give certified copies thereof when lawfully required, and at the same meeting or any adjournment thereof, or at any subsequent meeting duly notified and holden the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock, into so many shares as they may deem proper, and determine the manner of transferring them, may elect such Officers and Agents as may be thought necessary for managing their concerns and prescribe their duties, may order Assessments and fix the time of their payment, and may do and transact any business necessary to carry into effect the objects of their association, all questions at any meeting of said corporation shall be determined by a majority of the votes, of the Members present and represented;—Allowing one vote to each share provided however that any member holding more than five shares, shall be entitled to no more than one vote for every five shares which he may hold above that number; Absent members may vote by proxy being authorized in writing signed by the person represented, and filed with the Clerk.—

Sec. 4. And be it further enacted, That the shares in said corporation, shall be liable and holden for the payment of all assessments duly made thereon and upon the non-payment thereof within the time fixed for their payment, the delinquent share, or shares, may be advertized and sold at publick Auction or so many of them as may be necessary to pay such assessments with incidental charges, under such regulations as the corporation in its by-laws shall have prescribed.—

[CHAPTER 46.]

State of }
New Hampshire. }

AN ACT IN AMENDMENT OF AN ACT ENTITLED AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE FIRST FREE WILL BAPTIST SOCIETY IN SANDWICH APPROVED DECEMBER 24. 1832.—

[Approved July 4, 1834. Acts, vol. 30, p. 380. The act referred to is dated December 12, 1832, *ante*, p. 355.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened. That hereafter it shall be the duty of the Clerk of said corporation or Treasurer thereof at any time on application to either of them in writing of five or more members thereof to call a Meeting of said corporation by posting up notice thereof setting forth the time, place, and object of said Meeting in two public places in said Sandwich at least fourteen days prior to said day of Meeting.—

Sec 2. And be it further enacted, That so much of said act to which this is an amendment as is inconsistent with the provisions of this act be and the same is hereby repealed.—

[CHAPTER 47.]

State of }
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITIA OF THIS STATE,

[Approved July 4, 1834. Acts, vol. 30, p. 382. Session Laws, 1834, Chap. 171.]

Be it enacted by the Senate and House of Representatives in General Court Convened, That the following sums be appropriated for the purposes herein mentioned for the annual allowance to the Artillery Companies four hundred and eighty dollars, for making Regimental returns, Eighty dollars for colours, fifty dollars for instruments of music, One hundred and fifty dollars, for blanks and stationary, one hundred and fifty dollars, for Orderly and roll books One hundred dollars, and for harnesses One hundred dollars, and that said sums be paid out of any money in the Treasury not otherwise appropriated, and the Governor with advice of the Council is hereby Authorized to issue his Warrant on the Treasury in favour of the Quarter Master General for the sums aforesaid, who is hereby required to apply the same for the purposes above specified so far as may be necessary and to render an account thereof to the Legislature—

[CHAPTER 48.]

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF
 THE CIVIL LIST—

[Approved July 4, 1834. Acts, vol. 30, p. 385. Session Laws, 1834, Chap. 194. See acts of July 1, 1831, June 21, 1832, and July 2, 1833, *ante*, pp. 251, 298, 451, and June 24, 1835, *post*.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened.—That the Governor have and receive as a Salary from June 1834. to June 1835, the sum of twelve hundred dollars; That the Secretary of State have and receive as a Salary for the same term the sum of eight hundred dollars in full compensation for all services rendered by him in the capacity of Secretary and that all fees allowed him by law, be paid into the Treasury, excepting those received for copies and certificates made by him for individuals for private use; that the Treasurer have and receive as a Salary, for the same term, the sum of six hundred dollars; that the Adjutant and Inspector General have and receive, as a Salary, for the same term, the sum of two hundred dollars; that the quarter Master General have and receive as a Salary, for the same term, two hundred dollars; and that he pay all postage that may arise in doing the duties of said office; that the Commissary General have and receive as a salary for the same term, the sum of forty dollars; that the members of the Council have and receive each two dollars per day whenever in session, and ten cents per mile for travel to and from the place of meeting; that the President of the Senate and Speaker of the House of Representatives each receive two dollars and fifty cents per day, during the sitting of the Legislature and ten cents per mile for travel to and from the place of sitting; that the members of the Senate and House of Representative receive two dollars each per day, during the sitting of the Legislature, and ten cents per mile for travel to and from the place of sitting, that the Clerks and Assistant Clerks of the Senate and House of Representatives receive each two dollars and fifty cents per day during the sitting of the Legislature and ten cents per mile for travel to and from the place of sitting and that they be allowed one day extra for making up the Rolls and filing the papers.—

[CHAPTER 49.]

State of }
New Hampshire. }

AN ACT MORE EFFECTUALLY TO PROTECT THE SEPULCHRES OF THE DEAD, AND TO LEGALIZE THE STUDY OF ANATOMY IN CERTAIN CASES.

[Approved July 5, 1834. Acts, vol. 30, p. 405. Session Laws, 1834, Chap. 191. See acts of June 16, 1796, Laws of New Hampshire, vol. 6, p. 334; June 22, 1810, id., vol. 7, p. 894; July 2, 1825, id., vol. 9, p. 458, and July 4, 1839, Session Laws, 1839, Chap. 464. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That if any person not being authorised by the overseers of the poor, or selectmen, in any town of this State, shall knowingly or wilfully dig up remove, or convey away, or aid and assist in digging up, removing, or carrying away any human body, or the remains thereof, such person or persons so offending, on conviction of such offence in the court of Common Pleas of this State, shall be adjudged guilty of felony, and shall be punished by solitary imprisonment for a term not exceeding ten days, and by confinement afterwards to hard labor for a term not exceeding one Year, or shall be punished by a fine not exceeding two thousand dollars to enure to the benefit of the State, and by imprisonment in the common jail for a term not exceeding two years, at the discretion of the Court, according to the nature and aggravation of the offence.

Sec. 2. And be it further enacted, that if any person shall be in any way, either before or after the fact, accessory to the commission, by any person or persons, of the offence described in the first section of this act, such person or persons shall be adjudged and taken to be principals, and shall be on conviction in the court aforesaid, subject to the same punishment and forfeitures, as are in said first section provided.

Sec 3. Be it further enacted that from and after the passing of this act it shall be lawful for the overseers of the Poor, or selectmen of any town in this State, to surrender the dead bodies of such persons, except town paupers as may be required to be buried at the public expense, to any regular physician, duly licensed according to the Laws of this State, to be by said Physician used for the advancement of anatomical science, provided always that no such dead body shall in any case be so surrendered, if within thirty six hours from the time of its death, any one or more persons claiming to be kin, friend or acquaintance to the deceased, shall require to have said dead body inhumed, or if the selectmen or overseers

of the Poor in any such town in this State are satisfied, that such dead body is the remains of a stranger or traveller, who suddenly died without making known who or whence he was, said dead body shall be inhumed, and when so buried, any person disinterring the same for the purposes of dissection, or being accessory as is described in the second section of this act, to such exhumation, shall be liable to the punishments and forfeitures in this act respectively provided, provided also that nothing herein contained shall be so construed as to make it lawful for the Overseers of the Poor or Selectmen in any town or place in this State, to surrender as aforesaid the dead body of any stranger or traveller, and provided further that before any dead body shall be received by any Physician under the provisions of this act, such physician shall in each case; give to the selectmen or Overseers of the Poor in any town of this state, as each case may require, good and sufficient bond or bonds, that each body by him so received, shall be used only for the promotion of anatomical science, that it shall be used for such purpose only in this State, and so as in no event to outrage the public feeling, and that after having been so used, the remains thereof shall be decently buried.

Sec. 4. Be it further enacted that from and after the passing of this act, it shall be lawful for any physician, duly licensed according to the laws of this State, or for any medical student, under the authority of any such physician, to have in his possession, to use and employ, human dead bodies or parts thereof, obtained under the provisions of this act, for the purposes of anatomical enquiry or instruction.

Sec. 5. Be it further enacted, That nothing in this act shall be so construed as to give to the Selectmen or Overseers of the Poor of any town in this State any power, to license the digging up of any dead human body, or the remains thereof, other than was possessed by them before the passing of this act, or is given them by the third section of this Act.

Sec. 6 And be it further enacted that all acts and parts of acts inconsistent with the provisions of this act, shall be and the same hereby are repealed.

[CHAPTER 50.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PRESIDENT, DIRECTORS AND COMPANY
 OF THE WOLFBOROUGH BANK.

[Approved July 5, 1834. Acts, vol. 30, p. 410. See also act of July 3, 1838, Session Laws, 1838, Chap. 383. Charter repealed by act of July 5, 1849, id., 1849, Chap. 847.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Henry B. Rust, Saml Avery, Daniel Pickering William H Copp, James Hersey, Samuel Fox Thomas Rust, Joseph L Peavy Samuel Leavitt, Aaron Roberts, Adam Brown, and Henry R. Parker their associates successors and assigns be and they hereby are made a corporation by the name and style of the President, directors and company of the Wolfborough Bank, and shall continue from the first day of August next until the expiration of twenty years next following and by that name may sue and be sued, plead and be impleaded, defend and be defended in any court of record or any other place whatever, and also to make have and use a common seal and the same again at pleasure to break, alter and renew; and also to ordain, establish and put in execution such by laws ordinances and regulations, not repugnant to the laws of this state as to them shall appear necessary and convenient for their regulation and government, and for the prudent management of the affairs of said corporation, subject always to the rules restrictions, limitations and provisions hereinafter presented.

Sec. 2. And be it further enacted That the capital stock of said corporation shall consist in not less than one hundred thousand dollars, nor more than two hundred thousand dollars, and may be divided into not less than one thousand, nor more than two thousand shares, and the stockholders at their said meeting shall by a majority of votes determine the amount of payment to be made on each share, and the time when they shall be made, also the mode of transferring and disposing of the stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns, provided that no stockholder shall be allowed to borrow at said Bank, until he shall have paid in his full proportion of said sum of one hundred thousand dollars at least. And said corporation is hereby made capable in law to have, hold, purchase and receive possess, enjoy and retain, to them, their successors and assigns, lands tenements and hereditaments to the amount of twenty-thousand dollars, and no more at any one time, with power to bargain sell and dis-

pose of the same, and to loan and negotiate their moneys and effects, by discounting on banking principles, on such personal and other security as they shall think advisable.

Sec. 3. And be it further enacted, That the following rules, limitations and provisions, shall form and be the fundamental articles of said corporation.

1st. That the said Corporation shall not issue and have in circulation at any one time, bills notes or obligations to a greater amount than the amount of capital stock actually paid in at such time, and then constituting the capital stock of said bank, and in case any cashier, director, or other officer of said Bank, at any time, shall knowingly issue, or order, direct or cause to be issued and put in circulation, bills notes or obligations of said Bank, which together with those before issued and then in circulation shall exceed the amount of capital stock as aforesaid, such cashier, director, or other officer shall forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars.

2d. That dividends may be made semiannually among the stockholders of said Bank, of interest or profits actually received but no part of the capital stock of said Bank shall either before or after the expiration of the time limited by this act for the continuance of said corporation, be divided among or paid to the stockholders without the license of the legislature of this State therefor, on penalty that any cashier, director or other officer who shall so divide or pay the same, or order, direct or cause the same to be done, shall forfeit and pay therefor a sum not exceeding ten thousand dollars nor less than one thousand Dollars provided nevertheless that it shall be lawful for the stockholders having given one years previous notice of their intention by advertisement in two newspapers, published in this state, and after, payment of all outstanding debts due from said Bank to make division of the Capital Stock among themselves, and thereby dissolve said corporation. And provided further that said corporation shall in no case be dissolved until they shall have made provision for the redemption of all bills issued by the said Bank that may be presented for payment at any time within three years from and after the first publication of the notice aforesaid, which provisions shall first be presented to the Governor and Council of this State for the time being and accepted and approved by them.

3d. That in case of a diminution or loss of any portion of the sum composing the capital stock of said Bank, by reason of bad or desperate debts due to the bank, or other means whatever, it shall be the duty of the directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council, to state the amount of such diminution or loss and the cause thereof, and after such diminution or loss, no dividend of interest or profit shall be made, until such diminution or loss shall be

replaced or supplied by assessments and actual payments by the stockholders, or by appropriations therefor of the interests and profits actually received.

4th. That said corporation shall not vest, use, nor improve any of their monies, goods, chattels, or effects, in trade or commerce, but may sell all kinds of personal pledges, lodged in their possession by way of security to an amount sufficient to reimburse the sum or sums loaned.

5th. That none but a member of said corporation being a citizen of this State, and resident therein shall be eligible for a director, and the directors shall choose one of their own number to act as President. The cashier before he enters on the duties of his office shall give bonds with two or more sureties to the satisfaction of the directors in a sum not less than ten thousand dollars, with condition for the faithful discharge of the duties of his office.

6th. That for the well ordering of the affairs of said corporation, a meeting of the stockholders from and after their first meeting shall be holden at such time and place as they shall direct annually, and at any other time, at such place as may be appointed by the President and directors for the time being, by public notice being given at least two weeks prior thereto; at which annual meeting their shall be chosen by ballot seven directors to continue in office the year ensuing their election, and the number of votes to which each stockholder shall be entitled shall be according to the number of shares, he shall hold in the following proportion, that is to say to every one share, one vote, for every two shares above one and not exceeding twenty; one vote, for every three shares above twenty one vote, provided that no one stockholder shall be entitled to more than fifteen votes. Absent members may vote by proxy, being authorised in writing signed by the person represented, and filed with the Cashier.

7th. That no director shall be entitled to any emolument for his services, but the stockholders may make the President such compensation as to them may appear reasonable.

8th. That not less than four directors shall constitute a board for the transaction of business, of whom the President shall be one, except in case of sickness or necessary absence in which case the directors present may choose a *Chairman* for the time being in his stead.

9th. That all bills issued from the Bank aforesaid, signed by the President and countersigned by the Cashier shall be binding on said corporation.

10th. That the directors shall appoint a Cashier, clerks and such other officers, agents, or servants, for conducting the business of the Bank, with such salaries as to them shall seem just and proper.

11th. That said Bank shall be established and kept in the town of Wolfborough and county of Strafford.

12th. That the Legislature shall at all times have the right by persons duly appointed for the purpose, to examine into the state and condition and all the doings and transactions of said corporation, and of its affairs relating to the same, for which purpose all the books and papers of the corporation together with all its money and securities for money shall be exhibited and submitted to the inspection and examination of such persons, so appointed, and each officer of said corporation, shall answer on oath if required all suitable and proper interrogatories, relating to the State, condition and transactions of said Bank.

Sec. 4. And be it further enacted That Henry B Rust, Samuel Avery and Daniel Pickering, or any two of them may call a meeting of the members of said corporation as soon as may be, at such time and place as they may see fit, by Advertisement in the New Hampshire Patriot, and Dover Gazette giving at least two weeks notice of the time place and design thereof; at which meeting or any adjournment thereof the said members may make ordain and establish such by laws ordinances and rules for the regulation and government of the said corporation as may be deemed necessary, and also elect a board of directors and such other officers or agents as the said members may see cause to choose.

Sec 5. And be it further enacted That all penalties incurred for the breach of any of the provisions of this act may be recovered by information or suit in the name of the State.

[CHAPTER 51.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
PRESIDENT, DIRECTORS AND COMPANY OF THE ROCHESTER BANK.

[Approved July 5, 1834. Acts, vol. 30, p. 421. See acts of June 30, 1853, Session Laws, 1853, Chap. 1472; April 10, 1891, id., 1889-91, p. 565, and April 15, 1911, id., 1911, p. 408.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Moses Hale, John Greenfield, John McDuffee Jr, their associates and those who may hereafter become their associates in said Bank, their successors and assigns shall be, and they hereby are created and made a corporation, by the name of the President, Directors and Company of the Rochester Bank, and shall so continue from the first day of September next until the expiration of twenty years, and by that name shall be and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended in any court of record or other

place whatever; and also to make, have and use a common seal, and the same at pleasure to break, alter or renew; and also to ordain, establish and put in execution, such by laws ordinances and regulations, not being contrary to the laws of the State, as to them shall appear necessary and convenient, for their regulation and government and for the prudent management of the affairs of said corporation, subject always to the rules, restrictions, limitations and provisions hereinafter prescribed.

Sec. 2. And be it further enacted, That the capital stock of said corporation shall consist of a sum not less than one hundred thousand Dollars, nor more than two hundred thousand dollars, and shall be divided into shares of not less than one hundred dollars each, and the stock holders at their first meeting shall, by a majority of votes determine the amount of payments to be made on each share, and the time when and where they shall be made, and also the mode of transferring and disposing of the stock and profits thereof, which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns; provided that no stockholder shall be allowed to borrow at said bank, until he shall have paid in his full proportion of said sum of one hundred thousand dollars at least: provided also that no stockholder shall in any case be allowed to borrow more than fifty per cent on his capital stock so paid in. And said corporation is hereby made capable in law to have, hold, purchase and receive, possess enjoy and retain to them, their successors and assigns, lands rents, tenements, & hereditaments to the amount of twenty thousand dollars, and no more at any one time, with power to bargain, sell and dispose of the same; and to loan and negotiate their monies and effects by discounting on banking principles, on such personal security as they shall deem advisable.

Sec. 3. And be it further enacted That the following rules limitations and provisions shall form and be the fundamental articles of said corporation.

First, That the said corporation shall not issue and have in circulation at any one time, bills, notes, or obligations to a greater amount, than the amount of the capital stock actually paid in at such time, and then composing the capital stock of said bank. And in case any cashier director, or other officer of said bank at any time shall knowingly issue, or order, direct or cause to be issued and put in circulation, bills, notes or obligations of said bank, which together with those before issued, and then in circulation shall exceed the amount of the capital stock of said Bank as aforesaid, such Cashier, Director, or other Officer shall forfeit and pay a sum not exceeding ten thousand dollars nor less than one thousand dollars

2d. That semi-annual dividends may be made among the stockholders of said Bank of the interest and profits actually received, but no part of the capital stock of said Bank shall either before or

after the expiration of the time limited by this act, for the continuance of said corporation, be divided among or paid to the Stock holders, without the license of the Legislature of this State, therefor on penalty that any cashier, director or other officer who shall so divide or pay the same, or order direct or cause the same to be done, shall therefor forfeit and pay a sum, not exceeding ten thousand dollars, nor less than one thousand dollars. Provided however that it shall be lawful for the stockholders, after having given one years previous notice of their intention, by advertisement in two newspapers published in this State, and after payment of all outstanding debts due from said bank, to make a division of the capital stock among themselves, and thereby dissolve said corporation.

3d. That in case of a diminution, or loss of any portion of the sum composing the capital stock of said bank, by reason of bad or desperate debts due the Bank, or other means whatever, it shall be the duty of the directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council, to State the amount of such diminution or loss, and the cause thereof; and after such loss or diminution no dividend of interest or profits shall be made, until such loss or diminution shall be replaced by assessments and actual payment, or by appropriations therefor, of the interests and profits actually received.

4th. That said corporation shall not vest, use, nor improve any of its moneys, goods chattels or effects in trade or commerce, but may sell all kinds of personal pledges lodged in its possession by way of security to an amount sufficient to reimburse the sum or sums loaned and interest.

5th. That none but a member of said corporation, being a citizen of this state and resident therein, shall be eligible for a director, and the directors shall choose one of their number to act as President. The cashier before he enters on the duties of his office shall give bonds with two or more sureties, to the satisfaction of the board of directors in a sum not less than twenty-thousand dollars, with conditions for the faithful performance of the duties of his Office.

6th. That for the well ordering of the affairs of said corporation a meeting of the stockholders from and after their first meeting shall be holden at such place as they shall direct, on the second Monday of July annually; and at any other time during the continuance of said corporation, at such place as may be appointed by the President and directors for the time being, by public notification being given at least two weeks prior thereto, at which annual Meeting there shall be chosen, by ballot seven directors to continue in office the year ensuing their election, and until others are chosen in their stead and the number of votes to which each stockholder shall be entitled shall be according to the number of shares which he shall hold in the capital stock of said Bank: provided that no stockholder shall in any case be entitled to more than twenty

votes. Absent members may vote by proxy, being authorised in writing signed by the person represented, and filed with the Cashier.

7th. That no director shall be entitled to any emolument for his services, but the stockholders may make the President such compensation as to them shall appear reasonable.

8th. That no less than four directors shall constitute a board for the transaction of business, of whom the President shall be one, excepting in cases of sickness or necessary absence, in which case the directors present may choose a chairman for the time being in his stead.

9th. That all bills issued from the Bank aforesaid, signed by the President and countersigned by the cashier, shall be binding on the said Corporation.

10th. That the directors shall appoint a Cashier, clerks and all such other officers, agents, or servants, for conducting the business of the Bank, with such salaries as to them may seem just and proper.

11th. That said Bank shall be established and kept in the town of Rochester in the county of Strafford.

12th. That the Legislature shall at all times have the right by persons duly appointed for that purpose to examine into the State and condition, and all the doings and transactions of said corporation and of its officers relating to the same, for which purpose all the books and papers of the corporation, together with all its monies and securities for money, shall be exhibited and submitted to the inspection and examination of such persons so appointed, and each officer of said corporation shall answer on oath if requested all suitable and proper interrogatories relating to the State, condition and transactions of said Bank.

Sec. 4. And be it further enacted That the said Moses Hale, John Greenfield, and John M'Duffee Jr. or any two of them may call a meeting of the members of said corporation as soon as may be, at such time and place they may see fit by advertisement in some newspaper printed in Dover in said county, at least two weeks before the time of meeting, for the purpose of making and establishing such by laws, ordinances and regulations as the said members may deem necessary, and for the choice of the first board of directors and such other officers as they may see fit to choose.

Sec. 5 And be it further enacted, That all penalties incurred for the breach of any of the provisions of this act may be recovered by information or suit in the name of the State; provided that the provisions of this act shall be void if the said corporation, shall neglect to be organized and go into operation, and shall not actually pay the treasury of this state, on or before the first Wednesday of June, one thousand, eight hundred and thirty six, one half of one per cent on the amount which shall at that time constitute the actual capital stock of said corporation.

[CHAPTER 52.]

State of }
New Hampshire. }

AN ACT AUTHORISING THE COLONEL OF THE 16TH REGIMENT, TO
 FURNISH A NEW PIECE OF ORDNANCE FOR SAID 16TH REGIMENT.

[Approved July 5, 1834. Acts vol. 30, p. 430. Session Laws, 1834, Chap. 169.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Samuel M^cCrae Colonel of the 16th Regiment of New-Hampshire militia, be and he is hereby authorised and empowered, to exchange at the expence of the State the old piece of ordnance now in said Regiment, for a new piece of ordnance for the use of the Artillery company in said sixteenth Regiment, and to deliver the said new piece of ordnance to the Captain or commanding officer, of the said Artillery Company.

Sec. 2. And be it further enacted That the sum of one hundred dollars be and the same is hereby appropriated to defray the expence of transportation, and to pay the difference in the exchange between the old and the new piece of Ordnance, and his excellency the Governor is hereby authorised by warrant on the treasury to draw said sum therefrom and deliver the same to the said Samuel M^cCrae who is hereby required to apply the same to the purpose above specified so far as may be necessary, and render an account thereof to the Legislature.

[CHAPTER 53.]

State of }
New Hampshire. }

AN ACT FOR THE EQUAL DISTRIBUTION OF PROPERTY ASSIGNED FOR
 THE BENEFIT OF CREDITORS.

[Approved July 5, 1834. Acts, vol. 30, p. 432. Session Laws, 1834, Chap. 161. See act of January 3, 1829, Laws of New Hampshire, vol. 9, p. 937. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passage of this act, no assignment made for the benefit of creditors of any debtor so assigning his property, shall be valid in law except the same shall provide for an equal distribution of all real, mixed or personal estate, among the several creditors of the person or per-

sons making such assignment, in equal proportions, according to their respective claims.

Sec. 2. Be it further enacted, That no assignment shall be valid and have effect, until the person or persons making such assignment, shall have previously made oath that he has placed and assigned, and the true intention of his assignment was to place in the hands of his assignees all his property of every description, except such as is by law exempted from attachment and execution, by an act for the relief of poor debtors, passed Jany. 3^d 1829, to be divided among the creditors in proportion to their respective demands:

[CHAPTER 54.]

State of }
New Hampshire. }

AN ACT TO FACILITATE THE COLLECTION OF TAXES.

[Approved July 5, 1834. Acts, vol. 30, p. 434. Session Laws, 1834, Chap. 181. See act of July 7, 1837, id., 1837, Chap. 331. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That all the inhabitants of any town in this state who shall voluntarily pay to the collector of the town within which they respectively reside and are rated, the amount of their respective taxes, within three months next after the selectmen of the town shall have committed to the said collector the list of the assessments of taxes for said town with their warrant, shall be entitled to an abatement of such sum as the said town at its annual meeting shall agree upon on the amount of their said taxes— And all such inhabitants as shall pay their taxes to the collector within six months, after the time aforesaid shall be entitled to such abatement as may be agreed upon as aforesaid upon the amount of their taxes, and all such inhabitants as shall pay their said taxes to the collector within eight months, after the time aforesaid shall be entitled to such abatement as may be agreed upon as aforesaid upon said taxes.

[CHAPTER 55.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE A COMPANY OF GRENADIERS BY THE NAME
 OF THE NEWPORT GRENADIER COMPANY

[Approved July 5, 1834. Acts, vol. 30, p. 437.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened. That Bela Nettleton, Amos Little, John B. Stowell and their associates and successors so long as they shall do Military duty in said Company, be and they hereby are made a body politic and corporate by the name of the Newport Grenadier Company; and by that may sue and be sued, prosecute and defend to final judgment and execution and are hereby authorised to exercise all the powers and to be subject to all the liabilities of Corporations of a similar nature; and the said Corporation is hereby empowered to hold real estate not exceeding in value the sum of five hundred dollars; and personal property to an amount not exceeding one thousand dollars

Section 2. Be it further enacted that the said Bela Nettleton, Amos Little, and John B. Stoell, or any two of them may call the first meeting of said Company by giving personal notice of the time and place thereof to the Members of said Company at least four days prior to the time of said meeting, at which time or at any subsequent meeting, may make such by-laws and ordain such rules and regulations as may be necessary for the carrying into effect the objects of this Act.

Section 3. Be it further enacted, that said Company shall be raised by voluntary enlistment from the Citizens of Newport and when organized to be attached to the 31st. Regiment of New Hampshire Militia. and be subject to the Militia Law of this State for the time being.

[CHAPTER 56.]

State of)
New Hampshire. }

AN ACT DECLARING THE BOUNDARIES OF CERTAIN TOWNS.

[Approved July 5, 1834. Acts, vol. 30, p. 439. Session Laws, 1834, Chap. 188. See act of January 6, 1795, Laws of New Hampshire, vol. 6, p. 209. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the northerly and southerly lines of

each of the several towns in this State adjoining Connecticut River shall be considered to continue and extend across said River to the westerly line of this State, which line is hereby declared to be the westerly boundary of said towns. Provided nevertheless, that nothing in this act shall be construed to affect the grants of any Islands, Bridges, Ferries, Locks or Canals, in and upon said River heretofore made, nor prevent the making of such grants in future, nor to prevent the public right of fishing or passing said River; Provided also that such Islands, Bridges, Ferries, Locks & Canals, shall be liable to taxation in the towns where they are situate agreeably to the General laws of this State.

[CHAPTER 57.]

State of)
New Hampshire. {

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT FOR MENDING AND REPAIRING HIGHWAYS, PASSED JULY 3^D 1829—

[Approved July 5, 1834. Acts, vol. 30, p. 462. Session Laws, 1834, Chap. 186. See act referred to, *ante*, p. 79. See also acts of February 27, 1786, Laws of New Hampshire, vol. 5, p. 117; June 20, 1806, *id.*, vol. 7, p. 537; July 3, 1823, *id.*, vol. 9, p. 248, and June 20, 1825, *id.*, p. 400. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and house of Representatives in general court convened, that whenever it shall so happen that the sum or sums allotted to any highway district in any town or place in this state shall be found in the opinion of the Selectmen to be more than is wanted for the purpose of mending or repairing the highway in such district, the selectmen may order the surveyor or surveyors of any such district or districts with such persons in his or their list as have not worked out their respective rates, to work the same in such other district or districts as the said selectmen shall order and direct, any law or usage to the contrary notwithstanding

Sec 2 And be it further enacted that it shall be the duty of highway Surveyors in all cases to allow persons residing in their respective districts and against whom such Surveyors shall have taxes to allow for what time may be necessary in traveling to and from such persons place of abode to the place of labour as directed by said surveyor

[CHAPTER 58.]

State of)
New Hampshire. }

AN ACT IN AMENDMENT OF THE SECOND SECTION OF AN ACT, ENTITLED AN ACT, TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT, DIRECTORS AND COMPANY OF WINNIPISSOGEE BANK, APPROVED DEC. 20, 1824.—

[Approved July 5, 1834. Acts, vol. 30, p. 464. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 345.]

Be it enacted by the Senate and House of Representatives in General Court Convened, That the Capital stock of said Bank be divided into shares of one hundred dollars each, and that so much of the second section of said Act is inconsistent with this amendment, be and the same is hereby repealed.

[CHAPTER 59.]

State of)
New Hampshire. }

AN ACT TO RAISE SIXTY FIVE THOUSAND DOLLARS FOR THE USE OF THE STATE.—

[Approved July 5, 1834. Acts, vol. 30, p. 466. Session Laws, 1834, Chap. 193.]

Section 1. Be it enacted, by the Senate and House of Representatives in General Court Convened, That the sum of sixty five thousand dollars shall be raised for the Use of the State; which sum shall be Assessed, collected and paid into the Treasury on or before the first day of December in the Year of our Lord One thousand eight hundred and thirty five; and the Treasurer is hereby directed seasonably to issue his Warrant to the Selectmen of the several towns and places within this State, according to the apportionment of the public Taxes, made at the November session A. D. 1832. and the Selectmen and assessors are hereby respectively required to assess the sums specified in said Warrant, and to cause the same to be paid into the treasury on or before the first day of December, in the Year of our Lord One thousand eight hundred and thirty five.—

And the Treasurer is hereby Authorized to issue extents for all taxes which shall then remain unpaid.—

[CHAPTER 60.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND TO REVIVE AN ACT PASSED FEBRUARY 14, 1794 TO INCORPORATE THE SOCIAL LIBRARY COMPANY IN ROCHESTER.—

[Approved July 5, 1834. Acts, vol. 30, p. 468. The act referred to is printed in Laws of New Hampshire, vol. 6, p. 147.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Charles Dennett be and he is hereby authorized to call a meeting of the proprietors of the social Library Company in Rochester, by posting up notifications thereof in two or more publick places in Rochester at least fifteen days previous to said meeting, at which meeting a majority of the proprietors present may make, renew, or alter, the by-laws of said Corporation, which shall not be inconsistent with the Constitution and Laws of this State, each share being entitled to one vote and may hold possess and enjoy all the property of said Corporation in the same Way and manner as if the proprietors had called their regular annual meetings and chosen their officers, as by the by-laws of said corporation they were required.

[CHAPTER 61.]

State of }
New Hampshire. }

AN ACT RELATING TO COPARCENER, COPARCENERS, JOINTTENANTS AND TENANTS IN COMMON.

[Approved July 5, 1834. Acts, vol. 30, p. 470. Session Laws, 1834, Chap. 164. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, That whenever any Copartner or Copartners shall have or receive into his or their custody any goods, chattels, wares, merchandize, choses in action Book account or any personal property or the proceeds thereof, in which any other Copartner or Copartners may have a joint interest and shall refuse to account for, or liquidate the same or demand them in every such case it shall be in the power of every such person or persons so injured by such refusal to have his or their action of assumpsit to

recover the share or shares thus due to said copartner or copartners before any court of competent jurisdiction to try the same.

Section 2. Be it further enacted, That when one or more Coparceners Jointtenants or tenants in common interested in any lands, tenements or hereditaments in this State shall without the consent of his or their coparcener or Coparceners, cotenant, or cotenants enter thereon and cut, fell, destroy, or carry away any trees standing lying or growing thereon, or any other property attached to the freehold, then the said Coparcener or Coparceners, Cotenant, or Cotenants are hereby authorized and empowered to demand, have and receive of the person or persons so offending as aforesaid the full amount of all the damages he or they may have sustained by an Action of assumpsit in any Court of Competent Jurisdiction to try the same.—

Section 3. Be it further enacted, That if any one or more coparcener or coparceners jointtenants or tenants in common interested in any lands, tenements or hereditaments shall enter thereon and hold the exclusive possession and income thereof against the will and without the consent of his or their coparcener or Coparceners, cotenant or cotenants the person or persons so deprived of his or their undivided part or parts thereof are hereby empowered to demand sue for and recover of the person or persons in possession of the premises, as aforesaid the full amount of all the damages he or they shall have thereby sustained in an action of assumpsit in any court of competent jurisdiction to try the same, and either of the aforesaid actions of assumpsit may be for money had and received or otherwise—

Section 4. Be it further enacted That it shall be in the power of any court before whom any action may be brought pursuant to any of the provisions of this act to appoint an auditor or auditors who shall have full power to examine the parties to said suit, and hear any other testimony make his or their report and the proceedings thereon shall be the same as are authorized by the laws now in force.—

Section 5. Be it further enacted, That nothing in this act shall be so construed as to take away the Chancery remedies given by law in the several cases provided by this Act but they shall be in full force whenever any party may elect to adopt the in preference to the provisions of this act.

[CHAPTER 62.]

State of)
New Hampshire. }

AN ACT RELATING TO THE PUBLICK PROPERTY IN THE ARSENAL AT
 PORTSMOUTH.—

[Approved July 5, 1834. Acts, vol. 30, p. 474. Session Laws, 1834, Chap. 174. See acts of January 13, 1837, id., 1836, November session, Chap. 308; July 5, 1839, id., 1839, Chap. 450; June 19, 1840, id., 1840, June session, Chap. 492, and July 3, 1841, id., 1841, Chap. 636. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That each and every company of Light Infantry Grenadiers, Guards, Rifle-Men, Rangers or other independent company raised by voluntary enlistment and who are required by law to be armed with a musket or rifle shall be and they are hereby authorized to receive from the Arsenal in Portsmouth such a number of the muskets and rifles belonging to the State as may be necessary to furnish the Arms for such company provided always that no company shall be entitled to receive said Arms unless there shall be as many as forty two rank and file, duly enlisted and completely uniformed in said company, nor shall any company be entitled to receive more than sixty four muskets or rifles and provided further that no such Muskets or rifles shall be delivered untill the Officers of the company or other responsible person shall give good and sufficient bond to the State with ample security to be Approved by the Adjutant General conditioned for the safe keeping and return of the muskets and rifles so received when required by Authority of the State.—

Sec. 2 And be it further enacted, that said muskets & rifles shall be delivered upon the certificate of the Adjutant general who is hereby required before giving any such certificate to see that the provisions of the first section of this act have been fully complied with by the person or persons applying for said arms—

[CHAPTER 63.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF ARLOND CARROL AND OTHERS.

[Approved July 5, 1834. Acts, vol. 30, p. 476.]

Be it enacted by the Senate and House of Representatives in General Court convened, That Orland Carrol be allowed the sum of three dollars and forty six cents in full of his account, that Benjamin Jenness be allowed the sum of five dollars and Eighty five cents in full of his account, that John A. Low be allowed the sum of four dollars and seventy five cents in full of his account, and that W. W. Estabrook be allowed the sum of four dollars and ninety five cents in full of his Account and that the above sums be paid out of the Treasury.—

[CHAPTER 64.]

State of }
New Hampshire. }

AN ACT RELATING TO THE COMPETENCY OF WITNESSES—

[Approved July 5, 1834. Acts, vol. 30, p. 477. Session Laws, 1834, Chap. 187. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened. That no person who believes in the existence of a supreme being shall be adjudged an incompetent Witness in the judicial Courts or in the course of Judicial proceedings in this State on Account of his or her opinions in Matters of Religion.—

[CHAPTER 65.]

State of }
New Hampshire. }

AN ACT TO ENLARGE THE COMPANY OF ARTILLERY IN THE SEVENTH REGIMENT OF NEW HAMPSHIRE MILITIA.

[Approved July 5, 1834. Acts, vol. 30, p. 478. Session Laws, 1834, Chap. 170.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Captain or Commanding Officer of the Company of Artillery in the seventh Regiment of New-Hampshire Militia is hereby Authorized and empowered to enlarge said Company by voluntary enlistment under the direction of the field Officers of said regiment to the number of sixty four Rank and file exclusive of all necessary officers any Act to the Contrary notwithstanding.—

[CHAPTER 66.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE A FIRE ENGINE COMPANY IN LITTLETON.

[Approved July 5, 1834. Acts, vol. 30, p. 479.]

Section. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That George B. Redington, Prescot White, their associates, successors, and assigns, be, and they are hereby incorporated and made a body politic by the name of the Fire Engine Company in Littleton, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and they be and hereby are vested with all the powers and privileges, and subject to all the liabilities, incident to corporations of a similar nature.

Section. 2. Be it further enacted, That said Corporation be, and hereby are authorised and empowered to purchase and hold real, and personal estate for the purposes of said Corporation to any amount not exceeding five hundred dollars, and the same may sell convey and dispose of at pleasure.

Section 3. Be it further enacted, That said George B. Redington may call the first meeting of said Company at any suitable time and place in said Littleton by giving to the members thereof ten days previous notice of the time and place of said meeting by post-

ing up in two of the most public places in Littleton notifications in writing shewing the time and place of holding said meeting at which time and place, and at said meeting the said members may make by-laws for the regulation and government of said Company, not repugnant to the laws of this State, and may do and transact any business necessary to carry into effectt the purposes intended by this act.

[CHAPTER 67.]

State of)
New Hampshire. }

AN ACT GRANTING COMPENSATION TO MESSRS. HILL, AND BARTON.

[Approved July 5, 1834. Acts, vol. 30, p. 481.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of one hundred and twenty five dollars be allowed Messrs. Hill and Barton in full of their account, and that the Treasurer be directed to pay the same out of any money in the Treasury not otherwise appropriated.

[CHAPTER 68.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT APPROVED JULY 6th 1833. ENTITLED "AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT "IMPOSING FINES FOR NEGLECT OF MILITARY DUTY AND FOR OTHER "PURPOSES PASSED JANUARY 3rd 1829"

[Approved July 5, 1834. Acts, vol. 30, p. 485. Session Laws, 1834, Chap. 167. See acts referred to, Laws of New Hampshire, vol. 9, p. 898, and *ante*, p. 495. See also acts of July 1, 1819, Laws of New Hampshire, vol. 8, p. 831; December 22, 1820, *id.*, p. 955, and June 26, 1838, Session Laws, 1838, Chap. 399. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1—Be it enacted by the Senate and house of Representatives in General court convened, That all officers of the Militia, who held commissions in the militia of this State, or any other State in the Union, for a less term than four years, prior to the passage of the act to which this is in addition, be and they hereby are conditionally exempted from military duty, provided that such persons shall annually pay to the select men of the Town in which

they reside the sum of two Dollars, and on or before the twentieth day of April annually produce to the Captain, or commanding officer of the company within whose limits they reside a certificate of such payment. and all persons who received certificates from any surgeon or Surgeons Mate previous to July 6th 1833 exempting such persons from Military duty for life or other term shall be absolutely exempted from all military duty for the term expressed in such certificates.

Section 2. And be it further enacted, that from and after the passing of this act all monies which shall be paid to the Selectmen of any Town by persons conditionally exempted from the performance of Military duty shall be paid, by the Selectmen to such person or persons as the Company in which such conditional exempts are by law enrolled shall by major vote appoint, and all such monies shall be for the use and at the disposal of said Company—

Section 3. And be it further enacted that every non commissioned officer & private shall yeald entire obedience to the Commands of his superior officers, and if any non commissioned officer or privates shall prove refractory or disobedient while on duty at any regimental Muster or company training, or shall insult or abuse his officers or either of them—or treat them with disrespect, or shall by appearing in a grotesque or unusual dress or by affected awkwardness & ignorance of his duty attempt to disturb the order of parade and to bring ridicule upon his officers and company or upon the military Service—such non commissioned officer or private shall pay a fine of two dollars for each and every such offence which shall be collected and appropriated in the same manner as is provided for the collection and appropriation of fines by the 4th 5th 6th & 7th sections of the act to which this is an addition

Section 4 And be it further enacted that any company of Infantry which now is, or whenever any such company hereafter shall become, destitute of commissioned officers, and the field officer of the Regiment to which such company belongs shall be unable to find suitable persons within the Limits of such Company who are willing to take commissions, and to organise such company then and in such case the Field Officers shall appoint some suitable person annually to enroll the persons within the limits of such company who are by law liable to be enrolled and to perform military duty.—and the roll so by such person made out shall be returned to the selectmen of the Town within which the persons so enrolled shall reside, and upon the receipt of such roll it shall be, and it is hereby made the duty of the selectmen aforesaid to assess upon each person so enrolled or in case of minors upon their parents or guardians as an equivalent for the performance of military duty, the sum of three dollars annually so long as said company shall remain unorganised, and shall issue their warrant to the collector of said

Town directing him to collect the same and to pay over the money so collected to the said selectmen—and the said collector, shall have the same power & authority to collect the same as he now has by law for the collection of other taxes—one half of the money so collected shall be for the use of the town and the other half the Selectmen shall pay over to the Treasurer of this State for the use of the military department—

Section 5—And be it further enacted that it shall be the duty of the several Captains or commanding officers of Companies to read this act or cause it to be read in the presence and hearing of their respective companies on the first tuesday of may annually

Section 6th And be it further enacted that all acts and parts of acts heretofore passed and now in force which come within the purview of this act and inconsistent herewith be and the same are hereby repealed; provided nevertheless that nothing in this section shall be so construed as to effect any Liabilities incurred or any rights acquired under any acts or parts of acts hereby repealed—

[CHAPTER 69.]

State of }
New Hampshire. }

AN ACT AUTHORISING THE FIELD OFFICERS TO ORGANISE A COMPANY OF LIGHT INFANTRY IN THE NINTH REGIMENT OF NEW HAMPSHIRE MILITIA.

[Approved July 5, 1834. Acts, vol. 30, p. 492. Session Laws, 1834, Chap. 173.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened.

That the field officers of the ninth Regiment of Militia in this State, be and they hereby are authorised and empowered to organize an additional Company of Light Infantry, to be raised by voluntary enlistment in the towns of Goffstown and Dunbarton and to be attached to said ninth Regiment if in the opinion of said Field officers the good of the Militia shall require it.

[CHAPTER 70.]

State of }
New Hampshire. }

AN ACT TO ESTABLISH A CORPORATION BY THE NAME OF THE ALSTEAD FIRE ENGINE COMPANY NUMBER ONE—

[Not signed by President of the Senate or Governor. See House Journal, 1834, p. 463. Acts, vol. 30, p. 493.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Thomas Rogers, Ansel Glover, and John C. Watts, their associates and successors be, and they hereby are made a Corporation by the name of the Alstead Fire Engine Company number one, and are vested with all the powers and privileges and subject to all the liabilities incident to similar Corporations.

Section. 2. And be it further enacted, That said corporation is hereby authorised to acquire and hold real and personal estate, and the same may dispose of at pleasure, to any amount not exceeding in value the sum of one thousand dollars.

Section 3. And be it further enacted, That either of the persons above named may call the first meeting of said Corporation at any suitable time and place in said town of Alstead by giving to the members thereof at least three days personal notice of the time place and object of said Meeting.

[CHAPTER 71.]

State of }
New Hampshire. }

AN ACT RELATING TO THE ENLARGEMENT AND ORGANIZATION OF THE CONCORD LIGHT INFANTRY.

[Approved July 5, 1834. Acts, vol. 30, p. 497. Session Laws, 1834, Chap. 176. See act of June 26, 1816, Laws of New Hampshire, vol. 8, p. 497.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the Concord Light Infantry belonging to the 11th Regiment third Brigade and first Division of New Hampshire Militia be and they are hereby authorised and empowered to enroll and hold in said Company sixty four rank and file and eight musicians,

Any act or parts of acts inconsistent with the provisions of this act, to the contrary notwithstanding.

[CHAPTER 72.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE COMPANY OF GREAT FALLS CADETS—

[Approved July 5, 1834. Acts, vol. 30, p. 499.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, that Benjamin C. Sewell, Jacob Morrill, Dudley Wiggin, their associates and successors so long as they shall do military duty in said Company be and they hereby are made a body corporate and politic by the name of the Great Falls-Cadets and by that name may sue and be sued prosecute and defend to final judgment and execution and are hereby authorized to exercise all the powers and made subject to all the liabilities of corporations of a similar nature and the said corporation is hereby empowered to hold real estate not exceeding in value the sum of five hundred dollars, and personal property to the amount of One thousand dollars and no more.—

Section. 2. Be it further enacted, That the said Benjamin C. Sewell, Jacob Morrill and Dudley Wiggin or any two of them may call the first meeting of said company by giving personal Notice of the time and place thereof to the members of said company at least four days prior to the time of said Meeting at which time or at any subsequent meeting they may make such by-Laws and ordain such rules and regulations as may be necessary for the carrying into effect the objects of this act, Provided always that no power shall accrue to the said company by or under this Act whereby they may be exempted from any liabilities which they are now or hereafter may be under, to do and perform military duty, Agreeably to the existing Military law for the time being of this State, nor in any case shall the said company have power to assess upon its members more than the sum of One dollar and fifty cents upon any one member annually—

[CHAPTER 73.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE MEREDITH BRIDGE HOSE COMPANY.—

[Approved July 5, 1834. Acts, vol. 30, p. 501.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court Convened. That James Molineaux, Josiah Crosby, Charles Morgan, Alvah Tucker, J. W. Boynton, Alexander Beeman W. Melcher, Nathan Bagley, their, Associates and successors be and they hereby are incorporated and made a body politic and corporate, forever by the name of the Meredith Bridge Hose Company and by that name may sue and be sued plead and be impleaded and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities which by law are incident to Fire Engine Companies.—

Sec. 2 And be it further enacted, That said corporation be and hereby is authorized and empowered to purchase and hold in fee simple or otherwise in the Towns of Meredith and Guilford so much real Estate as may be necessary for the erection of suitable buildings and Apparatus and other property or estate not exceeding in value One thousand dollars, for purchasing maintaining and keeping in repair suitable Apparatus for extinguishing fires and for carrying into effect the objects of said corporation.—

Sec. 3. And be it further enacted, That James Molineaux, Josiah Crosby and Charles Morgan or any two of them may call the first meeting of said corporation by giving five days person notice to the members thereof or by posting up in some public place in said town of Meredith and Guilford a notice of said meeting at least ten days previous thereto and the said corporation at that or any subsequent meeting may agree upon the times and places of holding future meetings and the method of calling the same and may also elect such officers make and establish such by laws rules and regulations as they may think necessary and proper, for their government and for the management of their concerns Provided such rules and by laws be not repugnant to the Constitution and Laws of this State.

[CHAPTER 74.]

State of)
New Hampshire. }

AN ACT IN FAVOR OF AARON CARTER AND OTHERS.

[Approved July 5, 1834. Acts, vol. 30, p. 504.]

Be it enacted by the Senate and House of Representatives in General Court Convened, That Aaron Carter be allowed the sum of sixty four dollars, and that Atkinson Webster, be allowed the sum of sixty four dollars in full Compensation for their attendance as door keepers to the house the present session, and that Jacob Tyler be allowed the sum of sixty four dollars in full compensation for his attendance as door keeper to the Senate the present session and that Jacob Carter be allowed the sum of seventy dollars for his services as Librarian

[CHAPTER 75.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE PRESIDENT, DIRECTORS, AND COMPANY OF THE MECHANICKS BANK.

[Approved July 5, 1834. Acts, vol. 30, p. 507. See act of June 22, 1853, Session Laws, 1853, Chap. 1473.]

Sec 1. Be it enacted by the Senate and House of Representatives in General Court Convened, That Peter Renton, Abner B. Kelly, Horatio Hill, Joseph M. Harper, Nathaniel G. Upham, Abel Baker, Benjamin Evans, William Low, Joseph Low, Cyrus Barton, Ralph Metcalf, Nathaniel Curtis, James Minot, Arlond Carrol, Moody Kent Ezra Carter, William Richardson—Isaac F Williams and their associates, and those who may hereafter become associates in said Bank, their successors and assigns shall be and they hereby are created and made a corporation, by the name of the President, directors and company of the Mechanicks bank, and shall so continue until the first day of January, which will be in the year of our Lord one thousand eight hundred and fifty five, and by that name may sue and be sued, plead and be impleaded in any court of Record or elsewhere, may have a common seal, and may make ordain and establish such by-laws and regulations, not repugnant to the laws of this State, as to them shall appear necessary and con-

venient for their regulation and government, subject always, to the rules, restrictions and provisions hereafter prescribed.

Sec 2. And be it further enacted that the capital stock of said bank shall consist of a sum not less than one hundred thousand dollars, nor more than two hundred thousand dollars and said capital stock shall be divided into not less than one, nor more than two thousand shares, and the stockholders at their first meeting by a majority of votes shall determine the amount of payments to be made on each share, and the time when they shall be made. Also the mode of transferring and disposing of the stock and the profits thereof, which being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns, provided that no stock holder shall be allowed to borrow of said Bank until he shall have paid in his full proportion of said some of one hundred thousand dollars at least, provided also that no stockholders shall in any case be allowed to borrow more than fifty per cent on his capital stock so paid in, and said corporation is hereby made capable in law to have, hold purchase and receive, possess and enjoy, lands tenements and hereditaments to the amount of ten thousand dollars and no more at any one time, with power to bargain, sell and dispose of the same, and to loan and negotiate their moneys and effects by discounting on banking principles, and on such personal security as they shall deem advisable.

Sec. 3. And be it further enacted, That the following rules limitations and provisions shall form and be the fundamental articles of said corporation:

1st. That the said Corporation shall not issue and have in circulation at any one time, bills notes or obligations to a greater amount than the amount of the capital stock actually paid in at such time and then composing the capital stock of said Bank and in case any cashier, director or other officer of said Bank at any time shall knowingly issue or order, direct or cause to be issued, and put in circulation bills notes or obligations of said Bank, which together with those before issued, and then in circulation, shall exceed the amount of the capital stock of said Bank as aforesaid, such cashier, director or other officer shall forfeit and pay a sum not exceeding ten thousand dollars, nor less than one thousand dollars.

2d. That dividends may be made semi annually, among the stockholders of said Bank of interest or profits actually received, but no part of the capital stock of said Bank, shall be divided among or paid to the stockholders either before or after the expiration of the time limited by this act for the continuance of said corporation, without the license of the Legislature of this State therefor, or penalty that any cashier, director or other officer, who shall so divide or pay the same, or order, direct, or cause the same to be done, shall therefore forfeit and pay a sum not exceeding ten thousand

and dollars nor less than one thousand; provided nevertheless that it shall be lawful for the stockholders with the consent of the Legislature, after having given one years previous notice of their intention by advertisement in two newspapers published in this state, and after payment of all outstanding debts due from said Bank to make division of the capital stock among themselves, and thereby dissolve said Corporation. And provided further that said corporation shall in no case be dissolved until they shall have made ample provision for the redemption by Bond or otherwise of all bills issued by said bank, that may be presented for payment within three years from the time the notice aforesaid shall first be published, which provision shall first be presented to the Governor and Council of this State for the time being, and be accepted and approved by them.

3d. That in case of a diminution, or loss of any portion of the sum composing the capital stock of said Bank, by any means whatever, it shall be the duty of the directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council to state the amount of such diminution, or loss, and the cause thereof; and after such loss or diminution no dividend of interest or profits shall be made until such loss or diminution shall have been replaced and supplied by assessments and actual payments of the stockholders or by appropriations therefor of interest and profit actually received.

4th. That said corporation shall not vest, use or improve any of their monies, goods, chattels or effects in trade or commerce, but may sell all kinds of personal pledges lodged in their possession by way of security to an amount sufficient to reimburse the sum or sums loaned.

5th. That none but citizens of this state and resident therein, and who shall be stockholders in said Bank shall be eligible for a director; and the directors shall choose one of their own number to act as President. The Cashier before he enters on the duties of his office shall give bond with two or more sureties to the satisfaction of the board of directors, in a sum not less than twenty five thousand dollars with condition for the faithful performance of the duties of his Office.

6th. That for the well ordering the affairs of said corporation, a meeting of the stockholders shall be holden at such place, as they shall direct on the second Wednesday of June annually, from and after their first meeting, and at any other time during the continuance of said Corporation, at such place as may be appointed by the President and directors for the time being by public notice being given at least two weeks prior thereto, at which annual meeting there shall be chosen by ballot seven directors to continue in office the year ensuing their election and until others are chosen in their

stead; and the number of votes to which each individual stockholder shall be entitled in the election of said Directors, shall be according to the number of shares he shall hold, provided that in no instance shall any one stockholder be entitled to more than twenty votes. Absent members may vote by proxy being authorised in writing signed by the person represented, and filed with the Cashier.

7th. That no director shall be entitled to any emolument for his services; but the Stockholders may make the President such compensation as to them may appear reasonable.

8th. That no less than four directors shall constitute a board for the transaction of business, of whom the president shall be one, except in case of sickness, or necessary absence, in which case the directors present may choose a chairman for the time being in his stead.

9th. That all bills issued from said Bank, signed by the President and countersigned by the Cashier, shall be binding on said Corporation.

10th. That the directors shall appoint a Cashier, clerks, and such other officers, agents, or Servants, for conducting the business of the Bank, with such salaries as to them shall seem just and proper.

11th. That the aforesaid Bank shall be established and kept in the town of Concord, in the county of Merrimack.

12th. That the Legislature shall at all times, have the right by persons duly appointed for that purpose, to examine into the state and condition of all the doings and transactions of said corporation, and of their offices relating to the same, for which purpose all the books & papers of the corporation, together with their monies and securities for money shall be exhibited and submitted to the inspection and examination of such persons so appointed. And each officer of said corporation shall answer on oath if required, all suitable and proper interrogatories, relating to the state, condition & transactions of said Bank.

Sec. 4. And be it further enacted that the said Peter Renton, Abner B. Kelly and Horatio Hill may call a meeting of the members of said Corporation at such time and place as they may see fit by giving public notice thereof at least two weeks prior to the time of meeting by advertisement in one or more newspapers printed at said Concord for the purpose of making and establishing such By laws and regulations as the said members may deem necessary, and for the choice of the first board of Directors and such other officers as they may see fit to choose.

Sec 5. And be it further enacted that all penalties incurred for a breach of any of the provisions of this act may be recovered by information; or suit in the name of the State.

Sec. 6. And be it further enacted that if said corporation shall

not be organized and in operation, and shall not have actually paid to the Treasurer of this State on or before the year of our Lord one thousand eight hundred and thirty seven, one half of one per cent on the amount which shall constitute the capital stock of said Bank agreeably to the provisions of the act to establish a literary fund to be collected from the several Banking institutions in this state passed June 20th 1821 in that case this act and every part thereof to be void and of none effect.

[CHAPTER 76.]

State of }
New Hampshire. }

AN ACT IN FAVOUR OF JACOB TYLER AND ANOTHER

[Approved July 5, 1834. Acts, vol. 30, p. 524.]

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

That Jacob Tyler be allowed the sum of two hundred, four dollars in full of his account, and that Horatio Hill & C^o be allowed the sum of fifty three dollars and three cents in full of their account, and that said sums be paid out of the Treasury

[CHAPTER 77.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened. That the Treasurer be, and he is hereby authorized to borrow on the credit of the State, and for the use of the same, a sum, not exceeding thirty five thousand Dollars, in such portions, and at such times, and payable at such times, as may, in his opinion, be requisite and proper, at the lowest rate of interest the same can be procured, not exceeding six per cent. and the Treasurer, for the time being, is hereby authorized and required, to pay such loans and the interest, when the same may become due, or be payable, out of any money, in the Treasury not otherwise appropriated.

[Approved June 24, 1834. Acts, vol. 30, p. 227.]

[CHAPTER 78.]

State of)
New Hampshire. }

Resolved by the Senate, and House of Representatives in General Court convened that John L. Rix be allowed the sum of Thirty six dollars and that the same be paid out of the Treasury.

[Approved June 24, 1834. Acts, vol. 30, p. 237.]

[CHAPTER 79.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened.

1. That we approve of the course of the Administration of the General Government, and that the President of the United States, by his ardent endeavours to restore the Constitution to its original purity, by his stern integrity and unbending firmness, in resisting the approach of corruption in every Protean shape, in staying the lavish expenditure of the publick money in an unconstitutional system of internal improvements by the National Government, in settling the Tariff on a more equitable basis, in his prompt resistance to all measures tending to the dissolution of our union, in his Veto on the recharter of that dangerous Institution, the United States Bank and in the unyielding stand which he has taken against the recent alarming proceedings of that Institution, has proved himself to be a true disciple of Thomas Jefferson, the father of American Democracy, and has greatly increased the debt of gratitude due to him from the American people.

2. And be it further Resolved, That in the removal of the late Secretary of the Treasury the President exercised a power conferred upon him by the Constitution, and which has been recognized by all his predecessors in Office; and which it was his duty to exercise if he believed that officer to be unworthy or incapable or that he was pursuing measures detrimental to the interests of the publick.

3. And be it further Resolved, That in removing the deposits of publick money from the Bank of the United States the present Secretary of the Treasury has violated neither the letter nor the spirit of the charter of the Bank, and has pursued a course the expediency of which was clearly indicated by the decision of the people in the last Presidential election against the recharter of the

Bank, and which was imperiously demanded by the profligate conduct of the Officers of that Institution.—

4. And be it further Resolved, That the Bank of the United States ought not to be rechartered, that, unconstitutional in its creation, it has proved itself to be an Institution of the most deadly hostility to the principles of republicanism, that we view with indignation its desperate Struggle to obtain political power by a shameless and barefaced course of bribery and corruption, and that we witness with alarm the attempts made by its advocates to set at defiance the Representatives of the people, to veil its transactions in secrecy and darkness, and to justify proceedings which, should they be upheld, must end in subjecting the people of the United States to the dominion of a gigantick moneyed monopoly.—

5. And be it further Resolved, That the late Protest of the President of the United States against the extraordinary and unprecedented resolution of the Senate, pronouncing him guilty of a most flagrant offence without either hearing or trial, was a measure justified by his personal right to vindicate his own character from unmeritted reproach and by his imperative official duty to defend the Executive branch of the Government, while in his charge, from all intemperate assaults or unconstitutional encroachments, and that the Senate in passing such a resolution violated the first principles of ordinary justice and deliberately unfitted themselves for the proper discharge of those judicial duties, which by the Constitution, (if the charges in their resolution were true,) they were bound to believe the House of Representatives would soon invoke them to perform.—

6. And be it further Resolved, That our Senators in Congress be and they are hereby instructed to vote that the resolution passed by the Senate on the 28th day of March last “that the President in the late Executive proceedings in relation to the publick revenue, has assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both” be expunged from the Journal of the Senate.—

7. And be it further Resolved, That we approve of the course of the Delegation from this State in the Congress of the United States, with the exception of that of the Hon. Samuel Bell.—

8. And be it further Resolved, That the Hon. Samuel Bell since his reelection to the Senate of the United States has pursued a course in defiance of the wishes of the people of New Hampshire, that he has long misrepresented, and now misrepresents the opinions of a majority of his Constituants and that he be and hereby is requested to resign his seat agreeably to the solemn pledge heretofore made by him.

9. And be it further Resolved, That the Secretary of State be and he hereby is directed to furnish a Copy of these resolutions

to the President and Vice President of the United States, and to each of the Heads of Departments to the Speaker of the House of Representatives and to each of our Senators and Representatives in the Congress of the United States.

[Approved June 24, 1834. Acts, vol. 30, p. 243.]

[CHAPTER 80.]

State of } °
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court Convened.—That the land commissioner for this State, be directed to extend the time of payment of the sum of two hundred and forty dollars and forty one cents now due from Alpheus Bean and others to said commissioner one year, from the time said payment became due.—

[Approved July 4, 1834. Acts, vol. 30, p. 389.]

[CHAPTER 81.]

State of }
New Hampshire. }

The select committee of the two branches of the Legislature, who had under consideration by order a joint resolution relating to the intelligence of the decease of Major General La-Fayette, having attended to the duty assigned them, Report.—

That they regard with profound veneration, the man who voluntarily relinquished a life of ease, and the enjoyments which wealth and rank could afford, him to aid the cause of an infant people engaged in a doubtful struggle for the rights of Man. Who abandoned the refinements of an European Court, and the comforts of a tranquil home, to encounter the rude hardships, dangers, and deprivations of an American Camp.—Who contributed his blood and treasures in the defence of a people, only known to him by their prowess in the War which wrested from France her possessions in America; and when the object of that contest was accomplished, was next to be found Assisting in the mightier struggle of his own Country, and with the same motives.—who when those convulsions had resulted in the creation of a despotism, which wielded the destinies of the globe, and mocked the calculations of human power, and human wisdom, retired before the torrent he could no longer

withstand—who when that splendid but terriffick prodigy, had fallen under the gigantick efforts of its own Ambition, was again found at the head of his Country's councils, and again advocating the rights of freemen. That they regard such a man as worthy of being Associated with that host of heroes who fought in the foremost ranks of American patriotism, and whose achievements stand alone upon the page of history.—

Be it therefore resolved.—by the Senate and House of Representatives in General Court convened, That the intelligence of the decease of Major General La-Fayette, has excited the most heartfelt sensibilities of the members of this Legislature; and that they view the event which has deprived the world of one of its most distinguished patriots as a proper occation for National Mourning.—

And be it further Resolved, That we most feelingly sympathise with the relations and friends of the deceased, both in Europe and America, in that dispensation of Providence, which has terminated the Mortal career of the last surviving

MAJOR GENERAL of the CONTINENTAL ARMY.

And be it further Resolved, that his Excellency the Governour be requested to appoint some suitable person to pronounce an eulogy upon the lamented *La-Fayette* before the Executive and Legislative branches of the Government at some convenient time during the next session of the Legislature.—

And be it further Resolved, That the members of both branches of the Legislature will wear the usual badge of Mourning during the remainder of the session; and that the Clerk of the House be directed to furnish the Members accordingly.—

[Approved July 4, 1834. Acts, vol. 30, p. 390.]

[CHAPTER 82.]

State of }
New Hampshire. {

Resolved, By the Senate and House of Representatives in General Court Convened, That the sum of Forty six dollars be allowed Simon Brown in full of his account, and that the Treasurer be directed to pay the same.—

[Approved July 4, 1834. Acts, vol. 30, p. 393.]

[CHAPTER 83.]

State of }
New Hampshire. }

Resolved, By the Senate and House of Representatives in General Court convened, That the Treasurer, of this State, be directed to collect all sums, due to this State, on notes and bonds, and all outstanding Taxes, which are by law collectable.—

[Approved July 4, 1834. Acts, vol. 30, p. 394.]

[CHAPTER 84.]

State of }
New Hampshire. }

Resolved, By the Senate and House of Representatives in General Court convened, That the State Treasurer be and he hereby is authorized and directed to convey by deed to Daniel Pinkham, his heirs and assigns, all the lands belonging to and being the property of this State situated and lying in the town of Jackson, and all the lands belonging to said State, through which passes the Pinkham Road, so called, running from said town of Jackson to the town of Randolph, meaning hereby to convey to the said Daniel Pinkham all the land conveyed to him by a Resolve of the General Court passed at their June Session 1824. in as full and ample a manner as though the same had been granted to the said Pinkham by said resolve without condition or limitation.

[Approved July 4, 1834. Acts, vol. 30, p. 395.]

[CHAPTER 85.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court Convened, That Robert B. Caverly be allowed the sum of twenty five dollars and seventy two cents in full of his Account, and that the same be paid out of any Monies in the Treasury not otherwise appropriated—

[Approved July 4, 1834. Acts, vol. 30, p. 396.]

[CHAPTER 86.]

State of)
New Hampshire. {

Resolved, by the Senate and House of Representatives in General Court Convened. That Jacob C. Carter be and he is hereby Appointed Librarian of the State Library, during the present Year.—

[Approved July 4, 1834. Acts, vol. 30, p. 397.]

[CHAPTER 87.]

State of)
New Hampshire. {

Resolved by the Senate and House of Representatives in General Court Convened, That the sum of fifteen hundred dollars be, and hereby is appropriated for the purpose of educating indigent deaf and dumb children, of this State, at the Asylum at Hartford, and the sum of five hundred dollars for the purpose of educating indigent blind or partially blind children, of this State, at the Institution for the blind at Boston; that said sums respectively be expended and Applied for the benefit of such and so many of those children, as his Excellency the Governor shall select and approve; and that the Governor be, and hereby is authorized to draw said sums from the Treasury by Warrant.—

[Approved July 4, 1834. Acts, vol. 30, p. 398.]

[CHAPTER 88.]

State of)
New Hampshire. {

Resolved, by the Senate and House of Representatives in General Court Convened.

That Daniel Hamblet be allowed forty one dollars and Ninety three cents in full of his Account, and that the same be paid out of any money in the Treasury not otherwise appropriated.—

[Approved July 4, 1834. Acts, vol. 30, p. 399.]

[CHAPTER 89.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court Convened.

That Charles Flanders and Thomas Chellis Esq^{rs} of Plainfield be Appointed and Authorized as Agents for and in behalf of the State to convey by deed all right and title which this State may have, in and to, four Islands situate in Connecticut River within the lines of the Town of Plainfield, one of which Islands is called Gallups Island, one called Hunters Island, the other two called Pulsifer's Islands, and that said Agents be Authorized to receive full compensation for said Islands, and pay the same into the Treasury of this State.—

[Approved July 4, 1834. Acts, vol. 30, p. 400.]

[CHAPTER 90.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court Convened,

That the Treasurer be directed to pay out of any Monies not otherwise appropriated to Richard Kimball the sum of thirty five dollars and twenty cents, and to John Wentworth 2^d the sum of forty five dollars and twenty cents.—

[Approved July 4, 1834. Acts, vol. 30, p. 401.]

[CHAPTER 91.]

State of }
New Hampshire. }

Resolved, By the Senate and House of Representatives in General Court convened, That the instruction of our Youth, and the general diffusion of knowledge afford the surest means of perpetuating our free institutions, and of securing the stability and happiness of this great Republick; and that we recommend to the several towns throughout this State to cherish with guardian care our primary shools, and to make such liberal provisions as shall afford the greatest facilities to the attainment of Knowledge in early life.—

And be it further resolved, That we view our high shools, Accadamies and seminaries of learning as powerful allies in promotion of the cause of common education; and that, while we view it desirable that a greater proportion of our youth should be nurtured in these nurseries of science, we do hereby recommend to all such Institutions, to adopt as far as possible the "Manual Labour or self-supporting system" uniting bodily vigor and mental improvement, thereby extending to the poor as well as the rich, the united advantages of physical and intellectual cultivation.

[Approved July 4, 1834. Acts, vol. 30, p. 402.]

[CHAPTER 92.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court Convened,

That Jacob Davis be allowed the sum of forty five dollars and twenty cents, and that the same be paid out of the Treasury.

[Approved July 4, 1834. Acts, vol. 30, p. 404.]

[CHAPTER 93.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened,

That His Excellency the Governor be and hereby is authorised to draw on the Treasury for a sum not exceeding five hundred dollars to defray the contingent expenses of the State for the ensuing year.

[Approved July 5, 1834. Acts, vol. 30, p. 460.]

[CHAPTER 94.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court, Convened, That the sum of nine thousand dollars of Any Money not otherwise appropriated be and the same is hereby Appropriated for the purpose of paying the demands against this State on account of the State Prison, to be applied by the person hereafter to be appointed Warden of said Prison for the aforesaid purposes, and so much thereof as may be found necessary therefor—and the Governor is hereby Authorized by and with advice of the Council to draw his Warrant on the Treasurer for said sum in favor of the person to be appointed Warden as aforesaid.—

[Approved July 5, 1834. Acts, vol. 30, p. 465.]

[CHAPTER 95.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Abner B. Kelley be allowed the sum of thirty dollars and fifty eight cents in full of his account and that James Clark be allowed the sum of ninety two dollars and thirteen cents in full of his account and that W. A. Marston be allowed the sum of fifty three dollars in full of his account, and that said sums be paid out of the Treasury.

[Approved July 5, 1834. Acts, vol. 30, p. 491.]

[CHAPTER 96.]

State of }
New Hampshire. }

Be it Resolved by the Senate and House of Representatives in General Court convened. That the claims of the Field officers of the 20th Regiment of New Hampshire Militia, for the repairs of the piece of ordnance in said Regiment be referred to the Adjutant General who is hereby authorised to audit and investigate the same, and to allow such sums as he may think just and equitable and upon the report of said auditor the Governor be and he is

hereby authorised to draw his Warrant on the Treasury for the sums so allowed in favour of the said Field officers.

[Approved July 5, 1834. Acts, vol. 30, p. 494.]

[CHAPTER 97.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court Convened, That the Treasurer of this State be and he is hereby authorized to borrow on the credit of the State, and for the use of the same a sum not exceeding ten thousand dollars, in such portions and at such times, and payable at such times, as may in his Opinion be requisite and proper; at the lowest rate of interest at which the same can be procured, not exceeding six per Cent, and the Treasurer for the time being is hereby authorized and required to pay such loans and the interest when the same may become due or be payable out of any money in the Treasury not otherwise Appropriated.

[Approved July 5, 1834. Acts, vol. 30, p. 495.]

[CHAPTER 98.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened.

That Alfred Smith be allowed the sum of seven dollars and fifty two cents in-full of his account, and the Treasurer be directed to pay the same out of money not otherwise appropriated.

[Approved July 5, 1834. Acts, vol. 30, p. 498.]

[CHAPTER 99.]

State of }
New Hampshire. }

Resolved. by the Senate and House of Representatives in General Court convened—

That Joseph Hill be allowed the sum of three hundred fifteen dollars and ninety cents in full of his account and that David Bon-

ner be allowed the sum of five Dollars and sixty two cents in full of his account, and that the same be paid out of the Treasury

[Approved July 5, 1834. Acts, vol. 30, p. 523.]

[CHAPTER 100.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court Convened, That the Treasurer of this State be and he is hereby Authorized and directed to pay to Hall J. Locke the sum of forty dollars out of any money in the Treasury not otherwise appropriated in full for all sums due him from the State as Clerk of the Committee on engrossed bills.—

[Approved July 5, 1834. Acts, vol. 30, p. 525.]

[CHAPTER 101.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the business of the present session of the Legislature may be closed on Saturday the fifth day of July instant.

[Approved July 5, 1834. Acts, vol. 30, p. 526.]

[CHAPTER 102.]

State of }
New Hampshire. }

To His Excellency William Badger Governor of the State of New Hampshire, The Senate and House of Representatives satisfied that the public good requires that Ira Goodall Judge Advocate of the sixth Brigade of New Hampshire Militia should no longer hold the office of Judge Advocate in said Brigade, respectfully address and request your Excellency with consent of the Council to remove the said Ira Goodall from the said office of Judge Advocate of said Brigade.

[Approved July 5, 1834. Acts, vol. 30, p. 482.]

[FORTY-FOURTH GENERAL COURT.]

[*Held at Concord, one session, June 3, 1835, to June 27, 1835.*]

[OFFICERS OF THE GOVERNMENT.]

WILLIAM BADGER, GOVERNOR.
 RALPH METCALF, SECRETARY OF STATE.
 JOSEPH ROBINSON, DEPUTY SECRETARY.
 ABNER B. KELLY, TREASURER.
 GEORGE SULLIVAN, ATTORNEY-GENERAL.
 CHARLES F. GOVE, PRESIDENT OF THE SENATE.
 CHARLES G. ATHERTON, SPEAKER OF THE HOUSE.

[MEMBERS OF THE COUNCIL.]

Ezekiel Morrill,	Canterbury.
Job Otis,	Strafford.
Jacob Tuttle,	Antrim.
Jonathan Gove,	Acworth.
Elijah Miller,	Hanover.

[MEMBERS OF THE SENATE.]

Thomas J. Parsons,	Rye.
Smith Lamprey,	Kensington.
Charles F. Gove,	Goffstown.
James Clark,	Franklin.
Noah Martin,	Dover.
Jonathan T. Chase,	Conway.
Israel Hunt, Jr.,	Dunstable.
Reuben Porter,	Sutton.
Levi Fisk,	Jaffrey.
Samuel Egerton,	Langdon.
Nathaniel S. Berry,	Bristol.
Walter Blair,	Plymouth.

[MEMBERS OF THE HOUSE.]

ROCKINGHAM COUNTY.

Atkinson,	Amos Sawyer.
Brentwood,	John Colcord.
Chester,	Ephraim Orcott.
	Jesse J. Underhill.

Deerfield,	John James.
	Peter Jenness.
Derry,	William Montgomery.
	John Porter.
East Kingston and } South Hampton, }	John Stevens.
Epping,	James M. Pike.
Exeter,	William Odlin.
	John Sullivan.
Greenland,	Theodore A. Burleigh.
Hampstead,	Moses Hoyt.
Hampton,	David Marston.
Hawke and } Sandown, }	Nathaniel Bradley.
Kensington,	Josiah Prescott.
Kingston,	Jonathan Bartlett.
Londonderry,	William Plummer.
Newcastle,	William Vennard.
Newington,	Simes Frink.
Newmarket,	George W. Kittredge.
North Hampton,	Ebenezer Leavitt.
Northwood,	Jonathan Hill, Jr.
Nottingham,	Joseph Bartlett.
Plaistow,	Nathaniel Clark, Jr.
Poplin,	Jonathan Tuck.
Portsmouth,	George Dennett.
	John S. Jenness.
	Chandler E. Potter.
	Thomas P. Treadwell.
	Michael W. Tucker.
	Isaac Waldron.
Raymond,	John Scribner.
Rye,	Thomas Goss.
Salem,	John Woodbury.
Seabrook,	Dudley S. Lock.
Stratham,	John Scammon.
Windham,	Isaac McGaw.

STRAFFORD COUNTY.

Albany and } Chatham, }	Samuel Dearing.
Alton,	Daniel Sawyer.
Barnstead,	Samuel G. Berry.
	William L. Hill.
Barrington,	Aaron Young.

Brookfield,	Asa Wiggin.
Center Harbor,	Gilman Fox.
Conway,	Jonathan R. Thompson.
Dover,	Thomas W. Kittredge.
	John B. H. Odiorne.
	Thomas E. Sawyer.
Durham,	Abraham Mathes.
Eaton,	Abraham Colby.
Effingham,	Moses Leavitt.
Farmington,	Mark Demeritt.
Freedom,	Amos Towle, Jr.
Gilford,	William Blaisdell.
	Peaslee Hoit.
Gilmanton,	David Bean.
	Jeduthan Farrar.
	John S. Shannon.
Lee,	Gorham W. Hoit.
Madbury,	Elijah Austin.
Meredith,	Samuel Bean.
	John L. Perley.
Middleton,	Samuel L. Stevens.
Milton,	Thomas Chapman.
New Durham,	Joseph French, Jr.
Ossipee,	Edward Grant, Jr.
Rochester,	Charles Dennett.
	Jonathan Hussey.
Sanbornton,	William Jones.
	Samuel Tilton.
Sandwich,	Daniel Hoit.
	Johnson D. Quimby.
Somersworth,	William W. Rollins.
	John Wentworth, 2d.
Strafford,	Hudson Peavey.
	Daniel Winkley.
Tamworth,	Moses Titcomb.
Tuftonborough,	John Peavey.
Wakefield,	James Garvin.
Wolfeborough,	Nathaniel Rogers.

MERRIMACK COUNTY.

Allenstown,	Charles Rowell.
Andover,	Joseph Swett.
Bow,	Jonathan Cavis.
Bradford,	John Gillingham.
Chichester,	John True.

Concord,	Abel Baker.
	Isaac Emery.
	Charles H. Peaslee.
	Jeremiah Pecker.
Dunbarton,	Caleb Stark, Jr.
Epsom,	William Ham, Jr.
Fishersfield,	Simeon Stevens.
Franklin,	George W. Nesmith.
Henniker,	Imri Woods.
Hooksett,	Matthew Gault.
Hopkinton,	Abram Brown.
	Daniel Chase.
Loudon,	Ira Osgood.
New London,	Joseph Kimball.
Northfield,	Abraham Brown.
Pembroke,	James Wilson.
Pittsfield,	True Norris.
Salisbury,	Benjamin Pettengill, 2d.
Sutton,	John Pilsbury.
Warner,	Philip Colby, Jr.
	Timothy Davis.
Wilmot,	John Cross.

HILLSBOROUGH COUNTY.

Amherst,	Daniel Campbell, Jr.
Antrim,	Luke Woodbury.
Bedford,	Joseph Colley.
Deering,	Samuel Gregg.
Dunstable,	Charles G. Atherton.
	Moody D. Lovewell.
	Zebadiah Shattuck.
Francestown,	William Bixby.
Goffstown,	Jesse Carr.
	Robert Craig.
Greenfield,	Paul Cragin, Jr.
Hancock,	Jonas Hutchinson.
Hillsborough,	Hiram Munroe.
Hollis,	Moses Proctor.
Hudson,	Thomas B. Wason.
Litchfield,	Samuel Corning, Jr.
Lyndeborough,	Samuel T. Manahan.
Manchester,	Samuel B. Kidder.
Mason,	William Wright.
Merrimack,	Samuel Barron, Jr.
Milford,	Solomon K. Livermore.

Mont Vernon,	Daniel W. Baker.
New Boston,	Robert B. Cochran.
New Ipswich,	Seth King.
Pelham,	Samuel M. Richardson.
Peterborough,	Alexander Robbe.
Sharon,	Abiel Sawyer.
Society Land and {	
Windsor, }	John G. Flint.
Temple,	Nathan Wheeler.
Weare,	John L. Hadley.
	Thomas Muzzey.
Wilton,	Daniel Batchelder.

CHESHIRE COUNTY.

Alstead,	Ezra Kidder.
Chesterfield,	Otis Amidon.
Dublin,	Richard Strong.
Fitzwilliam,	Daniel Spaulding.
Gilsum,	Allen Butler.
Hinsdale,	Jonathan Brown.
Jaffrey,	John Conant.
Keene,	Henry Coolidge.
	Thomas Thompson.
Marlborough,	Benjamin Whitney, Jr.
Marlow,	Allen Giffin.
Nelson,	Cyrus Harris.
Richmond,	Joseph Newell.
Rindge,	Amos Keyes.
Roxbury,	John Gove.
Stoddard,	Jacob Taylor.
Sullivan,	Samuel Locke.
Surry,	Peter Hayward.
Swanzey,	Edward Goddard.
Troy,	Chester Lyman.
Walpole,	Leonard Biscoe.
	George Huntington.
Winchester,	James B. Turner.

SULLIVAN COUNTY.

Acworth,	Joel Tracy.
Charlestown,	Isaac Silsby.
Claremont,	Erastus Glidden.
	Godfrey Stevens.
	Arad Taylor.
Cornish,	Sylvanus Bryant.

Croydon,	Paul Jacobs.
Goshen,	Levi Trow.
Grantham,	Amasa Hall.
Langdon,	March Chase.
Lempster,	•Martin Beckwith.
Plainfield,	John Bryant.
Springfield,	John Nichols.
Unity,	Amos Perkins.
Washington,	Clark C. Boutwell.
Wendell,	John Colby.

GRAFTON COUNTY.

Alexandria,	William Crawford, Jr.
Bath,	Jonathan Smith
Bethlehem,	Phineas Wallace.
Bridgewater,	Nathaniel P. Melvin.
Bristol,	Samuel T. W. Sleeper.
Campton,	Davis Baker.
Canaan,	Joseph L. Richardson.
Coventry,	Daniel Batchelder.
Danbury,	Ichabod S. Johnson.
Dorchester,	Benjamin Dow, Jr.
Enfield,	Converse Goodhue.
Franconia and } Lincoln, }	John Wallace, Jr.
Grafton,	Abner Hale.
Groton,	William Crosby.
Hanover,	Timothy Owen, Jr.
	Ira Perley.
Haverhill,	John Page.
Hebron,	Daniel Hazelton.
Holderness,	Jeremiah P. Hadley.
Landaff,	Jonathan Brownson.
Lebanon,	Benjamin Ela.
	Timothy Kenrick.
Lisbon,	David Cowen
Littleton,	Sylvanus Balch.
Lyman,	Horace Duncan.
Lyme,	Beza Latham.
New Chester,	Abraham Gates.
Orange,	Micajah M. Smith.
Orford,	Abiathar G. Britton.
Piermont,	Joseph Sawyer.
Rumney,	Otis Whitney.
Thornton,	Philip Sargent.
Warren,	Jacob Patch.

COOS COUNTY.

Bartlett,	Ezra H. Meserve.
Dalton and } Carroll, }	Benjamin Brooks, Jr.
Jackson and } Hart's Location, }	John Chesley.
Jefferson, Kilkenny, Ran- } dolph, Nash and Sawyer's } Location and Pinkham's } Grant, }	Daniel Pinkham.
Lancaster,	Jared W. Williams.
Milan, Stark and } Dummer, }	Ransom Twitchel.
Shelburne, Shelburne Ad- } dition, Success and Berlin, }	Benjamin Thompson.
Stewartstown, Dixville, } Millsfield, Errol and } Clarksville, }	Gideon Terrell.
Stratford and } Northumberland, }	Samuel F. Brown.
Whitefield,	William Dodge.

[*First session, held at Concord, June 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27. 1835.*]

[CHAPTER 1.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CLAREMONT FUSILIERS.

[Approved June 12, 1835. Acts, vol. 31, p. 155. Session Laws, 1835, Private Acts, Chap. 22. See act of July 4, 1838, id., 1838, Private Acts, Chap. 25.]

Sec. 1 Be it enacted by the Senate and House of Representatives, in General Court convened, that Silas L. Bingham Frederic W. Handerson and Hosea Booth, and their associates and successors be, and they hereby are made a body politic and corporate, by the name of the Claremont Fusiliers, and by that name may sue and be sued, prosecute and defend to final Judgment and execution and are hereby authorised to exercise all the powers and are made subject to all the liabilities of Volunteer Companies existing under the provisions of the Militia Law of this State, for the time being, and the said Company is hereby empowered to hold real estate not exceeding in value the sum of five hundred dollars, and personal property to an amount not exceeding one thousand dollars.

Sec. 2 Be it further enacted that the said Company may consist of sixty four rank and file and eight Musicians to be raised by voluntary enlistment from the citizens residing within the limits of the 15th Regiment of New Hampshire Militia, and when organized shall be attached to said Regiment and be subject to the Militia Law of this State.

Sec 3 Be it further enacted that the said Silas L. Bingham Frederick W. Handerson and Hosea Booth or any two of them may call the first meeting of said Company, by giving personal notice of the time and place thereof, to the members of said Company at least four days prior to the time of said Meeting, at which time or at any subsequent Meeting may make such by Laws, and ordain such Rules, and regulations not repugnant to the Laws of this State, as may be necessary to carry into effect the object of this act.

Sec. 4 And be it further enacted that all the privileges of this act shall be under the control of this, or any future Legislature, so as to alter amend or repeal the same at pleasure, as the public good may require.

[CHAPTER 2.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE SECOND
 FIRE ENGINE COMPANY IN HAVERHILL

[Approved June 12, 1835. Acts, vol. 31, p. 154. Session Laws, 1835,
 Private Acts, Chap. 32.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened That Henry W. Reding Madison S. Bartlett Henry H Page Horace P. Allen and James Olmstead their associates and successors, be and they are hereby incorporated and made a body politic by the name of the Second Fire Engine Company in Haverhill and by that name may sue and be sued prosecute and defend to final Judgment and execution and be known and distinguished in all their acts and proceedings and they are hereby vested with all the powers and privileges and subjected to all the liabilities incident to corporations of a similar nature.

Sec 2 And be it further enacted that said Corporation be and is hereby authorised and empowered to purchase and hold real and personal estate for the purposes of said corporation not exceeding the sum of five hundred Dollars, and the same may sell and dispose of at pleasure.

Sec 3^d And be it further enacted that Henry W. Reding, Horace P. Allen and Henry H. Page or any two of them, may call the first meeting of said corporation at any suitable time and place in said Haverhill by giving to the members thereof personal notice of the time and place of said meeting seven days at least or by posting up notifications in two or more public places in said Town a like number of days prior to said Meeting setting forth the time, place and objects of said meeting at which first meeting the members of said corporation may agree on the manner of calling future meetings may make bye laws for the regulation and government of said corporation not repugnant to the laws of this State, and may do and transact any other business necessary to carry into effect the objects of this corporation

Sec 4 And be it further enacted that this act shall at all times be under the control of the Legislature of this State, so as to alter, amend, or repeal, the same whenever the public good may require

[CHAPTER 3.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE
 HAVERHILL AQUEDUCT COMPANY

[Approved June 12, 1835. Acts, vol. 31, p. 156. Session Laws, 1835, Private Acts, Chap. 23. See act of December 13, 1820, Laws of New Hampshire, vol. 8, p. 933.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened that Ezra Bartlett, John Nelson, Joseph Bell, Benjamin Merrill Jonathan Sinclair S. P. Webster John L. Rix Richard N. Brown Henry Towle Joshua Blaisdell David Sigan and their associates and those who may hereafter become associates with them, their successors and assigns shall be and hereby are created and made a Corporation by the name of the Haverhill Aqueduct Company, and by that name may be, and hereby are made capable in Law, to sue and be sued, plead. and be impleaded, defend and be defended, in any courts of record. and in any other pce whatever, and also to make, have, and use, a common seal, and the same again, at pleasure, to break, alter, and renew. and also, to ordain establish, and put in execution, such Bye Laws, ordinances and regulations as to them shall appear necessary and convenient, for the government of said Corporation, and prudent management of their affairs, provided that such Bye Laws ordinances and regulations, shall in no wise be contrary to the laws and constitution of this State, and to choose such Officers as said Corporation shall deem necessary and convenient.

Sec. 2 And be it further enacted that said Corporation shall be capable of holding all such real and personal estate as shall be necessary for laying down and keeping, in repair, an Aqueduct from the Bliss Spring (so called) in said Haverhill, to the Village of Haverhill corner (so called) not exceeding four thousand Dollars, and to raise, and create, a fund or capital stock for the purpose aforesaid, to be divided into such number of shares as said corporation shall deem proper, each of which shall be entitled to one vote in all proceedings of said Corporation.

Sec 3 And be it further enacted that the aforesaid Ezra Bartlett, John Nelson, and Joseph Bell, or either two of them, are authorised to call a meeting of the members of said corporation as soon as may be, at such time and place as they may see fit, by giving personal notice to each of them, or by posting up a notice to that effect at two public places, at said Haverhill Corner seven days previous to said meeting, at which meeting, the members of said corporation may

agree on the time when, and the manner, of calling their annual, and all future meetings.

Sec 4 And be it further enacted that the privileges of this act shall at all times, be under the control of the Legislature of this State, so as to alter, amend, or repeal the same, whenever the public good may require

[CHAPTER 4.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE PRESIDENT, DIRECTORS, AND COMPANY, OF THE NASHUA BANK.

[Approved June 19, 1835. Acts, vol. 31, p. 23. Session Laws, 1835, Private Acts, Chap. 29. See act of June 29, 1853, id., 1853, Chap. 1474.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Jesse Estey, Daniel Abbot, Jesse Bowers, Alfred Greeley, Ira Gay, Israel Hunt, Francis Winch Hugh Jameson, Isaac Spaulding, M T. D. Greeley, Charles J. Fox, Gilman Shattuck, Joshua C. Dodge, Elijah Colburn and their associates, successors and assigns be, and they hereby are created and made a corporation by the name and style of the President, Directors, and Company of the Nashua Bank, and shall so continue, from the first day of November next, until the expiration of twenty years, next following, and by that name shall be and hereby are made capable in law, to sue and be sued, plead and be impleaded, defend and be defended, in any court of record or any other place whatever, and also to make, have and use a common seal, and the same, at pleasure, to break, alter or renew, and also to ordain, establish and put in execution, such by laws, ordinances and regulations, not repugnant to the laws of this State, as to them, shall appear necessary or convenient for their regulation and government, and for the prudent management of the affairs, of said corporation, subject always to the rules, restrictions, limitations, and provisions hereinafter prescribed.

Sec. 2 And be it further enacted, that the capital stock of said corporation shall consist of a sum, not less than one hundred thousand dollars, nor more than two hundred thousand dollars, and may be divided into not less than one thousand nor more than two thousand shares. And the stockholders, at their first meeting, shall, by a majority of votes, determine the amount of payments to be made on each share, and the time when they shall be made, also the mode of transferring and disposing of the stock and the profits

thereof, which, being entered on the books of said corporation, shall be binding on the stockholders, their successors and assigns. Provided that no stockholder shall be allowed to borrow at said Bank until he shall have paid in his full proportion of said sum, of one hundred thousand dollars at least, and said corporation is hereby made capable in law to have, hold, purchase and receive, possess, enjoy and retain to them, their successors and assigns, lands, rents, tenements, and hereditaments, to the amount of twenty thousand dollars and no more at any one time with power to bargain sell and dispose of the same and to loan and negotiate their moneys and effects, by discounting on banking principles on such personal or other security as they shall think advisable

Sec 3 And be it further enacted, That the following rules, limitations and provisions, shall form and be the fundamental articles of said corporation

1st That said corporation shall not issue and have in circulation, at any one time, bills, notes, or obligations, to a greater amount than the amount of the capital stock actually paid in at such time, and then composing the capital stock of said Bank and in case any cashier director or other officer of said Bank at any time shall knowingly issue or order direct or cause to be issued and put in circulation bills, notes or obligations of said Bank, which together with those before issued, and then in circulation, shall exceed the amount of the capital stock as aforesaid, such cashier director, or other officer, shall forfeit, and pay a sum not exceeding ten thousand dollars, nor less than one thousand dollars.

2^d That dividends may be made semianually among the stock holders of said Bank of interest or profits actually received but no part of the capital stock of said Bank shall either before or after the expiration of the time limited by this act for the continuance of said corporation be divided among or paid to the stockholders without the license of the Legislature of this state therefor on penalty that any cashier director or other officer who shall so divide or pay the same or order direct or cause the same to be done, shall forfeit and pay therefor a sum not exceeding ten thousand dollars nor less than one thousand dollars. Provided nevertheless that it shall be lawful for the stockholders after having given one years previous notice of their intention by advertisement in two newspapers published in this State and after payment of all outstanding debts due from said Bank to make division of the capital stock among themselves and thereby dissolve said corporation. And provided further that said corporation shall in no case be dissolved until they shall have made ample provision for the redemption of all bills issued by said Bank that may be presented for payment at any time within three years from and after the first publication of the notice aforesaid which provision shall first be presented to

the Governor and Council of this State for the time being and accepted and approved by them—

3^d That in case of a diminution or loss of any portion of the sum composing the capital stock of said Bank by reason of bad or desperate debts due to the Bank or other means whatever it shall be the duty of the directors in their next annual return of the condition of said Bank by law required to be made to the Governor and Council to state the amount of such diminution or loss and the cause thereof. And after such diminution or loss no dividend of interest or profit shall be made until such diminution or loss shall be replaced and supplied by assessments and actual payments by the stockholders or by the appropriations therefor of the interest and profits annually received.

4th That said corporation shall not vest use or improve any of their moneys goods chattles or effects in trade or commerce but may sell all kinds of personal pledges lodged in their possession by way of security to an amount sufficient to reimburse the sum or sums loaned.

5th That none but a member of said corporation being a citizen of this State and resident therein shall be eligible for a director and the directors shall choose one of their own number to act as president. The cashier before he enters on the duties of his office shall give bond with two or more securities to the satisfaction of the board of directors in a sum not less than ten thousand dollars with condition for the faithful discharge of the duties of his office.

6th That for the well ordering of the affairs of said corporation a meeting of the stockholders from and after their first meeting shall be holden at such time and place as they shall direct annually and at any other time during the continuance of said corporation at such place as may be appointed by the president and directors for the time being by public notice being given at least two weeks prior thereto at which annual meeting there shall be chosen by ballot seven directors to continue in office the year ensuing their election and the number of votes to which each stockholder shall be entitled shall be according to the number of shares he shall hold. Provided that no one stockholder shall be entitled to more than twenty votes. Absent members may vote by proxy being authorised in writing signed by the person represented and filed with the cashier.

7th That no director shall be entitled to any emolument for his services, but the stockholders may make the president such compensation as to them shall appear reasonable.

8th That no less than four directors shall constitute a board for the transaction of business of whom the president shall be one except in case of sickness or necessary absence in which case the directors present may choose a chairman for the time being in his stead.

9th That all bills issued from the Bank aforesaid signed by the president and countersigned by the cashier shall be binding on said corporation

10th That the directors shall appoint a cashier, Clerks and such other officers agents or servants for conducting the business of the Bank with such salaries as to them shall seem just and proper

11th That said Bank shall be established and kept in Nashua Village in Dunstable in the County of Hillsborough and not elsewhere

12th That the Legislature at all times have the right by persons duly appointed for the purpose to examine into the state and condition and all the doings and transactions of said corporation and of its affairs relating to the same, for which purpose all the books and papers of the corporation together with all its money and securities for money shall be exhibited and submitted to the inspection and examination of such persons so appointed, and each officer of said corporation shall answer on oath if required all suitable and proper interrogatories relating to the state, condition and transactions of said Bank

Sec 4 And be it further enacted, that the said Jesse Estey Daniel Abbot and Jesse Bowers, or either two of them may call a meeting of the members of said corporation as soon as may be at such time and place as they may see fit by advertisement in the Nashua Gazette giving at least two weeks notice of the time place and design thereof at which meeting or any adjournment thereof the said members may make ordain and establish such by laws, ordinances and rules for the regulation and government of said corporation as may be deemed necessary, and may also elect a board of directors and such other officers or agents as the said members may see cause to choose.

Sec. 5 And be it further enacted That all penalties incurred for the breach of any of the provisions of this act may be recovered by information or suit in the name of the State

Sec. 6 And be it further enacted That if said corporation shall not be organised and in operation, and shall not have actually paid to the Treasurer of this State on or before the second Wednesday of June in the year of our Lord one thousand eight hundred and thirty seven one half of one per cent on the amount which shall constitute the capital stock of said Bank agreeably to the provisions of the act establishing a Literary Fund to be collected from the several banking institutions in this State, passed June 20th 1821 in that case, this act and every part thereof shall be void and of none effect.

Sec. 7 And be it further enacted, That nothing in the foregoing act shall be so construed as to prevent this or any future Legislature from altering or amending the same as the public good may require

[CHAPTER 5.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE UNION PHALANX

[Approved June 19, 1835. Acts, vol. 31, p. 29. Session Laws, 1835, Private Acts, Chap. 8.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that the Students of the Kimball Union Academy situate in Plainfield in the County of Sullivan, who are or may hereafter be liable to do military duty, shall constitute one company to be known by the name of the Union Phalanx and shall be uniformed and officered in the same manner and be under the same liabilities as other companies of light infantry in this State and shall be attached to the fifteenth Regiment of the militia of this State, provided that said students shall forthwith proceed to organise themselves into a company and shall hereafter keep up the organization and adopt such uniform as the field officers shall prescribe. And all such students as shall fail to comply with the requisitions contained in this act shall be liable to enrolment and to the performance of military duty in the company of infantry within whose limits they may reside

[CHAPTER 6.]

State of)
New Hampshire. }

AN ACT TO ALTER THE LIMITS OF CERTAIN REGIMENTS OF MILITIA
IN THIS STATE

[Approved June 19, 1835. Acts, vol. 31, p. 30. Session Laws, 1835, Chap. 220. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that the North Company of infantry in the Town of Milton in this State which now constitutes a part of the thirtyninth Regiment, be and the same is hereby severed from said thirtyninth Regiment and annexed to and made a part of the thirty third Regiment of New Hampshire militia

Sec 2 And be it further enacted that all the officers non-commissioned officers, musicians and privates who reside within the limits of said North Company in Milton shall hereafter be amenable

to and do duty under the field officers of the said thirty third Regiment the same as are required of other Companies in their respective Regiments in this State

Sec 3 And be it further enacted that all acts and parts of acts inconsistent with the provisions of this act be and the same hereby are repealed

[CHAPTER 7.]

State of }
New Hampshire. }

AN ACT, TO INCORPORATE THE DESPATCH LINE OF PACKETS

[Approved June 19, 1835. Acts, vol. 31, p. 127. Session Laws, 1835, Private Acts, Chap. 26.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, that Andrew Pierce, Samuel Rice, Charles E. Bartlett, Stephen Hanson, Andrew Pierce Jr. their associates, successors, and assigns be, and they hereby are, incorporated and made a body corporate by the name of the Proprietors of the Despatch line of Packets, for the purpose of transporting or freighting goods and merchandise by water from Dover in this State to Boston in the Commonwealth of Massachusetts, or elsewhere, and by that name may sue and be sued, prosecute and defend to final Judgment and execution, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities which are by law incident to corporations of a similar nature

Sec 2 Be it further enacted that said corporation be, and hereby, is authorised to purchase and hold real estate, to an amount, not exceeding eight thousand dollars, and personal estate to an amount not exceeding fifty thousand dollars, and the same to manage, improve, and dispose of, in such manner as may be found most advantageous to the operations and business of said corporation

Sec 3 Be it further enacted that the persons above named or any three of them may call the first meeting of said proprietors at any suitable time and place, by advertisement in any one of the newspapers printed in Dover, in the County of Strafford, at least three weeks prior to the day of said first meeting, at which said first meeting the said proprietors may pass such by laws for the government and management of the affairs of said corporation, as they may think proper, provided the same be not repugnant to the constitution and laws of this State, and may divide their capital stock into such number of shares as they may deem proper, may choose all necessary officers for the management of the con-

cerns of said corporation and prescribe their respective duties, may determine the method of calling future meetings, and may transact any business necessary to carry into effect the object of said proprietors

Sec 4 And be it further enacted that the Legislature may at any time, hereafter, alter, amend, modify, or repeal this act

[CHAPTER 8.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE
FIRST FREE BAPTIST SOCIETY IN GILMANTON

[Dated June 19, 1835, but not signed by the Governor. Acts, vol. 31, p. 129. Session Laws, 1835, Private Acts, Chap. 30. See act of June 24, 1869, id. 1867-71, p. 362.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, That James Weymouth, Joseph Clark, Joseph Folsom, Isaiah Clough, and their associates, successors and assigns be, and hereby, are incorporated and made a body corporate, and politic by the name of the First Free Baptist Society in Gilmanton and, by that name, may sue, and be sued, prosecute and defend, to final judgment and execution and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature

Sec. 2 And be it further enacted, That James Weymouth and Joseph Clark or either of them may call the first meeting of said corporation, by posting up notices in two of the most public places in the Upper Parish of said Gilmanton six days prior to the holding the same, at which meeting or any adjournment thereof, all necessary officers may be chosen, and By laws made for the regulation of the concerns of said corporation, not repugnant to the laws of this State. Provided however that nothing in this act shall be so construed as to authorise said corporation to take possess and enjoy any estate whether real or personal exceeding in value the amount of five thousand dollars, and which shall be appropriated for the purpose of a site, for a meeting house in said Gilmanton, and for the erection and repairs thereof

Sec 3 And be it further enacted. That the Legislature may, at any time modify alter or repeal this act or any of its provisions.

[CHAPTER 9.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE WINNIPISSIOGEE GUARDS.

[Approved June 19, 1835. Acts, vol. 31, p. 130. Session Laws, 1835, Private Acts, Chap. 36.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That Winthrop Young Chase P. Tebbetts, Daniel M. Gale Albert Taylor, and their associates and successors be and they hereby, are made a body politic and corporate by the name of the Winnipissiogee Guards and by that name may sue, and be sued, prosecute and defend to final judgment and execution, and are hereby authorised to exercise all the powers, and subject to all the liabilities incident to volunteer Companies existing under the provisions of the militia laws of this state for the time being and the said Company is hereby empowered to hold real estate not exceeding in value the amount of five hundred dollars, and personal property to an amount, not exceeding one thousand dollars, and the same may sell and dispose of at pleasure.

Sec. 2 And be it further enacted, That said Company may consist of sixty four rank and file and eight musicians to be raised by voluntary enlistment, from the citizens residing in the limits of the 29th Regiment of New Hampshire militia, and when organised shall be attached to said Regiment and be subject to the militia law of this State

Sec 3 And be it further enacted That said Winthrop Young, Chase P. Tebbetts and Daniel M. Gale or any two of them, may call the first meeting of said company by giving personal notice of the time and place thereof to the members of said company at least four days prior to the time of said meeting, at which time or any subsequent meeting, make such By laws, and ordain such rules and regulations, not repugnant to the laws of this State, as may be necessary to carry into effect the objects of this act.

Sec 4 And be it further enacted that all the privileges of this act shall be under the control of this or any future Legislature, so as to alter amend or repeal the same at pleasure, as the public good may require

[CHAPTER 10.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE LAKE MANUFACTURING COMPANY

[Approved June 19, 1835. Acts, vol. 31, p. 132. Session Laws, 1835, Private Acts, Chap. 42.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That John B. H. Odiorne, Samuel W. Carr, Benjamin Odiorne, and their associates, and successors, be, and they hereby are made a body corporate, and politic, forever by the name of the Lake Manufacturing Company, and by that name may sue, and be sued, prosecute and defend, to final judgment, and execution, may have and use a common seal, and the same may break, alter, and renew at pleasure, and may also, make ordain, and put in execution such by laws, and regulations, not being repugnant to the constitution and laws of this State, as shall be necessary, proper, and convenient for the government of said corporation, and the due management of its concerns, and shall be, and hereby are vested with all the powers and privileges and subject to all the liabilities, which by law are incident to corporations of a similar nature.

Sec 2 And be it further enacted, That the said corporation be and the same hereby is empowered to establish, manage and carry on, the manufacture of Cotton, Linen, and Woolen goods, and of all kinds of machinery and such other branches of trade, and manufacture, as shall be necessarily connected therewith at and near the Weirs Falls situated in the Towns of Gilford and Meredith, and to purchase, take, hold, and convey, real and personal, estate of any kind, to such an amount as they may find necessary or convenient in the management of their concerns, provided the same shall not exceed the sum of ten hundred thousand dollars, and the same to manage improve, change and sell, at their pleasure, and to erect on the real estate, owned or to be purchased and held by them as aforesaid, such mills buildings machines and works as they may deem necessary or useful in managing and carrying on their manufactories and works and in conducting the business of the corporation and may also hold use and improve, for the purpose aforesaid, all such mills and other property, as is now owned by the members of said corporation. Provided also that nothing in this act shall be so construed as to give a right to obstruct the free navigation of the river

Sec 3 And it is further enacted that said John B. H. Odiorne may call the first meeting of said corporation, to be holden at

some suitable place, and time in the Town of Gilford, at which meeting a clerk shall be chosen, and sworn to the faithful discharge of the duties of his office and it shall be his duty to record, in a book of records, provided, and kept for that purpose, the doings and proceedings of said corporation, and give certified copies, when legally required, and to perform such other services as the bylaws of said corporation shall require, and at the same or any subsequent meeting, duly holden the members, or associates of said corporation, may prescribe and agree on the manner of calling, holding, and conducting future meetings, may divide their capital or joint stock into such number of shars as they may deem proper, may prescribe the mode, in which the shares, in said capital stock, shall be holden, and how the same shall be transiered, may make, or provide for the making of assessments, on the shares from time to time, as occasion may require and fix the time for the payment of the same, may apppoint and constitute such officers servants and agents, of said corporation, as they shall think necessary, and prescribe their respective duties and may do and transact any matter or thing relating to the property or concerns of said corporation

Sec. 4 And be it further enacted, That at all meetings of said corporation, duly notified and holden, each member shall be entitled to cast one vote for each share, he may own and hold in the capital stock thereof, upon any question that may come before such meetings, and absent members may be represented, and vote at such meetings, by an agent for that purpose, duly authorised by writing signed by the member or members to be represented, which writing shall be filed with the clerk of said corporation, and at such meetings all questions shall be decided by a majority of votes cast.

Sec 5 And be it further enacted, That the shares in the capital stock of said corporation, shall be, and are holden and liable for the payment of all assessments legally made thereon. And in case of neglect, by any member to pay the sum, assessed upon his share, or shares, so many of them as shall be sufficient to pay the amount due on said assessments, may be sold, and transfered for the payment of the same, in such way and manner as may be prescribed in the by laws of said corporation

Sec. 6 And be it further enacted That the Legislature may at any time modify, alter or repeal this act or any of its provisions as the public good may require.

[CHAPTER 11.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NASHUA AND LOWELL RAIL ROAD CORPORATION

[Approved June 23, 1835. Acts, vol. 31, p. 13. Session Laws, 1835, Private Acts, Chap. 37. See also acts of January 13, 1837, id., 1836, November session, Chap. 280; June 26, 1838, id., 1838, Private Acts, Chap. 21; July 3, 1866, id., 1866, Chap. 4377; July 3, 1868, id., 1867-71, p. 223; July 10, 1874, id., 1872-76, p. 347, and July 24, 1889, id., 1889-91, p. 39.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That Jesse Bowers, Ira Gay, Daniel Abbot, Benjamin F. French, John M. Hunt Peter Clark and Charles J. Fox their associates, successors and assigns be and hereby are constituted and made a corporation by the name of the Nashua and Lowell Rail Road Corporation, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and may have and use a common seal, and the same may alter and renew at pleasure and may also make ordain, and put in execution all such byelaws and regulations, not being contrary to the constitution and laws of the State, as shall be necessary, proper and convenient for the government of said corporation—the due management of its concerns and the preservation and proper use of said Rail Road and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities, which by law are incident to corporations of a similar nature

Sec. 2 And be it further enacted, That said corporation be and hereby is empowered to locate, construct and keep in repair a Rail Road from any point in the Southern line of the State, to some convenient place in or near Nashua Village in Dunstable in such manner as they shall deem most expedient and to take Toll for all passengers and property of all descriptions conveyed upon the same or any part thereof, and for this purpose may lay out said Rail Road not exceeding six rods wide, and may take as much more land as may be necessary for stone and gravel, for embankments, cuttings, walls bridges and abutments for the proper construction of said Rail Road. Provided that all damages occasioned by taking the same shall be determined in the manner herein after provided. and That the transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said Road shall be in conformity to such rules regulations and provisions as the Directors shall from time to time prescribe and direct.

Sec 3 And be it further enacted That said corporation be, and

is hereby authorised for the purposes aforesaid, to purchase take, hold, improve and convey real and personal estate of every kind, and erect thereon, such depots, storehouses, tollhouses and other buildings as they may think expedient to such amount as they may find sufficient for the completion of said Rail Road and the management of its concerns. Provided said amount shall not exceed three hundred thousand dollars

Sec 4 And be it further enacted That the said Jesse Bowers Daniel Abbot and Ira Gay or any two of them may call the first meeting of said corporation by giving to each of the members seven days previous notice, at which meeting a clerk shall be chosen who shall be sworn to the faithful discharge of the duties of his office, and it shall be his duty to record the doings and proceedings of said corporation, and to perform such other services as the by-laws of said corporation may require. And at the same or any subsequent meeting duly holden the members of said corporation may prescribe the time and manner of calling, holding, and managing future meetings may divide the capital stock or such portion thereof, as they may deem sufficient for the time being, into shares and prescribe the mode in which the same shall be holden and transfered, may make or provide for the making of assessments on said shares from time to time as occasion may require, provided, that assessments, shall not exceed in the whole, the sum of twenty five dollars on each share, and fix the time and mode of payment, may appoint and constitute such officers, servants, or agents of the said corporation as they shall think expedient, and prescribe their respective duties and powers and may do or transact any other matter or thing relating to the property, business, or concerns of said corporation, and each member shall be entitled to one vote for each share he owns or holds in said corporation, and absent members may be represented and vote by proxy, authorised thereto by writing filed with the clerk of said corporation and all questions shall be determined by a majority of votes cast, provided that no vote shall be given by any proprietor for any share owned or held by him exceeding one tenth of the whole number of shares

Sec. 5 And be it further enacted That the shares aforesaid shall be liable and holden for the payment of all assessments legally made thereon, and in case of the neglect or refusal of any member to pay the assessment or assessments on his share or shares, the same or so many of them as may be sufficient to pay the amount of such assessments, with interest and expenses of sale, may be sold and transfered for the payment of the same in such manner as may be prescribed by the byelaws of said corporation, provided that if it be necessary to raise a sum exceeding twenty five dollars on each share the same shall be done by creating new shares.

Sec 6 And be it further enacted That when the lands or other property of any Feme Covert infant spendthrift or peron non-compos mentis shall be necessary for the construction of said Rail Road, the husband of such Feme Covert or the Guardian of such infant, spendthrift, or person noncompos mentis may release all damages for any land or property taken and appropriated as aforesaid, as fully as they might do if the same were holden in their own rights respectively

Sec 7 And be it further enacted That said corporation shall be holden to pay all damages arising to any person or corporation by taking their land for said Rail Road, when it cannot be obtained by voluntary agreement on petition to the court of common Pleas in the mode provided by law for the recovery of damages occasioned by the laying out of highways by order of said Court

Sec. 8 And be it further enacted That said corporation be and hereby is authorised to cross any canal, or to cross, raise, lower or run along any Turnpike Highway or other way, provided, that said Rail Road shall be so constructed as not to obstruct the safe and convenient use of the same—and if said Rail Road shall not be so constructed the proprietors of such canal or Turnpike, the owner of such private way or the selectmen of the Town in which such highway may be situated, as the case may be shall be entitled to an action on the case against said corporation, and may recover reasonable damages, Provided however that the proprietors owners, or selectmen aforesaid as the case may be, shall before action brought file with the clerk of said corporation a particular description in writing, signed by them, of all such alterations as they may deem-necessary, and shall specify therein, and allow a reasonable time to said corporation for making said alterations, and provided further that no action shall be sustained as aforesaid unless brought within one year after the time allowed for making such alterations, shall have expired

Sec 9 And be it further enacted That said corporation shall substantially construct and keep in good repair, all bridges, abutments, foundations, walls, and embankments which may be necessary for safely and conveniently crossing any canal or crossing, passing over, under, or along any Turnpike,—highway or other way. And when any public highway shall hereafter be laid out by the selectmen of any Town or by order of the Court of Common Pleas, across said Rail Road said corporation being thereto required in writing by the Selectmen of the town where such highway may cross said Rail Road, shall make such alterations in said Rail Road as may be necessary to the proper construction of said highway, and the convenient and safe use thereof, and the same constantly maintain and keep in repair, and in default thereof shall be liable in damages to the party injured, and also to prosecution by indictment and fine to the use of the County wherein such default may

take place, at the discretion of the court before whom the same may be tried

Sec 10 And be it further enacted that no other Rail Road shall be granted within thirty years from the completion of the Rail Road granted in this act, running parallel with or which is a substitute for the same or any part thereof within five miles of the same. Provided however that any Rail Road may be granted running to meet the Rail Road granted in this act at its termination anything herein contained to the contrary notwithstanding, and provided further that if the location of said Rail Road be not filed with the Secretary of State on or before the first day of July in the year of our Lord one thousand eight hundred and thirty six, or if said Rail Road shall not be commenced and the sum of four thousand dollars have been laid out and expended on the same within three years from and after the passage of this act, or if the same shall not be completed so that passengers and property, may and shall be carried on the same within five years from this time, then this act shall be null and void

Sec 11 And be it further enacted That if any person shall wilfully, maliciously or wantonly and contrary to law obstruct the passage of any engine or carriage upon said Rail Road or in any way injure or destroy said Rail Road or any part thereof he she or they, or any person aiding or abetting in such trespass, shall forfeit and pay to said corporation, for every such offence, treble such damages as shall be proved, to be sued for and recovered before any Court proper to try the same, and such offender shall be liable to indictment by the Grand inquest for the County in which such trespass shall have been committed for any offence aforesaid and on conviction thereof shall pay a fine not exceeding five hundred dollars nor less than thirty dollars for the use of said County or may be imprisoned for a term not exceeding one year, at the discretion of the Court before whom such conviction may be had

Sec. 12 And be it further enacted That said corporation be and hereby is authorised to extend said Rail Road from its termination at the southern line of this State into and through the Commonwealth of Massachusetts to meet the Boston and Lowell Rail Road whenever said Commonwealth will empower said corporation so to do, with such powers liabilities, and restrictions as may be deemed expedient and for this purpose said corporation may increase their capital stock and create new shares as said Commonwealth may authorise them to do

Sec 13 And be it further enacted that the Legislature may authorise any Company to enter with another Rail Road at the termination of said Nashua and Lowell Rail Road at Nashua Village in said Dunstable or between the Factories of the Jackson Company in said Dunstable and Merrimack River paying for the right of using the same or any part thereof, such a rate of toll as

the Legislature may from time to time prescribe, and complying with such rules and regulations as may be established by said Nashua and Lowell Rail Road corporation and that it shall be the duty of the Directors of said Company from year to year on or before the second Wednesday of June, verified by the affidavit of at least two of them, to make a report to the Legislature of their acts and doings receipts and expenditures under the provisions of this act and their Books shall at all times be open to the inspection of any committee of the Legislature appointed for that purpose And if said corporation shall unreasonably neglect, or refuse, to make such report at the expiration of every year after the opening of said Rail Road for every such neglect or refusal they shall forfeit and pay to the use of the State a sum not exceeding five thousand dollars to be recovered by action or indictment in any Court of competent Jurisdiction

Sec 14 And be it further enacted That if after the expiration of five years from and after the completion of said Road the net income or receipt from tolls and other profits, taken the five years aforesaid as the basis of calculation, shall have amounted to more than ten per cent per annum upon the cost of the Road, the repairs and all expenses incident thereto, the Legislature may take measures, to alter and reduce the rate of tolls and other profits in such manner as to take off the overplus for the next five years calculating the amount of transportation upon the Road to be the same as the five preceding Years, and at the expiration of every five years thereafter the same proceedings may be had Provided, that it shall be in the power of the State at any time during the continuance of the charter hereby granted after the expiration of twenty years from the opening for use of the Rail Road herein provided to be made, to purchase of the said corporation, the said Rail Road and all the franchise, property rights and privileges of said corporation, by paying to said corporation a sum equal in amount to their capital expended with such further sum after deducting the net income by them received as shall make their net income equal to ten per cent on said capital annually

Sec 15 And be it further enacted That nothing in this act contained shall prevent the Legislature from granting any charter for a Company to construct a Rail Road commencing at the Southerly line of the State in either of the Towns of Hudson Pelham or Salem to run thence northwardly to Concord provided such Rail Road shall be laid out and constructed on the east side of Merrimack River as far northwardly as Amoskeag Village in Goffstown

Sec. 16 And be it further enacted That nothing in this act shall be so construed as to effect the rights of any Rail Road corporation heretofore granted, and that the Legislature of this State may at any time hereafter alter amend or modify this act or any of its provisions

[CHAPTER 12.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CONCORD WEST VILLAGE FIRE ENGINE COMPANY

[Approved June 23, 1835. Acts, vol. 31, p. 21. Session Laws, 1835, Private Acts, Chap. 18.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That Isaac Dow John Jarvis John Abbot George Brodie James Hoyt their associates and successors, be and they hereby are incorporated and made a body politic by the name of the Concord West Village Fire Engine Company and by that name may sue and be sued prosecute and defend to final judgment and execution and be known and distinguished in all their acts and proceedings, and they are hereby vested with all the powers and privileges, and subject to all the liabilities incident to corporations of a similar nature

Sec 2 And be it further enacted. That said company be and hereby is authorised and empowered to purchase and hold real and personal estate for the purposes of their association to any amount not exceeding five hundred dollars, and the same may sell convey and dispose of at pleasure.

Sec 3 And be it further enacted That Isaac Dow, John Jarvis, John Abbot George Brodie James Hoyt or either three of them may call the first meeting of said company at any suitable time and place in the Town of Concord in the County of Merrimack by posting up notices thereof at three public places in said Town fourteen days prior to said meeting, at which meeting the said members may choose a clerk and agree on the manner of calling their annual and other meetings and the times and places of holding the same, and at the same time or at any subsequent meeting may elect their officers and prescribe their duties, may order assessments and fix the time of their payment, may pass by laws, not repugnant to the laws of this State and annex penalties to the breach thereof not exceeding five dollars for any one offence and may do and transact any other business necessary to carry into effect the purposes of this act

Sec 4 And be it further enacted That the Legislature may at any time, alter amend or repeal this act as they may deem expedient

[CHAPTER 13.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE JOSEPH W. ANTHONY AND OTHERS BY THE
 NAME OF THE MECHANICS MANUFACTURING COMPANY.

[Approved June 24, 1835. Acts, vol. 31, p. 79. Session Laws, 1835,
 Private Acts, Chap. 33.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened. That Joseph W. Anthony, Algernon S. Howard, William Potter, George L. Pierce, George W. Wendell, John Folsom, Aaron Twombly, Richard Kimball, and William Harlor, and their associates, and successors, be, and they hereby are incorporated, and made a body politic forever, by the name of the Mechanics Manufacturing Company, and in that name may sue and be sued, prosecute, and be prosecuted, defend, and be defended, to final judgment and execution, and shall be and hereby are vested with all the privileges and powers and subject to all the liabilities, which by law are incident to corporations of a similar nature, and also may have and use a common seal, which they may break, alter, or renew, at pleasure—

Sec 2 And be it further enacted that said corporation be and the same is hereby empowered to carry on the manufacture of Woolen goods, and such other branches of trade and manufacture as shall be necessarily connected therewith at Rochester and may erect such mills buildings and works as may be necessary, and convenient, to carry on such manufacturing business

Sec 3 And be it further enacted that said corporation may be lawfully seized and possessed of real and personal estate, not exceeding the sum of seventy thousand dollars, necessary and convenient for carrying on the business of said corporation, and the same may sell convey and dispose of at pleasure. And the capital stock of said corporation may be divided into as many shares as the proprietors at a legal meeting shall agree and decide on, and in like manner the said proprietors may agree on the mode of transferring said shares, and may elect such officers as may be deemed necessary, and prescribe their respective duties, may order assessments and the manner of paying the same, and limit the amount which said assessments shall not exceed five hundred dollars in the whole without the consent of all the proprietors, may pass by laws, for the regulation of said corporation, and may do and transact any other business in relation to the concerns, and for the benefit of said corporation, all elections and other matters if required shall be dermined by a majority of votes present or repre-

sent at any meeting, accounting and allowing one vote to each share in all cases, and all representations shall be in writing signed by the person represented and filed with the Clerk—

Sec 4 And be it further enacted, that the shares in said corporation shall be liable and holden for all assessments legally made thereon, and upon the nonpayment thereof for the space of sixty days after the same shall have become due and payable, the Treasurer may proceed in the manner prescribed in the by laws of said corporation to advertise and sell at public auction so many of the shares of such delinquent as are necessary to pay the sums due thereon with incidental charges—

Sec 5 And be it further enacted that the said Joseph W. Anthony and Algernon S. Howard, or either of them may call the first meeting of said Company to be holden at any suitable time and place by publishing a notice thereof in some newspaper printed in Somersworth three weeks successively before said meeting.

Sec. 6 And be it further enacted that all the provisions of this act shall be under the control of this or any future Legislature, so as to alter, amend, or repeal, the same at pleasure, as the public good may require

[CHAPTER 14.]

State of)
New Hampshire. (

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE PORTSMOUTH MANUFACTURING COMPANY.

[Approved June 24, 1835. Acts, vol. 31, p. 81. Session Laws, 1835, Private Acts, Chap. 39.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, that Samuel Hale, John Rice, William Neal, and Hosea Crane, and their associates, and successors, be and they hereby are made a body politic, and corporate, by the name of the Portsmouth Manufacturing Company, and by that name may sue and be sued prosecute and defend to final judgment And execution, and may have a common seal, for the use of said Corporation, and shall possess the powers and be subject to the liabilities incident to corporations of a similar nature

Sec. 2 And be it further enacted that the said corporation be and hereby is authorised and empowered to carry on the business of manufacturing woolen, Cotton, and Silk goods, in all their various branches, the manufacture of paper and of tools and machinery, together with such other branches of manufacture and trade as are necessarily connected therewith in the town of Ports-

mouth, and for these purposes may purchase and hold, real and personal estate, to any amount, not exceeding one hundred thousand dollars, and the same may dispose of at pleasure

Sec 3 And be it further enacted, that the three persons first above named, or either two of them, may call the first meeting of said corporation, by giving one week notice of the time and place of such meeting in some newspaper, printed in Portsmouth.

Sec. 4 And be it further enacted that at the said first meeting or at any other meeting called for the purpose, the said corporation may adopt by laws for the well ordering and governing the affairs of the said corporation, and may appoint such officers as they may deem necessary and proper

Sec 5 And be it further enacted that the Legislature may at any time hereafter modify alter or repeal this act, should the public good require it

[CHAPTER 15.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE MILFORD ACADEMY

[Approved June 24, 1835. Acts, vol. 31, p. 91. Session Laws, 1835, Private Acts, Chap. 27.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, that William Ramsdell, Adam Dickey, Reuben Hutchinson, William Ramsdell Jun^r Peter Burns Jun^r Abiel Lovejoy, Humphrey Moore, Robert Knights, Zephaniah K. Hutchinson, Lemuel Towne, James B. Farwell, Samuel Lovejoy, Jun^r Abbot Smith, Martin Waterman Hall, Jacob Hutchinson, William Wallace, Joseph Tucker, James Hartshorn, David Secombe, Willard Russell, Crawford Tyler, Stephen Peabody, Calvin Averill, Daniel Russell, Jonathan Bartlett, John Wallace Jr, Daniel Holt, James Johnson, John Mace, Solomon, Kidder Livermore, and their associates successors and assigns, be and they hereby are incorporated and made a body politic, by the name of the Milford Academy and are hereby invested with authority to establish and maintain in the town of Milford in the County of Hillsborough in said State, a literary, and scientific, institution for the instruction, and education of youth and may possess exercise, and enjoy all the powers, privileges, and immunities, and shall be subject to all the liabilities incident to corporations of a similar nature

Sec 2 And be it further enacted that said corporation be, and hereby is authorised, and empowered, to receive, have, and hold, in fee simple, or any less estate, by gift grant, devise, or otherwise,

real and personal estate, not exceeding in value at any one time the sum of twenty thousand dollars, and the same to use and employ for the advancement of literature science and the useful arts and to promote the prosperity of said institution, and for the Benefit of said corporation, may sell, alienate and convey at pleasure

Sec 3 And be it further enacted that said corporation may make, adopt, and ordain such constitution, by laws, statutes and ordinances, not repugnant to the constitution or laws of this State and choose and appoint all such officers agents and teachers as they may deem necessary and proper for the due regulation, government and instruction of said institution, and management of their estate, property and funds

Sec 4 And be it further enacted that said William Ramsdell, Adam Dickey, and Reuben Hutchinson, or any two of them be and they hereby are appointed, and authorised, to call the first meeting of said corporation for the choice of officers, and for other purposes relating to the organization and government of said corporation, management of their property and the due regulation of said institution, by posting a notification in writing near the front door of the first congregational meeting-house in said Milford where notifications and warrants for town meetings are usually posted, at least fifteen days prior to the day, which shall be appointed for said meeting, in which notification shall be expressed the time, place, and purposes of said meeting

Sec 5 And be it further enacted, that the Legislature may, at any time, alter, modify, or repeal, this act

[CHAPTER 16.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE MILFORD SEMINARY

[Approved June 24, 1835. Acts, vol. 31, p. 93. Session Laws, 1835, Private Acts, Chap. 21.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, that Humphrey Moore, William Ramsdell Jun., James Hartshorn, Robert Knights, Richard Williams, Freeman Crosby, Frederic Crosby, Daniel Burns Jun. and their associates, successors and assigns, be, and they are hereby incorporated and made a body politic by the name of Milford Seminary, and are hereby invested with authority to establish and maintain in the town of Milford in the county of Hillsborough in said State a Seminary for instruction, and education of youth, and may possess, exercise, and enjoy all the powers, privileges, and

immunities, and shall be subject to all the liabilities, incident to corporations of a similar nature

Sec 2 And be it further enacted that said corporation be and hereby is authorised and empowered to receive, have, and hold, in fee simple, or any less estate, by gift grant, devise, or otherwise, real and personal estate, not exceeding in value, at any one time, the sum of twenty thousand dollars, and the same to use and employ for the advancement of literature, science, and the useful arts, and to promote the prosperity of said Seminary, and for the benefit of said corporation, may sell alienate and convey at pleasure.

Sec. 3 And be it further enacted that said corporation may make, adopt and ordain, such constitution, by laws statutes and ordinances, not repugnant to the constitution or laws of this State, and choose and appoint all such officers, agents and teachers, as they may deem necessary and proper for the due regulation, government, and instruction of said Seminary, and management of their estate, property, and funds.

Sec 4 And be it further enacted that Humphrey Moore William Ramsdell Jun. and James Hartshorn or any two of them, be and hereby are appointed, and authorised to call the first meeting of said corporation, for the choice of officers, and for other purposes, relating to to the organization, and government, of said corporation, management of their property, and due regulation of said Seminary, by posting a notification in writing, in the place appropriated to the posting of notifications on the front of the newmeeting house in said Milford at least fifteen days prior to the day, which shall be appointed for said meeting, in which notification shall be expressed the time place and purposes of said meeting.

Sec 5 And be it further enacted, that the Legislature at any time, may alter, amend, modify, or repeal, this act

[CHAPTER 17.]

State of }
New Hampshire. }

AN ACT FOR ESTABLISHING SALARIES OF THE SEVERAL COUNTY TREASURERS

[Approved June 24, 1835. Acts, vol. 31, p. 185. Session Laws, 1835, Chap. 214. See act of June 25, 1830, *ante*, p. 121. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the passing of this act the several County Treasurers in this State for the time being, shall have and receive annually out of the Treasury of their

respective counties the following sums, which sums shall be allowed to them on their annual statement of the condition of the several treasuries to the Court of Common Pleas for their respective Counties viz the Treasurer for the County of Rockingham the sum of one hundred and fifty dollars, the Treasurer for the County of Strafford the sum of one hundred and fifty dollars the Treasurer for the County of Merrimack the sum of one hundred and ten dollars, the Treasurer for the County of Hillsborough the sum of one hundred and twenty six dollars, the Treasurer for the County of Cheshire the sum of one hundred dollars, the Treasurer for the County of Sullivan the sum of one hundred dollars, the Treasurer for the County of Grafton one hundred and fifty dollars, the Treasurer for the County of Coos one hundred dollars which several sums shall be in full compensation for all services which the respective County Treasurers in this State are or by law may hereafter be required to perform

Sec 2 And be it further enacted That all acts and parts of acts inconsistent with the provisions of this act be and the same hereby are repealed

[CHAPTER 18.]

State of)
New Hampshire. {

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT DIRECTING THE PROCEEDINGS AGAINST THE TRUSTEES OF DEBTORS

[Approved June 24, 1835. Acts, vol. 31, p. 186. Session Laws, 1835, Chap. 218. See also acts of February 12, 1791, Laws of New Hampshire, vol. 5, p. 678; July 2, 1825, id., vol. 9, p. 469; December 24, 1828, id., p. 787; July 3, 1829, *ante*, p. 65; June 28, 1834, *ante*, p. 538, and June 30, 1841, Session Laws, 1841, Chap. 601. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened, That no person or corporation shall be held chargeable as the Trustee of any debtor on account of the personal services or earnings of the wife of such debtor, anything in the act to which this is in addition, to the contrary notwithstanding

[CHAPTER 19.]

State of }
New Hampshire. }

AN ACT TO INCREASE THE NUMBER OF RANK AND FILE IN THE FIRST
 LIGHT INFANTRY COMPANY IN THE FIRST REGIMENT

[Approved June 24, 1835. Acts, vol. 31, p. 187. Session Laws, 1835, Chap. 223.]

Be it enacted by the Senate and House of Representatives in General Court convened That the first Light Infantry company in the first Regiment may hereafter consist of sixty four rank and file.

[CHAPTER 20.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT FOR THE REGU-
 LATION AND GOVERNMENT OF SCHOOLS IN THE TOWN OF PORTS-
 MOUTH

[Approved June 24, 1835. Acts, vol. 31, p. 187. Session Laws, 1835, Chap. 208. See acts of July 7, 1826, Laws of New Hampshire, vol. 9, p. 564; July 4, 1829, *ante*, p. 99; July 4, 1837, Session Laws, 1837, Chap. 344, and June 28, 1841, *id.*, 1841, Chap. 616. Repealed by acts of January 13, 1837, *id.*, 1836, November session, Chap. 311, and December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That it shall be the duty of the selectmen of the Town of Portsmouth as soon as may be after the twenty fifth day of March in the year of our Lord one thousand eight hundred and thirty six to divide said town into such number of school districts as the public convenience may require and to define the limits thereof, such districts to contain as near as may be, an equal number of scholars And the same from time to time to alter in such manner as shall be thought fit and convenient and a record of such division or alteration to make in the clerk's office of said town within three months after such division shall have been made

Sec 2 And be it further enacted that it shall be the duty of the selectmen of said town, to pay over to the chairman of the several district committees, from the amount annually raised for the use of schools in said town a sum of money sufficient to defray the expenses of the two high schools, which several chairmen shall con-

stitute a superintending Committee whose duty it shall be to superintend the affairs of said high schools, and to transact all business relating thereunto and the remainder of the money raised in said town for the support of schools, shall be equally divided among the several school districts, and it shall be the duty of the selectmen to pay over the same to the several district committees

Sec. 3 And be it further enacted That there shall be chosen annually in the month of March by each school district a committee to consist of three persons, who shall be resident in the district for which they shall be chosen, whose duty it shall be to select, examine, and contract with teachers for their respective districts and to transact all other business relating thereunto, provided always that when any district shall neglect to choose a committee it shall be the duty of the selectmen of said town upon application made to them for that purpose, by three or more freeholders residing in such district to appoint a committee for such district so applying, and it shall be the duty of the several committees of the several districts, to notify or cause to be notified, all district meetings by posting up a notification at one or more public places in their respective school districts at least seven days prior to the holding of said meeting.

Sec 4 And be it further enacted that each school district in said town shall have the privilege of sending an equal number of scholars to each of the two high schools said scholars to be designated by the superintending committee of the said high schools

Sec 5 And be it further enacted that it shall be the duty of the Selectmen of said town to call the first meetings of the several school districts by issuing their warrant as soon as may be after the aforesaid division of said town into districts, directed to either of the Constables of said town requiring them to warn the inhabitants of said districts qualified to vote in town affairs, to meet at such time and place in their respective districts as the selectmen in their warrant shall appoint; and the said warning shall be, by publishing in both of the papers printed in said town, a copy of said warrant with the return of said Constable thereon expressing therein, the time place and purpose of said meeting ten days at least before the time appointed for holding the same

Sec 6 And be it further enacted that all acts and parts of acts relative to the regulation of schools in the town of Portsmouth, inconsistent with the provisions of this act or any one of them, be and the same hereby are repealed

[CHAPTER 21.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT PASSED JULY 6TH 1827 ENTITLED
 AN ACT EMPOWERING SCHOOL DISTRICTS TO BUILD AND REPAIR
 SCHOOL HOUSES

[Approved June 24, 1835. Acts, vol. 31, p. 190. Session Laws, 1835, Chap. 211. The act referred to is printed in Laws of New Hampshire, vol. 9, p. 666. See also acts of December 28, 1805, id., vol. 7, p. 467; June 30 1825, id., vol. 9, p. 421, and December 4, 1840, Session Laws, 1840, November session, Chap. 572. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened that from and after the passage of this act, all moderators of School District meetings, legally holden, shall be and they are hereby authorised and empowered to administer the oath of office to the Clerk of said meeting he being legally chosen thereto.

Sec 2 And be it further enacted that all acts and parts of acts heretofore passed inconsistent with the provisions of this act be and the same hereby are repealed

[CHAPTER 22.]

State of }
New Hampshire. }

AN ACT PROVIDING FOR THE COMPENSATION OF THE OFFICERS OF
 THE CIVIL LIST

[Approved June 24, 1835. Acts, vol. 31, p. 191. Session Laws, 1835, Chap. 215. See acts of July 1, 1831, *ante*, p. 251; June 21, 1832, *ante*, p. 298; July 2, 1833, *ante*, p. 451, and July 4, 1834, *ante*, p. 582.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that the Governor have and receive as a salary from June 1835 to June 1836 the sum of ten hundred dollars, that the Secretary of State have and receive as a salary for the same term the sum of eight hundred dollars in full compensation for all services rendered by him in the capacity of Secretary and that all fees allowed him by law be paid into the Treasury excepting those received for copies, and certificates made by him for individuals for private use, that the Treasurer have and receive as a salary for the same term the sum of six hundred dollars, that the Adjutant and Inspector General have and receive as a salary

for the same term the sum of two hundred dollars, that the quarter-master General have and receive as a salary for the same term the sum of two hundred dollars, that the commissary General have and receive as a salary for the same term the sum of forty dollars, that the members of the Council have and receive each two dollars whenever in Session and ten cents per mile for travel to and from the place of meeting, that the President of the Senate and the Speaker of the House of Representatives each receive two dollars and fifty cents per day during the sitting of the Legislature and ten cents per mile for travel to and from the place of setting, that the members of the Senate and House of Representatives receive two dollars each per day during the setting of the Legislature and ten cents Per mile for travel to and from the place of setting that the Clerks and assistant Clerks of the Senate and House of Representatives receive each two dollars and fifty cents per day during the setting of the Legislature and ten cents per mile for travel to and from the place of setting and that they be allowed one day extra for making up the rolls and filing the papers

[CHAPTER 23.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE CHESTER ATHENEUM

[Approved June 25, 1835. Acts, vol. 31, p. 159. Session Laws, 1835, Private Acts, Chap. 9.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that William M. Richardson John Bell Daniel French Samuel Aiken, David Currier Jr and their associates successors and assigns be and they hereby are incorporated and made a body politic and corporate by the name of the Chester Atheneum, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities, incident to corporations of a similar nature

Sec. 2 And be it further enacted that said William M. Richardson John Bell Daniel French or either two of them may call the first meeting of said Atheneum, by posting up at two or more public places in Chester a notice in writing expressing the time, place and design of said meeting six days prior to the time appointed for holding the same at which meeting or any adjournment thereof all necessary officers may be chosen and by laws made for the regulation of the concerns of said corporation not repugnant to the constitution and laws of the State. And said Society are hereby

authorised to receive by donation or otherwise, and the same to hold and dispose of at pleasure, any estate real or personal not exceeding in value the sum of five thousand dollars.

Sec. 3 And be it further enacted that the Legislature may at any time hereafter, amend modify or repeal this act

[CHAPTER 24.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE CONCORD SILK COMPANY

[Approved June 25, 1835. Acts, vol. 31, p. 160. Session Laws, 1835, Private Acts, Chap. 41.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened That Andrew Capen Jr, Elliot Chickering Gardner P. Lyon John Whipple Stephen C. Badger George Porter Arlond Carroll Stephen Brown and Samuel C Cochran their associates, successors and assigns, be and they hereby are incorporated and made a body politic by the name and style of the Concord Silk Company and by that name may sue and be sued prosecute and defend to final judgment and execution, and hereby are vested with all the powers and privileges and subject to all the liabilities, which by law are incident to corporations of a similar nature

Sec. 2 And be it further enacted that the said Company be and hereby is authorised and empowered to plant and cultivate Mulbury trees, breed Silkworms produce raw silk and convert it into articles of manufacture, and for these purposes the said Company is authorised to purchase and hold in fee simple, or less estate any lands within the county of Merrimack, and the same to sell and convey, exchange, or otherwise dispose of at pleasure, and on said lands to make such improvements, and erect such buildings machinery and works as may be necessary or convenient to effect the purposes aforesaid, and may also carry on such other manufactures agricultural operations and trade as the culture manufacture and sale of silk, and the proper management of their lands may require, to an amount not exceeding seventy five thousand dollars in value

Sec. 3 And be it further enacted that the said Andrew Capen Jr Gardner P. Lyon and John Whipple or either two of them may call the first meeting of the members of said Company to be holden at any suitable time and place in Concord in the county of Merrimack by giving at least three days personal notice or by posting up in two or more public places in said Concord, written notifications, expressing therein the time place and design of said meeting at least

one week prior thereto, at which said first meeting a Clerk shall be chosen and sworn faithfully to discharge the duties of his office, and at the same meeting or at any adjournment thereof, or at any subsequent meeting duly holden, the members aforesaid present or represented, may by a major vote, allowing one vote to each share, elect such officers and agents as may be deemed necessary and prescribe their duties may divide their capital or joint stock into such number of shares as may be deemed proper, not less than fifty and agree on the manner of transferring them, may agree on the time of holding their annual meeting and the manner of calling the same and other occasional meetings, may order assessments and fix the time of payment, pass by laws not repugnant to the laws of the State, for the regulation and government of said Company, and annex penalties to the breach thereof not exceeding five dollars for any one offence, and do any other act and transact any business necessary to carry into effect the design of this association. Absent members may vote by proxy authorised by writing signed by the person represented and filed with the Clerk.

Sec 4 And be it further enacted that the shares in said Company shall be liable and holden for the payment of all assessments duly made thereon and upon the non payment thereof within the time fixed therefor the delinquent share or shares may be advertised and sold at public auction, or so many of them as may be necessary to pay such assessments with the incidental charges under such regulations as may be prescribed in the by laws of said Company

Sec. 5 And be it further enacted that nothing in the foregoing act shall be so construed as to prevent this or any future Legislature from altering, amending or repealing this act

[CHAPTER 25.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE SECOND LEAD MINING COMPANY
IN EATON

[Approved June 25, 1835. Acts, vol. 31, p. 163. Session Laws, 1835, Private Acts, Chap. 49. See act of June 30, 1827, Laws of New Hampshire, vol. 9, p. 625.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened. That Abraham Colby, Artemas Harman, William Willis, Enoch Pane, William Clapp and Charles Muzzy, their associates and successors be and they hereby are incorporated and made a body politic by the name of the Second Lead

Mining Company in Eaton, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature

Sec. 2 And be it further enacted That the capital or joint stock of said company may consist of a sum not exceeding two hundred thousand dollars of which a sum not exceeding one hundred thousand, may be vested in real estate, which may be purchased held and owned by said company in fee simple and by them sold and conveyed at pleasure, and the residue of said capital or joint stock may be employed and used by said company in such manner as they may think proper in searching and digging for Lead and other ores, fossils and mineral substances, on land which may be owned by them, and analysing and smelting them, or converting into useful manufactures, and in erecting and constructing buildings furnaces and machinery, necessary for facilitating the various operations and purposes contemplated by said company

Sec 3 And be it further enacted That any two of the three first persons named in this act may call the first meeting of said company to be holden at some suitable time and place in said town of Eaton by publishing notice thereof in one of the newspapers printed in Dover at least three weeks prior to holding the same at which meeting a Clerk shall be chosen, who shall be sworn to the faithful discharge of the duties of his office, and it shall be his duty to record this act and all the proceedings of said Company in a book or books provided and kept for that purpose, and to give certified copies thereof when required.

And at the same or any subsequent meeting duly notified and holden, the said Company may agree on the method of calling and holding future meetings may choose all necessary officers and agents for managing the business of said company, may divide their capital or joint stock into such number of shares as may be deemed proper and agree on the manner of transferring them, may order assessments and fix the time of their payment may establish by laws for the regulation and government of said company, provided they are not repugnant to the constitution and laws of this State, and may do and transact any business necessary for carrying into effect the objects of this association

All questions shall be determined by a majority of votes, accounting and allowing one vote to each share, provided however that no member of said company shall be entitled to a greater number of votes than one fifth part of the whole number of shares And absent members may vote by proxy, duly authorised by writing signed by the person or persons represented and filed with the Clerk

Sec 4 And be it further enacted That the share or shares in

the capital or joint stock of said company shall be liable and holden for the payment of all assessments duly made thereon, and if any member of said company shall neglect or fail to pay the assessments made upon his share or shares, after the same shall have become due and payable, the share or shares of such delinquent member or so many of them as will pay the sum or sums due thereon, with incidental charges, may be sold and transferred in such way and manner as said company in their by laws shall direct and prescribe

Sec. 5 And be it further enacted that the Legislature may at any time hereafter alter, amend, modify or repeal this act

[CHAPTER 26.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE MERRIMACK COMPANY

[Approved June 25, 1835. Acts, vol. 31, p. 167. Session Laws, 1835, Private Acts, Chap. 50.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, that John G. Powers, Horatio Hill, and John K. Simpson, their associates, successors and assigns be and they hereby are made a corporation by the name of the Merrimack Company, for the purpose of improving the navigation of the Merrimack River, by deepening the channel thereof, and removing rocks and other obstructions therefrom, not authorised by law, so as to facilitate the navigation of said river by vessels propelled by steam, and the said corporation may purchase hold and convey such real estate and such boats, engines, implements, machinery, and the appertenances thereof, and other necessary things not exceeding in amount or value in the whole, the sum of fifty thousand dollars, in the name of said corporation as they shall deem necessary or convenient for the said purposes. And the said corporation in their said corporate name, shall be capable to sue and be sued appear prosecute, and defend to final judgment and execution in any court of record or in any other place whatever, to have a common seal, which they may alter at pleasure, to elect in such manner as they shall determine to be proper, all necessary officers, to fix their compensation and define their respective duties and obligations and make by laws and regulations consistent with the constitution and laws of this State and with this act for their own government and for the management of their affairs and property. And the first meeting of said corporation shall be called by a notice subscribed by any two or more of the persons herein named expressing the time, place and purposes of said meeting at least seven days

previous to such meeting and published in some newspaper printed in the County of Merrimack in this State

Sec. 2 And be it further enacted, that the capital stock of said corporation shall consist of five hundred shares, and the immediate government and direction of its affairs shall be vested in five Directors, a majority of whom shall form a Quorum for the transaction of business, and the said Directors shall be elected, by the members of said corporation, in the manner prescribed by its bylaws, and shall hold their offices until others shall be duly elected, and qualified to take their places as Directors, and the said Directors shall elect one of their number to be President of their Board and of said Corporation, and they shall choose a Clerk to be sworn to the faithful discharge of his duty, a Treasurer who shall give such bonds to the corporation for the discharge of his duties as the said Directors shall approve, and may appoint such other officers and agents as they may deem needful, each of whom shall be removable at their pleasure

Sec 3 And be it further enacted that the President and Directors for the time being are hereby authorised and empowered, by themselves or their agents to execute all the powers herein granted to said corporation for the improvement of the navigation of said river, and such other powers for the management of the affairs and business of said corporation as may be needful to carry into full effect the object of this grant, And the said Directors for the time being may purchase and hold any real and personal property as aforesaid in the name of said corporation, may make such equal assessments from time to time on all the shares in said corporation as they may deem expedient and require the same to be paid to the Treasurer of said corporation—Provided that such assessments shall not exceed in the whole one hundred dollars on each share. And the said Treasurer shall give such notice of all such assessments as the Directors shall order, and if any subscriber or stockholder shall neglect to pay the assessments on his share or shares for the space of thirty days next after the time appointed in any such notice for the payment thereof the Directors may order the Treasurer to sell such share or shares at public auction after giving notice of such sale in one or more newspapers printed in said County of Merrimack, to the highest bidder and the same shall be transferred to the purchaser And such delinquent subscriber or stockholder shall be accountable to the said corporation for the balance, if his share or shares shall sell for less than the assessments, due, with interest, and the expenses of sale, and after payment thereof, he shall be entitled to any surplus that may remain.

Sec 4 And be it further enacted, that a toll be and hereby is granted for the sole benefit of said corporation upon all vessels, which may be navigated or propelled by steam on said river at such rates as may be established from time to time by the Directors

thereof and they are hereby authorised to erect toll houses, appoint toll gatherers and demand and receive such toll And the use of any works or improvements which said corporation shall make and establish for the more safe and convenient navigation of said River shall be in conformity to the regulations which the Directors shall from time to time prescribe, and provided also that no toll shall be imposed by said corporation upon any vessel boat or raft not navigated or propelled by steam

Sec 5 And be it further enacted that nothing herein contained shall be so construed as to empower said corporation to remove or disturb any mill, milldam lock, canal sluice way or watercourse bridge, pier or abutment or other wo[r]k or works lawfully erected made on over, or across said Merrimack River, or to prevent the future erecting or making any such like works as aforesaid on over or across said River by any person or persons, body or bodies corporate, lawfully authorised so to do

Sec 6 And be it further enacted that at all meetings of said corporation, each proprietor personally or by his attorney shall be entitled to give as many votes as he holds shares Provided that no proprietor shall be entitled to give more than twenty votes

Sec 7 And be it further enacted that nothing in the foregoing act shall be so construed as to prevent this or any future Legislature from altering amending or repealing the same as the public good may require

[CHAPTER 27.]

State of)
New Hampshire. {

AN ACT TO INCORPORATE THE UPPER FALLS FACTORY

[Approved June 25, 1835. Acts, vol. 31, p. 175. Session Laws, 1835, Private Acts, Chap. 35.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, that Daniel Chase, Roswell Elmer, Moses Wheeler, John Blake, and Timothy S. Gleason, their associates, successors, and assigns be, and they hereby are incorporated and made a body, corporate and politic by the name and style of the Upper Falls Factory, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities which by law are incident to corporations of a similar nature.

Sec. 2 And be it further enacted, that the said corporation be and hereby is authorised and empowered to establish manage and carry on the manufacture of Cotton and Woolen goods and of all

kinds of machinery in their various branches, to gether with such other branches of manufacture and trade as are, or from time to time may be necessarily connected therewith, in the town of Claremont in the County of Sullivan and for these purposes the said corporation may purchase and hold real and personal estate to the amount of five hundred thousand dollars, and the same may use alienate or dispose of at pleasure.

Sec. 3 And be it further enacted that Daniel Chase, Roswell Elmer and Moses Wheeler or any two of them may call the first meeting of the members of said corporation to be holden at any suitable time and place, by posting up notifications at two or more public places in said Claremont, expressing therein the time, place, and design of said meeting, at least fifteen days before the day of meeting or by giving personal notice at least seven days prior thereto, at which said first meeting, there shall be chosen a Clerk who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and doings of said corporation and to give certified copies thereof when lawfully required; and at the same meeting, or any subsequent meeting thereof duly notified and holden the members of said corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into so many shares as they shall deem proper, and determine the manner of transferring them, may elect such officers and agents as may be deemed necessary for managing their concerns, and prescribe their duties, may order assessments and fix the time of their payment, may establish by laws, not repugnant to the laws of the State, for their regulation and government, and may do and transact any business, necessary to carry into effect, the objects of their association. All questions at any meeting of said corporation shall be determined by a majority of the votes of members present and represented, allowing one vote to each share. Provided however, that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares, which he may hold above ten. Absent members may vote by proxy, being authorised in writing signed by the person represented and filed with the Clerk.

Sec. 4 And be it further enacted that the shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof within the time fixed for their payment, the delinquent share or shares may be advertised and sold at public auction or so many of them as may be necessary to pay all such assessments, with the incidental charges arising under such regulations, as the corporation in its by laws, shall have prescribed

Sec 5 And be it further enacted that the Legislature may at any time, alter, amend, modify or repeal this act as the public good may require

[CHAPTER 28.]

State of)
New Hampshire. {

AN ACT TO SEVER THE FARM OF EBENEZER TARBOX FROM THE TOWN OF STODDARD AND ANNEX THE SAME TO THE TOWN OF NELSON

[Approved June 25, 1835. Acts, vol. 31, p. 179. Session Laws, 1835, Private Acts, Chap. 12.]

Be it enacted by the Senate and House of Representatives in General Court convened, that all the farm of Ebenezer Tarbox in the town of Stoddard in the County of Cheshire, which lies in the southwest corner of said town of Stoddard, consisting of four. eighty acre lots and being the first and second lots in the twelvth range of lots, and the first and second lots in the thirteenth range of lots in said town of Stoddard be, and the same is hereby severed from said town of Stoddard and annexed to the town of Nelson in said County of Cheshire, and said territory hereafter shall constitute and be a part of said town of Nelson, and the said Ebenezer Tarbox shall pay all taxes that have been legally assessed upon him and his property by said town of Stoddard prior to the passing of this act

[CHAPTER 29.]

State of)
New Hampshire. {

AN ACT RELATING TO THE ENLARGEMENT AND ORGANIZATION OF THE FIRST LIGHT INFANTRY COMPANY IN THE NINTH REGIMENT OF NEW HAMPSHIRE MILITIA

[Approved June 25, 1835. Acts, vol. 31, p. 180. Session Laws, 1835, Chap. 222.]

Be it enacted by the Senate and House of Representatives in General Court convened, that the first Company of Light Infantry in the ninth Regiment of New Hampshire militia, be and hereby is authorised and empowered to enroll and hold as members of said company, sixty four rank and file and eight musicians

[CHAPTER 30.]

State of }
New Hampshire. }

AN ACT AUTHORIZING THE FIELD OFFICERS OF THE SIXTH REGIMENT OF MILITIA IN THIS STATE TO ORGANISE A COMPANY OF LIGHT INFANTRY BY THE NAME OF THE ASHUELOT GUARDS IN HINSDALE

[Approved June 25, 1835. Acts, vol. 31, p. 183. Session Laws, 1835, Chap. 221.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That the Field Officers of the sixth Regiment of militia in this State may organise a Company of Light Infantry by the name of the Ashuelot Guards in Hinsdale in this State, which may consist of forty eight men rank and file and be officered armed and equipped in the same manner as other companies of Light Infantry now are in this State

Sec 2 Be it further enacted that said company of Light Infantry when duly organised agreeably to the provisions of this act shall be annexed to and made a part of the sixth Regiment of militia in this State

[CHAPTER 31.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AND RENEWAL OF AN ACT ENTITLED AN ACT TO INCORPORATE A COMPANY BY THE NAME OF THE NEW HAMPSHIRE BRIDGE PASSED JANUARY 1. 1833

[Approved June 26, 1835. Acts, vol. 31, p. 51. Session Laws, 1835, Private Acts, Chap. 47. See act referred to, *ante*, p. 393. See also act of June 28, 1859, Session Laws, 1859, Chap. 2313.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that the said New Hampshire Bridge, the corporation created by the act aforesaid passed January 1, 1833 and duly organised by the persons therein named, be and they hereby are authorised and empowered to erect build and forever maintain a bridge across the waters between the town of Newington in the county of Rockingham and the town of Durham in the county of Strafford at any place between the Southerly part of Footmans Island and the Northerly part of Furbur's Ferry and Crummetts Creek and the said corporation if they locate their

bridge at Furbur's Ferry shall also extend said bridge across Crummetts Creek, and the said corporation are hereby empowered to purchase and hold in fee simple any lands necessary for the erecting and maintaining said bridge between the places aforesaid and if said corporation and the owner or owners of said land shall not agree upon the compensation to be made for said land, the Justices of the Court of Common Pleas within and for the County of Strafford shall appoint a Committee of three persons to ascertain said compensation in the same way and manner as is herein after provided for ascertaining the compensation to be made to the proprietors of Piscataqua Bridge.

Sec 2 And be it further enacted that said New Hampshire Bridge corporation may make and establish any by laws which may be necessary for their regulation and government, and any by laws or proceedings which may have been made or had by said corporation consistent with their said act of incorporation shall be valid until the same may be altered, and the said corporation may conformably to their by laws make such assessments as may be found necessary for accomplishing said object and collect the same by the sale of delinquent proprietors and at any meeting of said corporation all votes shall be determined by a majority of votes of the proprietors present or represented allowing one vote for each share and all representations shall be in writing signed by the person represented and filed with the Clerk

Sec 3 And be it further enacted that the Justices of the Superior Court of Judicature on application to them for that purpose shall determine and establish the rates of toll for passing said bridge and may from time to time raise or reduce the same as to them shall appear just and reasonable considering the expense of erecting and maintaining said bridge and said corporation shall thereupon be authorised to demand recover and receive of every person passing said bridge the rate of toll established as aforesaid and may prevent the passage of any person until such toll shall have been paid and at all times when the tollgatherer shall neglect his duty the gate shall be left open

Sec 4 And be it further enacted that a draw or hoist shall be constructed in said bridge over the main channel of said waters of such dimentions, not exceeding forty feet in width as the Justices of said Superior Court shall direct so as to admit of a convenient and safe passage for vessels through the same.. And shall be the duty of said corporation to cause said draw to be hoisted at all times when necessary for the passage of vessels or other craft without unreasonable delay

Sec 5 And be it further enacted that said corporation shall be answerable for all damages which may be sustained through the insufficiency of said bridge or for any defect or want of repairs in the same or in said draw, and may also be indicted and fined there-

for in the same manner as towns are by law indicted and fined for suffering highways and bridges to be out of repair.

Sec 6 And be it further enacted that if the said New Hampshire Bridge and the Proprietors of Piscataqua Bridge shall not agree upon the compensation to be made for any damage or injury which may be sustained by the said Proprietors in their rights or property or otherwise by the erecting and maintaining of a bridge by the said New Hampshire Bridge within the limits aforesaid the Justices of the said Court of Common Pleas for the County of Strafford are hereby authorised and required on application being made to them for that purpose by the said New Hampshire Bridge after due notice of such application to the said Proprietors, to appoint a committee of three persons whose duty it shall be after a hearing of the said parties or if either party shall neglect to attend after reasonable notice of the time and place of hearing, then after a hearing ex parte to make a report in writing stating the amount of damages and costs which said Committee or a major part of them may award to the said Proprietors of Piscataqua Bridge and to return their report to the said Court And the said New Hampshire Bridge before they shall put any bridge into operation within the limits aforesaid or open the same for passengers shall pay or tender said amount of damages and costs to the Treasurer or some one of the officers of said Proprietors of Piscataqua Bridge and in case of refusal by them to receive the same said sum shall be paid into the hands of the Clerk of said Court for the use of said Proprietors, and the payment of said sum as aforesaid shall be in full compensation for any damage or injury which may be sustained by the said Proprietors of Piscataqua Bridge in their property or rights or otherwise by reason or means of the building and maintaining of a bridge within the limits aforesaid by the said New Hampshire Bridge

Sec 7 And be it further enacted that when the said New Hampshire Bridge at any meeting of said corporation duly notified and holden agreeably to their by laws, shall accept of this act the same shall be binding upon them and shall have the same effect to all intents and purposes as if the provisions of this had been inserted in and made part of said original act

Sec 8 And be it further enacted that the time limited in said original act for the building of said bridge be extended to ten years from the passing of this and if said bridge shall not be built within ten years from the passage of this act, or if destroyed at any time and shall not within three years after such destruction be rebuilt this act and said original act shall be null and void

Sec 9 And be it further enacted That the Legislature may at any time hereafter modify, amend or repeal this act and the act to which this is an addition

[CHAPTER 32.]

State of)
New Hampshire.)

AN ACT TO INCORPORATE THE FRANKLIN MANUFACTURING COMPANY

[Approved June 26, 1835. Acts, vol. 31, p. 55. Session Laws, 1835, Private Acts, Chap. 16.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Lemuel M. Barker James Burnham Jr Dyer H. Sanborn and such other persons as may associate with them, their successors or assigns shall be and hereby are constituted and made a corporation by the name of the Franklin Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment and execution, and shall be and are hereby vested with all the powers privileges, and immunities and are subject to all the liabilities which by law are incident to similar corporations

Sec 2 And be it further enacted, that the said Corporation be and the same is hereby empowered to establish, manage and carry on in Meredith in the County of Strafford, the manufacture of all kinds of Woolen yarn Thread, and Cloths and also of all and every kind of machinery necessary for the manufacture thereof and also of all and every kind of machinery for the spinning reeling, weaving coloring and finishing all and every kind of Silk, Cotton thread, yarn, and cloth silk or cotton or mixed and the same are hereby empowered to sell and dispose of at pleasure, and to purchase and hold all such models, plans and patent rights as they shall judge fit and proper, and to purchase and hold all such personal and real estate as they may find necessary convenient and proper for the full enjoyment of all the privileges hereby granted and on such real estate to erect any houses stores workshops mills steam engines cotton woolen or silk Factories or other buildings, which they may deem requisite for the transaction of the business of said corporation in the manufacturing of all kinds of silk, cotton and woolen thread and cloth of each kind or mixed provided that the whole amount of real and personal estate at any one time vested, shall not exceed one hundred thousand dollars

Sec 3 And be it further enacted that the said Lemuel M. Barker James Burnham Jr, Dyer H. Sanborn or any two of them may call the first meeting of said corporation by giving three days previous notice to each of the members thereof, At which said meeting a Clerk shall be chosen who shall be sworn faithfully to discharge the duties of his office and whose duty it shall be to record the trans-

actions of said corporation and to perform such other services as the by laws of said corporation may require and at the same meeting or at any adjournment thereof or at any subsequent meeting duly held, the members or associates of said corporation may prescribe and agree upon the manner of calling holding and managing future meetings, may divide their capital or joint stock into as many shares as they may deem proper, and shall prescribe the manner in which said shares shall be held and how the same shall be transferred may make provisions for making assessments upon the shares from time to time as their exigencies may require, and fix the time for the payment of the same may appoint and constitute such officers and agents of said corporation as they shall think necessary, they may also prescribe their respective duties—may pass by laws, not repugnant to the laws of the State for their regulation and government, and may do or transact any matter or thing relating to the property, business, or concerns of said corporation

Sec. 4 And be it further enacted that at all meetings of the members of said corporation duly notified and held, every member shall be entitled to cast one vote for each share of which he may be the owner and which he may hold in said corporation in all questions which may properly come before such meeting, and absent members may be represented and vote at such meetings by an agent or proxy duly appointed for that purpose by writing signed by the member or members to be represented which shall be filed with the Clerk of said corporation and at all such meetings, all questions shall be decided by a majority of the votes cast. Provided however, that in the assessment of taxes on the shares of said corporation, two thirds of the votes cast shall be required to make any assessment binding upon the members of said corporation

Sec 5 And be it further enacted that the shares in the capital or joint stock of said corporation shall be held liable for the payment of all assessments made upon them legally, should any member neglect to pay an assessment legally made on his or her share or shares the same or as many of them as shall be sufficient to pay the amount of assessment or assessments may be sold or transferred for the payment of the same and the incidental charges (should any occur) in such way or manner as shall be prescribed by the by laws or standing regulations of said corporation

Sec 6 And be it further enacted that all the privileges of this act shall be subject to the supervision of this or any future Legislature to be altered or repealed at pleasure, should the public good require it

[CHAPTER 33.]

State of }
New Hampshire. }

AN ACT IN FAVOR OF JOHN H. WHITE AND OTHERS

[Approved June 26, 1835. Acts, vol. 31, p. 111. Session Laws, 1835, Private Acts, Chap. 5.]

Be it enacted by the Senate and House of Representatives in General Court convened That John H. White be allowed the sum of twenty two dollars in full of his account Gawing Gilmore be allowed the sum of five dollars and sixty cents in full of his account John Chadwick be allowed the sum of nine dollars in full of his account Elijah Carpenter be allowed the sum of nine dollars in full of his account, Jacob Whittemore be allowed the sum of six dollars in full of his account Joseph Clough be allowed the sum of four dollars and sixty five cents in full of his account and that Ralph Metcalf be allowed the sum of one hundred seventy five dollars and nine cents in full of his account and that the same be paid out of the Treasury

[CHAPTER 34.]

State of }
New Hampshire. }

AN ACT RELATING TO THE SERVICE OF WRITS ON TOWNS

[Approved June 26, 1835. Acts, vol. 31, p. 112. Session Laws, 1835, Chap. 210. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened that from and after the first day of September next all writs against town shall be served on one of the selectmen as well as on the Clerk of the town which service on one of the selectmen shall be made in the same way and manner as the law now provides that service shall be made in the like case on the town Clerk

[CHAPTER 35.]

State of }
New Hampshire. }

AN ACT FOR THE PRESERVATION OF HIGHWAYS AND BRIDGES

[Approved June 26, 1835. Acts, vol. 31, p. 113. Session Laws, 1835, Chap. 209. See act of July 6, 1839, id., 1839, Chap. 460. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives in General Court convened that from and after the first day of September 1835 no town or other corporation shall be liable for damages for any deficiency in their Highways or Bridges to any person whose carriage and merchandise thereon shall exceed the weight of six tons

[CHAPTER 36.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE WALPOLE SOCIETY FOR BRINGING TO JUSTICE HORSE THIEVES AND PILFERERS

[Approved June 26, 1835. Acts, vol. 31, p. 123. Session Laws, 1835. Private Acts, Chap. 13.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That Samuel Grant Abel Bellows William Mitchell J. Bellows 3^d H. S. Tudor Josiah Bellows and Frederick Vose their associates successors and assigns be and they hereby are incorporated and made a body politic by the name of the Walpole Society for bringing to Justice Horse Thieves and Pilferers and in that name may sue and be sued prosecute and defend to final judgment and execution, may purchase and hold personal estate to any amount not exceeding the sum of two thousand dollars, and the same may sell convey or otherwise dispose of at pleasure

Sec 2 And be it further enacted That Samuel Grant and Abel Bellows may call the first meeting of said Society at such time and place in the town of Walpole as they may think proper, giving personal notice to each member of the Society of the time place and object of said meeting at least ten days prior to holding the same, at which or any subsequent meeting they may choose such officers and agents and pass such by laws not repugnant to the constitution

and laws of this State, as may be deemed necessary for effecting the objects of their association.

Sec 3 And be it further enacted that the Legislature may at any time hereafter alter, amend or repeal this act

[CHAPTER 37.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF THE LEBANON ACADEMY.

[Approved June 26, 1835. Acts, vol. 31, p. 124. Session Laws, 1835, Private Acts, Chap. 45. See act of January 4, 1833, *ante*, p. 420.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That there be and hereby is established an Academical Institution in the town of Lebanon in the County of Grafton for the education of Youth in the various branches of literature which shall be under the government of a board of trustees consisting of not more than twelve nor less than nine members, to be chosen in the manner hereinafter mentioned and the said trustees are hereby incorporated and made a body politic by the name of The Trustees of the Lebanon Academy, and by that name may sue and be sued prosecute and defend to final judgment and execution and be vested with all the powers and privileges, and subject to all the liabilities which by law are incident to similar corporations and shall also have power to purchase and hold and to receive by gift grant or otherwise, any estate real or personal to an amount not exceeding twenty thousand dollars at any one time, and the same to use and employ, and sell and dispose of for the benefit of said Institution subject always to such limitations and conditions as are expressed in any will, deed, or other instrument of conveyance

Sec 2 And be it further enacted that Phinehas Parkhurst Timothy Kenrick Alpheus Baker Ziba Alden Benjamin Ela Uriah Amsden Wareham Morse, Paul Buswell Roswell Sartwell Arnold Porter George H. Lathrop Gideon Dickinson James H. Kendrick Christopher Tone and their associates being donors to said Institution may at any convenient time and place hold a meeting to be called by any two of the three persons first above named by posting up notifications for that purpose at three or more public places in said Lebanon expressing therein the time place and design of said meeting at least ten days prior thereto, at which meeting a majority of said persons being present they may choose a Clerk who shall be sworn faithfully to discharge the duties of his office, and any other officer that may be deemed necessary, and at the same time or at any ad-

journalment of said meeting or at any subsequent meeting called as aforesaid they may elect by ballot a board of Trustees and may do any other act or thing necessary to effect a due organization of said Corporation

Sec 3 And be it further enacted That the Trustees of said Institution, a majority of whom shall constitute a quorum in all cases shall have power and they are hereby authorised to prescribe and adopt from time to time all such rules regulations and restrictions as they may deem necessary and proper for the government and well being thereof and for the management and application of its funds for the appointment and removal of instructors for the dismissal instruction care and government of the students therein, and for the direction of all its concerns, and also to carry into effect all such rules and regulations as are not repugnant to the laws of the State, and for these purposes may appoint all necessary officers agents or servants, and whenever any vacancy shall happen in said board by death resignation, or otherwise, the remaining Trustees or a majority of them at any meeting held for that purpose, shall by ballot make an election to fill such vacancy, and the person or persons thus elected and accepting the trust shall thereupon be vested with all the power and authority incident to said office

Sec 4 And be it further enacted that nothing in the foregoing act shall be construed to prevent this or any future Legislature from altering amending or repealing the same as the public good may require

[CHAPTER 38.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE GILMANTON IRONWORKS FIRE ENGINE COMPANY.

[Approved June 26, 1835. Acts, vol. 31, p. 135. Session Laws, 1835, Private Acts, Chap. 20.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that Francis Marden Cyrus W. Page Arthur Livermore Jr. Rice Gilman, their associates and successors, be and they hereby are incorporated and made a body corporate and politic by the name of the Gilmanton Ironworks Fire Engine Company and by that name may sue and be sued prosecute and defend to final judgment and execution and be known and distinguished in all their acts and proceedings and they hereby are

vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature

Sec. 2 And be it further enacted That said corporation be and the same hereby is authorised and empowered to purchase and hold real and personal estate for the purposes of said corporation not exceeding the sum of one thousand dollars and the same may sell and dispose at pleasure

Sec 3 And be it further enacted that the persons above named or any three of them may call the first meeting of said corporation at any suitable time and place in said Gilmanton by giving to the members of said corporation personal notice of the time and place of said meeting seven days at least or by posting up notifications in two or more public places in the Ironworks Village in said Gilmanton a like number of days prior to said meeting, setting forth the time place and objects of said meeting at which first meeting the members of said corporation may agree on the manner of calling future meetings may make such by laws and ordinances as said corporation may deem necessary and proper for the regulation and government of the same provided such by laws and ordinances be not repugnant to the constitution and laws of this State, may do and transact any other business necessary to carry into effect the objects of this act

Sec 4 And be it further enacted that this act shall be under the control of this or any future Legislature so as to alter amend or repeal the same at pleasure as the public good may require

[CHAPTER 39.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE TRUSTEES OF THE CONCORD LITERARY INSTITUTION AND TEACHER'S SEMINARY

[Approved June 26, 1835. Acts, vol. 31, p. 137. Session Laws, 1835, Private Acts, Chap. 28.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That Nathaniel Bouton E. E. Cummings David L Morrill N. G. Upham Samuel Fletcher W. Gault Isaac Hill Abiel Walker S. A. Kimball Thomas Chadbourne Hall Burgin and Ezra Carter be and they hereby are incorporated and made a body politic and corporate by the name of the Trustees of the Concord Literary Institution and Teachers Seminary and by that name may sue and be sued prosecute and defend unto final judgment and execution and shall have and enjoy all the powers

and privileges and be subject to all the liabilities incident to corporations of a similar nature

Sec 2 And be it further enacted that said corporation may establish an Institution in the Town of Concord for the instruction of youth, may erect own and maintain suitable buildings therefor and may hold personal and real estate to any amount not exceeding fifty thousand dollars in value

Sec 3 And be it further enacted that all such gifts donations bequests and legacies as may from time to time be given or bequeathed to said corporation, may be received held and possessed by said corporation

Sec 4 And be it further enacted that Nathaniel Bouton Hall Burgin and Ezra Carter or either two of them may call the first meeting of said corporation to be holden at some suitable time and place in the Town of Concord by notifying the members thereof at least seven days prior to said meeting in one of the newspapers printed in said Town, when the manner of holding future meetings may be regulated and any business relating to said corporation transacted

Sec 5 And be it further enacted that said corporation at any meeting duly notified and holden may make rules, 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 and may appoint such and so many officers as they may think proper and prescribe their powers and duties

Sec 6 And be it further enacted that nothing in the foregoing act shall be construed to prevent this or any future Legislature from altering amending or repealing the same as the public good may require

[CHAPTER 40.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE BELKNAP MANUFACTURING COMPANY

[Approved June 26, 1835. Acts, vol. 31, p. 139. Session Laws, 1835, Private Acts, Chap. 34. See act of December 8, 1836, id., 1836, November session, Private Acts, Chap. 104.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened that William B. Smith John Williams John H White William Palmer James Davis Lucius Everett Hozea Clark and James Ladd, their associates successors and assigns be and they hereby are incorporated and made a body

politic by the name of the Belknap Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment and execution, may have and use a common seal and the same at pleasure may break alter or renew and may make and put into execution such by laws regulations and ordinances not repugnant to the constitution and laws of this state as they may think necessary and proper, for the prosecution of their affairs and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities which by law are incident to similar corporations

Sec 2 And be it further enacted that the said corporation be and the same is hereby empowered to establish manage and carry on in the town of Dover, County of Strafford and state aforesaid the manufacture of Cotton Linen and Woolen goods, and of all kinds of machinery and such other branches of trade and manufacture as shall be necessarily connected therewith, may purchase take hold and convey real and personal estate of every kind to any amount not exceeding the sum of five hundred thousand dollars, and the same to manage improve change and sell at pleasure, and to erect on the real estate owned or to be purchased in said town of Dover such dams canals mills buildings machines and works as they may deem necessary or useful in managing and carrying on their manufactures and works, and in conducting the business of said corporation and may also hold use and improve for the purposes aforesaid all such Mills and other property as is now owned by the members of said corporation

Sec 3 And be it further enacted that any two of the first three persons named in this act may call the first meeting of said corporation to be holden at any time and place in the town of Dover they may think proper by publishing notice thereof in some newspaper printed in said town of Dover at least ten days prior to the time of holding the same, at which meeting a Clerk shall be chosen and sworn to the faithful discharge of the duties of his office and it shall his duty to record in a book or books furnished and kept for that purpose all the acts and doings of the meetings of said corporation and to give certified copies thereof when legally required and to perform such other services as the by laws of said corporation shall require and at the same or any subsequent meeting duly holden the members or associates of said corporation may prescribe and agree on the manner of calling holding and conducting future meetings may divide the capital or joint stock into such number of shares as they may deem proper may prescribe the mode in which said shares shall be holden and transferred and provide for the making of assessments on said shares from time to time as occasion may require and fix the time for the payment of the same may appoint and constitute such officers servants and agents of said

corporation as they shall think necessary and prescribe their respective duties and may do and transact any other thing relating to the property or concerns of said corporation

Sec 4 And be it further enacted that at all meetings of said corporation duly notified and holden each member shall be entitled to one vote for each share he may own in the capital stock of said corporation upon any question that may come before such meetings And absent members may vote by proxy duly authorised by writing signed by the person or persons represented which writing shall be filed with the Clerk of said corporation, and at such meetings all questions shall be decided by a majority of votes cast

Sec 5 And be it further enacted that the shares in the capital stock of said corporation shall be liable and holden for the payment of all assessments legally made thereon and in case of neglect by any member to pay the sum assessed upon his share or shares said shares or so many of them as shall be sufficient to pay the amount due thereon may be sold and transfered for the payment of the same in such way and manner as shall be prescribed in the by laws of said corporation. Provided nevertheless that nothing in this act shall in any wise effect or impair any right or privileges heretofore granted by the Legislature of this state to any individual or other corporation

Sec 6 And be it further enacted that the Legislature may at any time hereafter alter amend modify or repeal this act

[CHAPTER 41.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE "CONCORD RAIL ROAD CORPORATION."

[Approved June 27, 1835. Acts, vol. 31, p. 1. Session Laws, 1835, Private Acts, Chap. 1. See acts of January 13, 1837, id., 1836, November session, Chap. 280; July 5, 1839, id., 1839, Private Acts, Chap. 29; December 23, 1840, id., 1840, November session, Chap. 563; June 20, 1843, id., 1843, Chap. 39; July 1, 1881, id., 1877-81, p. 543; July 24, 1889, id., 1889-91, p. 37, and March 16, 1901, id., 1897-1901, p. 712.]

Section 1. Be it enacted by the Senate and House of Representatives in general court convened, That Isaac Hill, Richard Hazen Ayer, Charles H. Peaslee, Joseph Low, Francis N. Fisk, George Kent, Robert Davis, Abiel Walker, Richard Bradley, John K. Simpson, Horatio Hill, William Gault, Joseph P. Stickney Arlond Carroll, John R. Reding, John Nesmith, Samuel Coffin, Samuel Herbert and their associates, successors and assigns be and they hereby are made a body politic and corporate under the name of the

“Concord Rail Road Corporation” and by that name shall be, and hereby are made capable in law, to sue and be sued to final judgment and execution, plead and be impleaded, defend and be defended, in any court of record or in any other place whatever, to make have and use a common seal, and the same to break, renew or alter at pleasure, and shall be and hereby are vested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as hereinafter set forth and subject to all the liabilities incident to corporations of a similar nature. And the said corporation are hereby authorized and empowered to locate, construct and finally complete a rail road beginning at any point at the southerly line of the State in either of the towns of Hudson, Pelham or Salem, or beginning at any point in Nashua Village in Dunstable, or between the Factories of the Jackson company in Dunstable and Merrimack river, so as to enter on the Nashua and Lowell rail road, paying for the right to use the same or any part thereof such a rate of toll as the legislature may from time to time prescribe and complying with such rules and regulations as may be established by said Nashua and Lowell rail road corporation, and running northerly to the town of Concord in the county of Merrimack in this state in such manner and form as they may deem expedient. Provided that the said Concord rail road shall not be so laid out and constructed as to be a substitute for the Nashua and Lowell railroad, but if commenced at the line of the state in either of the said towns of Hudson, Pelham or Salem shall be carried on the easterly side of Merrimack river as far northerly as Amoskeag Village in Goffstown. And for this purpose the said corporation are authorized to lay out their road not exceeding six rods wide through the whole length; and for the purpose of cutting embankments and procuring stone and gravel may take as much more land as may be necessary for the proper construction and security of said road. Provided, however, that all damages that may be occasioned to any person or persons, corporation or corporations by the taking of such land or materials for the purposes aforesaid shall be paid for by said corporation in the manner hereinafter provided.

Section.2. And be it further enacted: That the capital stock of said corporation shall consist of ten thousand shares, and the immediate government and direction of the affairs of the said corporation shall be vested in seven directors, who shall be chosen by the members of the corporation in the manner hereinafter provided and shall hold their offices until others shall be duly elected and qualified to take their place as directors. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their own number to be President of the board, who shall also be President of the corporation and shall

have authority to choose a clerk who shall be sworn to the faithful discharge of his duty, who shall also be clerk of the corporation unless the corporation shall elect some other person to that office, a treasurer who shall give bonds to the corporation with sureties to the satisfaction of the directors in a sum not less than twenty thousand dollars for the faithful discharge of his trust: also all other such agents and servants as shall from time to time be necessary.

Section 3. And be it further enacted; That the president and directors for the time being are authorized and empowered by themselves or their agents, to exercise all the powers herein granted to the corporation for the purposes of locating, constructing and completing said rail road; and for the transportation of persons, goods and merchandise thereon; and all such other powers and authority for the management of the affairs of the corporation not heretofore granted as may be necessary and proper to carry into effect the object of this grant, to purchase and hold land, materials, engines, cars and other necessary things in the name of the corporation, for the use of said road and for the transportation of persons, goods and merchandise, to make such equal assessments from time to time on all the shares in said corporation as they may deem expedient and necessary in the execution and progress of the work and direct the same to be paid to the treasurer of the corporation; and the treasurer shall give notice of such assessments. And in case any subscriber shall neglect to pay his assessments for the space of sixty days after due notice by the treasurer of said corporation the directors may order the treasurer to sell the share or shares of such delinquent subscribers at public auction after due notice thereof to the highest bidder, and the same shall be transferred to the purchaser. And such delinquent subscriber shall be held accountable to the corporation for the balance, if his share or shares shall sell for less than the assessments due thereon with interest and costs of sale, and shall be entitled to the overplus if any there be. Provided however, that no assessments shall be laid upon any share in said corporation of a greater amount than fifty dollars, in the whole on each share. And if a greater amount of money shall be necessary to complete the said road it shall be raised by creating new shares, giving the stockholders in said corporation the right to take said stock in proportion to the stock by them respectively owned in said corporation.

Section 4. And be it further enacted; That the said corporation shall have power to make ordain and establish all such bye-laws, rules, regulations and ordinances as they shall deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the well ordering, regulating and securing the interests and affairs of the corporation. Provided the same be not repugnant to the constitution and laws of this state.

Section 5. And be it further enacted, That a toll be and hereby is granted and established for the sole benefit of said corporation upon all passengers and property of all descriptions which may be conveyed or transported upon said road at such rates per mile as may be agreed upon and established from time to time by the directors of said corporation. The transportation of persons and property the construction of wheels, the forms of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said road shall be in conformity to such rules, regulations and provisions as the directors shall from time to time prescribe and direct, and said road may be used by any person or persons, who shall comply with such rules and regulations. Provided, that if at the expiration of five years from and after the opening of said road for use, the net income or receipts from tolls and other profits, shall have amounted to more than ten per cent per annum upon the whole cost of the road from the time of the disbursements, the legislature of this state may take measures to alter and reduce the rate of tolls and other profits in such manner as to take off the overplus for the next five years, calculating the amount of transportation upon the road to be the same as the five preceding years; and at the expiration of every five years, the same proceedings may be had. Provided however, that there shall be no other rail road incorporation to run parallel with or intended as a substitute for the Concord rail road within five miles thereof for the space of thirty years.

Section 6. And be it further enacted, That the directors of said corporation for the time being are hereby authorized to erect toll houses, and houses for the deposit of merchandise, establish gates, appoint toll gatherers and demand and receive toll upon the road when completed, and upon such parts thereof as shall from time to time be completed.

Section. 7. And be it further enacted, that the said corporation shall be holden to pay all damages that may arise to any person or persons corporation or corporations by taking their land or other property for said rail road when the same cannot be obtained by voluntary agreement to be estimated by a committee to be appointed for that purpose by the court of common pleas for the county wherein such damages shall accrue, and said court may issue execution founded on the report of such committee against said corporation for such sum in damages as said committee shall report and cost

Section 8. And be it further enacted, That when the lands or other property or estate of any feme covert, infant or person non-compos mentis shall be necessary for the construction of said rail road the husband of said feme covert and the guardian of such infant, or person noncompos mentis may release all damages for any

land or estate taken and appropriated as aforesaid, as they might do if the same were holden by them in their own right respectively.

Section 9. And be it further enacted, That if any person or persons shall unlawfully, wilfully, and maliciously obstruct the passage of any carriage on said rail road or in any way injure, spoil or destroy said rail road or any part thereof or shall aid or assist therein such person or persons so obstructing the passage of such carriage or so injuring, spoiling or destroying said rail road or any part thereof or so aiding or assisting therein shall for every such offence on conviction thereof before any court of competent jurisdiction forfeit and pay a fine not less than thirty dollars nor more than five hundred dollars for the use of the county wherein such offence may be committed and may be imprisoned for a term not exceeding one year at the discretion of the court before whom such conviction may be had.

Section 10. And be it further enacted, That the annual meeting of the members of said corporation shall be holden on the first Wednesday of July at such place within this state as the directors for the time being shall appoint; at which meeting seven directors shall be chosen by ballot each proprietor being entitled to as many votes as he holds shares: Provided they do not exceed one tenth part of the whole number. And the three persons first named in this act, or any two of them are hereby authorized to call the first meeting of said corporation, by giving notice in the NewHampshire Patriot and State Gazette, published at Concord, in the county of Merrimack in this State, and in some paper published in Lowell and some paper published in the city of Boston in the Commonwealth of Massachusetts. And the directors are hereby authorized to call special meetings of the stockholders whenever they shall deem it expedient and proper, giving such notice as the corporation by their byeLaws shall direct.

Section 11. And be it further enacted, That if the said rail road in the course thereof shall intersect or cross any private way the said corporation shall so construct said rail road as not to obstruct the safe and convenient use of such private way, and if said rail road shall not be so constructed the party aggrieved shall be entitled to his action on the case in any court proper to try the same, and shall recover his reasonable damages for such injury; and if the said rail road shall in the course thereof intersect or cross any canal, turnpike or other highway the said rail road shall be so constructed as not to impede or obstruct the safe and convenient use of such canal, turnpike or other highway which has been or may hereafter be laid out in pursuance to the laws of this State. And the said corporation shall have the power to raise or lower such turnpike, highway, or private way so that the said rail road, if necessary, may con-

veniently pass under or over the same, and if said corporation shall raise or lower any such turnpike, highway or private way and shall not so raise or lower the same as to be satisfactory to the proprietors of such turnpike or to the selectmen of the town in which said highway or private way may be situate, as the case may be, said proprietors or selectmen may require in writing of said corporation such alteration or amendment as they may think necessary. And if the required amendment or alteration be reasonable and proper, in the written opinion of the justices of the court of common pleas for the county in which said alteration or amendment is proposed, and the said corporation shall unnecessarily and unreasonably neglect to make the same, such proprietors or selectmen, as the case may be, may proceed to make such alteration or amendment, and may institute and prosecute to final judgment and execution in any court proper to try the same, any action of the case against said corporation, and shall therein recover reasonable damages for all charges, disbursements, labor and services occasioned by making such alterations or amendments with costs of suit.

Section 12. And be it further enacted, That if said corporation shall not have been organized, one fourth part of the stock subscribed and the location of the route filed with the secretary of State, on or before the first day of June eighteen hundred and thirty seven, or shall not have laid out and expended the sum of six thousand dollars towards the completion of the same previous to the first day of September in the year of our Lord eighteen hundred and forty, or shall fail to complete the same before the first day of June eighteen hundred and forty five in either of the above mentioned cases this act shall be null and void, otherwise to remain in full force fifty years from the passage of this act or until this State shall purchase said rail road as is hereinafter mentioned

Section 13 And be it further enacted, That said rail road corporation shall constantly maintain in good repair all bridges with their abutments and embankments which they may construct for the purpose of conducting their rail road over any canal, turnpike or other highway, or any private way, or for conducting such private way, turnpike or other highway over said rail road and in default thereof shall be liable in any action of the case to respond in damages to the party aggrieved.

Section 14. And be it further enacted, That it shall be the duty of the directors of said corporation from year to year on or before the first Wednesday of June to make a report to the legislature of this State, of their acts and doings, receipts and expenditures under the provisions of this act. And their books shall at all times be open to the inspection of any committee of the legislature appointed for that purpose. And if said corporation shall unreasonably neglect or refuse to make such report, at the expiration of every

year after the opening of said rail road, for every such neglect or refusal they shall forfeit and pay to the use of the state a sum not exceeding five thousand dollars to be recovered by action or indictment in any court of competent jurisdiction.

Section 15. And be it further enacted, That the said corporation be and they hereby are authorized and empowered to erect for the sole use and exclusive accommodation of the travel on their said rail road if they shall deem it necessary, such bridge or bridges as may be required across the waters of the Merrimack river, provided said bridge or bridges shall be so constructed as not to obstruct, nor unnecessarily impede the navigation of said river.

Section 16. And be it further enacted, That the said Concord rail road corporation shall have full power and authority to extend the said road from the southerly line of this State, so as to connect with the Boston and Lowell rail road whenever the State of Massachusetts shall have granted to said corporation power so to do, and for that purpose said corporation may have and receive from said State power and authority so to extend said rail road with such reasonable and proper restrictions, qualifications and conditions as may be required by said State, and agreed to by the stockholders at a meeting called for that purpose, and to enable said corporation so to extend said rail road the capital stock of said corporation may be enlarged by new shares so far as may be necessary to defray the expense of so extending said rail road, and other charges and expenses incident thereto. Provided the stockholders have the right to subscribe for such new shares in proportion to the stock held by each respectively in said Concord rail road corporation.

Section 17. And be it further enacted, That this State, at any time during the charter of the Concord rail road corporation after the expiration of twenty years from the time of the completion of said road, may purchase the same of said corporation, and all the franchise, rights and privileges of said corporation, by paying them therefor the amount expended in making said road; and in case at the time of such purchase, the said corporation shall not have received a net income equal to twelve per cent per annum on the amount of such expenditure, from the time of the payment thereof by the stockholders, by paying said corporation such additional sum as together with the tolls and profits of every kind which they shall have received from said rail road, will be equal to a net profit of ten per cent per annum on the cost of said road from the time of payment thereof by the stockholders to the time of purchase.

Section 18. And be it further enacted, That nothing in this act shall be so construed as to affect the rights of any rail road corporation heretofore granted and that the legislature may at any time hereafter alter amend or modify this act or any of its provisions.

[CHAPTER 42.]

State of }
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT TO INCORPORATE
 THE HOLMES PLYMOUTH ACADEMY PASSED DEC^r 6. 1808.

[Approved June 27, 1835. Acts, vol. 31, p. 35. Session Laws, 1835, Private Acts, Chap. 24. The act referred to is dated December 7, 1808, Laws of New Hampshire, vol. 7, p. 694.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That the corporation now known by the name of Holmes Plymouth Academy" shall hereafter be called and known by the name of the Plymouth Literary and Theological Seminary.

Section 2. And be it further enacted, That hereafter the board of Trustees of said Corporation shall consist of twelve members, who shall be chosen and elected in the same way and manner as is provided in the act to which this act is in addition for the election of trustees.

Section 3. And be it further enacted, That there shall be and hereby is established a board of overseers for said corporation, which shall consist of twenty four members; who shall be elected by a majority of the trustees of said corporation, and who shall have such power and authority as said corporation may by their by-laws confer and give said board the same not being repugnant to the Laws of this State.

Section 4. And be it further enacted, That said corporation be and hereby is authorized and empowered to hold real and personal estate to any amount not exceeding twenty thousand dollars.

Section 5. And be it further enacted, That all acts and parts of acts inconsistent with this act be and the same are hereby repealed.

Section 6. And be it further enacted, That nothing in the foregoing act, and the act to which this is an addition shall be so construed as to prevent the Legislature of this state from altering, amending or repealing this act.

[CHAPTER 43.]

State of }
New Hampshire. }

AN ACT RELATING TO THE OFFICE OF ATTORNEY GENERAL.

[Approved June 27, 1835. Acts, vol. 31, p. 36. Session Laws, 1835, Chap. 207. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sect. 1. Be it enacted by the Senate and House of Representatives in General Court convened, That from and after the time when this act shall take effect, the salary or compensation of the Attorney General shall be the sum of twelve hundred dollars annually instead of eight hundred dollars annually as by law now established.

Sect. 2. And be it further enacted, That from and after the time when this act shall take effect, it shall not be lawful for the Attorney General to be retained, have part or be concerned in the prosecution or trial of any civil suit before the Court of Common Pleas in any County in this State—

Provided however, that nothing in this act contained shall be so construed as to prevent the Attorney General from appearing and prosecuting for the State in any civil suit before any such Court the State being a party thereto or having an interest therein or to prevent him from prosecuting or managing and conducting any such suit before any such court he being a party thereto or interested therein.

Section 3. Be it further enacted, That this act shall take effect and be in force from and after the first day of February next.

[CHAPTER 44.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE BOSTON AND MAINE RAIL ROAD

[Approved June 27, 1835. Acts, vol. 31, p. 38. Session Laws, 1835, Private Acts, Chap. 14. See acts of January 13, 1837, id., 1836, November session, Chap. 280; June 28, 1838, id., 1838, Private Acts, Chap. 22; July 2, 1841, id., 1841, Chap. 6, and July 2, 1845, id., 1845, Chap. 290.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened—

That William Hale, Andrew Pierce, James Bartlett, Joseph Smith Stephen Hanson, Asa Freeman, William Hall Jr. John P. Hale James B Creighton John Houstin N. Gilman 3^d Moses Sanborn,

James Bell, I Burley I H Duncan and Jeremiah Morrill, their associates successors and assigns be, and they hereby are made a body politic and corporate, under the name of the Boston and Maine Rail Road and by that name shall be, and hereby are made capable in law to sue and be sued to final judgment and execution plead and be impleaded, defend and be defended, in any court of record, or in any other place whatever, to make, have and use a common seal, and the same to break, renew or alter at pleasure and shall be and hereby are, vested with all the powers, privileges and immunities, which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth and subject to all liabilities incident to corporations of a similar nature, and the said Corporation are hereby authorized and empowered to locate, construct and finally complete a Rail Road beginning at Haverhill in the Commonwealth of Massachusetts at the line which divides said Commonwealth of Massachusetts from said State of New Hampshire, thence running in a Northerly direction to the line which divides said State of New Hampshire from the State of Maine in such manner and form as they shall deem most expedient, and for this purpose the said Corporation are authorized to lay out their road not exceeding six rods wide through the whole length thereof, and for the purpose of cutting embankments, and obtaining stone and gravel, may take as much more land, as may be necessary for the proper construction and security of said Road Provided, however, That all damages that may be occasioned to any person or corporation by the taking of such land or materials for the purpose aforesaid shall be paid for by said Corporation in the manner hereinafter provided.

Section 2. Be it further enacted that the Capital stock of said Corporation shall consist of six thousand shares of one hundred dollars each, The immediate government and direction of the affairs of the Corporation shall be vested in five directors, who shall be chosen by the members of the Corporation in the manner hereinafter provided, who shall hold their offices for one year, and until others shall be duly elected and qualified to take their place, as directors, and the said Directors a majority of whom shall form a quorum for the transaction of business shall elect one of their own number to be president of the Board, who shall also be President of the Corporation, and said directors shall have authority to choose a clerk who shall be sworn to the faithful discharge of his duty, and said Clerk so appointed shall also be the proprietors Clerk, unless said proprietors shall elect a clerk, and a Treasurer, who shall give bonds to the Corporation with one or more sureties to the satisfaction of the directors, in a sum not less than twenty thousand dollars, for the faithful discharge of his trust—

Section 3. Be it further enacted That the President and directors for the time being are hereby authorized and empowered by themselves or agents, to exercise all the powers herein granted to the Corporation for the purpose of locating, constructing and completing said Rail Road, and all such other power and authority for the management of the affairs of the Corporation, not heretofore granted as may be necessary and proper to carry into effect the objects of this grant; to purchase and hold land, materials, engines and cars, and other necessary things, in the name of the corporation, for the use of said Road; to make such equal assessments from time to time, on all the shares in said corporation as they may deem expedient and necessary, in the progress and execution of the work, and direct the same to be paid to the Treasurer of the Corporation, and the Treasurer shall give notice of all such assessments—And in case any subscriber shall neglect to pay his assessment for the space of thirty days after due notice by the treasurer of said Corporation, the directors may order the treasurer to sell the share or shares of such delinquent subscribers, at public auction, after giving due notice thereof, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent subscriber shall be held accountable to the Corporation for the balance, if his share or shares shall sell for less than the assessment due thereon, with the interest and cost of sale, and he shall be entitled to the overplus if his share or shares shall sell for more than the assessments due, with the interest and cost of sale—Provided however, That no assessment shall be laid upon any shares in said Corporation of a greater amount in the whole than one hundred dollars on each share, and if a greater amount of money shall be necessary to complete said Rail Road it shall be raised by creating new shares giving the stock holders in said Corporation the right to take said stock, in proportion to the stock by them respectively owned in said Corporation

Section 4 Be it further enacted, That the said Corporation shall have power to make ordain and establish all such by-laws, rules regulations and ordinances, as they shall deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the well ordering, regulating and securing the interest and affairs of the Corporation— Provide the same be not repugnant to the constitution and Laws of this State

Section 5 Be it further enacted, That a toll be and hereby is granted and established for the sole benefit of said Corporation, on all passengers, and property of all descriptions which may be conveyed, or transported upon said road, at such rates per mile as may be agreed upon and established from time to time, by the directors of said Corporation. The transportation of persons and property,

the construction of wheels, the form of Cars and Carriages, the weight of loads, and all other matters, and things in relation to the use of said road, shall be in conformity to such rules, regulations and provisions as the directors shall from time to time prescribe and direct, and said road may be used by any person or persons who may comply with such rules and regulations, Provided, however, that if at the expiration of five years from and after the completion or opening said road for use, the net income or receipts from tolls and other profits shall have amounted to more than ten per. cent. per annum upon the whole cost of said road from the time of the disbursements the Legislature of this State may take measures to alter and reduce the rates of tolls and other profits in such a manner as to reduce the overplus for the next five years, calculating the amount of transportation upon the road to be the same as the five preceding years, and at the expiration of every five years, thereafter, the same proceedings may be had, and the rate of tolls may be raised, in case the net receipts shall have been less than ten per cent during the preceding five years.

Section 6 Be it further enacted, That the directors of said Corporation for the time being are hereby authorized to erect toll houses, and houses for the deposite of merchandise, establish gates, apoint toll gatherers, and demand and receive toll upon the road, when completed, and upon such parts thereof as shall from time be completed; and they shall from year to year, on or before the second Wednesday of June make report to the Legislature, under oath of their acts and doings, receipts and expenditures under the Provisions of this act, and their books shall at all times be open to the inspection of any committee of the Legislature appointed for that purpose; and if said Corporation shall unreasonably neglect or refuse to make such report at the expiration of every year after the opening of said Rail Road, for every such neglect or refusal, they shall forfeit and pay to the use of the State of New Hampshire a sum not exceeding five thousand dollars to be recovered by action or indictment in any Court of competent jurisdiction

Section 7 Be it further enacted, That the said Corporation shall be holden to pay all damages that may arise to any person or persons, corporation or corporations, by taking their land and other property for said Rail Road when the same cannot be obtained by voluntary agreement, to be estimated by a committee to be appointed for that purpose by the Court of Common Pleas for the county wherein such damages shall accrue, and said Court may issue execution, founded on the report of such committee, against said corporation for such sum in damages as said committee shall report, and costs

Section 8 Be it further enacted, That when the lands or other property or estate of any married woman, infant or person non

compos mentis shall be necessary for the construction of said Rail Road, the husband of such married woman and the guardian of such infant or person non compos mentis may release all damages in relation to the lands or other property or estate, to be taken and appropriated as aforesaid, as they might do if the same were holden by them in their own right respectively

Section 9 Be it further enacted, That if any person or persons shall unlawfully wilfully and maliciously obstruct the passage of any carriage on said Rail Road or in any way injure, spoil or destroy said Rail Road or any part thereof or shall aid or assist therein, such person or persons so obstructing the passage of such carriage, or so injuring spoiling or destroying said Rail Road, or any part thereof, or so aiding or assisting therein shall for every such offence, on conviction thereof before any Court of competent jurisdiction forfeit and pay a fine not less than thirty dollars nor more than five hundred dollars for the use of the County wherein such offence may be committed, and may be imprisoned for a term not exceeding one year at the discretion of the Court before whom such conviction may be had—

Section 10 Be it further enacted, That the annual meeting of the members of said Corporation shall be holden on the first Wednesday of September, at such place as the directors for the time being shall appoint, at which meeting five directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares; Provided, they do not amount to more than one twelfth part of the whole number—and the three first persons or any two of them named in this act, are hereby authorized to call the first meeting of said Corporation by giving notice in one newspaper published in Boston and one published in Dover N. H. of the time place, and purpose of such meeting, at least ten days before the time mentioned in such notice, and the Directors are hereby authorized to call special meetings of the proprietors giving such notice thereof as the proprietors by their By laws may direct—

Section 11 Be it further enacted, That if the said Rail Road in the course thereof shall intersect or cross any private way, said Corporation shall so construct said Rail Road as not to obstruct the safe and Convenient use of such way, and if said Rail Road shall not be so constructed, the party aggrieved shall be entitled to his action on the case, in any Court proper to try the same, and shall recover his reasonable damages for such injury; and if the said Rail Road shall in the course thereof—intersect or cross any canal, turnpike or other highway which has been, or may hereafter be laid out in pursuance of the laws of this state, the said Rail Road shall be so constructed, as not to impede or obstruct the safe and convenient use of such canal, turnpike or other highway—and the said Corporation shall have the power to raise or lower such

turnpike highway or private way, so that the said Rail Road if necessary may conveniently pass under or over the same, and if said Corporation shall raise or lower any such turnpike highway or private way pursuant thereto, and shall not so raise or lower the same, as to be satisfactory to the proprietors of such turnpike, or to the Selectmen of the town or towns in which said highway or private way may be situated as the case may be, said proprietors or selectmen may require in writing, of said corporation such alteration or amendment as they may think necessary; and if the required amendment or alteration be reasonable and proper in the written opinion of the Court of Common Pleas of the County in which such amendment or alteration shall be required, and if the said corporation shall unnecessarily and unreasonably neglect to make the same, such proprietors or selectmen as the case may be may proceed to make such alterations or amendments, and may institute and prosecute to final judgment and execution in any Court proper to try the same, any action of the case against said Corporation, and shall therein recover a reasonable indemnity in damages for all charges, disbursements, labor and services occasioned by making such alteration or amendment with Costs of suit.

Sec 12. Be it further enacted, That no other Rail Road than the one hereby granted shall within thirty years from and after the passing of this act be authorized to be made in this State commencing within five miles of the commencement or termination of said Boston and Maine Rail Road and running parallel with the same, or within five miles of the same between said termini; Provided the State may authorize any company to enter with another Rail Road at any point of said Boston and Maine Railroad, paying for the right to use the same, or any part thereof such a rate of toll as the Legislature may from time to time prescribe; and complying with such rules and regulations as may be established by said Boston and Maine Rail Road Corporation by virtue of the fifth section of this act, Provided further that said Boston and Maine Rail Road may enter with their Rail Road any other Rail Road, that now is or may hereafter be made in the States of Massachusetts or Maine or either or both of them having first obtained a grant therefor from said States or either of them and complying with all the Bylaws and regulations prescribed by such Rail Road Corporations, Provided also that it shall be in the power of this State at every time during the continuance of this charter hereby granted after the expiration of twenty years from the opening for use of the Rail Road herein provided to be made, to purchase of the said corporation the said Rail Road and all the franchise property rights and privileges of the said corporation or paying therefor the amount expended in making the said Rail Road, and the expences of repairs and all other expences relating thereto with inter-

est thereon at the rate of ten per cent per annum, deducting all sums received by the corporation from tolls or any other source of profit and interest at the rate of ten per cent per annum thereon, that shall have been received by the Stockholders and after such purchase the limitation provided in this section shall end and be of no effect

Sec 13. Be it further enacted that if one fourth of the stock shall not have been subscribed for, the company organized and location of the route filed in the office of the Secretary of this State previous to the first Wednesday of June AD 1837 and previous to the first day of September in the year of our Lord one thousand Eight hundred and forty shall not have laid out and expended the sum of ten thousand dollars toward the completion of the same in this case this act shall be void and of no effect otherwise to remain in full force fifty years after the passage of this act or until the State shall purchase the same as aforesaid

Sec 14 Be it further enacted, that said Rail Road company shall constantly maintain in good repair all Bridges, with their abutments and embankments, which they may construct for the purpose of passing their Rail Road over any canal turnpike, or other highway or private way, or of passing such private way or turnpike or other highway over said Rail Road and in default thereof shall be liable in an action on the case to respond in damages to the party aggrieved—

Sec 15 And be it further enacted, That nothing in this act shall be so construed as to effect the rights of any Rail Road corporation heretofore granted, and that the Legislature may at any time hereafter alter amend or modify this act or any of its provisions

[CHAPTER 45.]

State of)
New Hampshire. {

AN ACT TO REGULATE THE TOLL OF CHESHIRE BRIDGE

[Approved June 27, 1835. Acts, vol. 31, p. 59. Session Laws, 1835, Private Acts, Chap. 6. The act of incorporation is dated December 11, 1804, Laws of New Hampshire, vol. 7, p. 337. See also act of June 24, 1845, Session Laws, 1845, Chap. 297.]

Section 1 Be it enacted by the Senate and House of Representatives in General Court convened. That the Justices of the Superior Court of Judicature at any term of said Court after the passing of this Act to be holden in the County of Cheshire or Sullivan upon the application to said Court of the Proprietors of Cheshire Bridge Corporation it shall be the duty of said Court to state and

prescribe the tariff of toll to be taken by said Corporation in such manner as may appear to said Court just and reasonable. Provided that the net proceeds arising from the toll to said Corporation shall not exceed twelve per cent per annum on the cost of building repairing and attending.

Sec 2 And be it further enacted, That the toll so established by said Court shall remain unaltered for the term of twelve years, And at any term of said Court holden as aforesaid after the expiration of the said term of Twelve Years the Justices of said Court shall have the power upon the application of the proprietors of said Cheshire Bridge Corporation and upon such application or upon the application of any other persons being not less than thirty it shall be the duty of said Court to examine the objects and rates of toll and to make such alteration as may appear just provided that the net proceeds arising from the toll to such corporation shall not exceed twelve per. cent per annum, And all such regulations and alterations in the objects and rates of toll as made by said Court shall remain unaltered for a term not less than Twelve Years after the same shall have been so made and may at the expiration of every Twelve Years thereafterwards be amended or altered in the way and manner herein before prescribed. Provided the net proceeds of such toll shall not exceed twelve per cent per annum as aforesaid.

[CHAPTER 46.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE COLD SPRING AQUEDUCT COMPANY
IN CLAREMONT.

[Approved June 27, 1835. Acts, vol. 31, p. 61. Session Laws, 1835, Private Acts, Chap. 17.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Timothy Eastman Jotham G Allds Luther E Stevens Austin Tyler Charles L. Putnam Arad Taylor and their associates successors and assigns shall be and hereby are incorporated and made a body Corporate and politic by the name of the Cold Spring Aqueduct Corporation and by that name may sue and be sued prosecute and defend to final judgment and execution and shall be and hereby are vested with all the powers and privileges and subject to all liabilities which by law are incident to corporations of a similar nature—

Sec 2 And be it further enacted That said Company may purchase and hold all such real and personal estate as shall be neces-

sary for laying down and keeping in repair an aqueduct from the Cold Springs so called in Claremont to any part of the Factory Village in said Claremont not exceeding the sum of five thousand dollars and the same may use alienate and dispose of at pleasure—

Sec 3 And be it further enacted that Timothy Eastman Jotham G. Allds and Luther E Stevens or any two of them may call the first meeting of said Corporation to be holden at any suitable time & place in Claremont by posting up notifications in two or more public places in said Town setting forth the time and place and design of said meeting at least fifteen days prior to the holding the same or by giving personal notice at least seven days prior thereto, at which first meeting the members of said Corporation may agree on the time when! and the manner of calling their anual and all future meetings may at said first or any subsequent meeting choose all such officers and agents as may be necessary and convenient for the due management of the affairs of the said corporation may make such bye laws! ordinances and regulations not repugnant to the constitution and laws of this state as to them shall seem proper for the government of said Corporation and may do and transact any other business necessary to carry into effect the objects of this act.

Sec 4 And be it further enacted That the Legislature may at any time alter amend or repeal this act.

[CHAPTER 47.]

State of }
New Hampshire. }

AN ACT TO REPEAL THE LAW, ALLOWING A CERTAIN PREMIUM FOR KILLING CROWS AND FOXES.—

[Approved June 27, 1835. Acts, vol. 31, p. 63. Session Laws, 1835, Chap. 212. This act partly repeals act of June 22, 1832, *ante*, p. 330.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, that so much of the Law, entitled “an act allowing a certain premium for killing Bears, Wild-cats Crows and Foxes” passed June 22, 1832, as allows a premium for killing Crows and Foxes, be and the same is hereby repealed

Sec 2 And be it further enacted, that this act shall take effect, and be of force, from and after the twentieth day of July next

[CHAPTER 48.]

State of)
New Hampshire. (

AN ACT TO ALTER THE NAMES OF CERTAIN PERSONS.

[Approved June 27, 1835. Acts, vol. 31, p. 64. Session Laws, 1835, Chap. 217.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the several persons herein named shall hereafter be called and known by the names which by this act they are respectively allowed to assume, viz:—Levi Bartlett Marden, of Hawke, may take the name of Levi Bartlett; Chase Prescott Tebbets, of Gilford may take the name of Charles Carroll Tebbets; Polly Farrar, of Meredith, may take the name of Polly Marston; Moses Leathers of Strafford, may take the name of Moses Gilman; Betsy Leathers, of Strafford, may take the name of Betsy Gilman; Rilley Leathers of Strafford, may take the name of Rilly Gilman; Drusilla Leathers of Strafford, may take the name of Drusilla Gilman; Eliza Leathers, of Strafford, may take the name of Eliza Gilman; Solomon Leathers, of Strafford, may take the name of Solomon Gilman; Adeline Leathers, of Strafford may take the name of Adeline Gilman; Brackett H Leathers, of Strafford, may take the name Brackett H. Gilman; Micajah Leathers, of Strafford, may take the name of Micajah Gilman; Lucinda Leathers, of Strafford, may take the name of Lucinda Gilman; Mary Ann Leathers, of Strafford, may take the name of Mary Ann Gilman; Seth Fish, of Exeter, may take the name of Seth Augustus Chase; Jonathan Hill, of Alton, may take the name of Jonathan P. Hill; Amos Caverly of Sanbornton may take the name of Amos S. Williams; James Rundlett 3^d of Epping may take the name of James Lawrence Rundlett, Jeremiah Leavitt 3^d of Effingham, may take the name of Jeremiah Greenleaf Leavitt; John Wentworth 2nd of Somersworth, may take the name of John Benning Wentworth; Polly Adams Marble, of Cornish may take the name of Persis Baker Underwood Marble; and Fisher Ames French, of Loudon, may take the name of Charles French

[CHAPTER 49.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE NEWPORT MECHANICKS MANUFACTURING COMPANY

[Approved June 27, 1835. Acts, vol. 31, p. 65. Session Laws, 1835, Private Acts, Chap. 46.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Moses P Durkee, John Smith Philo Fuller, Amos Little, Calvin Wilcox, David P. Chapin Timothy Perry, Seth Richards, John B Stowell Naylor Starbird and James Brickett, their associates, successors and assigns be, and they hereby are incorporated and made a body corporate and politic by the name and style of the Newport Mechanicks Manufacturing Company and by that name may sue and be sued, prosecute and defend to final judgment and execution; and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities, incident to corporations of a similar nature.

Sec. 2. And be it further enacted, that the said Corporation be, and hereby is authorized and empowered to commence, establish and carry on the business of manufacturing woolen and Cotton Goods, in all their various branches, together with such other branches of manufacture and trade as are, or from time to time may be necessarily connected therewith in the town of Newport, in the County of Sullivan; and for these purposes the said corporation may purchase and hold real and personal estate to any amount not exceeding one hundred thousand dollars, and the same may use, alienate or dispose of at pleasure.

Sec. 3 And be it further enacted, That any three of the persons above named may call the first meeting of the members of said Corporation, by putting up a notice at two or more public places in said Town, expressing the time, place and design of said meeting at least fifteen days prior to the time of holding the same, or by giving personal notice at least two days before the day of said meeting at which said first meeting there shall be chosen a clerk who shall be sworn to the faithful discharge of the duties of his office and whose duty it shall be to record the acts and proceedings of the corporation and to give certified copies thereof when lawfully required, and at the same meeting or any adjournment thereof or at any subsequent meeting duly notified and holden, the members of said Corporation may agree on the manner of calling their future meetings, may divide their capital or joint stock into such and so many shares as they may deem proper and determine the manner of transferring

them, may elect such officers and agents as may be deemed necessary for managing their concerns and prescribe their duties, may order assessments and fix the time of their payment, may establish by-laws not repugnant to the laws of the State for their regulation and Government and may do and transact any business necessary to carry into effect the object of their association, All questions at any meeting of said Corporation shall be determined by a majority of votes present and represented allowing one vote to each share, provided, however, that any member holding more than ten shares shall be entitled to no more than one vote for every five shares, which he may hold above ten, absent members may vote by proxy being authorized in writing signed by the person represented and filed with the clerk.

Sec. 4 And be it further enacted that the shares in said Corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof within the time fixed for their payment the delinquent share or shares may be advertised and sold at public auction or so many of them as may be necessary to pay such assessments with incidental charges under such regulations as the Corporation in its by-laws shall have prescribed.

Sec 5 And be it further enacted that the Legislature of this State shall have at all times the power to alter, amend or repeal this act at pleasure as the public good may require

[CHAPTER 50.]

State of)
New Hampshire. }

AN ACT RELATING TO THE CLERKS OF COURTS IN THE COUNTY OF
MERRIMACK—

[Approved June 27, 1835. Acts, vol. 31, p. 71. Session Laws, 1835, Chap. 216. See act of July 7, 1837, id., 1837, Chap. 326. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Be it enacted by the Senate and House of Representatives of General Court convened. That the Clerks of the Superior Court and Court of Common Pleas within and for the County of Merrimack be required from and after the passing of this act to keep their Officers, and the files and records of said Court in Concord in said County

[CHAPTER 51.]

State of }
New Hampshire. }

AN ACT TO RAISE FIFTY FIVE THOUSAND DOLLARS FOR THE USE OF THE STATE,

[Approved June 27, 1835. Acts, vol. 31, p. 72. Session Laws, 1835, Chap. 219.]

Be it enacted by the Senate and House of Representatives in General Court convened, That the sum of Fifty five Thousand dollars shall be raised for the use of the State which shall be assessed collected and paid into the Treasury on or before the first day of December in the year of our Lord one thousand Eight Hundred and thirtysix and the treasurer is hereby directed seasonably to issue his Warrants to the selectmen of the several towns and places within this State according to the apportionment of public taxes made at the November Session A. D. 1832 and the selectmen and assessors are hereby respectively required to assess the sums specified in said warrant and to cause the same to be paid into the Treasury on or before the first day of December in the year of our Lord one Thousand Eight Hundred & thirty six and the treasurer is hereby authorised to issue Extents for all taxes which shall then remain unpaid—

[CHAPTER 52.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE SALEM NEW HAMPSHIRE MANUFACTURING COMPANY

[Approved June 27, 1835. Acts, vol. 31, p. 73. Session Laws, 1835, Private Acts, Chap. 25.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that Samuel W Clement John Corning Nathaniel Woodbury and Peter Mussey and their associates successors and assigns be and they hereby are constituted a corporation by the name of the Salem Manufatring Company and by that name may sue and be sued prosecute and defend to final judgment and execution; and may have and use a common seal and the same may alter and renew at pleasure; and may also make and put in execution such by laws and regulations not contrary to the constitution and laws of the state as shall be necessary proper and

convenient for the government of said Corporation and the due management of its concerns; and shall be and hereby are vested with all the privileges and powers and subject to all liabilities incidental to similar corporations—

Sec 2 And be it further enacted, that the said corporation be and the same hereby is empowered to establish manage and carry on the manufacture of Cotton Woolen Iron and other lawful manufactures at or near Samuel W. Clement's Saw mill in Salem and also any and all such branches of manufactures and trade as can be conveniently made managed and carried on by said company and to purchase take hold and convey real and personal estate of every kind to any amount not exceeding the sum of five hundred thousand dollars and the same to manage improve change and sell at pleasure and to erect on the real estate to be purchased and held by them as aforesaid such dams canals mills buildings machines and works as they may deem necessary or useful in carrying on managing their manufactures and works and in conducting the business of the corporation—

Sec 3 And be it further enacted that the said Samuel W. Clement may call the first meeting of said corporation by giving seven days previous notice to each of the persons who is associated with him in obtaining this charter at which meeting a Clerk shall be chosen who shall be sworn faithfully to discharge the duties of his office and it shall be his duty to record the doings and proceedings of the said corporation and to perform such other services as the by laws of the said corporation may require and at the same or any subsequent meeting duly holden the members or associates of said corporation may prescribe and agree on the manner of calling holding and managing future meetings may divide their capital or joint stock into such number of shares as they may deem proper and prescribe the manner in which the shares in the capital stock shall be holden and how the same shall be transferred; may make or provide for the making of assessments on the shares from time to time as occasion may require and fix the time for payment of the same may appoint and constitute such officers and agents of the said corporation as they shall think necessary and prescribe their respective duties and may do and transact any matter or thing relating to the property business or concerns of the said corporation—

Sec 4. And be it further enacted; That at all meetings of the Members of said corporation duly notified and holden each member shall be entitled to cast one vote for each share that he may be the owner and holder of in said corporation—on all questions that may come before such meetings; and absent members may vote by proxy being athesized in writing signed by the person or persons represented and filed with the clerk of said Corporation; and at such meetings all questions shall be decided by a majority of the votes cast, Provided however that in the assessment of taxes on the

shares in said corporation three fourths of the votes cast shall be required to make such assessments binding on the members of said corporation—

Sec 5 And be it further enacted That the shares in the capital or joint stock of the corporation shall be liable and holden for the payments of all assessments legally made thereon; and in case of neglect of any Member to pay the assessments on his share or shares the same or so many of them as shall be sufficient to pay the assessment or assessments may be sold or transfered for the payment of the same; in such manner or way or shall be prescribed by the by laws of said corporation Provided nevertheless that nothing in this act shall in any wise affect or impair any right or privilege heretofore granted by the Legislature of this State to any individual or corporation—

Sec 6 Be it further enacted that it shall be competent for this or any future Legislature to alter amend or repeal this act.

[CHAPTER 53.]

State of)
New Hampshire.)

AN ACT IN AMENDMENT OF AN ACT PROVIDING FOR THE PUBLICATION OF THE ACTS AND JOURNALS OF THE LEGISLATURE.

[Approved June 27, 1835. Acts, vol. 31, p. 77. Session Laws, 1835, Chap. 224. See acts of June 21, 1820, Laws of New Hampshire, vol. 8, p. 907; November 30, 1820, id., p. 923; July 7, 1826, id., vol. 9, p. 571; July 3, 1829, *ante*, p. 64, and January 7, 1837, Session Laws, 1836, November session, Chap. 310. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court Convened That it shall be the duty of the Secretary of State as soon as may after the close of every Session of General Court to cause to be printed in a pamphlet form and on type and paper corresponding in quality and style of execution with the edition of the Statues published in 1830. Seven hundred printed copies of all the public and private acts and resolutions of a public nature passed at such sessions together with a digested index of the contents of each pamphlet.

Sec. 2 And be it further enacted That all acts and parts of acts inconsistent with the provisions of this act be and the same hereby are repealed—

[CHAPTER 54.]

State of)
New Hampshire. }

(NO TITLE GIVEN).

[Approved June 27, 1835. Acts, vol. 31, p. 78, Session Laws, 1835, Private Acts, Chap. 4.]

Be it enacted by the Senate and House of Representatives in General Court Convened. That James Clark. be allowed the sum of Ninety five dollars and Sixty two cents in full of his account, Benjamin Jenness be allowed the sum of seven dollars in full of his account Zebina Lincoln be allowed the sum of Sixty three dollars in full of account Samul C Webster be allowed the sum of Thirty two dollars in full of his account and that Isaac Story be allowed the sum of Twenty Seven dollars in full of his account, and that the said sums be paid out of the treasury.

[CHAPTER 55.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE STRAFFORD GUARDS

[Approved June 27, 1835. Acts, vol. 31, p. 83. Session Laws, 1835, Private Acts, Chap. 2. See act of June 20, 1840, id., 1840, June session, Chap. 515.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened that William Frye True Seavey William B. Smith Daniel Bowden and their associates, members of the first Company of Light Infantry in the second Regiment of the militia of this State and such as may hereafter become members of said Company, be and they hereby are made a body corporate by the name of The Strafford Guards and by that name may sue and be sued prosecte and defend to final judgment and execution and may exercise the powers and shall be subject to all the liabilities incident to corporations of a similar nature And said corporation is hereby authorised to hold and enjoy real estate to an amount not exceeding one thousand dollars and personal estate not exceeding in value one thousand dollars and the same to sell and dispose of at pleasure

Sec 2 Be it further enacted that the three persons first above named or any two of them may call the first meeting of said Corporation by giving personal notice of the time & place thereof to each member of said Company four days prior thereto at which or any

subsequent meeting they may make such by laws and regulations not repugnant to the laws of this State as may be necessary for the management of their affairs

Sec 3 Be it further enacted that this act shall be under the control of the Legislature of this State so as to alter amend or repeal the same at pleasure

[CHAPTER 56.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE DOVER MECHANICS MANUFACTURING COMPANY—

[Approved June 27, 1835. Acts, vol. 31, p. 84. Session Laws, 1835, Private Acts, Chap. 48.]

SEC 1 Be it enacted by the Senate and House of Representatives in General Court convened that Elisha Woodbury Jefferson M Intire Oliver S. Horne John B. Stevens, John Drake, Elahan W. Fenner, and their associates and successors be and they hereby are incorporated and made a body corporate and politic forever by the name of Dover Mechanics Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment, may have a common seal and the same may break alter, and renew at pleasure and may also make ordain and put in execution such by laws and regulations not being repugnant to the constitution and laws of this state as shall be necessary proper or convenient for the government of said corporation, and the due management of its concerns and shall be and hereby are vested with all the powers and privileges by law incident to corporations of a similar nature

Sec 2 And be it further enacted that the said corporation be and the same hereby is authorised and empowered to establish prosecute manage and carry on the manufacture of cotton and woolen goods and such other branches of manufacture as shall or may be necessarily or conveniently connected therewith at any place or places which they may own or possess on the Cochecho or Isinglass rivers or either of them in the Town of Dover Barrington or Rochester, to purchase take hold and convey real and personal estate of every kind to such an amount as they shall find necessary or convenient in the prosecution of the manufacture aforesaid, Provided the same shall not exceed the sum of two hundred thousand dollars, and the same to manage improve change sell and convey at their pleasure, and to erect on the real estate owned or to be purchased and held by them as aforesaid such dams canals mills Buildings, machines warehouses and works as they may deem necessary or useful in the prosecution of the business aforesaid

Sec 3 And be it further enacted That the said Elisha Woodbury Jefferson M^cIntire and Oliver S. Horne or any two of them may call the first meeting of said corporation to be holden at some suitable time and place in the town of Dover by publishing notice thereof at least seven days prior to the holding of said meeting in either of the Newspapers printed in said Town, at which meeting a Clerk shall be chosen and sworn to the faithful discharge of the duties of his office and it shall be his duty to record in a book or books provided and kept for that purpose the doings and proceedings of said corporation, and to perform such other services as the by laws of said corporation shall require, and at the same or any subsequent meeting duly holden the members or associates of said corporation may prescribe and agree on the manner of calling holding and conducting future meetings may divide their capital or joint stock into such number of shares as they may deem proper provided the number shall not exceed four hundred, may prescribe the mode in which the shares in said Capital stock shall be holden and how the same shall be transfered, may make or provide for the making of assessments on the shares from time to time as occasion may require, and fix the time for the payment of the same, may appoint and constitute such officers servants and agents of said corporation as they shall deem necessary and prescribe their respective duties and may do or transact any matter or thing relating to the property or concerns of said corporation

Sec 4 And be it further enacted That at all meetings of said corporation duly notified and holden each member shall be entitled to cast one vote for each share he may own and hold in the capital stock thereof upon any question that may come before such meetings, and absent members may be represented and vote at such meetings by an agent for that purpose duly authorized by writing signed by the member or members to be represented, which writing shall be filed with the clerk of said corporation and at such meetings all question shall be decided by a majority of votes cast. Provided however that in the assessment of taxes on the shares in said corporation two thirds of the votes cast shall be required to make such assessment binding on the members thereof

Sec 5 And be it further enacted That the shares in the capital stock of said corporation shall be liable and holden for the payment of all assessments legally made thereon, and in case of neglect by any member to pay the sum assessed upon his share or shares or any part thereof for the space of thirty days after the same shall have become due and payable such share or shares or so many of them as shall be sufficient to pay the amount due thereon, may be sold and transferred for the payment of the same in such way and manner as shall be prescribed in the by laws of said corporation

Sec 6 And be it further enacted that the Legislature may at any time alter amend or repeal the foregoing act

[CHAPTER 57.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE HANOVER, LEBANON AND CANAAN
 PHILOSOPHICAL LIBRARY

[Approved June 27, 1835. Acts, vol. 31, p. 88. Session Laws, 1835,
 Private Acts, Chap. 11.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened That William Hall Thomas Peabody and Amos Tenny and their associates and successors be and hereby are made a Corporation by the name of Hanover Lebanon and Canaan Philosophical Library to be established and kept in Hanover with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature

Sec 2 And be it further enacted that William Hall Thomas Peabody and Amos Tenny or any two of them may call the first meeting of said corporation by giving personal notice to each of their associates of the time and place of holding said meeting seven days prior thereto, and the said corporation may elect such officers and make and establish such by laws and regulations as may not be repugnant to the laws of this state as by them shall be deemed expedient and necessary for the government of said corporation

Sec 3 And be it further enacted that all the privileges of this act shall be under the control of this or any future Legislature so as to repeal alter or amend the same at pleasure as the public good may require

[CHAPTER 58.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE THIRD FREE BAPTIST MEETING-
 HOUSE SOCIETY IN UPPER GILMANTON

[Approved June 27, 1835. Acts, vol. 31, p. 95. Session Laws, 1835,
 Private Acts, Chap. 15.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Noah Leavitt, Reuben Lamprey, Nicholas Folsom Jr. Nathaniel Bachelder, Bailey Young and their associates and such other persons as may hereafter become proprietors of a pew or pews in said Meetinghouse be and they hereby are incorporated and made a body politic by the name of

the Third Free Baptist Meetinghouse Society in Upper Gilmanton, and said corporation is hereby authorised and empowered to purchase, hold and possess real and personal estate not exceeding in value the sum of four thousand dollars which shall be invested exclusively in the said Meeting house and common, and is hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature

Sec 2 And be it further enacted that Noah Leavitt Nicholas Folsom Jr. and Bailey Young or any two of them may call the first meeting of said corporation at said Meeting house by posting up a notice at said house fourteen days prior thereto, and at said meeting or any subsequent meeting duly notified and holden the members of said corporation may choose a Clerk and Treasurer and such other officers and establish such By laws, rules and regulations as they may deem necessary to carry into effect the objects of their incorporation. Provided said by laws, rules and regulations be not contrary to the constitution and laws of this State.

Sec. 3 And be it further enacted that each proprietor of said Meeting house corporation shall be entitled to as many votes in any meeting thereof as he may at the time own pews in said Meeting house and no more.

Sec 4 And be it further enacted that said corporation may at any meeting duly notified and holden for that purpose, raise any sum or sums of money that they may deem necessary for the purpose of repairing said Meeting house and for keeping the same in repair so long as they may think proper. And all such sum or sums of money so raised for the purpose aforesaid shall be assessed on the pews in said house according to their value by a committee of three disinterested persons chosen for that purpose by said corporation. And if the owner or proprietor of any such pew or pews shall neglect or refuse to pay any assessment legally made thereon such delinquent proprietor's pew or pews may be sold at public auction for the payment of the same in such way and manner as said corporation may determine.

Sec 5 And be it further enacted that the Legislature shall have the right at any time to alter, amend or repeal this act

[CHAPTER 59.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE LAFAYETTE FIRE ENGINE COMPANY
 IN DUNSTABLE.

[Approved June 27, 1835. Acts, vol. 31, p. 97. Session Laws, 1835,
 Private Acts, Chap. 10.]

Sec 1 Be it enacted by the Senate and House of Representatives in General Court convened, That Franklin Munroe, George Y. Sawyer, Thomas Munroe Jr. John Eayrs, H. D. Leavitt, Parley Foster, Charles J. Fox, John Flagg, Solomon Spalding, Jefferson Rockwood, Samuel T. Tapley, Joseph Nahor, Reuben Goodrich, Charles F. Ridgeway and Gilman Shattuck, their associates, successors and assigns be, and they hereby are, incorporated and made a body politic by the name of the Lafayette Fire Engine Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution; may purchase and hold real and personal estate to any amount not exceeding the sum of one thousand dollars and the same may sell or otherwise dispose of at pleasure

Sec 2 And be it further enacted, That Franklin Munroe, George Y. Sawyer and Thomas Munroe Jr. or any two of them may call the first meeting of said Company by publishing in either of the papers printed at Nashua a notice thereof, naming the time, place and object of said meeting, at least ten days prior to the day of holding the same, at which meeting said Company may pass such by-laws, not contrary to the Constitution and laws of this State, as may be deemed necessary for their regulation and government.

Sec 3 And be it further enacted That said Company shall have all the powers and privileges and be subject to all the liabilities incident to similar corporations and that the Legislature may at any time hereafter alter, amend or repeal this act.

[CHAPTER 60.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE LAFAYETTE MANUFACTURING COMPANY

[Approved June 27, 1835. Acts, vol. 31, p. 98. Session Laws, 1835, Private Acts, Chap. 38. A company by the same name was incorporated in Greenfield, July 7, 1826. See Laws of New Hampshire, vol. 9, p. 567.]

Sec 1 Be it enacted by the Senate and House of Representatives, in General Court convened, That Austin Tyler, John S. Spaulding, Charles L. Putnam, Zenas Clement and Simeon Ide, their associates successors and assigns, be, and they hereby are incorporated, and made a body corporated and made a body corporate and politick by the name of the Lafayette Manufacturing Company and by that name, may sue and be sued, prosecute and defend to final judgment and execution, and shall be, and hereby are vested with all the powers and privileges, and subject to all the liabilities which by law are incident to corporations of a similar nature.

Sec 2 And be it further enacted, That the said corporation be and hereby is authorized and empowered to commence and carry on the business of manufacturing cotton and woolen goods, or either of them, in all their various branches, together with such other branches of trade as are, or from time to time, may be necessarily connected therewith in the town of Claremont in the County of Sullivan, and for these purposes the said corporation may purchase and hold real and personal estate to the amount of five hundred thousand dollars, and the same may use alienate and dispose of at pleasure.

Sec 3 And be it further enacted that Austin Tyler, John S. Spaulding and Charles L. Putnam, or any two of them may call the first meeting of the members of said corporation, to be holden at any suitable time and place, by posting up notifications at two or more publick places in said Claremont, expressing therein the time and place and design of said meeting, at least fifteen days before the day of meting, or by giving personal notice at least seven days prior thereto at which said first meeting then shall be chosen a clerk, who shall sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and doings of said corporation, and to give certified copies thereof when lawfully required and at the same meeting or any subsequent meeting thereof, duly notified and holden the members of said corporation, may agree on the manner of holding their future meetings, may divide their capital or joint stock into so many shares as they may deem proper, and determine the manner of transferring them, may elect

such officers and agents as may be deemed necessary for managing their concerns, and prescribe their duties, may order assessments and fix the time of their payments may establish by-laws not repugnant to the laws of the State for their regulation and government, and may do and transact any business necessary to carry into effect the object of their association. All questions at any meeting of said corporation, shall be determined by a majority of the votes present and represented, allowing one vote to each share; provided however that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares which he may hold above ten: Absent members may vote by proxy being authorized in writing signed by the person represented, and filed with the clerk.

Sec 4 And be it further enacted, That the shares of said corporation shall be liable and holden, for the payment of all assessments duly made thereon and upon the nonpayment thereof within the time fixed for their payment, the delinquent share or shares, may be advertised and sold at publick auction, or so many of them as may be necessary to pay such assessments with the incidental charges, under such regulations as the corporation in its by laws shall have prescribed

Sec 5 And be it further enacted that the Legislature may at any time alter amend or repeal this act as the publick good may require.

[CHAPTER 61.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE LOWER FALLS MANUFACTURING COMPANY.

[Approved June 27, 1835. Acts, vol. 31, p. 103. Session Laws, 1835, Private Acts, Chap. 31.]

Sec. 1. Be it enacted by the Senate and House of Representatives in General Court convened, that John S. Spaulding, Oliver Willard, Luther Harrington, William Rosseter, Joel Wallingford and their associates successors and assigns be and they hereby are incorporated and made a body corporate and politic by the name of the Lower Falls Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment and execution and shall be and are hereby vested with all the powers and privileges, and subject to all the liabilities which by law are incident to corporations of a similar nature.

Sec. 2. And be it further enacted that the said corporation be and the same hereby is authorised and empowered to commence and carry on the business of manufacturing cotton and woolen goods,

or either of them in all their various branches, together with such other branches of trade as are, or from time to time may be necessarily connected therewith in the town of Claremont in the County of Sullivan, and for these purposes the said corporation may purchase and hold real and personal estate to the amount of five hundred thousand dollars and the same may use alienate and dispose of at pleasure.

Sec. 3. And be it further enacted that John S. Spaulding, Oliver Willard, and Luther Harrington or any two of them may call the first meeting of the members of said corporation to be holden at any suitable time and place by posting up notifications at two or more public places in said Claremont expressing therein the time, place and design of said meeting at least fifteen days before the day of meeting, or by giving personal notice at least seven days prior thereto, at which said first meeting there shall be chosen a Clerk, who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and doings of said corporation, and to give certified copies, when lawfully required, and at the same or any subsequent meeting thereof duly notified and holden, the members of said corporation may agree on the manner of holding their future meetings, may divide their capital or joint stock into so many shares as they may deem proper, and determine the manner of transferring them, may elect such officers and agents as may be necessary for managing their concerns, and prescribe their respective duties, may order assessments and fix the time of their payment, may establish by-laws not repugnant to the laws of this State, for their regulation and government and may do and transact any other business necessary to carry into effect the object of their association. All questions at any meeting of said corporation shall be determined by a majority of the voters present and represented, allowing one vote to each share; provided however that any member holding more than ten shares, shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy being authorized in writing signed by the person represented and filed with the Clerk.

Sec. 4. And be it further enacted that the shares of said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the non-payment thereof within the time prescribed for their payment the delinquent share or shares may be advertised and sold at Public Auction or so many of them as may be necessary to pay such assessments with the incidental charges under such regulations as the corporation in its by-laws shall have prescribed.

Sec. 5. And be it further enacted that the Legislature may at any time alter, modify or repeal this act as the public good may require.

[CHAPTER 62.]

State of)
New Hampshire. }

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT RELATING TO THE ORGANIZATION OF THE COURTS OF JUSTICE PASSED NOVEMBER SESSION A. D. 1832.

[Approved June 27, 1835. Acts, vol. 31, p. 106. Session Laws, 1835, Chap. 203. This act partly repeals act of December 29, 1832, *ante*, p. 369. See also acts of January 3, 1833, *ante*, p. 400; July 4, 1834, *ante*, p. 567, and July 3, 1841, Session Laws, 1841, Chap. 602.]

Section 1 Be it enacted by the Senate & House of Representatives in General Court convened, That the court of Common Pleas for the County of Rockingham shall be holden at Exeter on the third tuesday of October & at Portsmouth on the first tuesday of February annually & that a term of said Court shall be holden on the third tuesday of May annually alternately at Portsmouth & Exeter aforesaid commencing at Portsmouth; at Gilford on the first tuesday of October. at Dover on the third tuesday of January, & at Rochester on the third tuesday of April annually in & for the County of Strafford

Section 2.—And be it further enacted, That all actions complaints warrants recognisances indictments appeals, orders, processes matters & things whatsoever now pending in or made returnable to said Court of Common Pleas and that would be entered at, or have day or be acted on at the next terms of said Court, in & for said Counties of Rockingham & Strafford respectively as by the statute to which this is in amendment is provided shall be returned to entered at have day be acted on & disposed of at the next terms of said Court to be holden in the said Counties by virtue of this act.

Section 3 Be it further enacted—that all processes & proceedings whatsoever begun & instituted before the tenth day of July next & made returnable to said Court of Common Pleas at the next terms of said Court to be held in said Counties according to the provisions of the act to which this is an amendment shall be returnable to & have day & be prosecuted & disposed of at the next terms of said Court to be held in said Counties by virtue of this act in the same manner as if they had been made returnable to the terms of said Court last mentioned

Section 4. Be it further enacted that so much of an act passed Dec. 22 A. D. 1832. entitled an act relating to the organization of the Courts of Justice to which this is an amendment, as is inconsistent with the provisions of this act, be & the same is hereby repealed

[CHAPTER 63.]

State of)
New Hampshire. {

AN ACT TO AUTHORISE JUDGES OF PROBATE TO SETTLE ACCOUNTS IN CERTAIN CASES.

[Approved June 27, 1835. Acts, vol. 31, p. 108. Session Laws, 1835, Chap. 206. See act of June 29, 1829, *ante*, p. 29. Partly repealed by act of January 13, 1837, Session Laws, 1836, November session, Chap. 276. Wholly repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That in all cases when any executor, Executrix, administrator, Administratrix or guardian shall be unable to attend any Court of Probate at the time and place now designated by the Laws of this state, by reason of sickness or other sufficient cause, for the purpose of settling their accounts of administration or guardianship as the case may be, it shall be in the power of the Judges of Probate for the several counties in this state to attend at the dwelling house or in the neighborhood of the place of residence of every such administrator, Executor, Administratrix, Executrix or guardian and settle such account in the same way and manner as the same may now be adjusted by Law at the regular terms of said courts, provided nevertheless that in such cases the Judge of Probate shall be allowed a suitable compensation for all such extra services to be paid out of the estate settled in manner aforesaid.

Section 2. Be it further enacted that if any person appointed guardian of any minors or other person has been or may hereafter be appointed Judge of Probate for the county wherein he has been or shall be appointed guardian before his guardian account is fully settled the account and settlement thereof shall be heard and determined by the Judge of Probate in any adjoining county in the same manner as they would have been heard and determined by said Judge of Probate if he had not been interested—

[CHAPTER 64.]

State of)
New Hampshire.)

AN ACT IN FAVOR OF JACOB TYLER AND ABNER B. KELLEY.

[Approved June 27, 1835. Acts, vol. 31, p. 110. Session Laws, 1835, Private Acts, Chap. 3.]

Be it enacted by the Senate and House of Representatives in General Court convened, that Jacob Tyler be allowed the sum of Two Hundred Ninety Seven Dollars and twenty nine cents in full of his account and that Abner B. Kelley be allowed the sum of twenty eight Dollars and twenty three cents in full of his account and that said sums be paid out of the Treasury.

[CHAPTER 65.]

State of)
New Hampshire.)

AN ACT FOR THE PREVENTION OF THE SMALL POX AND FOR OTHER PURPOSES—

[Approved June 27, 1835. Acts, vol. 31, p. 115. Session Laws, 1835, Chap. 204. See acts of November 11, 1788, Laws of New Hampshire, vol. 5, p. 331; February 3, 1789, id., p. 378; December 25, 1792, id., vol. 6, p. 76, and June 23, 1832, *ante*, p. 341. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Section 1st Be it enacted by the Senate and House of Representatives in General Court convened that each town in this State shall annually appoint an Agent for Vaccination whose duty it shall be at all times to be provided with suitable matter for communicating the kine pox and to vaccinate every person in such town who has not had the small pox or the kine pox at the expence of the town— And every such Agent for vaccination shall be paid by the Selectmen of the Town a suitable compensation for all persons vaccinated by him during the year And if any town shall neglect to appoint such agent for vaccination it shall be the duty of the selectmen of such town to make such appointment

Section 2^d Be it further enacted that the Selectmen of any town in this state in which the small pox the malignant cholera or other malignant pestelential disease shall break out shall have so long as such desease shall continue all the powers of the Board of Health of the town of Portsmouth in regard to the prevention and removal of nuisances and shall have power to move all persons who

shall be attacked by such disease to some suitable place to be by them provided for that purpose and to make such rules and adopt such measures for preventing any communication with such diseased persons as they may think necessary and if any person shall neglect or refuse to comply with the rules so established he shall forfeit the sum of fifty dollars to be recovered by such selectmen by an action of debt before any court of competent Jurisdiction for the use of the Town

Section 3^d Be it further enacted this act shall not be in force in any town in this state unless such town shall at their annual March meeting or at any other town Meeting legally warned for that purpose vote to adopt the provisions of said act

[CHAPTER 66.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE ROCK MANUFACTURING COMPANY

[Approved June 27, 1835. Acts, vol. 31, p. 117. Session Laws, 1835, Private Acts, Chap. 40. Repealed by act of July 7, 1849, Acts, vol. 41, p. 98.]

Sec. 1 Be it enacted by the Senate and House of Representatives in General Court convened That Leonard Harrington Austin Tyler John S Spaulding Aaron Haven Charles L. Putnam, and their associates successors and assigns be and they hereby are incorporated and made a body corporate and politic by the name of the Rock Manufacturing Company and by that name may sue and be sued prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges, and subject to all the liabilities which by law are incident to corporations of a similar nature.—

Sec. 2. And be it further enacted, that the said corporation be and hereby is authorised and empowered to commence and carry on the business of manufacturing cotton and woolen goods or either of them in all their various branches together with such other branches of trade as are from time to time, or may be necessarily connected therewith in the town of Claremont in the County of Sullivan, and for these purposes the said corporation may purchase and hold real and personal estate to the amount of five hundred thousand dollars and the same may use alienate and dispose of at pleasure.

Sec. 3. And be it further enacted that Leonard Harrington Austin Tyler and John S Spaulding or any two of them may call the first meeting of the members of said corporation to be holden at

any suitable time and place by posting up notifications at two or more public places in said Claremont expressing therein the time place and design of said meeting at least fifteen days before the day of meeting or by giving personal notice at least seven days prior thereto at which said first meeting there shall be chosen a clerk who shall be sworn to the faithful discharge of the duties of his office, and whose duty it shall be to record the acts and doings of said corporation, and to give certified copies thereof when lawfully required and at the same meeting or at any subsequent meeting thereof duly notified and holden the members of said corporation may agree on the manner of holding their future meetings, may divide their capital or joint stock into so many shares as they may deem proper, and determine the manner of transferring them may elect such officers and agents as may be deemed necessary for managing their concerns, and prescribe their duties, may order assessments and fix the time of their payment may establish by laws not repugnant to the laws of this State, for their regulations and government and may do and transact any business necessary to carry into effect the objects of their association.

All questions at any meeting of said corporation shall be determined by a majority of the voters present and represented allowing one vote to each share: provided however that any member holding more than ten shares shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy being authorised in writing signed by the person represented and filed with the Clerk,

Sec. 4. And be it further enacted that the shares of said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof, within the time fixed for their payment the delinquent share or shares may be advertised and sold at Public auction or so many of them as may be necessary to pay such assessments with the incidental charges and under such regulations as the corporation in its by laws shall have prescribed.—

Sec. 5. And be it further enacted that the Legislature may at any time alter amend or repeal the foregoing act.—

[CHAPTER 67.]

State of }
New Hampshire. }

AN ACT MAKING APPROPRIATIONS FOR THE MILITIA OF THIS STATE

[Approved June 27, 1835. Acts, vol. 31, p. 121. Session Laws, 1835, Chap. 213.]

Be it enacted by the Senate and House of Representatives in general court convened that the following Sums be appropriated for the purposes herein mentioned for the annual allowance to the Artillery companies one hundred dollars for making regimental returns Eighty Dollars for colors fifty dollars for instruments of music one Hundred dollars for blanks and Stationary one Hundred and fifty dollars for orderly and roll books one Hundred and fifty dollars for harness one hundred dollars and for repairs of gun Houses and carriages two hundred dollars and that said Sums be paid out of any money in the Treasurer not otherwise appropriated And the Governor with advice of the Council is hereby authorized to issue his warrant on the treasury in favour of the quarter Master General for the sums aforesaid who is hereby required to apply the same for the purposes above specified so far as may be necessary and to render an act thereof to the legislature—

[CHAPTER 68.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE KEENE RAIL ROAD COMPANY.

[Approved June 27, 1835. Acts, vol. 31, p. 143. Session Laws, 1835, Private Acts, Chap. 7. See act of January 13, 1837, id., 1836, November session, Chap. 280.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Aaron Appleton, Salma Hale, Joel Parker, Samuel Dinsmoor, Phinehas Fiske, Justus Perry, Phinehas Handerson, John H. Fuller, William Lamson, Amos Twitchell, John Wood, John Elliot, their associates, successors and assigns, be and they hereby are made a body politic and corporate, under the name of The Keene Rail Road Company: and by that name shall be and hereby are made capable in law to sue and be sued to final judgment and execution, plead and be impleaded, defend be defended in any court of record or in any other place

whatever; to make, have and use a common seal, and the same to break, alter or renew at pleasure; and shall be and hereby are vested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act as hereinafter set forth. and subject to all the liabilities incident to corporations of a similar nature. And the said corporation is hereby authorized and empowered to locate, construct and finally complete a Rail Road beginning at the village in the town of Keene and county of Cheshire, and thence running to the line of this State, terminating in the town of Fitzwilliam or Rindge in the direction towards Worcester in the State of Massachusetts, or in an easterly direction, &c. on such route or track as shall combine shortness of distance with the most practicable ground, in such manner and form as by said corporation may be deemed expedient. And for this purpose the said corporation are hereby authorized to lay out their Road not exceeding six rods wide through the whole length; and for the purpose of cutting, embanking, and procuring stone and gravel, may take as much more land as may be necessary for the proper construction and security of said Road: Provided however, that all damages which may be occasioned to any person or persons, corporation or corporations, by the taking of such land or materials, for the purposes aforesaid shall be paid for by said Corporation in the manner hereinafter provided.

Sec. 2. And be it further enacted, That the capital stock of said corporation shall consist of ten thousand shares; and the immediate government and direction of the affairs of said corporation shall be vested in seven directors, who shall be chosen by the members of the corporation in the manner hereinafter provided, and shall hold their offices until others shall be duly elected and qualified to take their place as directors. And the said Directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their own number to be President of the Board, who shall also be President of the corporation, and shall have authority to choose a clerk who shall be sworn to the faithful discharge of his duties; and who shall also be Clerk of the Corporation unless the corporation shall elect some other person to that office, a treasurer who shall give bonds to the corporation with sureties to the satisfaction of the Directors in a sum not less than twenty thousand dollars for the faithful discharge of his trust: Also, all other such agents and servants as shall from time to time be necessary.

Sec. 3. And be it further enacted, that the President and Directors for the time being are authorised and empowered by themselves or their agents to exercise all the powers herein granted to the Corporation for the purposes of locating, constructing, and completing said Rail Road; and for the transportation of persons, goods and merchandize thereon; and all such other powers and authority for the management of the affairs of the Corporation not heretofore

granted, as may be necessary and proper to carry into effect the object of this grant; to purchase and hold land, materials, engines, cars, and other necessary things in the name of the Corporation for the use of said Road, and for the transportation of persons, goods and merchandise, to make such equal assessments from time to time on all the shares in said corporation as they may deem expedient and necessary in the execution and progress of the work, and direct the same to be paid to the Treasurer of the Corporation; and the Treasurer shall give notice of such assessments. And in case any subscriber shall neglect to pay his assessment for the space of sixty days after due notice by the Treasurer of said Corporation, the Directors may order the Treasurer to sell the share or shares of such delinquent subscribers at public auction, after due notice thereof to the highest bidder therefor; and the same shall be transferred to the purchaser. And such delinquent subscriber shall be held accountable to the Corporation for the balance, if his share or shares shall sell for less than the assessments due thereon, with interest and costs of sale, and shall be entitled to the overplus, if any there be. Provided however that no assessments shall be laid upon any share in said Corporation of a greater amount than fifty dollars in the whole on each share. And if a greater amount of money shall be necessary to complete the said Road, it shall be raised by creating new shares, giving the stockholders in said corporation the right to take said stock in proportion to the stock by them respectively owned in said corporation.

Sec. 4. And be it further enacted, That the said Corporation shall have power to make, ordain and establish all such by-laws, rules, regulations and ordinances as they shall deem expedient and necessary to accomplish the designs and purposes, and to carry into effect the provisions of this act, and for the well-ordering, regulating and securing the interests and affairs of the Corporation. Provided the same be not repugnant to the Constitution and Laws of this State.

Sec. 5. And be it further enacted, That a toll be and hereby is granted and established for the sole benefit of said Corporation, upon all passengers and property of every description which may be conveyed or transported upon said Road, at such rates per mile as may be agreed upon and established from time to time by the Directors of said Corporation. The transportation of persons and property, the construction of wheels, the forms of cars and carriages, the weight of loads, and all other matters and things in relation to the use of said Road shall be in conformity to such rules, regulations and provisions as the Directors shall, from time to time, prescribe and direct; and said Road may be used by any person or persons who shall comply with such rules and regulations. Provided, that if at the expiration of five years from and after the opening of said Road for use, the net income or receipts from tolls

and other profits shall have amounted to more than ten per cent per annum upon the whole cost of the road from the time of the disbursements, the Legislature of the State may take measures to alter and reduce the rate of tolls and other profits in such manner as to take off the overplus for the next five years, calculating the amount of transportation upon the road to be the same as the five preceding years; and at the expiration of every five years the same proceedings may be had. Provided, however, that there shall be no other Rail Road incorporated to run parallel with or intended as a substitute for the Keene Rail Road, within five miles thereof for the space of thirty years.

Sec. 6. And be it further enacted, That the Directors of said corporation for the time being are hereby authorized to erect toll-houses, and houses for the deposit of merchandise, establish gates, appoint toll gatherers, and demand and receive toll upon the Road when completed, and upon such parts thereof as shall from time to time be completed.

Sec. 7. And be it further enacted, That the said Corporation shall be holden to pay all damages that may arise to any person or persons, corporation or corporations, by taking their land or other property for said Rail Road, when the same cannot be obtained by voluntary agreement, to be estimated by a committee to be appointed for that purpose by the Court of Common Pleas for the county wherein such damages shall accrue, and said Court may issue execution, founded on the report of such committee against said corporation for such sum in damages as said Committee shall report, and cost.

Sec. 8. And be it further enacted, That when the lands or other property or estate of any feme covert, infant, or person non compos mentis shall be necessary for the construction of said Rail Road, the husband of such feme covert, and the guardian of such infant or person non compos mentis, may release all damages for any land or estate taken and appropriated as aforesaid, as they might do if the same were holden by them, in their own right, respectively.

Sec. 9. And be it further enacted, That if any person or persons shall unlawfully, wilfully and maliciously obstruct the passage of any carriage on said Rail Road, or in any way injure, spoil or destroy said Rail Road, or any part thereof, or shall aid or assist therein, such person or persons so obstructing the passage of such carriage, or so injuring, spoiling or destroying said Rail Road or any part thereof, or so aiding or assisting therein, shall for every such offence, on conviction thereof, before any court of competent jurisdiction, forfeit and pay a fine not less than thirty dollars, nor more than five hundred dollars, for the use of the County wherein such offence may be committed; and may be imprisoned for a term not exceeding one year at the discretion of the Court before whom such conviction may be had.

Sec. 10. And be it further enacted, That the annual meeting of the members of said Corporation shall be holden on the first Wednesday of January, at such place within this State as the Directors for the time being shall appoint; at which said meeting seven Directors shall be chosen by ballot, each proprietor being entitled to as many votes as he holds shares—provided they do not exceed one tenth part of the whole number. And the three persons first named in this act, or any two of them are hereby authorized to call the first meeting of said corporation by giving notice in one or more of the newspapers published in said Keene, of the time, place and purpose of such meeting at least three weeks before the time mentioned in said notice. And the Directors are hereby authorized to call special meetings of the Stockholders whenever they shall deem it expedient and proper, giving such notice as the Corporation by their by-laws shall direct.

Sect 11. And be it further enacted. That if the said Rail Road in the course thereof shall intersect or cross any private way, the said Corporation shall so construct said Rail Road as not to obstruct the safe and convenient use of such private way, and if said Rail Road shall not be so constructed, the party aggrieved shall be entitled to his action on the case in any court proper to try the same, and shall recover reasonable damages for such injury; and if the said Rail Road shall in the course thereof intersect or cross any canal, turnpike or other highway, which has been or may hereafter be laid out in pursuance to the laws of this State, the said Rail Road shall be so constructed and altered as not to impede or obstruct the safe and convenient use of such canal, turnpike or other highway. And the said Corporation shall have the power to raise or lower such turnpike, highway or private way, so that the said Rail Road, if necessary, may conveniently pass under or over the same; and if said Corporation shall raise or lower any such turnpike, highway or private way, and shall not so raise or lower the same as to be satisfactory to the proprietors of such turnpike, or to the selectmen of the town in which said highway or private way may be situated, as the case may be, said proprietors or selectmen may require in writing of said Corporation such alteration or amendment as they may think necessary. And if the required amendment or alteration be reasonable and proper, in the written opinion of the Justices of the Court of Common Pleas for the county in which such alteration or amendment is proposed, and if the said corporation shall unnecessarily and unreasonably neglect to make the same, such proprietors or selectmen, as the case may be, may proceed to make such alteration or amendment, and may institute and prosecute to final judgment and execution in any court proper to try the same, any action of the case against said Corporation, and shall therein recover reasonable damages for all

charges, disbursements, labor and services, occasioned by making such alterations or amendments, with cost of suit.

Sec. 12. And be it further enacted, That if said Corporation shall not have been organized, one fourth part of the stock subscribed, and the location of the route filed with the Secretary of State, on or before the first day of June eighteen hundred and thirty seven, and shall not have laid out and expended the sum of eight thousand dollars towards the completion of the same on or before the first day of October, in the year of our Lord eighteen hundred and forty or shall fail to complete the same before the first day of June, eighteen hundred and forty five, in either of the above mentioned cases this act shall be null and void, otherwise in force fifty years from this time, or until said Rail Road shall be purchased by this State, as is hereinafter provided.

Sec. 13. And be it further enacted, That said Rail Road Corporation shall constantly maintain in good repair, all bridges with their abutments, and embankments, which they may construct for the purpose of conducting their Rail Road over any canal, turnpike or other highway, or any private way, or for conducting such private way, turnpike or other highway over said Rail Road, and in default thereof shall be liable in an action of the case to respond in damages to the party aggrieved.

Sec. 14. And be it further enacted, That it shall be the duty of the Directors of said Corporation, on or before the second Wednesday of June, from year to year, to make a report to the Legislature of the State, of their acts and doings, receipts and expenditures, under the provisions of this act. And their books shall at all times be open to the inspection of any Committee of the Legislature appointed for that purpose. And if said Corporation shall unreasonably neglect or refuse to make such report at the expiration of every year after the opening of said Rail Road, for every such neglect or refusal they shall forfeit and pay to the use of the State a sum not exceeding five thousand dollars, to be recovered by action or indictment, in any court of competent jurisdiction.

Sec. 15. And be it further enacted, That the said Keene Rail Road Corporation, shall have full power and authority to extend the said Road from the southern line of this State, so as to connect with the Worcester or Lowell Rail Road, whenever the State of Massachusetts shall have granted to said Corporation power so to do; and for that purpose said Corporation may have and receive from said State power and authority so to extend said Rail Road with such reasonable and proper restrictions, qualifications and conditions as may be required by said State and agreed to by the stockholders at a meeting called for that purpose, and to enable said Corporation so to extend said Rail Road, the capital stock of said Corporation may be enlarged by new shares so far as may be necessary to defray the expenses of so extending said Rail Road,

and other charges and expenses incident thereto. Provided the stockholders have the right to subscribe for such new shares in proportion to the stock held by each respectively in said Keene Rail Road Corporation.

Sec. 16. And be it further enacted, That this State, at any time during the charter of the Keene Rail Road Corporation, after the expiration of twenty years from the time of the completion of said Road, may purchase the same of said Corporation, and all the franchise, rights and privileges of said Corporation, by paying them therefor the amount expended in making said Road; and in case, at the time of such purchase, the said corporation shall not have received a net income equal to twelve per centum per annum on the amount of such expenditure, from the time of payment thereof, by the stockholders, by paying said Corporation such additional sum, as together with the tolls and profits of every kind which they shall have received from said Rail Road, will be equal to a net profit of ten per cent per annum on the cost of said Road from the time of payment thereof, by the stockholders, to the time of purchase

Sec. 17 And be it further enacted, That nothing in this act shall be so construed as to infringe on the rights of any Rail Road corporation heretofore granted, and that this or any future Legislature may alter, amend or modify this act, or any of its provisions

[CHAPTER 69.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE NEW HAMPSHIRE CHRISTIAN BENEVOLENT SOCIETY.

[Approved June 27, 1835. Acts, vol. 31, p. 171. Session Laws, 1835. Private Acts, Chap. 44. See act of December 29, 1852, id., 1852, Chap. 1386.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Neah Piper, Elijah Shaw, John Rogers, and Mark Fernal and their associates with such others as may hereafter be admitted members, be and they hereby are created and made a body politic and corporate by the name of the New Hampshire Christian Benevolent Society 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 subject to all the liabilities which by law are incident to corporations of a similar nature.

Section 2. And be it further enacted, that said society may receive subscriptions, grants and donations of real and personal es-

tate and the same hold, of the value of Twenty five thousand Dollars, which shall constitute a permanent fund, the income whereof shall be appropriated for the relief of those ministers of the Christian connexion who by sickness or other misfortunes may become needy and destitute; and to aid the widows and orphans of such ministers, and also as far as possible to assist those ministers of the Christian connexion who travel and preach where they cannot reasonably expect to receive a competence—

Section 3. And be it further enacted that said society are hereby authorised to choose all proper officers for transacting and managing the concerns of the same; and to adopt a constitution and make bye-laws for regulating said society provided they are not contrary to the constitution and laws of this state—

Section 4. And be it further enacted that said Society shall annually meet on the second Wednesday of September for the purpose of choosing all proper officers for transacting the business of said society, and all meetings in future shall be notified and warned by the secretary of the same who shall cause a notification setting forth the business to be transacted at said meeting to be published in the Christian Journal published at Exeter in said state, or in some News Paper published in Portsmouth in said state at least fifteen days before the day of holding said meeting,—or in any other manner which the Society may determine upon at any legal meeting of the society—

Section 5—And be it further enacted that Noah Piper and Elijah Shaw or either of them shall warn and preside at the first meeting of said society until a moderator be chosen, which meeting shall be warned by publishing a notification in the Christian Journal published at Exeter in said state at least fifteen days before the day of holding said meeting setting forth specially all things to be acted upon in said meeting—

Section 6—And be it further enacted that the Legislature may at any time hereafter alter, amend, modify or repeal this act—

[CHAPTER 70.]

State of)
New Hampshire. {

AN ACT IN ADDITION TO AN ACT ENTITLED AN ACT REGULATING PEDLERS HAWKERS AND SHOWMEN

[Approved June 27, 1835. Acts, vol. 31, p. 181. Session Laws, 1835, Chap. 205. This act partly repeals act of June 29, 1821, Laws of New Hampshire, vol. 9, p. 39. Repealed by act of December 23, 1842. See Revised Statutes (1842), Chap. 230.]

Sec 1 Be it enacted by the Senate and House of representatives in General Court convened, That all Showmen Tumblers

ropedancers Ventriloquists or other persons, who shall for pay exhibit any animals puppets or any extraordinary feats of agility of body or horsemanship, or slight of hand ropedancing or performing feats with cards within any Town in this state shall before any such exhibition procure from the selectmen of such Town a licence for that purpose which licence shall be in writing and shall specify the day or number of days such person or persons are allowed to perform or exhibit in said town.

Sec 2 Be it further enacted, That for every licence granted as aforesaid there shall be paid to the selectmen of the Town where any such exhibition or performance may be had for the use of the Town by the person or persons obtaining the same a sum not less than Thirty dollars nor more than fifty dollars

Sec 3 Be it further enacted That if any person or persons shall exhibit any shows or perform any feats without licence and contrary to the provisions of this act, he she or they shall for every such offence upon conviction thereof forfeit and pay a sum not less than one hundred Dollars with costs of prosecution

Sec 4 Be it further enacted That any justice of the peace on complaint made to him of any such offence may issue his warrant against the person or persons complained against and order him her or them to recognize with sufficient surety or sureties to answer the complaints aforesaid before the Court of Common Pleas next to be holden in the County where said offence shall have been committed and said offence may be prosecuted by indictment before said Court and the penalties aforesaid shall be one half for the use of the county where the offence was committed and the other half to and for the use of the complainants

Sec 5 Be it further enacted. That so much of an act made and passed June 29 A D 1821 entitled an act regulating Pedlars hawkers and Showmen as may inconsistent with the provisions of this act be and the same is hereby repealed.

[CHAPTER 71.]

State of }
New Hampshire. }

AN ACT TO INCORPORATE THE FRANKLIN GUARDS.

[Approved June 27, 1835. Acts, vol. 31, p. 208. Session Laws, 1835, Private Acts, Chap. 19.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Bradley Hodsdon. Kinsley L. Wiggin, Daniel Grant and Winthrop Varnum, their associates and successors who now are or may hereafter be members of the

Franklin Guards so long as they shall do military duty in said company, be and they hereby are made a body corporate and politic by the name of the Franklin Guards, and by that name may sue and be sued, prosecute and defend to final judgment and execution; and are hereby authorised to exercise all the powers and made subject to all the liabilities of similar corporations; and the company is hereby empowered to hold real estate, not exceeding in value the sum of five hundred Dollars and personal property to the amount of one thousand Dollars and no more.

Section 2. And be it further enacted, That any two of the persons named in this act, may call the first meeting of said company, by giving personal notice of the time and place thereof to each member of said company at least four days prior to the time of holding the same, at which time, or at any subsequent meeting, they may make such by-laws, rules and regulations not repugnant to the laws of this state as may be deemed necessary for carrying into effect the objects of this act, and said company are hereby authorised to enlist from any of the Infantry Companies in said Regiment any number of men not exceeding in all sixty four rank and file. Provided always, that no power shall accrue to said company by or under this act, whereby they may be exempted from any liabilities, which they are now, or hereafter may be under to do and perform military duty agreeably to the existing military law, for the time being, of this state; nor in any case shall said company assess upon its members more than the sum of one Dollar and fifty cents upon any one member annually.

Section 3. And be it further enacted that the Legislature may at any time alter, modify or repeal this act—

[CHAPTER 72.]

State of)
New Hampshire. }

AN ACT TO INCORPORATE THE LITTLETON MANUFACTURING COMPANY—

[Approved June 27, 1835. Acts, vol. 31, p. 217. Session Laws, 1835, Private Acts, Chap. 43.]

Section 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Henry A. Bellows, Moses P. Little, Philemon Putnam, John Farr, Guy Ela, George W. Ela, Adams Moor, Stephen C. Gibb, John Merrill, Prescott White, William Brackett, Aaron Brackett and Edmund Carlton and their associates, successors and assigns be and they hereby are incorporated and made a body corporate and politic by the name of the

Littleton Manufacturing Company and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the powers and privileges and subject to all the liabilities which by law are incident to corporations of a similar nature—

Section 2. And be it further enacted, that said corporation be and hereby is authorised and empowered to commence and carry on the business of manufacturing cotton and woolen goods, or either of them in all their various branches, together with such other branches of trade, as are from time to time or may be necessarily connected therewith, in the town of Littleton in the county of Grafton and for these purposes the said corporation may purchase and hold real and personal estate to the amount of Two Hundred thousand Dollars, and the same may use, alienate and dispose of at pleasure.

Section 3. And be it further enacted that Henry A. Bellows, Moses P. Little and Philemon Putnam or any two of them, may call the first meeting of the members of said corporation to be holden at any suitable time and place within said town of Littleton, by posting up notifications at two or more public places therein, expressing the time place and design of meeting, at least fifteen days before the day of meeting, or by giving personal notice at least seven days prior thereto, at which said first meeting there shall be chosen a Clerk, who shall be sworn to the faithful discharge of the duties of his office and whose duty it shall be to record the acts and doings of said corporation, and to give certified copies thereof, when lawfully required, and at the same meeting or any subsequent meeting thereof duly notified and holden the members of said corporation may agree on the manner of holding future meetings; may divide their capital or joint stock into so many shares as they may deem proper and determine the manner of transferring them; may elect such officers and agents as may be deemed necessary for managing their concerns, and prescribe their duties; may order assessments and fix the time of their payment; may establish by-laws not repugnant to the laws of this state, for their regulation and government, and may do and transact any business necessary to carry into effect the object of their association—All questions at any meeting of said corporation shall be determined by a majority of the votes present and represented, allowing one vote to each share; provided however that any member holding more than ten shares shall be entitled to no more than one vote for every five shares which he may hold above ten. Absent members may vote by proxy, being authorised in writing, signed by the person represented and filed with the Clerk—

Section 4. And be it further enacted, that the shares of said corporation shall be liable and holden for the payment of all assessments duly made thereon, and upon the nonpayment thereof, within

the time fixed for their payment the delinquent share or shares may be advertised and sold at public auction, or so many of them as may be necessary to pay such assessments with the incidental charges under such regulations as the corporation in its by-laws shall have prescribed.

Section 5. And be it further enacted that any future Legislature may alter or amend this act as the public good may require

[CHAPTER 73.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened that Joseph Hill be allowed the sum of two hundred and thirty two dollars and seventy four cents in full of his account, and that the same be paid out of the Treasury

[Approved June 25, 1835. Acts, vol. 31, p. 193.]

[CHAPTER 74.]

State of)
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened that Ira W. Wiggin be allowed the sum of twenty-one dollars and fifty cents in full of his account, and that the same be paid out of the Treasury

[Approved June 25, 1835. Acts, vol. 31, p. 193.]

[CHAPTER 75.]

State of)
New Hampshire. }

Be it resolved by the Senate and House of Representatives in General Court convened, that our Senators, in Congress, be and they hereby are instructed to vote that the resolution passed by the Senate of the United States on the 28th of March 1834 in the words following viz, "That the President in the late executive proceedings, in relation to the public revenue, has assumed upon himself authority, and power, not conferred by the constitution and

laws, but in derogation of both"—be expunged from the journals of that body; and that they be further instructed to lay this resolution before the Senate of the United States

[Approved June 25, 1835. Acts, vol. 31, p. 194.]

[CHAPTER 76.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened that the Secretary of State be and hereby is authorised and directed to deliver, to each of the Clerks of the Court of Common Pleas in this State, one bound set of the New Hampshire Reports, which have been or may be published, to be kept by said Clerks, for the use of the Courts in their respective Counties

[Approved June 25, 1835. Acts, vol. 31, p. 199.]

[CHAPTER 77.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, that the town of Atkinson have the privilege to choose a Representative for said town to the General Court until the Legislature shall otherwise order

[Approved June 25, 1835. Acts, vol. 31, p. 199.]

[CHAPTER 78.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that His Excellency, the Governor, Commander in chief of the New Hampshire militia, be requested to procure the next apportionment of arms due the State of New Hampshire under the act of Congress, approved April 1808. in Rifles

[Approved June 25, 1835. Acts, vol. 31, p. 200.]

[CHAPTER 79.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that Joseph Low receive one hundred and fifty four dollars and twenty eight cents in full of his account, and that said sum be paid out of the Treasury

[Approved June 25, 1835. Acts, vol. 31, p. 203.]

[CHAPTER 80.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, that it shall be the duty of the Selectmen of the several towns in the County of Strafford to insert an article in the warrant for calling the next annual town meetings in their respective towns, to take the sense of the qualified voters therein on the following question, viz

Is it expedient to divide the County of Strafford And at said meetings the moderators thereof shall proceed to take the sense of the voters on said question and the several town Clerks shall make a record of the number voting in the affirmative, and negative on said question and shall cause a certified Copy of such record to be returned to the Clerk of the House of Representatives on or before the first Tuesday of the session of the Legislature in June next

And be it further resolved that the Secretary of State be directed to furnish copies of the foregoing resolution to the Selectmen of the several towns in said County on or before the first day of January next

[Approved June 25, 1835. Acts, vol. 31, p. 213.]

[CHAPTER 81.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, that the sum of ten thousand dollars be and the same is hereby appropriated for the payment of the demands existing against the State Prison, and that His Excellency the Governor be authorised to draw the said sum from the Treasury.

[Approved June 27, 1835. Acts, vol. 31, p. 195.]

[CHAPTER 82.]

State of }
New Hampshire. }

Resolved, by the Senate and House of Representatives in General Court convened, That the Warden of the Prison, under the direction of the Executive, be required to sell at auction or private sale all the stock and manufactured articles now on hand.

[Approved June 27, 1835. Acts, vol. 31, p. 195.]

[CHAPTER 83.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That Jacob Tyler, door keeper of the Senate and Aaron Carter and Atkinson Webster door keepers of the House of Representatives, and Jacob C. Carter, Librarian, be allowed the sum of fifty dollars each in full for their services in that capacity, and that said sums be paid out of the Treasury.

[Approved June 27, 1835. Acts, vol. 31, p. 196.]

[CHAPTER 84.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That whenever Isaac Smith the agent for improving the road through Lincoln in the County of Grafton shall have settled the accounts of his agency and assigned and made over to the State an agreement by him made with William M. Dermid dated and by them signed on the 20th day of October Anno Domini 1826 the condition of which is that said Mr Durmid shall for and during the term of eighteen years from the date thereof keep in good repair said road and when said Smith shall assign make over and deliver to the State a bond to him as agent aforesaid bearing even date with and conditioned to fulfill all the condition in said agreement signed by William M Dermid Samuel Emerson and Winthrop Badley given to said Smith as agent aforesaid and shall assign make over and deliver up to the State an other bond to him the said Smith signed by said M Durmid Emerson and Bagley securing

the performance of the conditions of the aforesaid agreement and bond and bearing even date therewith which said assignment of said agreement and Bonds shall among other things contain suitable and proper covenants and agreements that the said Smith at the time of making the same hath not in any way or manner cancelled released or discharged said agreement and Bonds or either of them or any provision therein contained, and that he the said Smith his executors or administrators shall and will not after the making of such assignment in any way or manner cancel, release or discharge the said agreement and Bonds or either of them or any part thereof. And that the said state if need be, in the name of him the said Smith his executors and administrators, but at the expense and for the use and benefit of the state, commence and prosecute to final judgment and execution any action or actions founded on said agreement or Bonds and that he the said Smith shall and will not, and that his executors or administrators shall and will not release or discontinue any such action or actions, or in any way or manner hinder or impede the prosecution thereof—and in case any execution issuing on any judgment rendered in any such action shall be extended on real estate for the benefit of the state that then and in that case he the said Smith his heirs, executors and administrators or whichever of them in whom the legal title in such estate shall vest on such levy shall on request convey the same to the state or to such person or persons as the state shall direct by good and sufficient deed of quitclaim containing covenants of warranty against all persons lawfully claiming under the party so conveying. And when the said Smith shall file all the papers in his possession relative to said agency together with the aforesaid agreement and Bonds and such assignment thereof as aforesaid with the Secretary of State, His Excellency the Governor shall be authorised and he is hereby requested to accept said Smith's resignation of his said agency and to appoint an agent to succeed him therein—

[Approved June 27, 1835. Acts, vol. 31, p. 197.]

[CHAPTER 85.]

State of)
New Hampshire.)

Resolved by the Senate and House of Representatives in General Court convened that the printer of the Eulogy on Lafayette, deliver the same to the Secretary of State and he deliver as soon as may be by mail or otherwise four copies to his Excellency the Governor, and to each of the Hon. Council the members of both branches of the Legislature and their Clerks

[Approved June 27, 1835. Acts, vol. 31, p. 201.]

[CHAPTER 86.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened that the sum of thirty five dollars be allowed Gilman C Mudgett as Engrossing Clerk for engrossing all of the public acts, resolutions and addresses for the present session of the Legislature

[Approved June 27, 1835. Acts, vol. 31, p. 201.]

[CHAPTER 87.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That his Excellency the Governor be and hereby is authorised to draw on the Treasury for a sum not exceeding five hundred dollars to defray the contingent expenses of the State for the ensuing year

[Approved June 27, 1835. Acts, vol. 31, p. 202.]

[CHAPTER 88.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That there be and hereby is granted to Harts location one Copy of the printed laws of the State and the Secretary of State is hereby directed to furnish the same at the expense of the State

[Approved June 27, 1835. Acts, vol. 31, p. 205.]

[CHAPTER 89.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That the town of Kilkenny have and receive one

full set of the New Hampshire Laws and that the proprietors thereof receive suitable compensation therefor from the Treasury of this State

[Approved June 27, 1835. Acts, vol. 31, p. 205.]

[CHAPTER 90.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened, That the state of New Hampshire should continue the possession of the Indian Stream Territory, and maintain the jurisdiction of the state over the same, until the question of boundaries, now in dispute between the United States and Great Britain, affecting the limits of said Territory shall be finally settled; and his Excellency the Governor be requested to render all necessary aid to the Executive officers of the county of Coos in causing the laws of said state to be duly executed within the limits of said territory

Resolved, That it is inexpedient for the state during the pendency of the controversy in relation to said boundaries, to make any disposition of the interest of the state in the lands of said Indian Stream Territory.

[Approved June 27, 1835. Acts, vol. 31, p. 207.]

[CHAPTER 91.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That the debts dues and demands in the hands of James Willey state land commissioner due to the State arising from sales of land amounting in all to the sum of one thousand nine hundred and seventy nine dollars and eighty three cents reported by said Commissioner at this session of the Legislature be and the same hereby is granted and appropriated to the Trustees of Lancaster Conway Academies one moiety of which is to be held in trust by the Trustees Lancaster Academy as a fund the interest of which is to be applied for the purposes of education at said Lancaster Academy and the residue is to be held by the Trustees of Conway Academy in trust in like manner and for the promotion of learning at the Academy in Conway. And said Commissioner is hereby requested on demand to deliver the same to said Trustees for said purposes

[Approved June 27, 1835. Acts, vol. 31, p. 211.]

[CHAPTER 92.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened,

That the Treasurer of this State be and he is hereby authorised to borrow on the credits of the State and for the use of the same a sum not exceeding forty five thousand Dollars in such portions and at such times and payable at such times as may in his opinion be requisite and proper at the lowest rate of interest at which the same can be procured not exceeding six per cent and the Treasurer for the time being is hereby authorised and required to pay such loans and the interest when the same may become due or be payable out of any money in the Treasury not otherwise appropriated

[Approved June 27, 1835. Acts, vol. 31, p. 212.]

[CHAPTER 93.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That the sum of fifteen hundred dollars be and the same is hereby appropriated for the education of indigent deaf and dumb children of this State at the asylum at Hartford. And the sum of five hundred dollars for the purpose of educating indigent blind or partially blind children of this State at the institution for the blind at Boston, that said sums respectively be expended and applied for the benefit of such and so many of those children as his Excellency the Governor shall select and approve, and that the Governor be and he is hereby authorised to draw said sums from the Treasury by warrant

[Approved June 27, 1835. Acts, vol. 31, p. 214.]

[CHAPTER 94.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That Samuel M^cCrea be allowed the sum of one hundred and twelve dollars in full of his account and that said sum be paid out of the Treasury

[Approved June 27, 1835. Acts, vol. 31, p. 215.]

[CHAPTER 95.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened that Jacob Tyler be and hereby is appointed to take charge of the State House and State House yard and all adjoining property belonging to said State for the year ensuing

[Approved June 27, 1835. Acts, vol. 31, p. 215.]

[CHAPTER 96.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That Cyrus Barton be allowed the sum of two hundred and sixty dollars in full of his account and that the same be paid out of the Treasury

[Approved June 27, 1835. Acts, vol. 31, p. 216.]

[CHAPTER 97.]

State of }
New Hampshire. }

Resolved by the Senate and House of Representatives in General Court convened That Indian Stream be classed with Clarkville Stewartstown &c for the purpose of electing a representative to the General Court until the Legislature shall otherwise order

[Approved June 27, 1835. Acts, vol. 31, p. 216.]

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 Hardy, Rebecca Rolf
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 Hogg, Enoch
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 Horne, Charles
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 Horne, Elizabeth
 Horne, Frances
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 Horne, Henry R.
 Horne, John
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 Horne, Maria
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 Howe, Nathaniel Fitaplace
 Hunkins, John
 Hunt, Stillman
 Hunt, William M.
 Huntress, Lorenzo Dow
 Hutchins, Charles
 Keniston, David
 Keniston, Durell
 Keniston, Ebenezer
 Keniston, Elizabeth Ann
 Keniston, Jemima H.
 Keniston, Jefferson
 Keniston, John S.
 Keniston, Joseph H.
 Keniston, Lois
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 Lane, John
 Leathers, Abigail
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 Leathers, Betsey
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 Leathers, Caroline
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