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L A W S

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1879.



MANCHESTER:
JOHN B. CLARKE, STATE PRINTER.
1879.

Chap. Sec. 5
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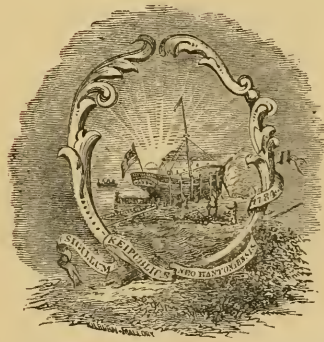
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OF THE

STATE OF NEW HAMPSHIRE

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JOSHUA B. SMITH.



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STATE OFFICERS.

NATT HEAD, *Governor.*
AI B. THOMPSON, *Secretary of State.*
ISAAC W. HAMMOND, *Deputy Secretary of State.*
SOLON A. CARTER, *State Treasurer.*
JOHN B. CLARKE, *Public Printer.*
JACOB H. GALLINGER, *President of the Senate.*
JAMES E. DODGE, *Clerk of the Senate.*
HENRY H. HUSE, *Speaker of the House.*
ALPHEUS W. BAKER, *Clerk of the House.*
AUGUSTUS D. AYLING, *Adjutant-General.*
JOHN C. PILSBURY, *Warden of State Prison.*
OLIVER PILLSBURY, *Insurance Commissioner.*
CHARLES A. DOWNS, *Superintendent of Public Instruction.*
JAMES O. ADAMS, *Secretary of the Board of Agriculture.*
WILLIAM H. KIMBALL, *State Librarian.*

SUPREME COURT.

CHARLES DOE, *Chief Justice.*
WILLIAM L. FOSTER,
CLINTON W. STANLEY,
GEORGE A. BINGHAM,
WILLIAM H. H. ALLEN,
ISAAC W. SMITH,
LEWIS W. CLARK, } *Associate Justices.*
MASON W. TAPPAN, *Attorney-General.*
EDWARD A. JENKS, *Law Reporter.*

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L A W S

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1879.

CHAPTER 1.

AN ACT RELATING TO THE TENURE OF OFFICE OF SHERIFFS AND
OTHER COUNTY OFFICERS.

SECT. 1. Tenure of office of elective county officers.

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

SECT. 1. The persons who were elected to the several offices of sheriff, county solicitor, county treasurer, register of deeds, register of probate, and county commissioners, at the election in November last, in the several counties in this state, shall hold their respective offices until the thirtieth day of June in the year of our Lord one thousand eight hundred and eighty-one and until others are chosen and qualified in their stead: and those who shall be hereafter chosen at any biennial election shall take their places on the first day of July next succeeding their election, and shall hold their offices two years and until others shall be chosen and qualified in their stead.

Tenure of office
of elective coun-
ty officers.

[Approved June 25, 1879.]

CHAPTER 2.

AN ACT IN AMENDMENT OF SECTION TEN, CHAPTER EIGHTY-FOUR OF THE GENERAL LAWS, RELATING TO THE MAINTENANCE OF BASTARD CHILDREN.

SECT.

1. Respondent in bastardy, how discharged from imprisonment.

SECT.

2. Repealing clause; takes effect, when.

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

Respondent in bastardy, how discharged from imprisonment.

SECT. 1. Section ten of chapter eighty-four of the General Laws is hereby amended, so that said section, as amended, shall read as follows: "Sect. 10. If any person committed to prison by virtue of this chapter is poor, and unable to pay such sum or to procure such security as may be ordered, any justice of the supreme court, on application in term time or vacation for that purpose, may discharge such person from imprisonment at such time and upon such terms as he thinks expedient."

Repealing clause; takes effect, when.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.
[Approved June 25, 1879.]

CHAPTER 3.

AN ACT TO LEGALIZE THE VOTES AND ALL PROCEEDINGS OF THE TOWN OF LONDONDERRY AT THE ANNUAL MEETING OF THE INHABITANTS OF SAID TOWN HOLDEN MARCH 11, 1879.

SECT.

1. Proceedings of town meeting and acts of town officers legalized.

SECT.

2. Takes effect, when.

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

Proceedings of town meetings and acts of town officers legalized.

SECT. 1. That all the votes, doings, and proceedings of the town of Londonderry at the annual meeting of the inhabitants thereof holden March 11, 1879, are hereby made legal: and all doings of the officers of said town in pursuance of the votes and resolutions of said town at said meeting are hereby ratified, confirmed, and legalized.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved June 27, 1879.]

CHAPTER 4.

AN ACT AMENDING SECTION SIXTEEN OF CHAPTER ONE HUNDRED AND SEVENTY-NINE OF THE GENERAL LAWS, IN REGARD TO THE PROTECTION OF LOBSTERS.

SECT. 1. Lobsters protected.

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

SECT. 1. That all of section sixteen in chapter one hundred and seventy-nine of the General Laws, between the word “lobster,” in the second line of said section, and the word “and,” in the tenth line of said section, shall be stricken therefrom, and the following inserted in place thereof: “Less than ten and one-half inches in length, measuring from one extreme of the body, extended, to the other, exclusive of claws or feelers.”

[Approved June 27, 1879.]

CHAPTER 5.

AN ACT IN RELATION TO SAVINGS BANKS.

SECT.

1. Closing up of insolvent savings banks regulated.

SECT.

2. Takes effect, when.

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

SECT. 1. Whenever any savings bank which has heretofore had, or may hereafter have, its deposits reduced, under the provisions of sections twenty and twenty-one of chapter one hundred and seventy of the General Laws, and which has kept or shall keep all moneys deposited after such reduction, together with the interest or dividends accruing therefrom, separate and distinct from those previously deposited, and has kept or shall keep the securities in which the same are invested, separate and distinct from those pertaining to the reduced deposits, and whenever in such cases there shall be occasion for the supreme court or any justice thereof, on application of the bank commissioners, to enjoin such bank from doing business, and to appoint an assignee or assignees, under existing laws, such injunction, the appointment of an assignee or assignees, and all other proceedings therein may, in the discretion of the court or such justice, be made applicable only to the deposits so reduced, the interest or dividends thereon, the securities, income, and assets thereof, and all else pertaining thereto, or applicable only to the deposits made after such reduction, the interest or dividends thereon, the securities, income, and assets thereof, and all other matters pertaining thereto, or to both

of such classes of deposits, the securities, income, and assets thereof, and all other matters pertaining thereto. *Provided, however,* that all applications of the bank commissioners to the court for the appointment of assignees to close up either the old or new accounts shall be published in one or more newspapers printed in the county where the bank is situated, for the space of fifteen days previous to the hearing of such application by the court.

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved June 28, 1879.]

CHAPTER 6.

AN ACT TO AMEND SECTION TWELVE, CHAPTER FORTY OF THE GENERAL LAWS, RELATING TO TOWN OFFICERS.

SECT. 1. Measurers of bark may be chosen.

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

Measurers of
bark may be
chosen.

SECT. 1. That section twelve of chapter forty of the General Laws be amended by adding the words “and bark,” after the word “wood,” in the fourth line, so that this part of the section, as amended, shall read “measurers of wood and bark.”

[Approved July 1, 1879.]

CHAPTER 7.

AN ACT IN RELATION TO AMENDMENTS IN CIVIL CASES.

SECT.
1. Amendments in civil cases.

SECT.
2. Takes effect, when.

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

Amendments in
civil cases.

SECT. 1. In civil cases, section nine of chapter two hundred and twenty-six of the General Laws is so amended as to permit any amendment to be made when it shall appear to the court that it is necessary for the prevention of gross injustice.

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 1, 1879.]

CHAPTER 8.

AN ACT RELATING TO POLICE OFFICERS AND CONSTABLES IN WARD ONE, CONCORD, AND SCHOOL-DISTRICT NUMBER SEVEN IN BOSCAWEN.

SECT.

1. Jurisdiction of police officers defined.
2. Jurisdiction of police officers defined.

SECT.

3. Takes effect, when.

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

SECT. 1. Police officers or constables elected or appointed by the city of Concord, and residing in ward number one of said city, shall have the same authority and powers within the limits of school-district number seven in the town of Boscawen, by virtue of their offices, as they have in said city of Concord.

Jurisdiction of
police officers
defined.

SECT. 2. Police officers and constables elected or duly appointed in the town of Boscawen, and residing in school-district number seven in said town, shall have the same authority and powers within the limits of ward number one in the city of Concord, by virtue of their offices, as they have in said town of Boscawen.

Jurisdiction of
police officers
defined.

SECT. 3. This act shall be in force from and after its passage.
[Approved July 1, 1879.]

Takes effect,
when.

CHAPTER 9.

AN ACT IN AMENDMENT OF SECTION THREE, CHAPTER TWO HUNDRED AND TWELVE OF THE GENERAL LAWS, IN RELATION TO THE ATTENDANCE OF CLERKS OF COURT AT THE LAW TERMS OF THE SUPREME COURT.

SECT.

1. Clerk for each county to attend law terms.

SECT.

2. Repealing clause.

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

SECT. 1. Section three of chapter two hundred and twelve of the General Laws is hereby amended by striking out in the second line of said section the words following, to wit: "when required by said court," so that said section, as amended, shall read as follows, to wit: "Sect. 3. The clerk for each county shall attend at each law term of said court, and discharge the duties of his office in relation to the business of his county, as if the court were sitting therein; and, for said service, he shall receive from the state treasury five dollars per day for his attendance, and ten cents per mile for his travel to and from said court."

Clerk for each
county to attend
law terms.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing
clause.

[Approved July 3, 1879.]

CHAPTER 10.

AN ACT TO CHANGE THE TIMES FOR HOLDING THE TRIAL TERMS OF THE SUPREME COURT FOR THE SOUTHERN DISTRICT OF COOS COUNTY.

SECT.

1. Trial terms, southern district of Coos, when held.

SECT.

2. Return day changed.
3. Takes effect, when.

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

Trial terms,
southern district
of Coos, when
held.

SECT. 1. That the last clause of section three, chapter two hundred and ten of the General Laws shall be changed so as to read as follows: "For the southern district of the county of Coos, —at Lancaster, on the second Tuesday of April and the second Tuesday of October."

Return day
changed.

SECT. 2. That all writs and other processes made returnable before said court on the first Tuesday of November next shall be entered in said court at the term thereof to be held on the second Tuesday of October next, the same as though the return day named in such writ or other process were the second Tuesday of October next.

Takes effect,
when.

SECT. 3. This act shall take effect from its passage.
[Approved July 3, 1879.]

CHAPTER 11.

AN ACT IN AMENDMENT OF SECTION FOUR, CHAPTER ONE HUNDRED AND FIFTEEN OF THE GENERAL LAWS, RELATING TO BOUNTIES FOR THE DESTRUCTION OF WILD ANIMALS.

SECT.

1. Bounty on foxes repealed.

SECT.

2. Takes effect, when.

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

Bounty on foxes
repealed.

SECT. 1. That section four, chapter one hundred and fifteen of the General Laws, providing for the payment of bounties upon foxes, is hereby repealed.

Takes effect,
when.

SECT. 2. This act shall take effect upon passage.
[Approved July 3, 1879.]

CHAPTER 12.

AN ACT ENTITLED "AN ACT TO PROVIDE FOR THE BETTER PROTECTION OF DESTITUTE AND ABUSED CHILDREN."

SECT.

1. Judge of probate may appoint whom guardian for neglected minors.
2. Police judge may give custody of such child to whom.

SECT.

3. Guardians so appointed not obliged to act.
4. Takes effect, when.

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

SECT. 1. Whenever it shall be made to appear to the judge of probate for any county in this state that any minor resident therein under the age of fourteen years is entirely abandoned, or treated with gross and habitual cruelty, or neglected in such a manner as to amount to cruelty, by the parents or other persons having custody of such minor, or that such minor is illegally deprived of liberty, said judge may appoint as guardian of such minor the "New Hampshire Society for the Prevention of Cruelty to Children," for such period as he may think proper, and said society shall thereupon become entitled to the custody of such minor to the exclusion of any other person whomsoever. Said judge of probate may, at any time, for good cause shown, revoke said decree.

Judge of probate may appoint whom guardian for neglected minors.

SECT. 2. Upon complaint of said society, that any child under the age of fourteen years has been abandoned, or treated in a gross and habitually cruel manner, or neglected in such a manner as to amount to cruelty, the judge of any police court may, within his jurisdiction, give the custody of such child to said society for a period not exceeding sixty days, and the society may thereupon apply to the probate court for the guardianship of such child upon such notice as the judge of probate may order. And the judgment of any police court in giving custody of any child to said society shall be *prima-facie* evidence in the probate court of the abandonment or cruel treatment of such child.

Police judge may give custody of such child to whom.

SECT. 3. Nothing in this act shall be construed to oblige said society to receive the custody of any child.

Guardian so appointed not obliged to act.

SECT. 4. This act shall take effect upon its passage.

Takes effect, when.

[Approved July 3, 1879.]

CHAPTER 13.

AN ACT IN RELATION TO THE WAIVER OF THE STATUTORY PROTECTION
OF PERSONS INSURED.

SECT. 1. Contracts of insurance regulated.

*Be it enacted by the Senate and House of Representatives in
General Court convened:—*Contracts of in-
surance regu-
lated.

SECT. 1. Chapter one hundred and seventy-two of the General Laws shall be a part of every contract of insurance to which said chapter is applicable; and said chapter and this act shall be plainly printed in every such contract. No waiver of any part of said chapter or of this act shall be set up by the insurer, and any stipulation of the contract in conflict with this act shall be void.

[Approved July 11, 1879.]

CHAPTER 14.

AN ACT IN AMENDMENT OF CHAPTER EIGHTY-THREE OF THE GENERAL
LAWS, IN RELATION TO THE SUPPORT OF COUNTY PAUPERS.

SECT. 1. Counties, when and how liable; notice of suit.

*Be it enacted by the Senate and House of Representatives in
General Court convened:—*Counties, when
and how liable;
notice of suit.

SECT. 1. Section one of chapter eighty-three of the General Laws is hereby amended so that said section shall read as follows: "Sect. 1. When any poor person, for whose support no person or town in this state is chargeable, shall be relieved or buried at the expense of any town, the overseers of the poor, as soon as practicable thereafter, or, in case a suit therefor has, before the termination of one year, been commenced against any town or person, within six months after the termination thereof, may present an account of all moneys so expended to the county commissioners of the county in which such town is, with proper vouchers, and they shall allow such sum as they shall think reasonable, to be paid out of the treasury of the county; and notice of such suit shall be given to the county commissioners of the county that may be charged with such expense, fourteen days before the entry of said action; and thereupon the commissioners may be admitted to defend said suit."

[Approved July 11, 1879.]

CHAPTER 15.

AN ACT IN AMENDMENT OF SECTION NINE, CHAPTER ONE HUNDRED AND EIGHTEEN OF THE GENERAL LAWS.

SECT.

1. Partnerships may be renewed, when.

SECT.

2. Takes effect, when.

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

SECT. 1. That section nine of chapter one hundred and eighteen of the General Laws be amended by inserting after the word "formation," in the fourth line of said section, and before the word "and," in the same line, the words "such partnership may be renewed at any time within thirty days after the expiration of the previous partnership," so that the last sentence of said section may read: "Such partnership may be renewed at any time within thirty days after the expiration of the previous partnership, and every such partnership which shall be otherwise renewed or continued shall be a general partnership."

Partnerships may be renewed, when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 14, 1879.]

Takes effect, when.

CHAPTER 16.

AN ACT IN AMENDMENT OF CHAPTER ONE HUNDRED AND SEVENTY-SEVEN OF THE GENERAL LAWS, RELATIVE TO THE TAKING OF BIRDS.

SECT.

1. Birds may be taken, when.

SECT.

2. Takes effect, when.

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

SECT. 1. That section one of chapter one hundred and seventy-seven of the General Laws be amended by adding at the close of said section the following: "Any resident of the state, over eighteen years of age, with the sole purpose of furnishing specimens for a cabinet, may receive from the secretary of the board of agriculture a permit for that purpose only, revocable for good cause, exempting him from the provisions of this section; *provided*, he shall furnish from the selectmen of the town, or mayor of the city, in which he resides, a certificate, indorsed by one of the fish and game commissioners, or a member of the board of agriculture, that he is a proper person to receive such a permit."

Birds may be taken, when.

SECT. 2. This act shall take effect from its passage.
[Approved July 16, 1879.]

Takes effect, when.

CHAPTER 17.

AN ACT IN AMENDMENT OF AN ACT APPROVED JULY 25, 1878, AND ENTITLED "AN ACT IN AMENDMENT OF SECTION THIRTY-THREE, CHAPTER ONE OF THE ACTS OF 1868, IN RELATION TO THE EXEMPTION OF HOMESTEADS."

SECT. 1. Existing rights not affected.

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

Existing rights
not affected.

SECT. 1. That the homestead exemption named in the act to which this act is an amendment shall not affect any right existing or contract made prior to the twenty-fifth day of July, 1878.

[Approved July 16, 1879.]

CHAPTER 18.

AN ACT TO DISANNEX CERTAIN LAND OF THOMAS M. STEELE, DAVID O. CATE, AND HENRY PAUL FROM THE TOWN OF ROLLINSFORD, AND ANNEX THE SAME TO THE CITY OF DOVER.

SECT.

1. Town lines changed.

SECT.

2. Takes effect, when.

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

Town lines
changed.

SECT. 1. That the southerly line of the town of Rollinsford hereafter shall commence at Fresh creek, at the northwest corner of the field of David O. Cate, and run thence easterly, by the northerly line of said field and the northerly side line of the pasture of Thomas M. Steele, to Salmon Falls river, and that all of said town of Rollinsford which lies southerly of said line be and hereby is disannexed from said Rollinsford and annexed to and be a part of the city of Dover.

Takes effect,
when.

SECT. 2. This act shall take effect from its passage.

[Approved July 16, 1879.]

CHAPTER 19.

AN ACT RELATING TO THE SERVICE OF WRITS UPON TRUSTEES DOING BUSINESS IN THIS STATE, BUT RESIDING ELSEWHERE.

SECT.

1. Notice of disclosure in trustee suit.

SECT.

2. Takes effect, when.

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

SECT. 1. Whenever the defendant in any suit has left the state, and his residence is unknown, and he has no known attorney or agent in the state, the disclosure of the trustee may be taken, upon giving such notice as the court may order.

Notice of disclosure in trustee suit.

SECT. 2. This act shall take effect on its passage.
[Approved July 16, 1879.]

Takes effect, when.

CHAPTER 20.

AN ACT IN AMENDMENT OF SECTION TEN, CHAPTER FOUR OF THE GENERAL LAWS, RELATING TO DEPOSITING COPIES OF THE JOURNAL OF THE SENATE AND HOUSE IN THE OFFICE OF THE SECRETARY OF STATE.

SECT. 1. Clerks to deposit and furnish journals.

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

SECT. 1. That section ten of chapter four of the General Laws be amended by striking out all of said section, and inserting in place thereof the following, to wit: "Sect. 10. The clerks of the senate and house shall each prepare a certified copy of their respective journals, having as few paragraphs or break-lines as may be consistent with good taste and necessary for a proper understanding of the same, the yeas and nays to be arranged in paragraphs instead of columns, the yeas of each county forming a paragraph, and the nays the same, with side-headings, and a digested index of the contents thereof, for the press, and deliver the same to the public printer within thirty days after the close of the session. The state printer shall furnish to each of said clerks, as soon as the same are printed, a copy of the said journals of the senate and house respectively, which the said clerks shall certify in writing, and lodge, within ten days thereafter, in the office of the secretary, to be deposited in the state archives."

Clerks to deposit and furnish journals.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect from and after its passage.
[Approved July 16, 1879.]

CHAPTER 21.

AN ACT PROHIBITING THE EMPLOYMENT OF CHILDREN UNDER TEN YEARS OF AGE IN MANUFACTURING CORPORATIONS.

- | | |
|---|---|
| SECT.
1. Penalty for employing child under ten.
2. Fine paid to whom. | SECT.
3. Limitation.
4. Takes effect, when. |
|---|---|

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

Penalty for employing child under ten. SECT. 1. No child under the age of ten years shall be employed by any manufacturing corporation in this state; and any agent, superintendent, or overseer, in any corporation, who willfully employs, or permits to be employed, any child in violation of this act, shall, for such offense, be fined not less than twenty dollars nor more than one hundred dollars.

Fine paid to whom. SECT. 2. Such fine shall be paid, one half to the complainant, and the other half to the use of the county where the offense was committed.

Limitation. SECT. 3. No prosecution under this act shall be sustained one year after the offense is committed.

Takes effect, when. SECT. 4. This act shall take effect on the first day of October next.

[Approved July 16, 1879.]

CHAPTER 22.

AN ACT AMENDING SECTION ONE OF CHAPTER NINETY-SIX OF THE GENERAL LAWS, IN REGARD TO THE "FORMATION AND DUTIES OF THE ACTIVE FORCE."

SECT. 1. Veteran soldiers not above fifty years old may be enlisted.

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

Veteran soldiers not above fifty years old may be enlisted. SECT. 1. That after the words "forty-five years" in the twentieth line of section one, chapter ninety-six of the General Laws, shall be inserted the following words: "except honorably discharged veteran soldiers of the United States, who may enlist up to the age of fifty years," so that portion of the section may read as follows: "No enlistment shall be allowed in the New Hampshire National Guard other than able-bodied citizens of this state between the ages of eighteen and forty-five years, except honorably discharged veteran soldiers of the United States, who may enlist up to the age of fifty years, residing in the town or city, or an adjoining town or city, where the armory of the troop of cavalry, platoon or battery of light artillery, or company of infantry is situated."

[Approved July 16, 1879.]

CHAPTER 23.

AN ACT IN AMENDMENT OF CHAPTER ONE HUNDRED AND SEVENTY-NINE OF THE GENERAL LAWS, RELATING TO FISH LAWS.

SECT.

1. Bass and smelts may be taken at any season.
2. Repealing clause.

SECT.

3. Takes effect, when.

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

SECT. 1. It shall be lawful at any time to take or catch, with nets or otherwise, any striped bass or smelts in any of the waters of this state, provided no striped bass shall be so taken, caught, or destroyed less than fifteen inches in length. Bass and smelts may be taken at any season.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SECT. 3. This act, and also the act amending the sixteenth section of the same chapter, in regard to the protection of lobsters, passed this session, shall take effect on their passage. Takes effect, when.

[Approved July 16, 1879.]

CHAPTER 24.

AN ACT TO ENCOURAGE THE GROWING OF THE SUGAR BEET.

SECT.

1. Manufacture of beet sugar encouraged.

SECT.

2. Takes effect, when.

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

SECT. 1. That the governor and council are hereby authorized, upon such terms and conditions as they shall deem advantageous to the state, to contract with any responsible party or company to pay said party or company a sum not exceeding one cent per pound on all beet sugar manufactured in this state from beets raised in the state; the amount of bounty so paid not to exceed seven thousand dollars in any one year, and not to exceed ten years from the time of the payment of the first bounty money. Manufacture of beet sugar encouraged.

SECT. 2. This act shall take effect on its passage. Takes effect, when.

[Approved July 16, 1879.]

CHAPTER 25.

AN ACT IN AMENDMENT OF SECTIONS FIVE AND SIX OF CHAPTER ONE HUNDRED AND TEN OF THE GENERAL LAWS.

SECT. 1 Six months' license may be granted.		SECT. 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:—

Six months' license may be granted.

SECT. 1. The clerk of every town and city shall issue to the owner or person having charge of any billiard-table or bowling-alley kept for hire, upon application of said owner or person and the payment of five dollars to said clerk, a license for six months from the first day of May in the year in which such application shall be made, subject, however, to all the provisions of sections five and six of said chapter that are not inconsistent with this act.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 16, 1879.]

CHAPTER 26.

AN ACT IN RELATION TO DEMANDING ATTACHED PROPERTY OF THE PERSON RECEIPTING THE SAME.

SECT. 1. Demand for receipted attached property on absent receptor, how made.		SECT. 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:—

Demand for receipted attached property on absent receptor, how made.

Sect. 1. When a person who has receipted property attached is absent from the county of his residence, demand may be made upon him, by the proper officer holding the receipt for such property, by leaving at the last and usual place of abode of such person a notice in writing, signed by such officer, and directed to such person, and containing a statement of the kind and amount of property for which the receipt was given, the names of the parties to the writ on which the receipted property was attached, and the time when and the place where such property is required to be delivered to such officer; and a demand so made upon such person shall charge him and make him liable upon his receipt, the same as if demand upon such receipt had been duly made upon him in his own proper person.

Takes effect, when.

SECT. 2. This act shall take effect on its passage.
[Approved July 16, 1879.]

CHAPTER 27.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL STATE TAX FOR THE TERM OF TWO YEARS.

SECT. 1. \$400,000 state tax annually for two years.

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

SECT. 1. The sum of four hundred thousand dollars shall be raised, annually, for the term of two years, for the use of the state treasury, on or before the first day of December in each of the years eighteen hundred and eighty and eighteen hundred and eighty-one; and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places and to the assessors of the several cities in this state, according to the apportionment of the public taxes made at the June session, eighteen hundred and seventy-nine; and the selectmen of such towns and places and the assessors of such cities are hereby required to assess the sums specified in said warrants, and cause the same to be paid to said treasurer, on or before the first day of December in the years eighteen hundred and eighty and eighteen hundred and eighty-one; and the state treasurer is hereby authorized to issue his extents for all the taxes which shall remain unpaid on the dates last above named.

\$400,000 state tax annually for two years.

[Approved July 18, 1879.]

CHAPTER 28.

AN ACT TO LEGALIZE THE DOINGS OF CERTAIN TOWNS AND OFFICERS OF TOWNS.

SECT.

1. Proceedings of towns legalized.

SECT.

2. Takes effect, when.

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

SECT. 1. The proceedings of the selectmen of the towns of Lee, Carroll, Pittsburg, and Alexandria in the assessment of taxes for said towns for the current fiscal year; the proceedings of the collector of taxes for the town of Bethlehem in the sale of resident lands for non-payment of taxes, on the fifteenth day of June, A. D. 1878, in so far as the same may be defective by reason of said sale not being advertised for and made on an earlier day in said year; the proceedings of the towns of Danville and Washington at their last annual March meetings, in voting to raise money in said towns, respectively, by taxation; the election of supervisors at a town meeting holden in Richmond on the thirteenth day of January, A. D. 1879; the proceedings of the town of Haverhill at its annual

Proceedings of towns legalized.

town meeting in March, A. D. 1879, including the election of officers and votes to raise money in said town by taxation, — are hereby made legal and valid.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 18, 1879.]

CHAPTER 29.

AN ACT IN AMENDMENT OF SECTION FIVE, CHAPTER TWO HUNDRED AND EIGHTY-NINE OF THE GENERAL LAWS, RELATING TO SALARIES AND COMPENSATION OF CERTAIN OFFICERS.

SECT.
1. Adjutant-General's salary.

SECT.
2. Takes effect, when.

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

Adjutant-General's salary.

SECT. 1. Section five, chapter two hundred and eighty-nine of the General Laws, is amended by striking out the words "six hundred," in the fourth line, and inserting instead thereof the words "one thousand," so that the salary of the adjutant-general shall be one thousand dollars instead of six hundred dollars.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 18, 1879.]

CHAPTER 30.

AN ACT REGARDING DISEASED ANIMALS.

SECT.
1. Penalty for exposing diseased horses.
2. Domestic animals.

SECT.
3. Offending parties to be prosecuted.
4. Takes effect, when.

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

Penalty for exposing diseased horses.

SECT. 1. Any person who shall expose or suffer to be exposed, in any highway, public place, or pasture, any horse affected by the disease known as glanders, shall be liable to the penalty of a fine not exceeding fifty dollars for each offense, for the benefit of the town or city where such offense is committed.

Domestic animals.

SECT. 2. Any person exposing any domestic animal as aforesaid, affected with any contagious or troublesome disease, shall be liable to a fine not exceeding twenty-five dollars, for each offense, for the benefit of the town.

Offending parties to be prosecuted.

SECT. 3. The marshals of cities, the selectmen or police officers of towns, where such offenses are committed, on proper

and satisfactory evidence, shall cause the parties so offending to be prosecuted.

SECT. 4. This act shall take effect on its passage.
[Approved July 18, 1879.]

Takes effect, when.

CHAPTER 31.

AN ACT FOR THE RELIEF OF THE TOWNS OF NEWCASTLE AND ALBANY.

SECT.

1. State and county taxes abated.

SECT.

2. Takes effect, when ; repealing clause.

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

SECT. 1. The state treasurer is hereby authorized and required to abate from the state tax for the year eighteen hundred and seventy-nine, to be paid by the towns of Newcastle, in the county of Rockingham, and Albany, in the county of Carroll, the sum of one hundred dollars each. And the treasurer for said county of Rockingham, for said town of Newcastle, and the treasurer of said county of Carroll, for said town of Albany, are each required to abate one hundred dollars from the respective amounts of county tax for each of said towns to be paid by said towns for the year aforesaid.

State and county taxes abated.

SECT. 2. This act shall take effect upon its passage, and all acts or parts of acts inconsistent herewith are hereby repealed.
[Approved July 18, 1879.]

Takes effect, when ; repealing clause.

CHAPTER 32.

AN ACT TO ESTABLISH A NEW APPORTIONMENT FOR THE ASSESSMENT OF PUBLIC TAXES.

SECT.

1. Proportion of every thousand dollars of public taxes to each town.

SECT.

2. Continues till new proportion made.

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

SECT. 1. 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 : —

Proportion of every thousand dollars of public taxes to each town.

ROCKINGHAM COUNTY.

Rockingham County, \$138.51.

Atkinson, one dollar and seventy-eight cents . . . \$1 78
Auburn, one dollar and sixty-eight cents . . . 1 68

Brentwood, one dollar and eighty-seven cents	\$1 87
Candia, two dollars and seventy cents	2 70
Chester, two dollars and fifty-four cents	2 54
Danville, one dollar and seventeen cents	1 17
Deerfield, two dollars and ninety-six cents	2 96
Derry, four dollars and fifty-one cents	4 51
East Kingston, one dollar and forty-two cents	1 42
Epping, three dollars and sixty-nine cents	3 69
Exeter, thirteen dollars and seventy-eight cents	13 78
Fremont, one dollar and seventeen cents	1 17
Greenland, two dollars and forty cents	2 40
Hampstead, two dollars and fifty-two cents	2 52
Hampton, three dollars and sixty-seven cents	3 67
Hampton Falls, one dollar and sixty-two cents	1 62
Kensington, one dollar and fifty-eight cents	1 58
Kingston, two dollars and thirteen cents	2 13
Londonderry, three dollars and ninety-three cents	3 93
Newcastle, eighty cents	80
Newington, one dollar and twenty-five cents	1 25
Newmarket, six dollars and two cents	6 02
Newton, one dollar and ninety-two cents	1 92
North Hampton, two dollars and sixty-two cents	2 62
Northwood, two dollars and ninety cents	2 90
Nottingham, two dollars and thirty-three cents	2 33
Plaistow, two dollars and thirty-three cents	2 33
Portsmouth, forty-one dollars	41 00
Raymond, two dollars and eight cents	2 08
Rye, three dollars and fifty-four cents	3 54
Salem, three dollars and sixteen cents	3 16
Sandown, one dollar and eleven cents	1 11
Seabrook, one dollar and fifty-nine cents	1 59
South Hampton, one dollar and twenty-nine cents	1 29
South Newmarket, two dollars and sixteen cents	2 16
Stratham, three dollars and forty-one cents	3 41
Windham, two dollars and eighteen cents	2 18

 \$138 81

 Strafford County,
 \$106.32.

STRAFFORD COUNTY.

Barrington, three dollars and thirty-nine cents	\$3 39
Dover, forty-four dollars and fifteen cents	44 15
Durham, four dollars and ten cents	4 10
Farmington, six dollars and forty-three cents	6 43
Lee, two dollars and twenty cents	2 20
Madbury, one dollar and fifty-seven cents	1 57
Middleton, sixty-seven cents	67
Milton, three dollars	3 00
New Durham, one dollar and forty cents	1 40
Rochester, fifteen dollars and six cents	15 06
Rollinsford, six dollars and forty-eight cents	6 48
Somersworth, fourteen dollars and eighty-three cents	14 83
Strafford, three dollars and four cents	3 04

 \$106 32

BELKNAP COUNTY.

Belknap County,
\$41.58.

Alton, three dollars and forty cents	\$3 40
Barnstead, three dollars and four cents	3 04
Belmont, two dollars and eighty-five cents	2 85
Center Harbor, one dollar and three cents	1 03
Gilford, six dollars and forty-six cents	6 46
Gilmanton, three dollars and eleven cents	3 11
Laconia, nine dollars and eighty-six cents	9 86
Meredith, three dollars and ninety-seven cents	3 97
New Hampton, one dollar and ninety-four cents	1 94
Sanbornton, two dollars and eighty-six cents	2 86
Tilton, three dollars and six cents	3 06
	<hr/>
	\$41 58

CARROLL COUNTY.

Carroll County,
\$34.10.

Albany, forty-five cents	¢0 45
Bartlett, one dollar and forty-five cents	1 45
Brookfield, one dollar	1 00
Chatham, sixty cents	60
Conway, three dollars and sixty-one cents	3 61
Eaton, seventy-five cents	75
Effingham, one dollar and forty-three cents	1 43
Freedom, one dollar and fifty-six cents	1 56
Hart's Location, twenty-four cents	24
Jackson, eighty-one cents	81
Madison, eighty-four cents	84
Moultonborough, two dollars and three cents	2 03
Ossipee, three dollars	3 00
Sandwich, two dollars and fifty-nine cents	2 59
Tamworth, two dollars and twenty-seven cents	2 27
Tuftonborough, one dollar and eighty cents	1 80
Wakefield, three dollars and twenty-three cents	3 23
Wolfeborough, six dollars and forty-three cents	6 43
Hale's Location, one cent	01
	<hr/>
	\$34 10

MERRIMACK COUNTY.

Merrimack
County, \$153.34

Allenstown, three dollars and eighty-one cents	\$3 81
Andover, three dollars and thirty-one cents	3 31
Boscawen, five dollars and fourteen cents	5 14
Bow, two dollars and sixty cents	2 60
Bradford, two dollars and fifty-nine cents	2 59
Canterbury, three dollars and eighteen cents	3 18
Concord, sixty-three dollars and forty-four cents	63 44
Chichester, one dollar and ninety-five cents	1 95
Danbury, one dollar and fifty-one cents	1 51
Dunbarton, two dollars and ninety-one cents	2 91
Epsom, two dollars and forty-one cents	2 41
Franklin, nine dollars and thirteen cents	9 13
Henniker, four dollars and twenty-five cents	4 25
Hill, one dollar and sixteen cents	1 16

Hooksett, four dollars and eleven cents	\$4 11
Hopkinton, six dollars and fifty-one cents	6 51
Loudon, three dollars and seventy cents	3 70
Newbury, one dollar and fifty cents	1 50
New London, two dollars and forty-nine cents	2 49
Northfield, two dollars and fifty cents	2 50
Pembroke, six dollars and eighty cents	6 80
Pittsfield, four dollars and eighty-two cents	4 82
Salisbury, two dollars and four cents	2 04
Sutton, two dollars and twenty-six cents	2 26
Warner, five dollars and twenty-six cents	5 26
Webster, two dollars and twenty-three cents	2 23
Wilmot, one dollar and seventy-three cents	1 73
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	\$153 34

Hillsborough
County, \$249.06.

HILLSBOROUGH COUNTY.

Amherst, four dollars and sixty-one cents	\$4 61
Antrim, two dollars and ninety cents	2 90
Bennington, one dollar and twenty-five cents	1 25
Bedford, three dollars and seventy-eight cents	3 78
Brookline, one dollar and sixty-two cents	1 62
Deering, one dollar and thirty-eight cents	1 38
Francestown, two dollars and eighty-eight cents	2 88
Goffstown, six dollars and forty-four cents	6 44
Greenfield, one dollar and ninety-seven cents	1 97
Greenville, two dollars and ninety-four cents	2 94
Hancock, two dollars and fifteen cents	2 15
Hillsborough, four dollars and three cents	4 03
Hollis, four dollars and thirty cents	4 30
Hudson, three dollars and seventy-four cents	3 74
Litchfield, one dollar and sixty-eight cents	1 68
Lyndeborough, one dollar and fifty-one cents	1 51
Manchester, one hundred and two dollars and sixty-five cents	102 65
Mason, one dollar and eighty-eight cents	1 88
Merrimack, three dollars and eighty-nine cents	3 89
Milford, nine dollars and sixty cents	9 60
Mont Vernon, one dollar and eighty-six cents	1 86
Nashua, forty-nine dollars and seventy-two cents	49 72
New Boston, four dollars	4 00
New Ipswich, three dollars and sixty-eight cents	3 68
Pelham, three dollars and thirty-seven cents	3 37
Peterborough, eight dollars and thirty-two cents	8 32
Sharon, forty-three cents	43
Temple, one dollar and seventeen cents	1 17
Weare, five dollars and twenty-seven cents	5 27
Wilton, five dollars and seventy-eight cents	5 78
Windsor, twenty-six cents	26
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	\$249 06

CHESHIRE COUNTY.

Cheshire County,
\$102.62.

Alstead, three dollars and forty-four cents	\$3 44
Chesterfield, three dollars	3 00
Dublin, two dollars and two cents	2 02
Fitzwilliam, two dollars and ninety-five cents	2 95
Gilsum, one dollar and seventy-four cents	1 74
Harrisville, two dollars and eleven cents	2 11
Hinsdale, four dollars and eighty cents	4 80
Jaffrey, four dollars and sixty-seven cents	4 67
Keene, thirty-seven dollars and thirty-two cents	37 32
Marlborough, three dollars and twenty cents	3 20
Marlow, two dollars and forty-six cents	2 46
Nelson, one dollar and three cents	1 03
Richmond, one dollar and fifty-two cents	1 52
Ridge, two dollars and ninety-seven cents	2 97
Roxbury, thirty-six cents	36
Stoddard, one dollar and twenty-two cents	1 22
Sullivan, one dollar and twenty cents	1 20
Surry, one dollar and one cent	1 01
Swanzy, four dollars and forty-three cents	4 43
Troy, two dollars and thirty-three cents	2 33
Walpole, seven dollars and sixty-six cents	7 66
Westmoreland, four dollars and forty-one cents	4 41
Winchester, six dollars and seventy-seven cents	6 77
	<hr/>
	\$102 62

SULLIVAN COUNTY.

Sullivan County,
\$50.28.

Acworth, two dollars and thirty-seven cents	\$2 37
Charlestown, six dollars and thirty-seven cents	6 37
Claremont, fourteen dollars and twenty-one cents	14 21
Cornish, three dollars and forty cents	3 40
Croydon, one dollar and forty cents	1 40
Grantham, one dollar and three cents	1 03
Goshen, one dollar and eight cents	1 08
Langdon, one dollar and fifty-five cents	1 55
Lempster, one dollar and thirty-eight cents	1 38
Newport, seven dollars and sixty-three cents	7 63
Plainfield, three dollars and forty-six cents	3 46
Springfield, one dollar and eleven cents	1 11
Sunapee, one dollar and fifty-seven cents	1 57
Unity, one dollar and eighty cents	1 80
Washington, one dollar and ninety-two cents	1 92
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	\$50 28

GRAFTON COUNTY.

Grafton County,
\$89.10.

Alexandria, one dollar and twenty-two cents	\$1 22
Ashland, two dollars and twenty-two cents	2 22
Bath, two dollars and ninety cents	2 90
Benton, fifty-eight cents	58
Bethlehem, two dollars and seventy-six cents	2 76
Bridgewater, seventy-eight cents	78

Bristol, three dollars and twenty-three cents	\$3 23
Campton, one dollar and ninety cents	1 90
Canaan, three dollars and forty-eight cents	3 48
Dorchester, seventy-five cents	75
Ellsworth, eighteen cents	18
Easton, sixty-three cents	63
Enfield, four dollars and twelve cents	4 12
Franconia, one dollar and twenty-nine cents	1 29
Grafton, two dollars and sixteen cents	2 16
Groton, seventy-four cents	74
Hanover, six dollars and twenty-two cents	6 22
Haverhill, five dollars and seventy-eight cents	5 78
Hebron, sixty-four cents	64
Holderness, one dollar and twenty-nine cents	1 29
Landaff, one dollar and thirty cents	1 30
Lebanon, eleven dollars and fifty-two cents	11 52
Lincoln, sixteen cents	16
Lisbon, four dollars and seventy-two cents	4 72
Littleton, six dollars and eighty-three cents	6 83
Livermore, thirty-eight cents	38
Lyman, one dollar and fourteen cents	1 14
Lyme, three dollars	3 00
Monroe, one dollar and thirty cents	1 30
Orange, fifty cents	50
Orford, two dollars and eighty-one cents	2 81
Piermont, two dollars and four cents	2 04
Plymouth, four dollars and five cents	4 05
Rumney, one dollar and ninety-five cents	1 95
Thornton, ninety-seven cents	97
Warren, one dollar and fifty-seven cents	1 57
Waterville, twelve cents	12
Wentworth, one dollar and fifty cents	1 50
Woodstock, thirty-seven cents	37
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	\$89 10

Coos County,
\$31.52.

COOS COUNTY.

Berlin, one dollar and twenty-five cents	\$1 25
Carroll, ninety-five cents	95
Clarksville, forty-three cents	43
Colebrook, three dollars and thirty-one cents	3 31
Columbia, one dollar and thirty-five cents	1 35
Dalton, ninety-three cents	93
Dummer, forty-one cents	41
Errol, thirty-five cents	35
Gorham, one dollar and sixty-three cents	1 63
Jefferson, one dollar and thirty-five cents	1 35
Lancaster, five dollars and forty-one cents	5 41
Milan, one dollar and six cents	1 06
Northumberland, one dollar and ninety-four cents	1 94
Pittsburg, ninety cents	90
Randolph, thirty-seven cents	37
Shelburne, fifty-three cents	53

Stark, one dollar and five cents	\$1 05
Stratford, one dollar and sixty-two cents	1 62
Stewartstown, one dollar and fifty-three cents	1 53
Whitefield, two dollars and eighty cents	2 80
Cambridge, twenty cents	20
Bean's Purchase, nineteen cents	19
Chandler's Purchase, one cent	01
Crawford's Purchase, thirteen cents	13
Dixville, nine cents	09
Dix's Grant, four cents	04
Erving's Grant, one cent	01
Green's Grant, thirty-one cents	31
Gilmanton and Atkinson Academy Grant, seven cents	07
Kilkenny, eight cents	08
Low and Burbank's Grant, five cents	05
Martin's Location, two cents	02
Millsfield, nineteen cents	19
Nash and Sawyer's Location, four cents	04
Wentworth's Location, nine cents	09
Sargent's Purchase, fourteen cents	14
Odell Township, nineteen cents	19
Pinkham's Grant, two cents	02
Second College Grant, fourteen cents	14
Success, nine cents	09
Thompson and Meserve's Purchase, nine cents	09
Crawford's Grant, twelve cents	12
Cutt's Grant, three cents	03
Gore between Gilmanton and Atkinson Academy Grant, one cent	01
	\$31 52

SECT. 2. The same shall be the proportion of assessment of all public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

Continues till new proportion made.

[Approved July 18, 1879.]

CHAPTER 33.

AN ACT IN AMENDMENT OF SECTION ONE, CHAPTER TWO HUNDRED AND SEVENTY-FIVE OF THE GENERAL LAWS, IN RELATION TO FRAUD BY FALSE PRETENSES.

SECT.

1. Fraud by personating or false pretenses.

SECT.

2. Repealing clause.

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

SECT. 1. Section one of chapter two hundred and seventy-five of the General Laws is hereby amended by inserting in the fifth line

Fraud by personating or false pretenses.

thereof, after the word "acquittance," the words "or the labor or services of any person," so that said section shall read as follows : "Sect. 1. If any person, with intent to cheat or defraud, shall, by personating or representing another, or by means of any false pretense or false token, counterfeit letters, or other false means, wrongfully obtain any money or other property, or any writing containing evidence of debt, or any receipt or acquittance; or the labor or services of any person; or shall, by any such means, attempt so to cheat or defraud another; or if any person shall, by any such means and with such intent, obtain the signature of another to any instrument or paper purporting to be a conveyance or evidence of debt, or to any receipt, discharge, or acquittance of any debt, claim, or right, he shall be fined not exceeding five hundred dollars or imprisoned not exceeding seven years."

Repealing
clause.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved July 18, 1879.]

CHAPTER 34.

AN ACT IN AMENDMENT OF CHAPTER ONE HUNDRED AND NINETEEN OF THE GENERAL LAWS, IN RELATION TO THE SALE OF LIGHTNING-RODS.

SECT.

1. Sale of lightning-rods regulated.

SECT.

2. Takes effect, when.

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

Sale of lightning-
rods regulated.

SECT. 1. That chapter one hundred and nineteen of the General Laws be amended by striking out section nine and inserting the following in the place thereof: "Sect. 9. The treasurer of the state may grant such license for the term of one year, upon receiving from any applicant the sum of five hundred dollars, and from any applicant who has for the five years last past been a citizen of this state, the sum of one hundred dollars; *provided*, that such applicant shall satisfy the treasurer that such lightning-rods are sufficient for security against lightning, and shall file a bond, with good and sufficient sureties, with the treasurer, in the penal sum of one thousand dollars, to respond in damages to any person who may be aggrieved by reason of any misrepresentation or fraud in the sale of such lightning-rods or anything relating thereto. Any person injured by such fraud or misrepresentation, having recovered judgment thereon against the person obtaining such license, may commence a suit on his bond in the name of the treasurer; and such license may be revoked at any time for good cause shown."

Takes effect,
when.

SECT. 2. This act shall take effect on its passage.

[Approved July 18, 1879.]

CHAPTER 35.

AN ACT IN RELATION TO ACTIONS FOR PERSONAL INJURIES.

SECT.

1. Damages for personal injuries resulting in death may be recovered by executors.

SECT.

2. Repealing clause.
3. Takes effect, when.

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

SECT. 1. When the death of a person is caused by a wrongful act or neglect of another which, if death had not ensued, would have entitled the person injured to recover damages therefor, then, on the death of such person, his executor or administrator may, by suit brought within two years of such death, recover damages for the injury; and one half of such damages shall go to the widow or widower, and the other half to the children, of the deceased. If there is no child, the whole shall go to the widow or widower; and, if no widow or widower, to the heirs of the deceased according to the law regulating the distribution of intestate estates.

Damages for personal injuries resulting in death may be recovered by executors.

SECT. 2. Section fourteen of chapter two hundred and eighty-two of the General Laws is hereby repealed.

Repealing clause.

SECT. 3. This act shall take effect on its passage.
[Approved July 18, 1879.]

Takes effect, when.

CHAPTER 36.

AN ACT IN ADDITION TO CHAPTER ONE HUNDRED AND TWENTY-TWO, GENERAL LAWS, RELATIVE TO THE SALE OF FERTILIZERS.

SECT.

1. License to sell fertilizers required.
2. Fee for license.
3. Penalty for selling without license.

SECT.

4. Samples of fertilizers to be analyzed.
5. Sale of, below legal standard, prohibited.
6. Takes effect, when.

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

SECT. 1. Any person or corporation manufacturing or importing commercial fertilizers which shall be sold, kept, or offered for sale, within the state, shall obtain a license from the state treasurer, countersigned and recorded by the secretary of the board of agriculture, authorizing the sale of the same, and shall affix to each barrel, bag, or parcel, in addition to the statement now required by law, the words, "State of New Hampshire,— licensed," with the number and date of the license, and the names of the articles offered for sale.

License to sell fertilizers required.

SECT. 2. Every party receiving such license shall pay into the state treasury the sum of fifty dollars, said license to be valid for one year.

Fee for license.

Penalty for selling without license

SECT. 3. Any party selling unlicensed fertilizers, as provided in section one, shall be liable to the same penalty as is provided in section twenty-three of chapter one hundred and twenty-two, General Laws.

Samples of fertilizers to be analyzed.

SECT. 4. It shall be the duty of the secretary of the board of agriculture to collect samples of fertilizers sold in this state, and any other articles which the interests of agriculture may require, and submit them to the college of agriculture and the mechanic arts, for chemical examination. The trustees of said college shall cause them to be analyzed, and report results to the secretary of the board of agriculture, who shall cause the facts to be published. For such service, the college shall be re-imbursed its actual expense, provided that no expense shall be incurred beyond the sum accruing to the state from the operation of this act.

Sale of, below legal standard, prohibited.

SECT. 5. No article shall be licensed that is known to contain less commercial value than is represented by the label required by section twenty-two of chapter one hundred and twenty-two of the General Laws.

Takes effect, when.

SECT. 6. This act shall take effect from its passage.
[Approved July 18, 1879.]

CHAPTER 37.

AN ACT IN ADDITION TO CHAPTER TWO HUNDRED AND TWO OF THE GENERAL LAWS, IN RELATION TO THE RIGHTS OF THE HUSBAND OR WIFE IN THE ESTATE OF THE DECEASED HUSBAND OR WIFE.

SECT.

1. Willful neglect bars estate by the curtesy.
2. Repealing clause.

SECT.

3. Takes effect, when.

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

Willful neglect bars estate by the curtesy.

SECT. 1. The husband of any person deceased, in case she dies intestate, or if she dies testate and no provision is made for him in her will, shall not be entitled to her estate by the curtesy in any lands and tenement owned by said deceased, nor to any portion of her personal property remaining after the payment of her debts, if he shall have willingly abandoned and absented himself from the deceased, or willfully neglected to support and maintain her, or shall not have been heard from, in consequence of his own neglect, for the term of three years next preceding her death.

Repealing clause.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Takes effect, when.

SECT. 3. This act shall take effect upon its passage.
[Approved July 18, 1879.]

CHAPTER 38.

AN ACT IN AMENDMENT OF SECTION SEVEN, CHAPTER SEVENTY-TWO OF THE GENERAL LAWS, RELATING TO THE REPAIRS OF HIGHWAYS IN TOWNS.

SECT.

1. One-fourth highway tax may be worked out by animals.

SECT.

2. Takes effect, when.

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

SECT. 1. That section seven of chapter seventy-two of the General Laws, relating to the repairing of highways, be amended by adding the following words to said section: "And any person shall have the right to work out at least one-fourth of his tax in labor of animals." One-fourth highway tax may be worked out by animals.

SECT. 2. This act shall take effect April first, 1880.
[Approved July 18, 1879.]

Takes effect, when.

CHAPTER 39.

AN ACT IN AMENDMENT OF CHAPTER ONE HUNDRED AND NINETY-ONE OF THE GENERAL LAWS, RELATING TO THE TIMES AND PLACES OF HOLDING COURTS OF PROBATE, AND FOR OTHER PURPOSES.

SECT.

1. Times and places of holding probate courts in Hillsborough County.

SECT.

2. Salary of probate judge, Hillsborough County, \$425.

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

SECT. 1. Chapter one hundred and ninety-one of the General Laws is amended by striking out the sixth section of said chapter and inserting instead thereof the following: "Sect. 6. For the county of Hillsborough,—at Manchester on the third Tuesday of February, April, June, August, October, and December, and on the fourth Tuesday of January, March, May, July, September, and November; at Nashua, on the fourth Tuesday of February, April, June, August, October, and December; at Francestown, on the Friday next following the fourth Tuesday of August; at Amherst, on the Friday next following the fourth Tuesday of June and December; at Peterborough, on the Friday next following the fourth Tuesday of February, May, and November; at Greenville, on the Friday next following the fourth Tuesday of April and October; at Hillsborough Bridge, on the Friday next following the fourth Tuesday of January and July; and at Milford, on the Friday next following the fourth Tuesday of March and September." Times and places of holding probate court in Hillsborough county.

Salary of probate judge, Hillsborough County, \$425.

SECT. 2. The annual salary of the judge of probate for the county of Hillsborough shall be one hundred dollars in addition to the sum provided in section twelve, chapter two hundred and eighty-nine of the General Laws.

[Approved July 18, 1879.]

CHAPTER 40.

AN ACT RELATING TO TELEGRAPH COMPANIES.

SECT.

1. Telegraph companies to keep offices, where.
2. Penalty for neglect.

SECT.

3. Attorney-general and solicitors to prosecute.

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

Telegraph companies to keep offices, where.

SECT. 1. Every telegraph company whose lines pass through any portion of this state on the line of any railroad shall keep and maintain an office for the receipt and transmission of messages over its wires, for the accommodation of the public, in every town having a population of fifteen hundred or more, according to the latest census of the United States, through which such line passes; *provided*, there is a passenger station on said railroad in such town; *provided, also*, that the provisions of this act shall not apply to the lines of the United States Direct Cable Company.

Penalty for neglect.

SECT. 2. Every telegraph company neglecting or refusing to comply with the provisions of section one of this act shall pay a fine of one hundred dollars for each and every month of such neglect or refusal in each and every such town in which the provisions of section one apply, one-half of such fine to go to the complainant, and the balance to the county in which such town is situated.

Attorney-general and solicitors to prosecute.

SECT. 3. The attorney-general and county solicitors are hereby instructed to enforce the provisions of this act in every case in which complaint is made.

[Approved July 18, 1879.]

CHAPTER 41.

AN ACT IN AMENDMENT OF CHAPTER TWO HUNDRED AND TEN, SECTION THREE, OF THE GENERAL LAWS, RELATING TO THE COURTS IN HILLSBOROUGH COUNTY.

SECT.

1. No court at Amherst.
2. Times of holding court at Manchester and Nashua.

SECT.

3. Repealing clause.

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

SECT. 1. So much of section three, chapter two hundred and ten of the General Laws, as provides that a trial term of the supreme court shall be holden at Amherst on the first Tuesday in May, is hereby repealed. No court at Amherst.

SECT. 2. A trial term of the supreme court shall be held at Manchester and Nashua, on alternate years, on the first Tuesday of May, at which grand and petit jurors shall be summoned to attend. Times of holding court at Manchester and Nashua.

SECT. 3. All acts and parts of acts inconsistent herewith are hereby repealed. Repealing clause.

[Approved July 18, 1879.]

CHAPTER 42.

AN ACT TO PROTECT THE RIGHTS OF CITIZENS OF THIS STATE, HOLDING CLAIMS AGAINST OTHER STATES.

SECT.

1. Any citizen holding claim against another state may assign the same to this state and deposit assignment with attorney-general.
2. Attorney-general's duty in such cases.

SECT.

3. State not liable for fees or expenses.
4. Disposition of moneys received in settlement of claims.
5. Takes effect, when.

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

SECT. 1. Whenever any citizen of this state shall be the owner of any claim against any of the United States of America, arising upon a written obligation to pay money issued by such state, which obligation shall be past due and unpaid, such citizen so holding such claim may assign the same to the State of New Hampshire, and deposit the assignment thereof, duly executed and acknowledged in the form and manner provided for the execution and acknowledgment of deeds of real estate by the laws of this state, together with all the evidence necessary to substantiate such claim, with the attorney-general of the state. Any citizen holding claim against another state may assign the same to this state and deposit assignment with attorney-general.

SECT. 2. Upon such deposit being made, it shall be the duty of the attorney-general to examine such claim and the evidence of Attorney-general's duty in such cases.

thereof; and if, in his opinion, there is a valid claim which shall be just and equitable to enforce, vested by such assignment in the State of New Hampshire, he, the attorney-general, shall, upon the assignor of such claim depositing with him such sum as he, the said attorney-general, shall deem necessary to cover the expenses and disbursements incident to or which may become incident to the collection of said claim, bring such suits, actions, or proceedings in the name of the State of New Hampshire, in the supreme court of the United States, as he, the said attorney-general, shall deem necessary for the recovery of the money due upon such claim; and it shall be the duty of the said attorney-general to prosecute such action or actions to final judgment, and to take such other steps as may be necessary after judgment for the collection of said claim, and to carry such judgment into effect, or, with the consent of the assignor, to compromise, adjust, and settle said claim before or after judgment.

State not liable for fees or expenses.

SECT. 3. Nothing in this act shall authorize the expenditure of any money belonging to this state, but the expenses of said proceedings shall be paid by the assignor of such claim; and the assignor of such claim may associate with the attorney-general in the prosecution thereof, in the name of the State of New Hampshire, such other counsel as the said assignor may deem necessary, but the state shall not be liable for the fees of such counsel or any part thereof.

Disposition of moneys received in settlement of claims.

SECT. 4. The attorney-general shall keep all moneys collected upon such claim, or by reason of any compromise of any such claim, separate and apart from any other moneys of this state which may be in his hands, and shall deposit the same to his own credit, as special trustee under this act, in such bank or banks as he shall select; and the said attorney-general shall pay to the assignor of such claims all such sums of money as may be recovered by him in compromise or settlement of such claims, deducting therefrom all expenses incurred by said attorney not before that time paid by the assignor.

Takes effect, when.

SECT. 5. This act shall take effect on its passage.
[Approved July 18, 1879.]

CHAPTER 43.

AN ACT IN AMENDMENT OF SECTION FOUR OF CHAPTER ONE HUNDRED AND SEVENTY-NINE OF THE GENERAL LAWS, CHANGING THE TIME FOR CATCHING BROOK TROUT; AND SECTION NINE OF SAID CHAPTER, IN RELATION TO THE TIME FOR CATCHING SALMON.

SECT.

1. Time of taking salmon and trout, etc.

SECT.

2. Takes effect, when.

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

Time of taking salmon and trout, etc.

SECT. 1. That section four of chapter one hundred and seventy-nine of the General Laws of the State of New Hampshire be so

amended as to read, "from the thirtieth day of September, of any year, to the thirtieth day of April next following," instead of "between the month of September of any year and the month of April next following." That section seven of chapter one hundred and seventy-nine of the General Laws of the state be amended by striking out the words "eighteen hundred and seventy-five," and inserting the words "eighteen hundred and seventy-seven," and adding the words "nor shall young salmon, known as parr, smolts, or grilse, be caught or killed in any of the waters of the state after the expiration of said time, under the penalty herein provided."

SECT. 2. This act shall take effect upon its passage.
 [Approved July 18, 1879.]

Takes effect, when.

CHAPTER 44.

AN ACT TO REGULATE THE SALE OF TREES, SHRUBS, AND PATENT-RIGHTS.

SECT.

- 1. License to sell trees, patent-rights, etc., required.
- 2. Fee for license.

SECT.

- 3. Penalty for fraud of license.
- 4. Disposition of fees.
- 5. Takes effect, when.

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

SECT. 1. No party shall sell, or act as the agent or receive subscriptions for the sale of, trees, shrubs, or vines not grown in the state, nor sell, as principal or agent, patent-rights of farm or household implements, except those invented by parties in the state; nor formulas or recipes for special fertilizers, paints, or other compounds, — unless he shall have first obtained a license for that purpose as herein after provided, under the penalty of one hundred dollars for each and every offense, to be recovered in the same way as is provided in chapter one hundred and nineteen, section seven, of the General Laws, in regard to the sale of lightning-rods.

License to sell trees, patent-rights, etc., required.

SECT. 2. On the receipt of fifty dollars, paid into the treasury, the state treasurer shall issue a license to any reputable party, to sell or take orders for the sale of trees, shrubs, vines, or roots; and, for one hundred dollars thus paid, he shall issue a license to sell, by subscription or otherwise, the right to make and use any patent machine or implement used in agricultural pursuits, or any formula or recipe, as named in the preceding section; said licenses to be countersigned by the secretary of the board of agriculture, and be valid for one year from their date.

Fee for license.

SECT. 3. If any party shall be guilty of fraud in his transactions, or effect sales through misrepresentations, or fail to deliver what he sells or takes orders for, he shall forfeit his license, and be liable to a fine not exceeding one hundred dollars, to be recovered for the use of the state, as already herein provided.

Penalty for fraud of license.

Disposition of fees.

SECT. 4. A sum not exceeding the amount accruing to the state under this act may be expended by the board of agriculture, and paid out on the order of the governor, in carrying into effect measures for detecting spurious, old, or adulterated seeds; trees, shrubs, and vines not true to name or not worthy of cultivation; or patent-rights that are not adapted to the purposes for which they are advertised; and shall from time to time cause the results of their investigations to be published.

Takes effect, when.

SECT. 5. This act shall take effect from its passage.
[Approved July 18, 1879.]

CHAPTER 45.

AN ACT IN AMENDMENT OF CHAPTER NINETY-THREE OF THE GENERAL LAWS, RELATING TO THE STATE NORMAL SCHOOL.

SECT.

1. Number of trustees reduced from fifteen to seven.

SECT.

2. \$5,000 appropriated annually.
3. Takes effect, when.

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

Number of trustees reduced from fifteen to seven.

SECT. 1. That section two of chapter ninety-three of the General Laws is hereby amended as follows: Instead of "fifteen," in the third line of said section, insert the word "five," and strike out, after the word "council," in the fourth line, the words "to be so apportioned that at least one and not more than two of said fifteen persons shall be appointed from the same county," so that the first clause of said section shall read as follows, to wit: "The management of said school shall be vested in a board of trustees, composed of the governor, the superintendent of public instruction, and five persons to be appointed by the governor, with the advice and consent of the council, and to hold said office two years."

\$5,000 appropriated annually.

SECT. 2. Said chapter is further amended by adding the following: "Sect. 7. The sum of five thousand dollars is annually appropriated for the maintenance of said school, said sum to be expended as the trustees of said school shall direct."

Takes effect, when.

SECT. 3. This act shall take effect upon its passage.
[Approved July 18, 1879.]

CHAPTER 46.

AN ACT TO AMEND THE EXISTING LAW IN RELATION TO THE ANNUAL INVOICE OF POLLS AND TAXABLE PROPERTY.

SECT.

- 1. Real estate to be included in inventory.
- 2. Assessors' duties on return of inventory.
- 3. Blanks to be delivered to whom.

SECT.

- 4. Tax-payer not required to appraise his own property.

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

SECT. 1. The inventory required by section two of chapter fifty-five of the General Laws shall be so arranged by the secretary of state as to require a description of all real estate taxable to the person or corporation named in said section.

Real estate to be included in inventory.

SECT. 2. Upon the return of such inventory, the selectmen or assessors, upon examination of the same, shall, unless they shall be of the opinion that the same does not contain a full, true, and correct statement of the estate and property for which such person or corporation is taxable, assess a tax against such person or corporation, in accordance with the statement therein contained, and such further examination and appraisal of said taxable estate and property as is provided for by existing laws, and such further examination as they may think proper to make; so that said estate and property shall be appraised and assessed by said selectmen or assessors at its full and true value in money, agreeably to the requirements of section one, chapter fifty-six of the General Laws. If any such person or corporation shall willfully omit to make, deliver, and return such inventory, or to answer any interrogatory therein, as by said chapter fifty-five required, or shall make any false answer or statement therein, or in relation to the estate or property for which he is taxable, or if such selectmen or assessors shall be of opinion that such inventory so returned does not contain a full, true, and correct statement of the estate and property for which such person or corporation is taxable, according to the requirement of such interrogatories, and that there has been such willful omission or false answer or statement on the part of said person or corporation, the selectmen or assessors shall ascertain as nearly as may be, and in such way and manner as they may be able, the amount and value of the property and estate for which, in their opinion, he is liable to be taxed, and shall then set down to such person or corporation, by way of doamage, four times as much as such estate and property, if so inventoried and returned, would be legally taxable; and section five of chapter fifty-five of the General Laws is hereby repealed.

Assessors' duties on return of inventory.

The inventory being a correct statement, the assessment to be made according thereto.

Property to be appraised at its full and true value in money.

Damage for making no return, or a false one.

SECT. 3. Section three of said chapter is hereby amended by striking out the words "personal estate," in the sixth line of said section, and inserting in lieu thereof the words "real or personal estate or property"; and section seven of said chapter is hereby amended by striking out the words "personal estate," in the ninth line of said section, and inserting in lieu thereof the words "real or personal estate or property."

Blanks to be delivered to whom.

Tax-payer not re-
quired to ap-
praise his own
property.

SECT. 4. Section two of chapter fifty-five of the General Laws is hereby amended by striking out, in the thirteenth and fourteenth lines of said section, the words, "and the value by such classes of his personal property and estate."
[Approved July 19, 1879.]

CHAPTER 47.

AN ACT TO LEGALIZE CERTAIN PROCEEDINGS OF OFFICERS IN THE CITY OF KEENE AND THE TOWN OF STEWARTSTOWN.

SECT.

1. Lapses of officers legalized.

SECT.

2. Takes effect, when.

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

Lapses of officers
legalized.

SECT. 1. In so far as the general court has power so to do, the proceedings of the town of Stewartstown, at the annual meeting of said town in March, one thousand eight hundred and seventy-eight, so far as the same may be defective by reason of the failure of the selectmen of said town to affix the certificates required by law to be made upon the check-list and warrant for said meeting on the opening of or before said meeting; and the proceedings of the assessors and collector of taxes of the city of Keene, in relation to the sale of lands of non-residents for non-payment of taxes, in so far as said proceedings may be defective by reason of the failure of said assessors to deliver a list of said taxes to said collector on or before the thirteenth day of May last, — are hereby made legal and valid.

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 19, 1879.]

CHAPTER 48.

AN ACT IN ADDITION TO CHAPTER TWO HUNDRED AND THIRTY-TWO OF THE GENERAL LAWS.

SECT.

1. Copies of notes, etc., may be filed for judgment by order of justice in vacation.

SECT.

2. Takes effect, when.

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

Copies of notes,
etc., may be filed
for judgment
by order of jus-
tice in vacation.

SECT. 1. Copies of any note or instrument may be filed in any suit, for the purpose of rendering judgment thereon, upon the order of any judge of the supreme court in vacation, for good cause, upon

petition reciting the facts and the due filing of the petition and order in said suit.

SECT. 2. This act shall take effect from and after its passage. Takes effect, when.
 [Approved July 19, 1879.]

CHAPTER 49.

AN ACT RELATIVE TO THE REQUIREMENT OF A BOND BY EXECUTORS AND TRUSTEES UNDER A WILL.

SECT. 1. Bond of executors and trustees.

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

SECT. 1. Executors and trustees under a will shall be exempt from giving a bond, or from giving a surety or sureties on their bonds, whenever the testator shall by his will so direct. *Provided, however,* that the judge of probate may at any time require a bond with sufficient sureties, if he is of opinion that the same is made requisite by a change in the situation or circumstances of the executor or trustee, upon petition of heirs or creditors within thirty days after such will is filed with the judge of probate, or for other sufficient cause. *Provided, also,* that a bond for the payment of debts shall be given in all cases. Bond of executors and trustees.

[Approved July 19, 1879.]

CHAPTER 50.

AN ACT TO TAX CHURCH PROPERTY EXCEEDING TEN THOUSAND DOLLARS IN VALUE.

SECT.

1. Church property taxable.

SECT.

2. Takes effect, when.

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

SECT. 1. That all property, whether real or personal, owned by any church association or corporation, used exclusively for a place of worship, not exceeding ten thousand dollars in value, shall be exempt from taxation; and all such associations or corporations owning church property, whether real or personal, in excess of ten thousand dollars in value, shall be taxed at the same rates as other property for the total valuation of such excess. Church property taxable.

SECT. 2. This act shall take effect upon and after its passage. Takes effect, when.
 [Approved July 19, 1879.]

CHAPTER 51.

AN ACT TO SUPPRESS PIGEON-SHOOTING AND SIMILAR SPORTS.

SECT.

1. Pigeon target shooting prohibited.

SECT.

2. Takes effect, when.

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

Pigeon target
shooting pro-
hibited.

SECT. 1. That any person who shall keep or use any live pigeon, fowl, or other bird, for the purpose of a target, or to be shot at, either for amusement or as a test of skill in marksmanship, and any person who shall shoot at any bird as aforesaid, or be present as a party, witness, umpire, or judge at any such shooting of any fowl or bird, and any person who shall rent any building, shed, room, yard, field, or premises, or shall knowingly suffer or permit the use of any building, shed, room, yard, field, or premises, for the purpose of shooting any fowl or bird as aforesaid, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. Nothing herein contained shall apply to the shooting of any wild game in its wild state.

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.

[Approved July 19, 1879.]

CHAPTER 52.

AN ACT AMENDING CHAPTER THIRTY-SEVEN OF THE PAMPHLET LAWS OF 1877, RELATING TO THE TOWN OF RYE.

SECT. 1. Gosport district.

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

Gosport district.

SECT. 1. That section two of chapter thirty-seven of the Pamphlet Laws of 1877 be amended by adding to the end of the same the following words: "And the district shall be liable for all pauper claims and all other demands against the district the same as though it was an independent township. The expenses of assessing and collecting the taxes of said district shall be paid by it."

[Approved July 19, 1879.]

CHAPTER 53.

AN ACT IN AMENDMENT OF AND IN ADDITION TO SECTION THIRTEEN OF CHAPTER EIGHTY-NINE OF THE GENERAL LAWS, RELATING TO SCHOOL COMMITTEES AND TEACHERS.

SECT.

1. One-fifth literary fund may be expended for school apparatus.

SECT.

2. Takes effect, when.

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

SECT. 1. Section thirteen of chapter eighty-nine of the General Laws, relating to school committees and teachers, is hereby amended by adding the following words: "And the same officers are also empowered to expend, at their discretion, for the use of the schools, one fifth part of the 'literary fund' which may annually be assigned any city or town, in the purchase or repair of blackboards, maps, charts, globes, dictionaries, or any apparatus which in their judgment will advance the educational interests of said schools; and that any unexpended portion of such fifth part on hand the first day of March, annually, shall then be passed to the credit of the general school fund of such city or town for the support of schools in same during current year."

One-fifth literary fund may be expended for school apparatus.

SECT. 2. This act shall take effect on its passage. [Approved July 19, 1879.]

Takes effect, when.

CHAPTER 54.

AN ACT TO PROVIDE FOR MINORITY REPRESENTATION IN CORPORATIONS.

SECT.

1. Cumulative voting in corporations. Submitted to the people. 3. Ballots to be counted, etc., and return made to secretary of state.

SECT.

4. Secretary to record, governor to proclaim, the result. 5. Takes effect, when.

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

SECT. 1. ^{of state.} $\frac{1}{2}$ clause.

11. Fee to clerk at sale of non-resident land for taxes not allowed. 12. Notice in newspapers of sale of real estate for resident taxes not required.

SECT. 2. ~~At the biennial election to be holden in November,~~

27. Rights of married women. 28. Attachment may be made without order of court. 29. Past acts done under chapter 219 legalized. 30. Verbal correction.

Cumulative voting in corporations.

SECT. 2. At the biennial election to be holden in November, eighteen hundred and eighty, the sense of the voters of this state shall be taken upon section one of this act, by ballot, those in favor thereof voting "yes," and those opposed voting "no"; and it is hereby made the duty of the selectmen in the several towns and wards in the state to insert in their warrants, for the meeting then to be holden, an article for this purpose.

Submitted to the people.

Ballots to be counted, etc., and return made to secretary of state.

SECT. 3. Said ballots shall be assorted, counted, and declared in open meeting, and the clerks of the several towns and wards shall make a true record thereof, showing the number of ballots upon each side of the question, and shall, on or before the fifteenth day of December, eighteen hundred and eighty, return to the secretary of state a true copy of said record.

Secretary to record, governor to proclaim, the result.

SECT. 4. The secretary of state shall make a record of the returns so made to him and lay the same before the governor on or before the first day of January, eighteen hundred and eighty-one; and the governor shall, on or before the fifteenth day of January, eighteen hundred and eighty-one, make proclamation of the result of said vote; and, if it shall appear that a majority of the voters voting upon said proposition voted in favor thereof, then section one of this act shall go into effect and become a law from and after said fifteenth day of January, eighteen hundred and eighty-one, and otherwise shall be of no effect.

Takes effect, when.

SECT. 5. This act, excepting section one, shall take effect upon its passage, and section one as aforesaid.

[Approved July 19, 1879.]

CHAPTER 55.

AN ACT IN RELATION TO FREIGHT CHARGES ON RAILROADS.

SECT.

1. Freight tariff regulated.
2. Tariff on through freights not affected.

SECT.

3. Penalty for violation.
4. Takes effect, when.

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

Freight tariff regulated.

SECT. 1. No railroad owned or operated in this state shall charge a higher tariff on like classes of freight by the car-load, when delivered at any station on its line, than is charged to deliver the same at any station on the road when the transportation is for a greater distance.

Tariff on through freights not affected.

SECT. 2. Nothing in section one shall be so construed as to affect the rights of any railroad owned or operated in this state from establishing such rates on freights shipped over their lines from points outside of the state to points beyond the state as may seem for their best interests.

Penalty for violation.

same as though it was an independent township. The ~~time~~ ^{expense} of assessing and collecting the taxes of said district shall be paid by it."

[Approved July 19, 1879.]

Takes effect, when.

SECT. 4. This act shall take effect upon and after its passage.

[Approved July 19, 1879.]

CHAPTER 56.

AN ACT TO LEGALIZE THE DOINGS OF THE SELECTMEN AND COLLECTOR OF TAXES IN THE TOWN OF BRISTOL, FOR THE YEAR 1877.

SECT.

1. Taxes legalized.

SECT.

2. Takes effect, when.

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

SECT. 1. That all taxes assessed by the board of selectmen of the town of Bristol, for the year eighteen hundred and seventy-seven, are hereby legalized; and all the acts and doings of the selectmen and collector of taxes of said town, for the said year; in relation to the inventory, assessment, and collection of all taxes in said town for the year eighteen hundred and seventy-seven, are hereby ratified, confirmed, and legalized. Taxes legalized.

SECT. 2. This act shall take effect on its passage.
[Approved July 19, 1879.]

Takes effect,
when.

CHAPTER 57.

AN ACT IN AMENDMENT OF AND IN ADDITION TO THE PROVISIONS OF THE GENERAL LAWS, PASSED JUNE SESSION, EIGHTEEN HUNDRED AND SEVENTY-EIGHT.

SECT.

1. What newspapers to publish the laws.
2. Commissioners to take acknowledgment of deeds, etc., may be appointed in foreign countries.
3. Number of laws, etc., to be printed.
4. Hearings for correction of check-lists.
5. Certificates of election of representative to be returned to secretary of state.
6. Verbal amendment.
7. Check-lists to be used at all elections of moderator and supervisors.
8. Sea-going vessels to be rated as personal estate for taxation.
9. Invoice-books to be furnished to selectmen by secretary of state.
10. Repealing clause.
11. Fee to clerk at sale of non-resident land for taxes not allowed.
12. Notice in newspapers of sale of real estate for resident taxes not required.
13. A member of the board of county commissioners to meet with board of equalization when notified, and not otherwise.
14. Settlement of damages in laying out or altering highways.
15. Secretary of state to furnish blank inventories annually.
16. Discrimination against minors repealed.
17. (See section 14 of this act.)

SECT.

18. Oath that copy of warrant for school-meeting has been posted may be administered by clerk of district; three months' residence in district a qualification to vote.
19. Women admitted to all offices in school-districts.
20. Village fire-districts may sprinkle streets.
21. Public health protected.
22. Certain persons not required to take out peddler's license.
23. Employee of dealer in, not to be inspector of petroleum.
24. Purity of petroleum.
25. Lumbermen's lien.
26. Mileage of bank commissioners.
27. Rights of married women.
28. Attachment may be made without order of court.
29. Past acts done under chapter 219 legalized.
30. Verbal correction.
31. Challenges by the state.
32. Penalty for breaking, entering, and larceny.
33. County not chargeable as trustee.
34. When court may order sale of attached property.
35. When and how attachments may be released.
36. When justice not to sit at law term.
37. As to meetings and warrants when towns and districts are identical.

SECT.

38. The General Laws of 1878.
 39. Ballots at general elections to be preserved.
 40. Town clerk to have custody of, to send to secretary of state, when.
 41. Penalty for violation.

SECT.

42. Certificate to be obtained of committee of adjoining town, when.
 43. Incidental expenses of the state provided for.
 44. This act takes effect, when.

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

What newspapers to publish the laws.

SECT. 1. Section eight of chapter four is amended by striking out the words "such newspapers as the legislature shall order," in the second line, and inserting in their stead the words "each weekly newspaper printed and circulated in this state."

Commissioners to take acknowledgment of deeds, etc., may be appointed in foreign countries.

SECT. 2. Section ten of chapter seventeen is amended by striking out the words "of the United States, and in each district and territory," in the second line, and inserting in their stead the words "state, district, and territory of the United States, and in each foreign country to which the United States sends a representative."

Number of laws, etc., to be printed.

SECT. 3. The secretary of state is authorized to procure the printing of nine hundred copies of the session laws and journals of the senate and house of representatives of each session of the legislature: twelve hundred copies of the biennial message of the governor; seventeen hundred copies each of the reports of the insurance and bank commissioners; fifteen hundred copies of the report of the trustees of the asylum for the insane, and twelve hundred copies each of all the other reports made to the legislature, the governor and council, and the secretary of state, annually or biennially; and so much of section four of chapter five as is inconsistent with this amendment is hereby repealed.

Hearings for correction of check-lists.

SECT. 4. Section four of chapter thirty is amended by adding after the word "election," in the sixth line of said section, the words, "one of which days shall be the day next preceding the day of election."

Certificates of election of representative to be returned to secretary of state.

SECT. 5. Section two of chapter thirty-five is amended by striking out the first two lines of said section, and inserting instead thereof the following: "The certificate of election shall be made in duplicate, certified and signed in the same manner as the votes for governor, one of which shall be delivered to the representative elect, and the other shall be forwarded to the secretary of state within twenty days after the day on which such election is held; and the provisions of this section shall also apply to classed towns."

Verbal amendment.

SECT. 6. Section one of chapter thirty is amended by striking out the word "said," in the seventh line of said section, and inserting instead thereof the word "any."

Check-lists to be used at all elections of moderator and supervisors.

SECT. 7. Section ten of chapter thirty is amended by adding at the end of said section the words, "at annual and biennial elections."

Sea-going vessels to be rated as personal estate for taxation.

SECT. 8. Section six of chapter fifty-three is amended by adding after the words "waters of the state," in the seventh line of the sixth clause of said section, the words, "and sea-going vessels."

Invoice-books to be furnished to selectmen by secretary of state.

SECT. 9. Section one of chapter fifty-five is amended by adding after the word "month" in the last line, the following words: "And the blank invoice-books to be used hereafter by selectmen and

assessors in taking such invoice, shall be prepared by the secretary of state, printed by the public printer, and seasonably furnished to the selectmen and assessors of the several towns and cities of this state."

SECT. 10. Sections seven, eight, nine, and ten of chapter fifty-six are hereby repealed.

SECT. 11. Section sixteen, chapter fifty-nine, is amended by striking out, in the fifth line, the words, "and the same sum for a clerk."

SECT. 12. Section fourteen of chapter fifty-eight is amended by striking out all of said section that requires publication in a newspaper.

SECT. 13. Chapter sixty-one is amended by striking out of section four all after the word "town," in the twelfth line from the bottom, and inserting the following: "and the chairman (or a member designated by the board) shall meet with the board of equalization when notified to do so, and when the inventories of his county are under consideration by the board; and shall give the board the results of the aforesaid inspection by the county commissioners, and all other information in his possession." Section six of said section [chapter] is amended by striking out the first six lines of said section.

SECT. 14. Chapter sixty-nine is amended by striking out sections ten and eleven of said chapter and inserting the following: "Any land-owner or other person aggrieved by the decision of the selectmen, in the assessment of damages in any case relating to a highway, may appeal therefrom to the supreme court by petition, within one year after the highway or alterations are made: and any land-owner or other person aggrieved by the decision of the selectmen in the laying out or altering a highway may appeal therefrom to said court by petition, which shall be filed within sixty days after the return thereof is recorded, if he had actual notice of such laying out or altering, otherwise within one year after the highway or alterations are made; and shall file with it a bond in the sum of two hundred dollars, with sufficient sureties, conditioned to pay to the petitioners for the highway or alteration the costs that may be awarded them in case the decision of the selectmen is affirmed; and on notice, as provided in section two, and such other notice as the court may order, such petitions may be referred to the commissioners."

SECT. 15. Section eight of chapter sixty-one is amended by striking out the word "fourth," in the fourth line of said section: and also the words "next after said inventories are returned," at the end of said section, and inserting in place of said last-named words the following: "at which such equalization is to be made."

SECT. 16. Section one of chapter sixty-four is amended by striking out from said section all after the words "be exempt from tax or duty," in the twelfth line.

SECT. 17. Section eleven of chapter sixty-nine is hereby amended by striking out the words "sixty days," and inserting instead thereof the words "one year."

SECT. 18. Section five of chapter eighty-seven of the General Laws is amended by adding after the word "oath," in the first line of said section, the words "which may be administered by the

Repealing clause.

Fee to clerk at sale of non-resident land for taxes not allowed.

Notice in newspapers of sale of real estate for resident taxes not required.

A member of the board of county commissioners to meet with board of equalization when notified, and not otherwise.

Settlement of damages in laying out or altering highways.

Secretary of state to furnish blank inventories annually.

Discrimination against minors repealed.

(See section 14 of this act.)

Oath that copy of warrant for school-meeting has been posted may be adminis-

tered by clerk of district; three months' residence in district a qualification to vote.

clerk of the district;" and section six of the same chapter is amended by striking out the words "one month." in the fourth line of said section, and inserting instead thereof the words "three months."

Women admitted to all offices in school-districts.

SECT. 19. Section ten of chapter eighty-seven is amended by striking out in the fourth line of said section the words "the committee."

Village fire-districts may sprinkle streets.

SECT. 20. Section four of chapter one hundred and seven is amended by inserting after the word "light," in the fourth line of said section, the words "and sprinkle."

Public health protected.

SECT. 21. Section nine of chapter one hundred and eleven is amended by striking out the words "where the current will not remove the same," and inserting instead thereof the following: "or shall allow to be exposed unburied any animal or other:" and by striking out the word "ten," in said section, and inserting instead thereof the word "fifty."

Certain persons not required to take out peddler's license.

SECT. 22. Section one of chapter one hundred and nineteen is amended by adding after the word "persons," at the end of the fourth line in said section, the words, "not being agents or employes of a person so assessed."

Employe of dealer in, not to be inspector of petroleum.

SECT. 23. Section thirty of chapter one hundred and twenty-two is amended by inserting in the seventh line thereof, after the word "products," the following: "or who is not the employe of any person so interested."

Purity of petroleum.

SECT. 24. Sections thirty-one and thirty-two of chapter one hundred and twenty-two are amended by striking out the words "one hundred and ten," in each section, and inserting instead thereof the words "one hundred and twenty."

Lumbermen's lien.

SECT. 25. Section thirteen of chapter one hundred and thirty-nine is amended by striking out the word "sixty," in the seventh line of said section, and inserting instead thereof the word "ninety": and the lien provided for in section sixteen of said chapter shall continue ninety days after the labor is performed.

Mileage of bank commissioners.

SECT. 26. Section eight of chapter one hundred and sixty-six is amended by inserting, between the words "cents" and "for" in the third line, the words "a mile."

Rights of married women.

SECT. 27. Section twelve of chapter one hundred and eighty-three is amended by striking out in the sixth line of said section the words "before marriage," and in the tenth line the words "of property held by her in her own right," and add, at the end of said section, "except a mortgage releasing her right of dower and homestead."

Attachment may be made without order of court.

SECT. 28. Section seven of chapter two hundred and nine is so amended that in all suits in equity, and libels for divorce, the plaintiff, or complainant, may, without order of such court or justice, attach the estate and property of the defendant or respondent, as provided therein and by sections eight and nine of said chapter.

Past acts done under chapter 219 legalized.

SECT. 29. Chapter two hundred and nineteen, and all acts and proceedings which have been performed or taken place in accordance with its provisions, are hereby legalized, ratified, and confirmed, as fully as if said chapter and its provisions had been incorporated in the General Laws at the time of their passage.

Verbal correction.

SECT. 30. Section nine of chapter two hundred and twenty is

amended by striking out the word "two," in the fifth line of said section, and inserting instead thereof the word "four."

SECT. 31. Section nine of chapter two hundred and sixty-one is amended by inserting after the word "accused," in the fourth line of said section, the words "and the state."

Challenges by the state.

SECT. 32. If any person shall, in the night-time, break or enter, or in the day-time break and enter, any dwelling-house or out-house adjoining thereto, any office, bank, shop, store, warehouse, barn, granary, or mill, any meeting-house, court-house, town-house, college, academy, school-house, or other building erected for the public use, or any vessel lying within the body of any county, or any railroad depot, freight or passenger car, repair-shop, engine-house, or any out-building connected with any railroad, and shall therein commit larceny, he shall be imprisoned not exceeding five years.

Penalty for breaking, entering, and larceny.

SECT. 33. No county shall be chargeable as trustee in any suit, on account of the pay of jurors or the fees of witnesses.

County not chargeable as trustee.

SECT. 34. Whenever any party in interest to a suit is dissatisfied with the decision of examiners refusing to order a sale of property attached in such suit under the provisions of sections twenty, twenty-one, and twenty-two of chapter two hundred and twenty-four, such party may make application to any judge of the supreme court, in term time or vacation, for an order of sale of such attached property, or any part thereof, by the officer attaching or holding the same, and such judge may, upon reasonable notice to the adverse party, or his agent or attorney, and proper evidence, order the sale of said property, or any part thereof, by such officer; and thereupon such officer shall advertise and sell such property embraced in said order, in the same manner as if the parties consented thereto.

When court may order sale of attached property.

SECT. 35. Any party, defendant, whose interest in real estate is attached on mesne process, or whose rights, credits, or other thing are attached by the trustee process, may petition in writing to a justice of the supreme court, in term time or vacation, to have such attachments released; and, upon reasonable notice to all parties interested, or their attorneys, said justice may order such petitioner to give bond to the plaintiff, with sufficient sureties, conditioned to pay the judgment which may be recovered by the plaintiff, with his costs on such petition, within thirty days after such judgment; the petition and proceedings thereon shall be filed in the office of the clerk of the supreme court in the county where such suit is brought, and recorded as a part of the case, and the said clerk shall, upon payment or tender of his fees, give the petitioner an attested copy of the petition and proceedings, with a certificate, under seal of the court, attached thereto, that such bond has been duly filed in his office, and the recording of such copy and certificate in the registry of deeds in the county where such real estate or interest lies shall vacate and dissolve the attachment thereof; and the delivery of a like copy and certificate to the party summoned as such trustee, or to his agent or attorney, shall vacate and dissolve such attachment made under and by virtue of such trustee process. If, on such hearing, the said justice shall find the said real estate, rights, credits, or other things so attached, or the interest of the defendant therein, to be of less value than the

When and how attachments may be released.

amount ordered in the writ to be attached, such bond shall be conditioned to pay the value of such interest so found, and costs on said petition, within said time.

When justice not to sit at law term.

SECT. 36. No justice of the supreme court shall sit on the hearing and determination of any cause at a law term which comes from a trial term upon a bill of exceptions, or reserved case, allowed or reserved by himself, unless it shall be necessary for the decision of such case.

As to meetings and warrants when town and district are identical.

SECT. 37. Whenever any school-district shall consist of the whole town, the district meetings thereof may be held at the usual place or places where the town meetings of such town are held, and the warrants for such district meetings may be posted at such places as warrants for town meetings are required by law to be posted.

The General Laws of 1878.

SECT. 38. The body of laws entitled the General Laws of New Hampshire, as arranged, revised, and compiled by the commissioners, and published under their authority, and such chapters of the public laws passed June session, eighteen hundred and seventy-eight, as are not incorporated or adopted in the General Laws, are hereby declared to be the public laws of this state, and to supersede all laws inconsistent therewith passed before January one, eighteen hundred and seventy-nine, and are to be the basis of all amendments. All laws passed at the June session, eighteen hundred and seventy-nine, shall be deemed to have been passed subsequent to the passage of this section.

Ballots at general elections to be preserved.

SECT. 39. At every election for governor, councilor, senator, electors of president and vice-president, representatives in congress, representatives to the general court, or county officers, the moderator and selectmen shall cause all ballots given in for governor, councilors, senators, electors, representatives in congress, and county officers, and all ballots given in for representatives to the general court, at any balloting at which such representative shall be declared elected, after such ballots shall have been counted, declared, and recorded respectively, to be secured and placed in suitable packages or envelopes, and shall inscribe on such packages or envelopes a record of such vote as declared by the moderator, and at what election the same were given in, and attest such inscription by their own signatures, and shall deliver the same so sealed, inscribed, and attested to the town clerk before the adjournment of the meeting at which the ballots were cast.

Town clerk to have custody of, to send to secretary of state, when.

SECT. 40. The said town clerk shall carefully keep such packages or envelopes, and the ballots therein so delivered, in the same condition and unopened for sixty days after such election. and shall, at the request in writing made within said sixty days, by any person for whom a ballot shall have been cast at said election and so recorded, send to the secretary of state the package or envelope aforesaid, containing the ballot or ballots given in for such person; and the secretary of state shall preserve said package or envelope, and the ballots therein, until otherwise ordered by the legislature.

Penalty for violation.

SECT. 41. Whoever shall willfully violate the provisions of either of the two sections next preceding shall be fined not exceeding five hundred dollars.

Certificate to be obtained of committee of adjoining town, when.

SECT. 42. When a teacher of any school in any town shall be the sole member of the superintending school committee, said

teacher shall obtain a certificate from the superintending school committee of an adjoining town before beginning school.

SECT. 43. The governor and council are authorized to audit and allow bills for postage, stationery, and other necessary incidental expenses of the state, and the governor is hereby authorized to draw his warrant for the payment of the same out of any money in the treasury not otherwise appropriated; and sections eleven and twelve of chapter fifteen of the General Laws are hereby repealed.

Incidental expenses of the state provided for.

SECT. 44. This act shall take effect on and after its passage.
[Approved July 19, 1879.]

Takes effect, when.

CHAPTER 58.

JOINT RESOLUTION IN FAVOR OF INDIGENT BLIND PERSONS, DEAF MUTES, AND FEEBLE-MINDED CHILDREN.

\$5,000 for deaf and dumb; \$4,000 for blind; \$1,000 for feeble-minded.

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

That the following sums of money be, and hereby are, appropriated annually for the purposes herein after specified; viz., five thousand dollars for the support, clothing, and education of indigent deaf and dumb persons of this state, in the asylums at Hartford and Mystic River, Connecticut, and in asylums or schools for deaf and dumb persons in Massachusetts; four thousand dollars for the support, clothing, and education of indigent blind persons of this state, at the Massachusetts school for the blind; one thousand dollars for the support, clothing, and education of feeble-minded children of this state at the institution in Massachusetts established for that purpose; and that said sums be expended under the direction of the governor, and he is hereby authorized to draw his warrant upon the treasurer therefor.

\$5,000 for deaf and dumb;
\$4,000 for blind;
\$1,000 for feeble-minded.

[Approved July 1, 1879.]

CHAPTER 59.

JOINT RESOLUTION PROVIDING FOR THE CONTINGENT EXPENSES OF THE GOVERNOR.

\$500 appropriated.

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

That the sum of five hundred dollars annually be allowed as the contingent fund of the governor, and that he may draw his warrant

\$500 appropriated.

therefor in such sums and at such times as he may think proper, and that vouchers be filed in the office of the state treasurer for the amounts so drawn.

[Approved July 3, 1879.]

CHAPTER 60.

JOINT RESOLUTION IN FAVOR OF JOHN CHAMBERLAIN.

Appropriation to pay claim.

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

Appropriation to pay claim.

That the sum of two hundred and eighty dollars, and interest on one hundred and thirty-four dollars from June first, eighteen hundred and sixty-three, be allowed to Rev. John Chamberlain, in full for his claim for services, and cash paid for expenses, as special state agent to care for sick and wounded soldiers during the late war, the same to be paid out of any money in the treasury not otherwise appropriated, and the governor be hereby authorized to issue his warrant therefor.

[Approved July 11, 1879.]

CHAPTER 61.

JOINT RESOLUTION TO PROVIDE FOR THE CARE AND PRESERVATION OF THE OLD RECORDS OF THE STATE.

\$200 appropriated.

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

\$200 appropriated.

That the sum of two hundred dollars be and is hereby appropriated to be expended, under the direction of his excellency the governor, in the care and preservation of old records of the state, in the offices of the secretary, treasurer, and adjutant-general, and that the governor is authorized to issue his warrant therefor out of any money in the treasury unexpended.

[Approved July 11, 1879.]

CHAPTER 62.

JOINT RESOLUTION IN FAVOR OF THE PRISONERS' AID ASSOCIATION.

§400 appropriated.

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

That the sum of four hundred dollars be allowed for the use of the Prisoners' Aid Association, during the coming two years, and the governor is authorized to draw his warrant for the same upon any money in the treasury not otherwise appropriated. ^{§400 appropriated.}

[Approved July 11, 1879.]

CHAPTER 63.

JOINT RESOLUTION IN FAVOR OF THE CARROLL COUNTY FIVE CENT SAVINGS BANK.

Preamble; tax remitted.

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

Whereas, The Carroll County Five Cent Savings Bank, by depreciation of its securities and losses in other ways, has lost two-fifths of all its deposits; and, ^{Preamble.}

Whereas, Said deposits were largely the property of widows and orphans, and of poor people who had all their savings deposited in said bank; and,

Whereas, Said bank has been enjoined from doing business, and its affairs are now being wound up by assignees appointed by the supreme court, who have been obliged, in the process of closing up its affairs, to collect the assets and convert them into cash, and place the money on deposit where it yields a very small percentage to the depositors; therefore,

Resolved, That the tax of one per cent on one-half of the deposits and accumulations in said bank on the first day of April, A. D. 1879, be and the same hereby is remitted to said Carroll County Five Cent Savings Bank; and the state treasurer is hereby directed to enforce the payment of one-half of said tax only. ^{Tax remitted.}

[Approved July 11, 1879.]

CHAPTER 64.

JOINT RESOLUTION TO PROVIDE FOR THE REPAIR OF THE STATE ARSENAL AT PORTSMOUTH.

Preamble; \$1,000 appropriated.

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

Preamble.

That whereas, The State of New Hampshire has lately come into the knowledge of its ownership of a building, with land attached, at Portsmouth, known as the state arsenal, originally property of the city of Portsmouth, and donated to the state for military purposes and use;

And whereas, Said building is in immediate need of repairs sufficient to make it available for the purpose before mentioned, and by such repairs and use it may be made to lessen the expense of the state for armory purposes in said Portsmouth; therefore,

\$1,000 appropriated.

Resolved, That the sum of one thousand dollars (\$1,000), or so much of such sum as may be necessary, be and hereby is appropriated for the purpose of prosecuting and completing such repairs as may be necessary upon the state arsenal and grounds at Portsmouth, to make the premises available for military use as a storehouse for artillery, and as an armory; and the governor is hereby authorized to draw his warrant for such sum as may be necessary to complete said repairs, not to exceed the sum before mentioned.

[Approved July 16, 1879.]

CHAPTER 65.

JOINT RESOLUTION IN FAVOR OF JOSIAH B. WIGGIN.

Appropriation to pay claim.

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

Appropriation to pay claim.

That the sum of sixty-four dollars and eighteen cents be allowed Josiah B. Wiggin, in full for his claim for expenditures in proving his right to a seat in the house of representatives, from the town of Stratham, for the years 1879 and 1880, and that the same be paid out of any money not otherwise appropriated, and that the governor be authorized to draw his warrant for the same.

[Approved July 16, 1879.]

CHAPTER 66.

JOINT RESOLUTION IN FAVOR OF THE STATE LIBRARY.

\$500 appropriated.

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

That the sum of five hundred dollars be and the same is hereby ^{\$500 appropri-} appropriated in each of the years 1879 and 1880, for the use of ^{ated.} the state library, to be expended by the trustees thereof in purchasing and binding books for said library.

[Approved July 16, 1879.]

CHAPTER 67.

JOINT RESOLUTION RELATING TO THE ADJUTANT-GENERAL'S DEPARTMENT.

\$300 appropriated.

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

That the sum of three hundred dollars (\$300) be allowed for ^{\$300 appropri-} the clerical expenses of the adjutant-general's department, and that ^{ated.} the same be paid out of any money in the treasury not otherwise appropriated, and that the governor is hereby authorized to draw his warrant therefor.

[Approved July 16, 1879.]

CHAPTER 68.

JOINT RESOLUTION TO APPROPRIATE MONEY FOR THE INCREASE AND REPAIRS OF THE STATE-PRISON LIBRARY.

\$150 appropriated.

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

That the sum of one hundred and fifty dollars (\$150), annually, ^{\$150 appropri-} for the two ensuing years, be and hereby is appropriated for the ^{ated.} increase and repairs of the state-prison library, to be expended at the discretion of the chaplain, and that the same be paid out of any money in the treasury not otherwise appropriated; and his excellency the governor is hereby authorized to draw his warrant for the same.

[Approved July 16, 1879.]

CHAPTER 69.

JOINT RESOLUTION PROVIDING A NEW STEAM-HEATING APPARATUS FOR THE STATE-HOUSE.

\$2,500 appropriated.

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

\$2,500 appropriated.

That a sum not exceeding twenty-five hundred dollars be and the same is hereby appropriated for procuring a new boiler, necessary steam-pipes, and radiators for heating the state-house; and the governor, with the advice of the council, is authorized to contract for the same, and to draw his warrant on the treasurer for the whole of that sum or such part thereof as may be necessary for that purpose.

[Approved July 18, 1879.]

CHAPTER 70.

JOINT RESOLUTION FOR THE REMOVAL OF THE FOUNTAIN IN THE STATE-HOUSE YARD.

Removal of fountain.

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

Removal of fountain.

That the governor is hereby authorized to secure the removal of the fountain in the state-house yard to such other location in said yard as he may deem fit and suitable; and a sum sufficient to defray the cost of such removal is hereby appropriated from the treasury, and the governor is authorized to draw his warrant for the same.

[Approved July 18, 1879.]

CHAPTER 71.

JOINT RESOLUTION IN FAVOR OF THE TOWN OF GORHAM.

State tax abated.

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

State tax abated.

SECT. 1. That the state treasurer be and is hereby authorized and required to abate from the state tax, for the year 1879, to be

paid by the town of Gorham, in the county of Coos, the sum of five hundred dollars.

SECT. 2. This act shall take effect on its passage.

[Approved July 18, 1879.]

CHAPTER 72.

JOINT RESOLUTION FOR THE APPROPRIATION OF MONEY FOR THE REPAIR OF ROADS THROUGH THE WHITE MOUNTAIN NOTCH AND VICINITY.

\$900, annually, appropriated for repairing highway from Bartlett to Fabyan's.

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

That there is hereby appropriated for the purpose of repairing roads in the vicinity of the White Mountains, for the years 1879 and 1880, for each year the following sums, and for the following roads: For the main road between the Fabyan House and the Crawford House, two hundred and fifty dollars; for the road leading from the north line of Bartlett to the Willey House, three hundred dollars; for the road leading from the Willey House to the Crawford House, three hundred and fifty dollars; so much of said sums to be expended on said roads as the governor shall think necessary; and the governor may appoint an agent or agents to make such repairs, and is hereby authorized to draw his warrant for the said several sums.

\$900, annually, appropriated for repairing highway from Bartlett to Fabyan's.

[Approved July 18, 1879.]

CHAPTER 73.

JOINT RESOLUTION IN RELATION TO AN APPROPRIATION FOR FRANCONIA NOTCH ROAD, IN THE TOWN OF LINCOLN.

\$100, annually, appropriated.

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

That the sum of one hundred dollars be and the same is hereby appropriated for the purpose of repairing the road through Franconia notch, so called, in the town of Lincoln, for the year 1879, and the same sum for 1880, and that the same be paid out of any money in the treasury not otherwise appropriated, to be expended by an agent to be appointed by the governor and council for that purpose.

\$100, annually, appropriated.

[Approved July 18, 1879.]

CHAPTER 74.

JOINT RESOLUTION IN RELATION TO AN APPROPRIATION FOR THE REPAIR
OF THE HIGHWAYS IN THE TOWN OF RANDOLPH.

§400, annually, appropriated.

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

§400, annually,
appropriated.

That the sum of four hundred dollars be and hereby is appropriated for the repair of the highways in the town of Randolph, for the year 1879, and the same sum for the year 1880, to be expended by an agent or agents appointed by the governor, and to be paid out of any money in the treasury not otherwise appropriated; and the governor is hereby authorized to draw his warrant for the same.
[Approved July 18, 1879.]

CHAPTER 75.

JOINT RESOLUTION IN FAVOR OF THE DIXVILLE, MILLSFIELD, AND
MAGALLOWAY ROADS IN COOS COUNTY.

Appropriation for repairing highways in Coos County.

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

Appropriation
for repairing
highways in
Coos County.

That the sum of one hundred and fifty dollars be and the same is hereby appropriated for the purpose of repairing the Dixville road, in Coos County; the sum of one hundred dollars for the repair of Millsfield road, in Coos County; and the sum of one hundred dollars for the road leading from Errol through Wentworth's Location to Magalloway Settlement,—for the year 1879, and the same amount for 1880; said several sums to be expended by an agent or agents to be appointed by the governor, and to be paid out of any money in the treasury not otherwise appropriated; and the governor is hereby authorized to draw his warrant for the same.

[Approved July 18, 1879.]

CHAPTER 76.

JOINT RESOLUTION TO ESTABLISH INDUSTRIAL TRAINING IN THE STATE REFORM SCHOOL.

\$6,000 appropriated.

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

That the sum of four thousand dollars be and is hereby appropriated for the year 1879, and that two thousand dollars be appropriated for the year 1880, to be used and applied at the best discretion of the trustees of the State Reform School, for the purpose of providing such necessary rooms, power, and appliances as will enable the inmates of said institution to acquire some industrial trades or callings, and for furnishing the requisite instruction and defraying the current expenses of the same until it shall become self-supporting; and the governor is authorized to draw his warrant for said appropriations upon presentation of the bills and vouchers for the money expended in accordance with this resolution.

\$6,000 appropriated.

[Approved July 18, 1879.]

CHAPTER 77.

JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO BORROW MONEY TEMPORARILY.

Treasurer authorized to borrow \$150,000.

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

That for the purpose of canceling the present floating debt of the state at maturity, the state treasurer be authorized, under the direction of the governor and council, to borrow temporarily, for the use of the state, a sum not exceeding one hundred and fifty thousand dollars.

Treasurer authorized to borrow \$150,000.

[Approved July 18, 1879.]

CHAPTER 78.

JOINT RESOLUTION IN FAVOR OF THE MECHANICS' SAVINGS BANK.

Preamble ; tax remitted.

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

Preamble.

Whereas, The Mechanics' Savings Bank of Nashua has been prohibited from paying depositors of the reduced deposits known and reported as the "old accounts" of said bank, and an application is now pending to a justice of the supreme court for the appointment of an assignee to wind up the affairs pertaining to said "old accounts," and a large loss has been and will be sustained by said depositors ; therefore,

Tax remitted.

Resolved, That the sum of two hundred and fifty-three dollars and sixty-two cents, being the tax of one-half of one per cent on said deposits and their accumulations in said bank on the first day of April, 1879, be and the same is hereby remitted to the said Mechanics' Savings Bank, and that the state treasurer be and hereby is authorized and instructed to refund the same to said bank, if the same shall be paid into the state treasury before the passage of this resolution.

[Approved July 19, 1879.]

CHAPTER 79.

JOINT RESOLUTION OF THANKS FOR PORTRAITS.

Thanks for portraits.

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

Thanks for portraits.

That the thanks of the State of New Hampshire be presented to the following-named persons for their generous gifts to the state, as follows: To William Dinsmoor, for the portrait of Governor Samuel Dinsmoor, Jr. ; to Ralph Cross Cutter, for the portrait of Governor Jonathan Belcher ; and that a copy of this resolution be forwarded by the secretary of state to the donors herein mentioned.

[Approved July 19, 1879.]

CHAPTER 80.

JOINT RESOLUTION IN REGARD TO THE FINANCIAL AFFAIRS OF CARROLL COUNTY.

Financial transactions of Carroll County to be investigated.

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

That a committee, consisting of three persons, shall be appointed by the governor and council, who shall have power to investigate the financial proceedings, condition, and affairs of the county of Carroll, for the twelve years last past, and up to the time said committee may make up their report. That said committee shall have power to send for persons and papers, to examine the books and records of said county heretofore kept and used by the officers of said county, to summons witnesses, and make report to the next session of the legislature. All expenses incurred by this committee, in making this investigation, shall be paid by the county of Carroll.

Financial transactions of Carroll County to be investigated.

[Approved July 19, 1879.]

CHAPTER 81.

JOINT RESOLUTION IN REFERENCE TO CLOSING UP THE CENTENNIAL INTERNATIONAL EXHIBITION HELD IN PHILADELPHIA, A. D. 1876.

U. S. senators directed and representatives requested to prepare and support an act appropriating money to pay subscribers to the stock of the centennial board of finance the balance due on their stock.

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

“ *Whereas*, The inhabitants of the State of New Jersey, through their representatives in the senate and general assembly, did, in the year eighteen hundred and seventy-one, pass a joint resolution designating the city of Philadelphia, in the State of Pennsylvania, in which the Declaration of Independence was signed and promulgated, as the proper place to appropriately celebrate the one hundredth anniversary of the same, and did appoint a committee to confer with the authorities of the said city, in reference to the holding of an international exhibition of science, arts, manufactures, and products of the soil and mine; and,

U. S. senators directed and representatives requested to prepare and support an act appropriating money to pay subscribers to the stock of the centennial board of finance the balance due on their stock.

“ *Whereas*, The said international exhibition was held in the name of and under the auspices of the government of the United States, in Fairmount park, city of Philadelphia, in eighteen hundred and seventy-six, it being the centennial anniversary year of American independence, and designed to commemorate and perpetuate the memories of the heroes, statesmen, and inhabitants of the colonies, who, through their wisdom, great sufferings, and sacrifices, achieved in-

dependence, established for the inhabitants thereof constitutional government, and registered it upon the roll of the family of nations as the government of the United States of America, in which name the people of all nations and governments were cordially invited to attend and participate in said international exhibition ; and,

“ *Whereas*, The invitation was accepted by all nations, who were represented through government officials and their people, bearing with them specimens of art and the products of the intelligent industries of their respective countries in their greatest perfection ; and,

“ *Whereas*, The large attendance and display by the people of all nations upon that occasion was not only complimentary to the memories of the founders of this republic, but highly instructive to the people of the United States, and produced the most beneficial effects upon the commercial, manufacturing, and agricultural industries of the countries, and was of incalculable influence in promoting sentiments of peace and good-will among the people of all the states of the American Union, as well as in elevating our country in the estimation of all nations who participated with us ; and,

“ *Whereas*, The contribution of one million dollars by the State of Pennsylvania, and one million five hundred thousand dollars by the city of Philadelphia, with the uniform courtesy and generous and liberal hospitality extended to the nation’s invited guests during their attendance at the exhibition, by the citizens of that city, should be deemed by the people of the United States as a liberal and generous contribution in support of the honor and dignity of the nation ; and,

“ *Whereas*, The large amount necessary to defray the expenses of the commissioners appointed by the president of the United States, the proper officers, judges, and police force for the protection of the amount of valuable property on exhibition by all nations, was an unavoidable expenditure, as also for the erection of spacious buildings adapted to no other purpose, which buildings were sold at the close of the exhibition at a nominal price ; and,

“ *Whereas*, In view of the large contributions made by the State of Pennsylvania, the city and citizens of Philadelphia, to insure the success of the exhibition, and the fact that the people of the entire nation have and will continue to share alike its honors and its benefits, it is but proper that the government of the United States should bear a reasonable proportion of the expense, of which the balance due to stockholders is but a small amount ; therefore,

“(1) *Be it resolved*, By the senate and general assembly of the State of New Jersey, that the United States senators from the State of New Jersey be and are hereby instructed, and the representatives in congress requested, to ascertain the balance due to the subscribers to the centennial board of finance, and to prepare and support an act appropriating the same from the treasury of the United States ; and,

“(2) *Be it resolved*, That the governors of the other twelve of the thirteen original states be requested to send copies of this preamble and resolution to the senators and representatives of their respective states, requesting them to use their influence to have the great centennial anniversary of our nation’s independence closed up consistently with the honor and dignity of a nation holding so high a position in the estimation of the civilized world ; and,

“(3) *Be it resolved*, That the governor of this state be and is hereby requested to transmit an engrossed copy of this preamble and resolution to the president of the United States, vice-president, and speaker of the house of representatives, and engrossed copies to the governors of the twelve states as aforesaid.”

(1) That we fully adopt said preamble, and the senators and representatives in congress from the State of New Hampshire are requested to ascertain the balance due to subscribers to the centennial board of finance, and to prepare and support an act appropriating the same from the treasury of the United States; and,

(2) *Be it resolved*, That the governor of this state be and he is hereby requested to transmit engrossed copies of the aforesaid preamble and resolutions to the president and vice-president of the United States, the speaker of the house of representatives, and to the governors of the several states.

[Approved July 19, 1879.]

CHAPTER 82.

JOINT RESOLUTION IN FAVOR OF SOLON A. CARTER AND OTHERS.

Appropriation to pay claims.

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

That Solon A. Carter be allowed the sum of one hundred and fifty dollars (\$150); I. W. Hammond, two hundred dollars (\$200); Andrew Jackson, fifty dollars (\$50); A. W. Baker, twenty-three dollars (\$23); and H. W. Parker thirty dollars (\$30), in full for their respective claims, and that the same be paid out of any money in the treasury not otherwise appropriated; and the governor is hereby authorized to draw his warrant therefor.

Appropriation to pay claims.

[Approved July 19, 1879.]

CHAPTER 83.

JOINT RESOLUTION IN FAVOR OF VOGLER BROTHERS AND OTHERS.

Appropriation to pay claims.

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

That Vogler Brothers be allowed the sum of six hundred five dollars and twenty cents (\$605.20), and H. H. Aldrich the sum of seventy-seven dollars twenty-five cents (\$77.25), in full for their respective claims, and that the same be paid out of any money in

Appropriation to pay claims.

the treasury not otherwise appropriated ; and the governor is hereby authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 84.

JOINT RESOLUTION IN FAVOR OF HAMMOND AND AYERS AND OTHERS.

Appropriation to pay claims.

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

Appropriation to pay claims.

That the sum of thirty-two dollars seventy-five cents (\$32.75) be allowed Hammond and Ayers, and three dollars sixty-five cents (\$3.65) be allowed Stevens and Duncklee, in full for their respective claims, and that the same be paid out of the treasury from any money not otherwise appropriated ; and the governor is hereby authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 85.

JOINT RESOLUTION IN RELATION TO BUILDING AN ARSENAL IN THE CITY OF CONCORD.

\$2,000 appropriated.

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

\$2,000 appropriated.

That the governor is hereby authorized to appoint a committee of three suitable persons to select and purchase land in the city of Concord and superintend the erection thereon of a suitable building for an arsenal, the same to be fireproof, and is hereby authorized to draw his warrant on the treasury for such sum as may be necessary to pay for said land and the erection of said building, provided the same shall not exceed the sum of two thousand dollars.

[Approved July 19, 1879.]

CHAPTER 86.

JOINT RESOLUTION IN FAVOR OF JOHN UNDERHILL AND OTHERS.

Appropriations to pay serjeant-at-arms, door-keepers, pages, chaplain, etc.

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

That John Underhill be allowed the sum of one hundred seventy-one dollars twenty cents (\$171.20); George A. Perkins the sum of one hundred sixty-nine dollars fifty cents (\$169.50); William A. Caswell, one hundred sixty-nine dollars fifty cents (\$169.50); George A. Dickey, one hundred sixty-seven dollars sixty cents (\$167.60); Frank B. Sinclair, ninety-four dollars (\$94); David H. Rand, ninety-four dollars (\$94); Anthony C. Hardy, one hundred thirty-eight dollars (\$138); Fred F. Rolfe, ninety-six dollars (\$96); Charles E. Cummings, seventeen dollars and ninety cents (\$17.90); Wm. H. Gardiner, twenty-two dollars and fifty cents (\$22.50); John K. Stokes, one hundred and fifty dollars (\$150); Wm. E. Barrett, one hundred and eighty-six dollars (\$186); F. S. Jenkins, thirty-one dollars (\$31); George H. Bartlett, one hundred seventy-three dollars and forty cents (\$173.40); Lyman Hayes, one hundred and seven dollars (\$107); Calvin Sanders, fifteen dollars (\$15); Samuel H. Hull, thirty dollars (\$30); and that the same be paid out of any money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his warrant therefor.

[Approved July 19, 1879.]

Appropriations to pay serjeant-at-arms, door-keepers, pages, chaplain, etc.

CHAPTER 87.

JOINT RESOLUTION IN FAVOR OF J. E. SARGENT AND OTHERS.

Appropriation to pay commissioners to revise the laws.

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

That J. E. Sargent, L. W. Barton, and J. F. Wiggin be allowed the sum of six hundred dollars each, in full for their services as commissioners on revision of the statutes, and the governor is hereby authorized to pay the same out of any money in the treasury not otherwise appropriated.

[Approved July 19, 1879.]

Appropriation to pay commissioners to revise the laws.

CHAPTER 88.

JOINT RESOLUTION IN FAVOR OF THE CHAPLAIN OF THE NEW HAMPSHIRE STATE-PRISON.

Annual salary of chaplain provided for two years.

Annual salary of chaplain provided for two years.

That the sum of eight hundred dollars a year for the two ensuing years be and is hereby appropriated for the salary of the chaplain of the New Hampshire state-prison, and that the same be paid out of any money in the treasury not otherwise appropriated, and that the governor be authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 89.

JOINT RESOLUTION PROVIDING FOR THE PAYMENT OF EXPENSES OF TRUSTEES OF THE STATE NORMAL SCHOOL, INCURRED PREVIOUS TO JANUARY 1, 1879.

Executive board to audit and allow expenses of trustees.

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

Executive board to audit and allow expenses of trustees.

That the governor and council be authorized to audit and allow claims for expenses incurred by trustees of the State Normal School previous to January 1, 1879, now remaining unpaid, and that the same be paid out of any money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 90.

JOINT RESOLUTION IN FAVOR OF THE ENGROSSING CLERK.

\$100 appropriated.

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

\$100 appropriated.

That the sum of one hundred dollars be allowed to the engrossing clerk for extra clerk hire during this session, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved July 19, 1879.]

CHAPTER 91.

JOINT RESOLUTION IN FAVOR OF GEORGE H. BROWN AND OTHERS.

Appropriation to pay claims.

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

That the sum of one hundred and eight dollars thirty-seven cents be allowed George H. Brown, one hundred sixteen dollars ninety-five cents (\$116.95) to Russell T. Noyes, twenty-eight dollars (\$28) to John Foster, for expenses incurred in their several election cases, and that the same be paid out of any money in the treasury not otherwise appropriated; and the governor is hereby authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 92.

JOINT RESOLUTION RELATING TO THE PRICE OF BOARD IN THE ASYLUM FOR THE INSANE.

Board to be reduced.

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

The governor and council are hereby directed to take immediate steps to cause a reduction in the board at the insane asylum to four dollars per week; *provided*, that this resolution shall not be construed to forbid the charge and payment for necessary extra attendance and expense required by any patient in case of severe sickness or accident.

[Approved July 19, 1879.]

CHAPTER 93.

JOINT RESOLUTION IN FAVOR OF JOHN FARR AND OTHERS.

Appropriation to pay claims incident to investigation of Winnepesaukee Lake Company.

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

That the sum of four hundred and thirteen dollars and eighteen cents (\$413.18) be allowed John Farr; that the sum of one hundred and sixteen dollars and twenty-three cents (\$116.23) be

Appropriation to pay claims incident to investigation of Winnepesaukee Lake Company.

allowed the administrator of the estate of the late Francis A. Faulkner; that the sum of two hundred and seventy-seven dollars and sixty-six cents (\$277.66) be allowed Charles W. Woodman; the sum of two hundred and two dollars and fifty-six cents (\$202.56) to Henry P. Rolfe, in full for their services as commissioners in relation to Winnepesaukee Lake Company; and that the sum of fifteen dollars (\$15) be allowed L. B. Brown, five dollars and fifty cents (\$5.50) to Charles H. Parker, nine dollars and fifty cents (\$9.50) to Republican Press Association, three dollars (\$3) to Martin A. Haynes, and eight dollars and twenty-five cents (\$8.25) to Democratic Publishing Company, for incidental expenses of said commission; and that the same be paid out of any money in the treasury not otherwise appropriated, and the governor be authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 94.

JOINT RESOLUTION IN FAVOR OF RANDALL S. KENESON.

Appropriation to pay claim.

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

Appropriation to
pay claim.

That the sum of one hundred and fifty dollars (\$150) be allowed to Randall S. Keneson, in full for his attendance and mileage as a member at the present session of the legislature, and that the governor be authorized to draw his warrant therefor.

[Approved July 19, 1879.]

CHAPTER 95.

JOINT RESOLUTION IN FAVOR OF ALONZO W. CANNEY.

Appropriation to pay claim.

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

Appropriation to
pay claim.

That the sum of one hundred fifty-four dollars and sixty-six cents (\$154.66) be allowed Alonzo W. Canney, for expenses incurred in contesting for his right to a seat in the house of representatives, from the town of Center Harbor, and that the governor be authorized to draw his warrant for the same.

[Approved July 19, 1879.]

CHAPTER 96.

JOINT RESOLUTION INCREASING THE SIZE OF THE YARD OF THE NEW STATE-PRISON AND APPROPRIATING MONEY THEREFOR.

\$5,000 appropriated to enlarge the yard of the new prison.

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

That the commissioners appointed under chapter sixty-six of the Pamphlet Laws of 1877, to build a new state-prison, be and are hereby instructed to locate the west wall of the prison yard at least seventy-two feet westerly from the westerly wall of the work-shop already built for the new prison; and a sum not exceeding five thousand dollars (\$5,000) is hereby appropriated for the purpose of making the change in existing plans herein contemplated, which sum the state treasurer, with the advice and consent of the governor and council, is hereby authorized to borrow on the credit of the state, upon the best terms he is able to make.

\$5,000 appropriated to enlarge the yard of the new prison.

[Approved July 19, 1879.]

CHAPTER 97.

JOINT RESOLUTION RELATING TO THE PRISONERS IN THE NEW HAMPSHIRE STATE-PRISON.

Prisoners may communicate directly with the governor and council.

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

That whenever any prisoner in the New Hampshire state-prison desires to communicate with the governor and council, he or she shall be permitted to do so in a direct manner, and without any supervision being exercised over the letters of said prisoners by the prison officials, or other persons connected in any way with said institution.

Prisoners may communicate directly with the governor and council.

[Approved July 19, 1879.]

CHAPTER 98.

JOINT RESOLUTION IN FAVOR OF JOHN B. CLARKE AND OTHERS.

Appropriation to pay claims.

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

Appropriation to
pay claims.

That the sum of two hundred ninety-seven and one-half dollars (\$297.50) be allowed John B. Clarke; two hundred ninety-seven and one-half dollars (\$297.50) to Democratic Publishing Company; two hundred ninety-four dollars and eighty-seven cents (\$294.87) to Republican Press Association; five dollars (\$5) to Campbell and Hanscom; fifteen dollars eighty cents (\$15.80) to O. C. Moore; one hundred seventy-four dollars and forty-one cents (\$174.41) to John B. Clarke; eight dollars and twenty-five cents (\$8.25) to I. W. Hammond; two hundred and fifty-eight dollars and forty-two cents (\$258.42) to Morrill and Silsby; fourteen dollars eighty cents (\$14.80) to Joseph A. Meloon; eight dollars (\$8) to Carmi M. Parker, in full for their respective claims; and that the same be paid out of any money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his money [warrant] therefor.

[Approved July 19, 1879.]

CHAPTER 99.

NAMES CHANGED.

Names changed.

The following changes of names have been legally made by the judges of probate in the counties where the persons reside, during the year from June, 1878, to June, 1879.

Rockingham.

ROCKINGHAM COUNTY. — Albert A. and Fannie A. Hoag, of Stratham, to Albert A. and Fannie A. Haven; George Edward Shaw and Georgietta Shaw, of Hampton, to George Edward and Georgiette Hobbs; Susan C. Richardson, of Exeter, to Susan C. Robinson; Mary E. Roberts, of Salem, to Mary E. Morrison; Susan L. Stone, of South Hampton, to Susan L. Currier; Jennie May Crosby, of Portsmouth, to Jennie May Wolcott; Vena S. Hibbert, of Newmarket, to Vena S. Ames; Ella F. Wentworth, of Newmarket, to Ella F. Drew.

Strafford.

STRAFFORD COUNTY. — Lena Hill, of Milton, to Mildred L. Roberts; Hannah A. Ellis, of Rochester, to Grace Varney Hussey; Emma F. Cobem, of New Durham, to Emma F. Burnham; Henry H. Hough, of Dover, to Harry Hough; Musetta Arabella Raitt, of Milton, to Musetta Arabella Dorr; Eben Leathers, of Barrington, to Eben Rutherford Hayes; Sarah E. George, of Somersworth, to Sarah E. Sanborn; Mary P. Otis, of Rochester, to Mary A. Pearl; Mark W. Leathers, of Barrington, to Mark W. Stanton; Sarah E.

Levy, of Somersworth, to Sarah E. Horne; Catherine E. Heiden, of Dover, to Catherine E. Rieckman; John William Heiden, of Dover, to William Henry Rieckman; Edward Julius Heiden, of Dover, to Edward Julius Rieckman; Bridget Anna Lindsay, of Milton, to Jennie Anna Lindsay; Amos Bailey Noyes, of Milton, to Frank E. Fernald.

BELKNAP COUNTY. — Alice Lucina Newton, of Center Harbor, ^{Belknap.} to Alice Lucina Hawkins; Mary J. Whitton, of Alton, to Mary J. Twombly; Woodbury Melcher Tilton, of Laconia, to Woodbury Melcher; Eliza J. Tilton, of Laconia, to Eliza Taylor Melcher; Lydia P. Doe, of New Hampton, to Lydia P. Wiggin.

CARROLL COUNTY. — Sadie F. Craig, of Conway, to Sadie F. ^{Carroll.} Franklin; Frank E. Foss, of Tuftonborough, to Frank E. Piper; Dollie May Fyre, of Sandwich, to Edith May Johnson.

MERRIMACK COUNTY. — Anna Francella Ladd to Anna Francella ^{Merrimack.} Osgood; William A. Harvey to Walter A. Harvey; Lucy Janette Pelkey to Flora Belle Harvey; Anna M. Weeks to Anna M. Mudgett; Frank M. James to Frank M. Ring; Apphia R. Conery to Kate Apphia Robinson; Fanny L. Blood to Fannie L. Barrett; Minnie S. Chase to Minnie S. Clough.

HILLSBOROUGH COUNTY. — Carrie B. Stearns to Carrie S. Brad- ^{Hillsborough.} ford; Andrew J. Henesy to Andrew J. Hersey; Charles A. Henesy to Charles A. Hersey; Robert J. Henesy to Robert J. Hersey; Edith E. Henesy to Edith E. Hersey; William Campbell Grisim to William Campbell; Mary Kaveney to Mary McQueeney; Ara L. Chalk to Ara L. Platt; Frances L. Yeaton to Frances L. Dorr; Addie J. French to Addie L. James; Mrs. Hannah Marshall to Miss Hannah Young; Emma M. Cady to Emma M. Kimball; Elijah Brown Hazzen to Elijah Breton-Gamage Hazzen; Abbie Jane Hazzen to Eugenie Abrandette Hazzen.

CHESHIRE COUNTY. — Lena Mabel Estabrook to Lena Mabel ^{Cheshire.} Cook; Eddy Weller Yolman to Edward Weller Yolman; Burton Lewis Currier to Burton Lewis Upham; Bertha Russell to Bertha Ruth Clark; Patrick Harrington to Henry P. Harrington; Rebecca Edith Buss to Rebecca Edith Hetherington.

SULLIVAN COUNTY. — Eugene E. White to Eugene E. Pollett; ^{Sullivan.} Martha A. Toothacre to Martha A. Towne; Lucien W. Young to Lucien W. Cowles; Luke Shepherd Bowers to Shepherd Luke Bowers; Ida Noll to Ida Noll Chapman.

GRAFTON COUNTY. — Oscar Charles Eastman Baker to Charles ^{Grafton.} Eastman Baker; Alice H. Cunningham to Alice H. Elliott; Effie Denio to Effie Bernard; Ella Denio to Ella Bernard; Alvin Harrison Johnson to Harry A. Johnson; John Mitchell to John M. Mitchell; Charlotte Pettes Searcy to Charlotte Prescott Searcy; Emma Davis Benton Scott to Emma Davis Benton; Mary Isabella Tuttle to Mary Belle Clark.

COOS COUNTY. — Mary E. Dain to Mary E. Howard; Nancy ^{Coos.} French to Nellie F. Webb; Eldon S. Maguire to Eldon S. Cole.

PRIVATE ACTS.

CHAPTER 100.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE CRYSTAL SPRINGS WATER COMPANY," APPROVED JULY 18, 1878.

SECT. 1. Limitation of property.

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

SECT. 1. That the act to incorporate the Crystal Springs Water Company, approved July eighteen, eighteen hundred and seventy-eight, be and the same hereby is amended as follows; that is to say, strike out of the sixth line of the first section of said act the words "the compact," and insert instead thereof the word "any"; also strike out the word "ten" wherever it occurs before the words "thousand dollars," and insert the word "twenty."
[Approved June 25, 1879.]

Limitation of property.

CHAPTER 101.

AN ACT TO INCORPORATE THE AMORY MANUFACTURING COMPANY.

SECT.

1. Corporation constituted.
2. Location and purpose.
3. Capital stock.

SECT.

4. First meeting, by-laws, etc.
5. Subject to repeal.
6. Takes effect, when.

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

SECT. 1. That Daniel Clark, Samuel N. Bell, T. Jefferson Coolidge, and John L. Bremer, and their associates, successors, and assigns, be and they are hereby made a body corporate and politic forever, by the name of the Amory 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, privileges, and immunities, and subject to all the liabilities, of corporations of a similar nature.

Corporation constituted.

Location and
purpose.

SECT. 2. The said corporation is hereby empowered to establish, manage, and carry on the business of manufacturing cotton, woolen, linen, paper, or other goods, or any of the various branches of manufactures or of the mechanic arts that may be conveniently or necessarily connected therewith, at Manchester, in the county of Hillsborough, and for that purpose may purchase, have, and hold such personal and real estate as may be found necessary and proper for the business hereby authorized, and the same may sell, alienate, and dispose of at pleasure.

Capital stock.

SECT. 3. The capital stock of the corporation shall not exceed twelve thousand shares of the par value of one hundred dollars each, the number of such shares to be determined by the grantees at their first meeting, and may be increased from time to time by the directors, not exceeding in the whole the amount herein limited.

First meeting,
by-laws, etc.

SECT. 4. Daniel Clark and Samuel N. Bell, or either of them, may call the first meeting of said corporation, by giving each of their associates named herein notice in writing of the meeting, at least seven days prior thereto, at which, or any future meeting, such by-laws, rules, and regulations, not repugnant to the constitution and laws of this state, may be adopted, such officers chosen, and all such other matters and things done and transacted as may be necessary to the organization of said corporation and its future operations, for the full enjoyment of the rights and privileges hereby granted.

Subject to re-
peal.

SECT. 5. Any future legislature may alter, amend, or repeal this charter, whenever in their opinion the public good shall require it.

Takes effect,
when.

SECT. 6. This act shall take effect upon its passage.

[Approved July 1, 1879.]

CHAPTER 102.

AN ACT TO INCORPORATE MORRISON LODGE NO. 90, OF ANCIENT FREE AND ACCEPTED MASONS, OF NORTHWOOD.

SECT.

1. Corporation constituted.
2. First meeting.

SECT.

3. Takes effect, when.

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

Corporation con-
stituted.

SECT. 1. That John O. Boody, George W. Boody, William S. Gray, Elisha S. Tasker, Ivory B. Hill, Nathaniel E. Cate, Frank M. Knowles, their associates and successors, be, and they hereby are, made a body politic and corporate by the name of Morrison Lodge No. 90, of Ancient Free and Accepted Masons, at Northwood, for such charitable and benevolent purposes as said corporation may from time to time designate; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers and privileges, and subject to

all the liabilities, of corporations of a similar nature ; and may take and hold real and personal estate, by donation or otherwise, for the purpose of said corporation, to an amount not exceeding twenty-five hundred dollars, and the same may sell, use, or dispose of at pleasure.

SECT. 2. The first three members named, or either of them, First meeting. may call the first meeting of said corporation, by giving notice to each of the others named in said act, and to said lodge in open meeting, at least five days prior to said meeting.

SECT. 3. This act shall take effect from and after its passage. Takes effect, when.
[Approved July 1, 1879.]

CHAPTER 103.

AN ACT TO CHANGE THE NAME OF THE NEW HAMPSHIRE MISSIONARY SOCIETY.

SECT. 1. Name changed.		SECT. 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:—

SECT. 1. That the name of "The New Hampshire Missionary Name changed. Society" be changed, and that its name shall hereafter be "The New Hampshire Home Missionary Society."

SECT. 2. This act shall take effect and be in force from and Takes effect, when. after its passage.

[Approved July 1, 1879.]

CHAPTER 104.

AN ACT TO AUTHORIZE THE WORCESTER AND NASHUA RAILROAD COMPANY TO MORTGAGE ITS ROAD AND PROPERTY.

SECT. 1. Corporation authorized to mortgage its property.		SECT. 2. May issue new bonds to replace existing ones. 3. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:—

SECT. 1. The Worcester and Nashua Railroad Company is Corporation authorized to mortgage its property. authorized to mortgage the whole or any part of its property, real or personal, including its franchise, not exceeding in amount at any time the capital paid in, for the purpose of securing such bonds as have been or may be issued by said company, and its pre-existing debts and liabilities ; *provided*, that any such mortgage shall be so drawn as to secure the bonds of the Nashua and Rochester Railroad,

guaranteed by the Worcester and Nashua Railroad Company, equally with the bonds of said Worcester and Nashua Railroad Company, and the annual rental or interest on the capital stock of said Nashua and Rochester Railroad according to the terms of the lease existing between it and the Worcester and Nashua Railroad Company, or any modification thereof at the time of said mortgage; *and provided*, said mortgage shall not affect or discharge any valid attachment or lien on the property of said Worcester and Nashua Railroad Company existing at the date of said mortgage.

May issue new bonds to replace existing ones.

SECT. 2. At the request of any owner or holder of any coupon bonds lawfully issued, the said Worcester and Nashua Railroad Company may issue new coupon bonds in exchange for and in lieu of them, bearing a uniform rate of interest, upon such terms and under such regulations as may be prescribed by the board of directors of said company, with the consent and approval of the trustees to whom any mortgage or pledge shall be executed; such exchange of bonds shall not affect the said mortgage, and said mortgage shall remain in force for such new bonds; *provided*, that the old bonds shall be canceled and destroyed at the same time the new bonds are exchanged in lieu thereof.

Takes effect, when.

SECT. 3. This act shall take effect on and after its passage.
[Approved July 3, 1879.]

CHAPTER 105.

AN ACT TO INCORPORATE THE APTHORP RESERVOIR COMPANY.

SECT.

1. Corporation constituted; its purpose.
2. Capital stock.
3. Annual and special meetings.
4. Limitation of property; powers and privileges.

SECT.

5. May take springs, dig ditches, etc.; damages.
6. First meeting.
7. Subject to repeal; takes effect, when.

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

Corporation constituted; its purpose.

SECT. 1. Richard Taft, Cyrus Eastman, Charles H. Greenleaf, John M. Mitchell, Charles F. Eastman, Grover W. Barrett, Albert S. Batchellor, and their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Apthorp Reservoir Company, for the purpose of bringing water into any part of Littleton village, in the town of Littleton, in subterranean pipes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers, and subjected to all liabilities, incident to corporations of a similar nature.

Capital stock.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of ten thousand dollars.

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

Annual and special meetings.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real and personal estate necessary for carrying into effect the purposes of this act, not exceeding in value, at the time of its purchase, ten thousand dollars; and said corporation is authorized to enter upon and break up ground, dig ditches, and make excavations in any street, place, square, pass-way, or highway, through which it may be deemed necessary for said pipes and water-works to pass, be, or exist, for the purpose of placing said pipes and other material, as may be deemed necessary for building said water-works, and relay and repair the same, subject to such regulations as to the safety of the citizens and security of public travel as may be prescribed by the selectmen of the town of Littleton.

Limitation of property; powers and privileges.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, or ponds, not belonging to any aqueduct company, and to secure by fences or otherwise such springs, streams, or ponds, and dig ditches, make excavations or reservoirs through, over, in, or upon any land or inclosure through which it may be necessary to pass said pipes or water, or said excavations, reservoirs, or water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water and placing such pipes, other material or works as may be necessary for building and operating such water-works or repairing the same; *provided*, that [if] it shall be necessary to enter upon and appropriate any springs, streams, or ponds, or any land for the purpose aforesaid, or to raise or lower the level of the same, and said corporation shall not agree with the owners thereof for the damages that may be done by said corporation, or such owners shall be unknown, either party may apply to the supreme court, at the trial term thereof, to have the same laid out and damages determined; and said court shall refer the same to the county commissioners for the county, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law for the laying out of highways, and said commissioners shall make report to said court, and said court may issue execution accordingly. If either party shall desire, upon application to said court before reference to said commissioners, the parties shall be entitled to a trial by jury, in such manner and under such regulations as said court may prescribe; and it shall not be lawful for said corporation to make such entry and appropriation as aforesaid, except the same shall be by agreement between the parties, until a tender of the amount of the damages found as aforesaid shall have been previously tendered to the owner of the estate or right to be entered upon and appropriated as aforesaid, if such owner shall be known.

May take springs, dig ditches, etc.; damages.

SECT. 6. Any two of the corporators named in this act may call the first meeting of the corporation, by giving a notice in writing

First meeting.

to each of the corporators of the time and place of meeting, at least six days before the day of meeting, or by notice printed in some paper published at Littleton, in the county of Grafton, at least fourteen days before said meeting; and at said meeting, or any adjournment thereof, or at any subsequent meeting duly called, associates may be admitted, and all proper officers chosen, the number and par value of stocks fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation, not inconsistent with the constitution and laws of the state.

Subject to repeal; takes effect, when.

SECT. 7. The legislature may amend, alter, or repeal this act when it is made to appear that the public good requires it; and this act shall take effect upon its passage.

[Approved July 3, 1879.]

CHAPTER 106.

AN ACT TO INCORPORATE THE ODD FELLOWS' BUILDING ASSOCIATION OF ROCHESTER.

SECT.

1. Corporation constituted.
2. Limitation of property.
3. By-laws, officers, etc.

SECT.

4. Deceased member's interest vests in corporation.
5. Subject to repeal; takes effect, when.

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

Corporation constituted.

SECT. 1. That David Legro, Stephen D. Wentworth, Zenas H. Nute, Augustine S. Parshley, John P. Trickey, Larkin B. Moulton, Charles W. Bradley, Edward Josselyn, Charles T. Yeaton, Joseph P. Swasey, and Ruel M. Perkins, their associates, successors and assigns, be and are hereby made a body corporate by the name of the Odd Fellows' Building Association of Rochester; 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 rights and privileges, and subject to all liabilities, incident to corporations of a similar nature.

Limitation of property.

SECT. 2. Said corporation is hereby empowered to hold real estate and personal property not to exceed fifty thousand dollars.

By-laws, officers, etc.

SECT. 3. Said corporation may, at any meeting duly notified and holden, make such regulations and by-laws (not repugnant to the laws of this state) for the management of its interests and concerns, and may elect such officers, as they may think proper; and either one of the corporators may call the first meeting of said corporation, by notice to each corporator sent through the mails to his address ten days at least before said day of meeting.

Deceased member's interest vests in corporation.

SECT. 4. Said corporation is hereby authorized to maintain and manage its building, called Odd Fellows' Block, in Rochester, in the county of Strafford; and all interest of any member in corporate property shall terminate and vest in said corporation whenever

such member by death, resignation, or otherwise ceases to be a member thereof.

SECT. 5. The legislature may, at any time, alter, amend, or repeal this act ; and this act shall take effect on its passage.

Subject to repeal ; takes effect, when.

[Approved July 11, 1879.]

CHAPTER 107.

AN ACT TO AMEND THE CHARTER OF THE CONCORD AND ROCHESTER RAILROAD.

SECT. 1. Time of beginning the construction extended. | SECT. 2. Takes effect, when.

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

SECT. 1. That the time limited in and by the act approved July sixth, eighteen hundred and sixty-nine, entitled " An act to incorporate the Concord and Rochester Railroad," for the expenditure of the sum of fifty thousand dollars towards the construction of said railroad, is hereby extended to the fourth day of July, in the year of our Lord one thousand eight hundred and eighty-four, and said act shall be in force as to any and every portion of said railroad which shall be completed and fit for use on or before the first day of July, in the year of our Lord one thousand eight hundred and eighty-four.

Time of beginning the construction extended.

SECT. 2. This act shall take effect from its passage.

Takes effect, when.

[Approved July 11, 1879.]

CHAPTER 108.

AN ACT TO SEVER THE FARM OF ISAAC N. SAWYER, IN SALISBURY, FROM SCHOOL-DISTRICT NO. 9 IN SALISBURY, AND ANNEX THE SAME TO SCHOOL-DISTRICT NO. 3 IN SAID TOWN.

SECT. 1. Farm transferred from one school-district to another. | SECT. 2. Takes effect, when.

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

SECT. 1. That the real estate owned by Isaac N. Sawyer, situate in school-district No. 9, in the town of Salisbury, be and hereby is severed from said school-district No. 9, and annexed, for the purpose of schooling, to school-district No. 3, in said town of Salisbury.

Farm transferred from one school-district to another.

SECT. 2. This act shall take effect and be in force from and after its passage.

Takes effect, when.

[Approved July 11, 1879.]

CHAPTER 109.

AN ACT TO INCORPORATE THE GRAND LODGE OF THE INDEPENDENT ORDER OF GOOD TEMPLARS.

SECT.

1. Corporation constituted.
2. First meeting.

SECT.

3. Takes effect, when ; subject to repeal.

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

Corporation' con-
stituted.

SECT. 1. That Horace G. Whittier, George A. Bailey, Lorenzo Frost, Emma P. Whittier, J. L. Dow, and Josephine Ham, their associates and successors, be and hereby are made a body politic and corporate by the name of "The Grand Lodge of the Independent Order of Good Templars," for such moral, charitable, and benevolent purposes as said corporation may from time to time designate, and by that name may sue and be sued, prosecute and defend to final judgment and execution ; and shall be vested with all the powers and privileges, and subject to all the liabilities, of corporations of a similar nature, and may take and hold real and personal estate, by donation or otherwise, for the purpose of said corporation, to an amount not exceeding five thousand dollars, and the same may sell, use, and dispose of at pleasure ; and may make and establish such by-laws and regulations as may be necessary to carry out the purposes of this act.

First meeting.

SECT. 2. The first two of said grantees, or either of them, may call the first meeting of this corporation, at such time and place as they may deem expedient, and in such manner as they may think proper.

Takes effect,
when ; subject
to repeal.

SECT. 3. This act shall take effect on its passage ; and the legislature may, at any time, alter, amend, or repeal the same, whenever in their opinion the public good requires it.

[Approved July 11, 1879.]

CHAPTER 110.

AN ACT TO EXTEND THE TIME FOR COMPLETING THE BOSTON, CONCORD, AND MONTREAL RAILROAD TO COLEBROOK AND CANADA LINE.

SECT.

1. Time of completing road extended.

SECT.

2. Takes effect, when.

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

Time of com-
pleting road ex-
tended.

SECT. 1. That the time for completing the Boston, Concord, and Montreal Railroad to Colebrook and Canada line be extended

to the thirty-first day of December, eighteen hundred and eighty-three.

SECT. 2. This act shall take effect from and after its passage. Takes effect, when.
 [Approved July 16, 1879.]

CHAPTER 111.

AN ACT TO CORRECT AN ERROR IN THE CHARTER OF THE ELLIOT BRIDGE COMPANY.

SECT.
 1. Error corrected.

SECT.
 2. Takes effect, when.

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

SECT. 1. That in the second section of the act passed July twenty-fifth, eighteen hundred and seventy-eight, entitled "An act to incorporate the Elliot Bridge Company," the words "South Berwick" shall be substituted for the word "Elliot." Error corrected.

SECT. 2. This act shall be exempt from the charge provided in section five, chapter thirteen of the General Laws. Takes effect, when.

[Approved July 16, 1879.]

CHAPTER 112.

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER.

SECT. 1. City council to appoint board of instruction.

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

SECT. 1. That all the power that is now vested in the board of aldermen of said city, for the appointment of a board of instruction, by section eight, chapter one hundred and fifty-one of the Pamphlet Laws passed July seventeenth, eighteen hundred and seventy-six, be and is hereby vested in the city council of said city instead of said board of aldermen. City council to appoint board of instruction.

[Approved July 19, 1879.]

CHAPTER 113.

AN ACT TO AMEND THE CHARTER OF THE FARMINGTON AND ROCHESTER RAILROAD.

SECT.

1. Time of completing road extended.
2. Repealing clause.

SECT.

3. Takes effect, when.

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

Time of completing road extended.

SECT. 1. That the act incorporating said railroad, approved June twenty-sixth, eighteen hundred and seventy-seven, is hereby amended so that the time for the completion and having in fit condition for use of any and every portion of said railroad, shall be extended four years from and after the first day of July in the year eighteen hundred and eighty.

Repealing clause.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

Takes effect, when.

SECT. 3. This act shall take effect on its passage.

[Approved July 18, 1879.]

CHAPTER 114.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF KEENE.

SECT. 1. Custody and preservation of check-lists.

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

Custody and preservation of check-lists.

SECT. 1. That section three of the charter of the city of Keene, passed at June session, eighteen hundred and seventy-eight, be stricken out, and that the following be inserted in its place: "Sect. 3. The several check-lists, as finally corrected by the supervisors, shall be given into the hands of the selectmen of their respective wards before the hour of meeting, and shall be used in voting at every election; and the clerk of each ward shall, immediately upon the closing of the polls, pass said check-list into the hands of the supervisor in attendance, who shall within ten days pass the same into the hands of the city clerk, to be filed for preservation."

[Approved July 18, 1879.]

CHAPTER 115.

AN ACT TO INCORPORATE THE LANCASTER AND KILKENNY RAILWAY COMPANY.

SECT.

1. Corporation constituted.
2. Line and termini of road.
3. Limitation as to quantity of land.
4. Capital stock ; officers.
5. Tolls ; excess of earnings above ten per cent.
6. Powers of directors.

SECT.

7. Crossing public and private ways.
8. By-laws and regulations.
9. Meetings.
10. Contracts and leases.
11. Time of constructing limited.
12. Repealing clause ; takes effect, when.

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

SECT. 1. That Frank Smith, Henry O. Kent, Jared I. Williams, Samuel H. Legro, B. H. Corning, Irving W. Drew, William Clough, Joseph A. Dodge, Warren Daniell, and Samuel N. Bell, their associates, successors, and assigns, be and they hereby are made a body corporate and politic, by the name and style of "The Lancaster and Kilkenny Railway Company," with all the rights and privileges, liabilities and duties, by the laws of this state incident to railroad corporations, and necessary and proper to carry into effect the purposes of this act.

Corporation constituted.

SECT. 2. The said corporation is hereby authorized and empowered to locate, build, and maintain a railroad, not exceeding six rods in width, with necessary additions for cuttings and embankments, from a point on the line of the Boston, Concord, and Montreal and White Mountain Railway, near the bridge of said road crossing Israel's River, west of the village of Lancaster, via the valley of the said Israel's River, the valleys of the Otter Brook and Marden or Garland Brook, one or both, or from one of said valleys to the other, to the forks of the said Garland Brook, near the base of Round Mountain, in the township of Kilkenny, a distance of about ten miles, or may construct and maintain any part thereof.

Line and termini of road.

SECT. 3. Said corporation shall have no more land, exclusive of what is within the limits of their road, and necessary for procuring stone, gravel, sand, and other materials, and for machine-shops and terminal or depot accommodations, than shall be worth, at the time of its purchase, five per cent of its capital stock.

Limitation as to quantity of land.

SECT. 4. The capital stock of said corporation shall not exceed the sum of one hundred thousand dollars, to be divided into shares of such value as the by-laws may determine ; and the immediate government and direction of the affairs of said corporation shall be vested in a board of five directors, who shall be chosen by the members or stockholders in the manner herein provided, and shall hold their offices until others shall be duly elected and qualified in their stead. And the said directors, a majority of whom shall form a quorum for the transaction of business, shall elect one of their number who shall be president of the board and of the corporation. They shall also choose a clerk, who shall be clerk of the corporation, and sworn to the faithful performance of the duties of his office ; a treasurer, who shall give a bond, with sureties to their satisfaction, for the faithful discharge of his trust ; and such other

Capital stock ; officers.

officers, agents, and servants as they may deem expedient ; fix their salaries, and generally shall have and exercise all the powers of the corporation for carrying into effect the object and purposes of this act.

Tolls ; excess of earnings above ten per cent.

SECT. 5. A toll is hereby granted said corporation on all passengers and property transported at such rates as may be agreed upon by the directors, any average excess of net earnings over ten per centum from the commencement of operations to be paid into the state treasury, unless otherwise ordered by the legislature.

Power of directors.

SECT. 6. The president and directors for the time being are authorized to fix the amount of capital stock, not exceeding the amount limited in this act, and by themselves or their agents to exercise all the powers granted to the corporation for the purpose of building, maintaining, and operating said road, or any part thereof, including the purchase of land, materials, rolling-stock, and the transportation of passengers or commodities ; to make such assessments on the stock as they may deem proper, and in default of payment to sell the defaulting shares at public auction, on ten days' notice, at the office of the treasurer ; and to do all things necessary and proper to build, equip, maintain, and operate said road.

Crossing public and private ways.

SECT. 7. If said railroad shall intersect or cross any private way, the corporation shall so construct said railroad as not to obstruct the safe and convenient use of said private way ; and if said railroad shall not be so constructed, the owner of said private way shall be entitled to his reasonable damages for said injury, recoverable by action on the case, commenced within two years from such obstruction, and not afterwards ; and if such railroad shall intersect or cross any public highway, the said railroad shall be so constructed as not to obstruct the safe and convenient use of such public highway ; and the said corporation shall have power to raise or lower such highway, and if it shall not raise or lower the same, so as to be satisfactory to the selectmen of the town wherein it is situated, such selectmen may require in writing of such corporation such amendment or alteration as they may think proper ; *provided*, that said railway may run on and through or across Canal, Main, and Middle streets, or any necessary part thereof, in said village of Lancaster, at grade. In case the requirements of the selectmen are not met within a reasonable time, and they are approved by the county commissioners in writing, the said selectmen may proceed to make such needed alterations at the expense of such corporation, and may institute and prosecute to final judgment and execution an action on the case versus said corporation, and shall recover all reasonable damages with costs of suit. And said corporation shall maintain its road, bridges, abutments, and embankments, or trestles, in good and safe condition, or, in default thereof, shall be liable, in an action on the case, to any party aggrieved. And if it shall be necessary to alter the course of any highway where the said railroad may run near the same, or for the purpose of avoiding or facilitating the crossing thereof, such highway may be altered, with the approbation of the selectmen of the town wherein such alteration is desired.

By-laws and regulations.

SECT. 8. Such 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 of this act, provided the same be not repugnant to the constitution and laws of this state.

SECT. 9. The annual meeting of said corporation shall be ^{Meetings.} holden at such time and place in this state as the corporation by their by-laws or the directors for the time being shall appoint, at which meeting the directors shall be chosen by ballot; and the three first persons named in this act, or any two of them, are hereby authorized to call the first meeting of said corporation, at which meeting they may transact any business they may deem proper, by advertising the same three weeks successively in some newspaper printed in Lancaster; and the directors are authorized to call special meetings of the members or stockholders, whenever they shall deem it expedient, giving such notice as the corporation by their by-laws shall direct.

SECT. 10. Said corporation is authorized to lease its road to any other corporation in this state, and said railroads are authorized to make such other contracts in relation to the use and operation of said railroad, as to the directors thereof may be deemed expedient, to accommodate the business or interests of the same. ^{Contracts and leases.}

SECT. 11. This act shall be void as to all its parts if the rail- ^{Time of constructing limited.} road line herein named is not constructed within ten years from the passage of this act.

SECT. 12. The legislature may alter, amend, or repeal this act, ^{Repealing clause; takes effect, when.} whenever in their opinion the public good may require it; and this act shall take effect and be force from and after its passage.

[Approved July 18, 1879.]

CHAPTER 116.

AN ACT IN AMENDMENT OF THE CHARTER OF THE BRISTOL SAVINGS BANK, CHAPTER EIGHTY-FIVE, LAWS OF 1868.

SECT. 1. Holding real estate regulated.

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

SECT. 1. That section three of said chapter be amended by inserting in the eighth line of said section, after the word “what-ever,” and before the word “which,” the following: “which may have been heretofore, or may hereafter be, in good faith pledged or mortgaged for the security of its loans or debts, or” so that it shall read: “And the said corporation shall be further able to take, hold, and dispose of any real estate whatever, which may have been heretofore, or may hereafter be, in good faith pledged or mortgaged for the security of its loans, or debts, 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.” ^{Holding real estate regulated.}

[Approved July 18, 1879.]

CHAPTER 117.

AN ACT ENTITLED AN ACT IN AMENDMENT OF AN ACT IN RELATION
TO THE CITY OF MANCHESTER.

SECT.

1. Salaries of judge and clerk of police court.

SECT.

2. Repealing clause; takes effect, when.

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

Salaries of judge
and clerk of po-
lice court.

SECT. 1. That section nineteen of chapter one hundred and sixty-three of the private acts passed June session, eighteen hundred and seventy-eight, entitled "An act in relation to the city of Manchester," is hereby amended by striking out the words "fifteen hundred," in the first and second lines of said section, and inserting the words "twelve hundred" in place thereof, so that said section as amended shall read as follows: "Sect. 19. The salary of the justice of said court shall be twelve hundred dollars per annum, and the salary of the clerk of said court shall be four hundred dollars per annum, which said salaries shall be paid in quarterly payments out of the city treasury, and the salaries so received shall be in full for services of every kind rendered by them in the discharge of all the duties pertaining to their office."

Repealing
clause; takes ef-
fect, when.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved July 19, 1879.]

CHAPTER 118.

AN ACT IN RELATION TO THE SCHOOL COMMITTEE OF THE CITY OF
MANCHESTER.

SECT.

1. School committee, how chosen; tenure of
office.
2. Special election.

SECT.

3. Government of.
4. Vacancy by reason of failure to elect.
5. Repealing clause; takes effect, when.

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

School commit-
tee, how chosen;
tenure of office.

SECT. 1. At every election hereafter held in said city, there shall be elected from each ward two members of the board of school committee, who shall hold their office for the term of two years from the first Tuesday of January next following their election.

Special election.

SECT. 2. A special meeting of the inhabitants of each of said wards shall be held on the nineteenth day of August, eighteen hundred and seventy-nine, said meeting to be called as provided by law, for the election of one person from each ward as school com-

mittee to serve with and in addition to the present school committee, and the term of office of the committee so elected shall expire at the same time as that of the present committee.

SECT. 3. Said special election shall be conducted in accordance with the law in force in regard to elections in said city; *provided, however,* that at said special election no supervisors shall be appointed, and the polls shall be opened at ten o'clock in the forenoon and shall close at three o'clock in the afternoon. At said special election the several check-lists as prepared for the last election may be used, with such corrections and additions as may be necessary; and for the purpose of correcting and revising said lists the inspectors shall be in session on the Saturday preceding said special election, from two to six o'clock in the afternoon, and from eight to twelve in the forenoon of the day of said election. Government of.

SECT. 4. In case any of said wards fail to elect a member of said school committee at said special election, as aforesaid, the city council shall fill the vacancy so occasioned in accordance with law. Vacancy by reason of failure to elect.

SECT. 5. All acts or parts of acts, so far as they provide for the election of one member of the school committee from each of the wards of said city, are hereby repealed, and this act shall take effect upon its passage. Repealing clause; takes effect, when.

[Approved July 19, 1879.]

CHAPTER 119.

AN ACT TO SEVER FARMS FROM SCHOOL-DISTRICTS NO. 5 AND NO. 6 IN THE TOWN OF HAMPSTEAD, AND ANNEX THE SAME TO SCHOOL-DISTRICT NO. 7 IN SAID HAMPSTEAD, FOR SCHOOL PURPOSES.

SECT.
1. Farms transferred from one district to another.

SECT.
2. Takes effect, when.

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

SECT. 1. That the land of Lyman Pillsbury, Alden E. Pillsbury, the heirs of Benjamin L. Pillsbury, and Tappan S. Carter, is hereby severed from school-districts number five and number six, in the town of Hampstead, and annexed to school-district number seven, in said Hampstead, for school purposes. Farms transferred from one district to another.

SECT. 2. This act shall take effect upon its passage. Takes effect, when.

[Approved July 19, 1879.]

CHAPTER 120.

AN ACT TO INCORPORATE THE UNITARIAN EDUCATIONAL SOCIETY.

SECT.

1. Corporation constituted.
2. Object.
3. Name may be changed.

SECT.

4. Rules and regulations.
5. First meeting.
6. Repealing clause ; takes effect, when.

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

Corporation con-
stituted.

SECT. 1. That Samuel C. Bean, Clinton W. Stanley, Henry Powers, Joseph C. A. Hill, Moody Currier, Warren Brown, Daniel Clark, Edward Gustine, Alvan W. Sulloway, Lewis Downing, Jr., Charles H. Burns, Gust. Walker, Warren F. Daniell, James De-Normandie, Alpheus W. Baker, Zimri Wallingford, Benjamin F. Prescott, Solon A. Carter, Frank A. McKean, John C. Moulton, William D. Cadwell, Aubrey W. Pendleton, Person C. Cheney, their associates and assigns, be and hereby are made a body corporate by the name of "The Unitarian Educational Society," and by that name may sue and be sued, and prosecute to judgment, and have all the powers and privileges and subject to all the liabilities incident to corporations of a similar character.

Object.

SECT. 2. Said corporation may establish an institution of learning for the instruction of youth in the arts and sciences and all useful knowledge ; may hold real and personal property to an amount not exceeding fifty thousand dollars ; may take, manage, or dispose of all gifts, bequests, or donations, given, bequeathed, or bestowed upon the said corporation, in such manner as shall be deemed for the best interests of the corporation.

Name may be
changed.

SECT. 3. Said corporation may, at any meeting duly notified and holden, change the corporate name and adopt any other name.

Rules and regu-
lations.

SECT. 4. Said corporation may, at any meeting duly notified and holden, make all rules and regulations for the management of the affairs of the corporation.

First meeting.

SECT. 5. The first meeting of said corporation may be called by the first five persons named in this bill, by a notice in writing, stating the time and place of the meeting, either personal or by the usual manner of mail service, at least ten days prior thereto, upon each member of the corporation.

Repealing
clause ; takes ef-
fect, when.

SECT. 6. The legislature may alter or repeal this bill whenever the public good requires. This bill shall take effect on and after its passage.

[Approved July 19, 1879.]

CHAPTER 121.

AN ACT TO INCORPORATE THE AMOSKEAG BANK.

SECT.

1. Corporation constituted.
2. Place of business.
3. Capital stock.

SECT.

4. First meeting, etc.
5. Subject to repeal.

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

SECT. 1. That George B. Chandler, Moody Currier, Edson Hill, Lucien B. Clough, Henry Chandler, David B. Varney, John B. Varick, Reed P. Silver, George W. Riddle, Henry C. Merrill, Martin V. B. Edgerly, Abraham P. Olzendam, Thomas L. Livermore, Benjamin C. Dean, and Nathaniel W. Cumner, their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of the Amoskeag Bank, and shall so continue for the term of twenty years from the first day of January which will be in the year eighteen hundred and eighty, invested with all the powers, rights, and privileges, and subject to all the duties and liabilities, which by the laws of this state are incident to corporations for the purpose of banking.

Corporation constituted.

SECT. 2. The said corporation shall be located and have its place of business at Manchester, in the county of Hillsborough.

Place of business.

SECT. 3. The capital stock of said corporation shall be a sum not less than one hundred thousand dollars, and shall be divided into such number of shares as the members shall determine.

Capital stock.

SECT. 4. George B. Chandler, Moody Currier, and Lucien B. Clough, or any two of them, may call the first meeting of said corporation, by publishing a notice thereof in some one newspaper published at said Manchester, three weeks successively, the last publication to be prior to the day of holding the same; and at such first or any subsequent legal meeting of said corporation, the capital stock may be divided into shares, the amount of payment on each and the time of making them, the mode of calling future meetings determined, and such rules and regulations, not repugnant to the constitution and laws of the state, adopted as may be convenient and necessary for the government and management of said corporation.

First meeting, etc.

SECT. 5. The legislature may at any time alter, amend, or repeal this act.

Subject to repeal.

[Approved July 19, 1879.]

CHAPTER 122.

AN ACT TO INCORPORATE THE "MERCHANTS' BANK," IN CONCORD,
STATE OF NEW HAMPSHIRE.

SECT.

1. Corporation constituted.
2. Place of business.
3. Capital stock.

SECT.

4. First meeting, etc.
5. Subject to repeal.

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

Corporation con-
stituted.

SECT. 1. That Augustine C. Pierce, William Walker, Joseph Wentworth, Thomas Stuart, James W. Johnson, William M. Chase, Josiah B. Sanborn, and William F. Thayer, and their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of the Merchants' Bank, and shall so continue for the term of twenty years from the first day of January which will be in the year eighteen hundred and eighty, invested with all the powers, rights, and privileges, and subject to all the duties and liabilities, which by the laws of this state are incident to corporations for the purpose of banking.

Place of busi-
ness.

SECT. 2. The said corporation shall be located and have its place of business at Concord, in the county of Merrimack.

Capital stock.

SECT. 3. The capital stock of said corporation shall be a sum not less than one hundred thousand dollars, and shall be divided into such number of shares as the members shall determine.

First meeting,
etc.

SECT. 4. Augustine C. Pierce and William Walker may call the first meeting of said corporation, by publishing a notice thereof in some one newspaper published at said Concord, three weeks successively, the last publication to be prior to the day of holding the same; and at such first or any subsequent legal meeting of said corporation, the capital stock may be divided into shares, the amount of payment on each, and the time of making them, the mode of calling future meetings determined, and such rules and regulations, not repugnant to the constitution and laws of the state, adopted as may be convenient and necessary for the government and management of said corporation.

Subject to re-
peal.

SECT. 5. The legislature may at any time alter, amend, or repeal this act.

[Approved July 19, 1879.]

CHAPTER 123.

AN ACT TO INCORPORATE THE GUARANTY SAVINGS BANK AT MANCHESTER.

SECT.

- 1. Corporation constituted.
- 2. May receive and invest deposits.
- 3. Guaranty fund.
- 4. Special deposits for guaranty fund.
- 5. Membership ; individual liability ; trustees ; quorum ; rules and regulations.

SECT.

- 6. Limitation of real estate.
- 7. Taxation of special deposits.
- 8. First meeting.
- 9. Subject to repeal.
- 10. Takes effect, when.

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

SECT. 1. That Nathan P. Hunt, Robert M. Shirley, William R. Patten, H. K. Slayton, Alonzo Elliott, James A. Weston, Jesse Gault, J. W. Hildreth, Horace Pettee, George W. Weeks, James F. Briggs, George A. Bailey, John C. Ray, Patrick A. Devine, Rufus H. Pike, and their associates, successors, and assigns, are hereby made a body politic and corporate under the name of the Guaranty Savings Bank, to be located at Manchester, with all the rights and privileges, and subject to all the duties and liabilities, except so far as otherwise provided in this charter, which by the laws of this state are incident to savings-bank corporations.

Corporation constituted.

SECT. 2. Said bank may receive deposits of money from any person or persons, on such terms and conditions as may be prescribed by it or its trustees, or be agreed to by the parties making the same, and may invest, use, and manage the moneys deposited in or belonging to it in such securities and stocks, and in such ways, as may be for the convenience and advantage of the bank.

May receive and invest deposits.

SECT. 3. For the better protection and security of the general depositors of the bank, it shall provide for and have a permanent guaranty fund of not less than twenty-five thousand dollars, with liberty to increase the same at pleasure to not exceeding two hundred thousand dollars. Said fund shall be kept and maintained as a guaranty to the general deposits for the repayment of said deposits, according to the terms and conditions thereof, in case of any insufficiency of the assets of the bank to pay all of its liabilities : and the general deposits shall have precedence of payment from the assets of the bank, before payment from said assets on account of said guaranty fund ; and no business in the way of receiving general deposits shall be transacted by the bank unless the amount of twenty-five thousand dollars shall have been provided for said guaranty fund, nor to a greater amount of general deposits than two hundred and fifty thousand dollars unless the amount of fifty thousand dollars shall have been provided for said fund. And the special deposits shall at no time be less than ten per cent of the general deposits.

Guaranty fund.

SECT. 4. Special deposits may be received by the bank to constitute the guaranty fund before mentioned, which shall not be withdrawn except by permission of the bank, nor at any time so as reduce said fund below the amount required for the same, as herein before provided. The general deposits shall be entitled to such

Special deposits for guaranty fund.

rate of interest from the bank as may be prescribed or agreed to, not, however, in any case to exceed the rate of six per cent per annum; and the special deposits for the guaranty fund shall not be entitled to any interest, but instead thereof shall have all the net income and profits of the bank above its expenses, the interest due to the general deposits as aforesaid, and all losses of the bank. And said net income and profits may be divided proportionally among said special deposits, at such times and in such ways as the bank or its trustees may order; *provided, however*, that such dividends shall be made only when the net resources of the bank above its expenses, its liabilities for the general deposits, and the guaranty fund aforesaid shall be sufficient to pay the same.

Membership; individual liability; trustees; quorum; rules and regulations.

SECT. 5. The special depositors for the guaranty fund, and their assigns, shall by virtue thereof become and be members of the corporation, and have and exercise all the rights and powers of the same, each special depositor being entitled to one vote for each one hundred dollars of his said deposit. But no member shall incur or be subject to any individual liability in any case for any debts or liabilities of the corporation; and the management and control of the affairs of the corporation shall be vested in a board of not less than five nor more than twelve trustees, to be chosen by the members of the corporation. A majority of said board, at any meeting duly notified, shall constitute a quorum for the transaction of business; and said board shall have the power to make and establish such rules and regulations as they may think proper for transacting and governing the business of the corporation.

Limitation of real estate.

SECT. 6. Said bank may purchase and hold real estate to the value, when purchased, of not exceeding forty thousand dollars; and may hold such amount as may at any time be deemed advisable, for the security and satisfaction of any debts due to it.

Taxation of special deposits.

SECT. 7. The special deposits for the guaranty fund shall, for the purpose of taxation, be treated as stock in bank, and each special depositor's share of such special deposits shall be returned by the cashier or treasurer to the selectmen or assessors of the towns or cities wherein the special depositors reside, if within this state, otherwise to the assessors of the city of Manchester.

First meeting.

SECT. 8. Any two of the six grantees first named may call the first meeting of the corporation by notice in writing or print to each grantee, or by publication in some newspaper printed at Manchester, at least one week before the day of meeting.

Subject to repeal.

SECT. 9. The legislature may alter, amend, or repeal this act whenever in its opinion the public good shall require.

Takes effect, when.

SECT. 10. This act shall take effect on its passage.

[Approved July 19, 1879.]

CHAPTER 124.

AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER.

SECT.

1. Additions to ward two.
2. Election of common councilmen.

SECT.

3. Takes effect, when.

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

SECT. 1. That the lands of Henry Paul, David O. Cate, and Thomas M. Steele, which, by an act passed at this session of the legislature, have been disannexed from Rollinsford and annexed to Dover, shall be and the same are hereby made a part of ward two in said city. Additions to ward two.

SECT. 2. That section five of chapter one hundred and sixty-four, being an act to amend the charter of the city of Dover, approved August sixteenth, eighteen hundred and seventy-eight, is hereby amended by adding to said section five the following words: "And three members of the common council from each ward for the term of one year," so that said section shall read, "One alderman from each ward shall be elected for the term of one year, and one alderman for the term of two years; and at each succeeding annual election, one alderman shall be chosen from each ward for the term of two years, and three members of the common council from each ward for the term of one year." Election of common councilmen.

SECT. 3. This act shall take effect upon its passage.
[Approved July 18, 1879.]

Takes effect, when.

CHAPTER 125.

AN ACT IN RELATION TO THE MORTGAGE BONDS OF THE NASHUA AND ROCHESTER RAILROAD.

SECT.

1. New bonds may be issued to take the place of old ones.

SECT.

2. Takes effect, when.

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

SECT. 1. The present and future holders of the mortgage bonds of the Nashua and Rochester Railroad, dated the first day of April, eighteen hundred and seventy-four, and secured by mortgage of said railroad, dated February twenty-five, eighteen hundred and seventy-four, are hereby authorized to surrender any or all of said bonds, and receive in lieu thereof new bonds of the same date and to the same amount; and said mortgage shall be security for said new bonds in the same way and manner, and to the same extent, as it was for the bonds surrendered; but nothing in this act shall New bonds may be issued to take the place of old ones.

be construed to authorize the said corporation to increase the amount of its present mortgage debt.

Takes effect, when.

SECT. 2. This act shall take effect on and after its passage. [Approved July 1, 1879.]

CHAPTER 126.

AN ACT TO INCORPORATE THE MANCHESTER STEAM-HEATING COMPANY.

SECT.

1. Corporation constituted.
2. Capital stock, etc.
3. May lay steam-pipes.

SECT.

4. First meeting.
5. Takes effect, when.

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

Corporation constituted.

SECT. 1. That Moody Currier, Benjamin F. Martin, Charles E. Balch, George B. Chandler, Jesse Gault, Abraham P. Olzendam, John B. Varick, Nathaniel W. Cumner, John Q. A. Sargent, and George W. Riddle, their associates, successors, and assigns, are constituted a body corporate and politic by the name of the Manchester Steam-Heating Company, and vested with all the powers and privileges, and made subject to all the restrictions and liabilities, by law incident to corporations of a similar nature.

Capital stock.

SECT. 2. The said corporation is authorized to hold such real and personal estate as may be necessary and proper to enable them to carry on the manufacture, sale, and distribution of steam, for the purpose of heating, to buildings, public and private, and furnishing motive power for the same, in the city of Manchester, and to erect such buildings and works and construct such furnaces, boilers, pipes, conduits, and other things as may be requisite and proper for said purpose; *provided*, the whole amount of the capital stock of the company shall not exceed one hundred and fifty thousand dollars.

May lay steam-pipes.

SECT. 3. The said company shall have the right to lay steam-pipes in any of the public streets and highways in said Manchester, and to relay and repair the same, subject to such regulations as may be prescribed by said city of Manchester for the security of the public travel and health of said city.

First meeting.

SECT. 4. The three persons first named in this act, or any two of them, may call the first meeting of said corporation by notice published in any newspaper printed in said Manchester.

Takes effect, when.

SECT. 5. This act shall take effect upon its passage. [Approved July 11, 1879.]

CHAPTER 127.

AN ACT TO AUTHORIZE THE WHITEFIELD AND JEFFERSON RAILROAD COMPANY TO INCREASE ITS CAPITAL STOCK.

SECT.

1. Capital stock may be increased.

SECT.

2. Takes effect, when.

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

SECT. 1. The directors of the Whitefield and Jefferson Railroad Company are hereby authorized to increase the capital stock of said corporation from time to time, as the same may be required to construct and equip said railroad, to an amount not exceeding the sum of one hundred thousand dollars in addition to the amount now authorized by law.

Capital stock
may be increas-
ed.

SECT. 2. This act shall take effect on its passage.
[Approved July 11, 1879.]

Takes effect,
when.

CHAPTER 128.

AN ACT TO INCORPORATE THE PITTSFIELD BANK, IN PITTSFIELD, STATE OF NEW HAMPSHIRE.

SECT.

1. Corporation constituted.
2. Location.
3. Capital stock.

SECT.

4. First meeting, etc.
5. Subject to repeal.

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

SECT. 1. That Charles H. Carpenter, Josiah Carpenter, Stephen Perkins, Thomas H. Thorndike, James W. Batchelder, John A. Goss, and their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of the Pittsfield Bank, and shall so continue for the term of twenty years from the first day of January which will be in the year eighteen hundred and eighty, invested with all the powers, rights, and privileges, and subject to all the liabilities, which by the laws of this state are incident to corporations for the purpose of banking.

Corporation con-
stituted.

SECT. 2. The said corporation shall be located and have its place of business at Pittsfield, in the county of Merrimack.

Location.

SECT. 3. The capital stock of said corporation shall be a sum not less than fifty thousand dollars, and shall be divided into such number of shares as the members shall determine.

Capital stock.

SECT. 4. Charles H. Carpenter and John A. Goss may call the first meeting of said corporation, by publishing a notice thereof in some one newspaper published at Concord, in the State of New Hampshire, three weeks successively, the last publication to be prior to the day of holding the same: and at such first or any sub-

First meeting,
etc.

sequent legal meeting of said corporation, the capital stock may be divided into shares, the amount of payment on each and the time of making them, the mode of calling future meetings determined, and such rules and regulations, not repugnant to the constitution and laws of the state, adopted as may be convenient and necessary for the government and management of said corporation.

Subject to repeal.

SECT. 5. The legislature may at any time alter, amend, or repeal this act.

[Approved July 19, 1879.]

CHAPTER 129.

AN ACT TO INCORPORATE THE KEARSARGE BANK.

SECT.

1. Corporation constituted.
2. Location.
3. Capital stock.

SECT.

4. First meeting.
5. Repealing clause.

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

Corporation constituted.

SECT. 1. That George Savory, Ira Harvey, Lewis N. Chase, John Aiken, Frank G. Wilkins, Timothy Flanders, A. C. Carroll, Stephen C. Pattee, and Gilman C. George, their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of the Kearsarge Bank, and shall so continue for the term of twenty years from the first day of January which will be in the year eighteen hundred and eighty, invested with all the powers, rights, and privileges, and subject to all the duties and liabilities, which by the laws of this state are incident to corporations for the purpose of banking.

Location.

SECT. 2. The said corporation shall be located and have its place of business at Warner, in the county of Merrimack.

Capital stock.

SECT. 3. The capital stock of said corporation shall be a sum not less than fifty thousand dollars, and shall be divided into such number of shares as the members shall determine.

First meeting.

SECT. 4. George Savory, Ira Harvey, Lewis N. Chase, John Aiken, Frank G. Wilkins, Timothy Flanders, A. C. Carroll, Stephen C. Pattee, and Gilman C. George, or any two of them, may call the first meeting of said corporation, by publishing a notice thereof in some one newspaper published at Concord, in the county of Merrimack, three weeks successively, the last publication to be prior to the day of holding the same; and at such first or any subsequent legal meeting of said corporation, the capital stock may be divided into shares, the amount of payment on each, and the time of making them, the mode of calling future meetings determined, and such rules and regulations, not repugnant to the constitution and laws of the state, adopted as may be convenient and necessary for the government and management of said corporation.

SECT. 5. The legislature may at any time alter, annul, amend, Repealing clause.
or repeal this act.

[Approved July 19, 1879.]

CHAPTER 130.

AN ACT TO AMEND THE CHARTER OF THE MANCHESTER AND KEENE
RAILROAD, APPROVED JUNE 24, 1870.

SECT.

1. Time of constructing road extended.

SECT.

2. Takes effect, when.

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

SECT. 1. That the time limited in and by the act approved Time of constructing road extended.
June twenty-four, one thousand eight hundred and seventy, for the
construction of the Manchester and Keene Railroad, be and hereby
is extended to the first day of December, one thousand eight
hundred and eighty-five. And the provisions of the act approved
July sixteen, one thousand eight hundred and sixty-four, shall be
in force as to all parts of said railroad which shall be completed
on or before December first, one thousand eight hundred and
eighty-five.

SECT. 2. This act shall take effect on its passage. Takes effect, when.

[Approved July 19, 1879.]

CHAPTER 131.

AN ACT TO INCORPORATE THE NEW HAMPSHIRE BANKING COMPANY.

SECT.

1. Corporation constituted.

2. May receive and invest deposits.

3. Guaranty fund.

4. Special and general depositors; dividends to
be regulated.

5. Membership; individual liability; manage-
ment.

SECT.

6. Limitation of real estate.

7. Taxation of special deposits.

8. First meeting.

9. Subject to repeal.

10. Takes effect, when.

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

SECT. 1. That George W. Davis, Edward E. Parker, Hiram T. Corporation con-
Morrill, Henry A. Marsh, Charles H. Campbell, Solomon A. Davis,
A. H. Dunlap, Charles Holman, R. A. Maxfield, and Charles
Hardy, and their associates, successors, and assigns, are hereby
made a body politic and corporate under the name of The New
Hampshire Banking Company, to be located at Nashua, with all
the rights and privileges, and subject to all the duties and liabili-

ties, except so far as otherwise provided in this charter, which by the laws of this state are incident to savings-bank corporations.

May receive and invest deposits.

SECT. 2. Said bank may receive deposits of money from any person or persons, on such terms and conditions as may be prescribed by it or its trustees, or be agreed to by the parties making the same, and may invest and manage the moneys deposited in or belonging to it in such securities and stocks, and in such ways, as may be for the convenience and advantage of the bank, subject, however, to the provisions of the existing laws of the state in relation to savings banks.

Guaranty fund.

SECT. 3. For the better protection and security of the general depositors of the bank, it shall provide for and have a permanent guaranty fund of not less than twenty-five thousand dollars, with liberty to increase the same at pleasure to not exceeding two hundred thousand dollars. Said fund shall be kept and maintained as a guaranty to the general deposits for the repayment of said deposits, according to the terms and conditions thereof, in case of any insufficiency of the assets of the bank to pay all of its liabilities; and the general deposits shall have precedence of payment from the assets of the bank before payment from said assets on account of said guaranty fund; and no business in the way of receiving general deposits shall be transacted by the bank unless the amount of twenty-five thousand dollars shall then have been provided for said guaranty fund; nor to a greater amount of general deposits than five hundred thousand dollars, unless the amount of one hundred thousand dollars shall then have been provided for said fund. The special deposits shall at no time be less than ten per cent of the general deposits.

Special and general depositors; dividends to be regulated.

SECT. 4. Special deposits may be received by the bank to constitute the guaranty fund before mentioned, which shall not be withdrawn except by the permission of the bank, nor at any time so as to reduce said fund below the amount required for the same as herein before provided. The general deposits shall be entitled to such rate of interest from the bank as may be prescribed or agreed to, not, however, in any case to exceed the rate of six per cent per annum; and the special deposits for the guaranty fund shall not be entitled to any interest, but instead thereof shall have all the net income and profits of the bank above its expenses, the interest due to the general deposits as aforesaid, and all losses of the bank. And said net income and profits may be divided proportionally among said special deposits, at such times and in such ways as the bank or its trustees may order: *provided, however*, that such dividends shall be made only when the net resources of the bank above its expenses, its liabilities for the general deposits, and the guaranty fund aforesaid, shall be sufficient to pay the same.

Membership; individual liability; management.

SECT. 5. The special depositors for the guaranty fund and their assigns shall, by virtue thereof, become and be members of the corporation, and have and exercise all the rights and powers of the same, — each special depositor being entitled to one vote for each one hundred dollars of his said deposit. But no member shall incur or be subject to any individual liability, in any case, for any debts or liabilities of the corporation; and the management and control of the affairs of the corporation shall be vested in a board of

not less than five nor more than ten trustees, to be chosen by the members of the corporation. A majority of said board, at any meeting duly notified, shall constitute a quorum for the transaction of business; and said board shall have the power to make and establish such rules and regulations as they may think proper for the transacting and governing the business of the corporation.

SECT. 6. Said bank may purchase and hold real estate to the value, when purchased, of not exceeding twenty-five thousand dollars; and may hold such amounts as may at any time be deemed advisable, for the security and satisfaction of any dues to it. Limitation of real estate.

SECT. 7. The special deposits for the guaranty fund shall, for the purpose of taxation, be treated as stock in banks, and each special depositor's share of such special deposits shall be returned by the cashier or treasurer to the selectmen or assessors of the towns or cities wherein the special depositors reside, if within this state, otherwise to the assessors of the city of Nashua. Taxation of special deposits.

SECT. 8. Any three of the five grantees first named may call the first meeting of the corporation, by notice in writing to each grantee, or by one publication in some newspaper printed at Nashua, at least one week before the day of meeting. First meeting.

SECT. 9. The legislature may alter, amend, or repeal this act, whenever in their opinion the public good shall require. Subject to repeal.

SECT. 10. This act to take effect upon its passage.

[Approved July 19, 1879.] Takes effect, when.

STATE OF NEW HAMPSHIRE.

OFFICE OF SECRETARY OF STATE,
CONCORD, August 25, 1879.

I hereby certify that the acts and resolves contained in this pamphlet have been compared with the originals in this office, and found to be correctly printed.

A. B. THOMPSON,
Secretary of State.

A P P E N D I X.

OPINION OF THE SUPREME COURT ON THE LAW AUTHORIZING TOWNS TO EXEMPT MANUFACTUR- ING PROPERTY FROM TAXATION.

To the House of Representatives :—

The undersigned respectfully comply with your resolution requesting our opinion on the question, whether the law authorizing towns to exempt manufacturing property from taxation is a violation of the bill of rights.

“Towns may by vote exempt from taxation, for a term not exceeding ten years, any establishment therein, or proposed to be erected or put in operation therein, and the capital used in operating the same, for the manufacture of fabrics of cotton, wool, wood, iron, or any other material; and such vote shall be a contract binding for the term specified therein.”—General Laws, chap. 53, sect. 10.

The title of the original act (Laws 1860, chap. 2,361) was “An act to encourage manufactures.” The general purpose of the law was to increase employments, means of support and profit, home markets, business, and population, by the extension of manufacturing industry, upon which the general prosperity of the state is so largely dependent. Another purpose was to increase the future revenues of the state, the counties, and the towns, by inducing home capital to remain, and foreign capital to come, for permanent investment here, subject to taxation after the expiration of the temporary exemption. For similar purposes, similar encouragement is given to certain agricultural improvements, and the building of railroads. General Laws, chap. 53, sect. 4; chap. 62, sect. 1. The exemption in each case is limited to ten years. A perpetual alienation of the whole power of taxation would be the destruction of government; and the dangerous tendency of legislation suspending any part of that power, for any future period, is manifest. But we are not aware that these laws, encouraging the extension of agriculture, manufactures, and railways, have, thus far, practically impaired the efficiency of the government, or that the public has not received the benefits to which it was entitled, and which the legislature sought to gain by the promise of exemption.

By the offer and promise to exempt from taxation such property as the owner shall, in a new investment, devote to a business of

public utility, and by an acceptance of that offer, and a new investment of money according to its terms, an agreement is made that contains every element of a contract binding upon both parties, if they are capable of making it. There are parties, mutual assent, consideration, and performance of the contract on one side. The supreme court of the United States held it to be a valid contract, protected by the constitution of the United States,— a contract, the obligations of which the state cannot impair. Its validity was understood not to be an open question. By the stipulation that “such vote shall be a contract binding for the term specified therein,” the state held out the decisions of the highest judicial tribunal, as a ground on which the promise of the state could be safely relied upon. By that stipulation, the state said to owners of money, “In addition to such faith as our word is entitled to, we invite you to put your trust in a binding contract, the constitutional inviolability of which has been settled by the court whose judgment is final and conclusive. If you doubt our honor, you can confide in the national guaranty.”

Having thus briefly stated the situation of the parties under the contracts of ten-years’ exemption heretofore made, and shown that the question of the performance of those contracts by the government involves a question of common honesty, we may not be justified in considering the expediency or the legality of a breach of faith, and a repudiation of the solemn obligations which the government understandingly proposed and fairly entered into. When the nature of this case is understood, no legal advice can be necessary for the guidance of the party whose promise remains, in whole or in part, to be performed.

But the credit of a trustworthy people, indispensable to the strength of the state in war or peace, ought not to be weakened by any groundless distrust of the legal validity of public contracts. The constitution of New Hampshire makes it the duty of the legislators and magistrates to inculcate and constantly adhere to honesty and justice as virtues necessary to preserve the blessings of liberty and good government. Constitution, part I., article 38; part II., article 83. As magistrates, sharing that duty with the legislature, we are not prepared to hold that it would not be illegally violated by allowing the state or any of its municipal agencies to be guilty of the fraud and tyranny of breaking such contracts of ten-years’ exemption as have been made with manufacturers, railroads, and farmers.

But, if the true construction of the state constitution did not authorize the making of those contracts, they are binding nevertheless. Laws authorizing such contracts for ten years were passed in the last century, soon after the date of the constitution, and we are not aware that their constitutionality was questioned by the generation that made and adopted the constitution. And, notwithstanding what was said by the court (in 4 N. H. 565, and in *Brewster v. Hough*, 10 N. H. 138, 147), the construction established when the present contracts were made,— the construction acquiesced in, always acted upon, and never decided to be erroneous,— was, that such contracts are constitutional. So fully and so universally has this been understood, that the public declaration in the act of 1860, setting forth the binding nature of these contracts, was

repeated by the legislature in 1867, in 1871, and in 1878. General Statutes, chap. 49, sect. 9; Laws 1871, chap. 25; General Laws, chap. 53, sect. 10. Contracts, valid by the well-settled, practical construction of the constitution when they were made, cannot be invalidated by an amendment of the constitution (*Dodge v. Woolsey*, 18 How. 331, 360; *J. B. Bank v. Skelley*, 1 Black 436, 449, 450; *P. R. Co. v. Maguire*, 20 Wall. 36), or by a judicial change of construction. *Rowan v. Runnels*, 5 How. 134, 139; *O. L. J. & T. Co. v. Debolt*, 16 How. 416, 431, 432; *Pease v. Peck*, 18 How. 595, 599; *Gelpcke v. Dubuque*, 1 Wall. 175, 206; *Havemeyer v. Iowa County*, 3 Wall. 294, 303; *Chicago v. Sheldon*, 9 Wall. 50, 55, 56; *Olcott v. Supervisors*, 16 Wall. 678, 690. Should it be now decided that the true construction of the constitution does not authorize these ten-years' exemption contracts, the decision could have no retrospective effect: no such contracts hereafter made would be binding; but those heretofore made, under a different construction, would remain in force. Upon these principles of integrity and fair dealing the government was founded.

Whether the true construction of the constitution authorizes the making of ten-years' tax-exemption contracts, is a question on which, we conceive, the house cannot need our opinion. So long as the existing laws remain unrepealed, and the constitutional construction heretofore adopted remains unchanged, contracts hereafter made under those laws and that construction will be valid. If the legislature, for any reason, wish to prevent the making of any more such contracts, their object can be accomplished by a repeal of the laws authorizing them. As contracts made before the repeal could not be affected by the repeal, and as the power of making future contracts under those laws would be taken away by the repeal, we see no contingency in which the house can desire our opinion on the question whether a new construction of the constitution should be introduced. And the proper investigation of that question would require so much time, that a well-considered answer could not probably be given at the present session. On the point which we have undertaken to decide, having duly deliberated, and carefully examined the authorities of other jurisdictions, we entertain no doubt.

C. DOE,
 WM. L. FOSTER,
 C. W. STANLEY,
 GEO. A. BINGHAM,
 W. H. H. ALLEN,
 ISAAC W. SMITH,
 LEWIS W. CLARK.

JULY 10, 1879.

I N D E X .

INDEX

TO

PUBLIC ACTS AND RESOLUTIONS, PASSED JUNE SESSION, 1879.

Acts done under chapter 219 legalized	370
Adjutant-general's department, appropriation for	377
Adjutant-general, salary increased	344
Albany, tax abated	345
Aldrich, H. H., claim of	385
Alexandria, doings of selectmen legalized	343
Amendments in civil cases	332
Annual invoice, in relation to	361
Animals, diseased, penalty for exposing	344
Apportionment of state tax	345
Appropriation for State Normal School	360
for deaf mutes, blind, etc.	373
for contingent expenses of governor	373
to pay claims of individuals . 374, 376, 385, 386, 387, 389, 390,	392
for care and preservation of old records	374
for Prisoners' Aid Association	375
for repair of arsenal at Portsmouth	376
for state library	377
for state-prison library	377
for adjutant-general's department	377
for heating apparatus for state-house	378
for repairing roads at White Mountain Notch	379
for repairing roads in Lincoln	379
for repairing roads in Randolph	380
for repairing roads in Coos County	380
for building an arsenal in Concord	386
for salary of chaplain to state-prison	388
for expenses of trustees of normal school	388
for reform school	381
for engrossing clerk	388
for new state-prison	391
Arsenal in Portsmouth, appropriation to repair	376
Arsenal in Concord, appropriation to build	386
Asylum for insane, price of board	359
Attachments may be released, when and how	371
Attachments, may be made without order of court	370
Attached property, relating to	342, 371
Baker, A. W., claim of	385
Ballots to be preserved	372

Bank commissioners, mileage of	370
Banks, savings, in relation to	331
Bark, measurers of may be chosen	332
Barrett, Wm. E., claim of	387
Bartlett, G. H., claim of	387
Barton, Levi, claim of	387
Bass, striped, may be taken	341
Bastard children, maintenance of	330
Beet, sugar, to encourage growing of	341
Beneficiaries of state, appropriation for	373
Bethlehem, doings of collector legalized	343
Billiard-tables, relating to license of	342
Birds may be taken, when	337
Bonds of executors and trustees under a will	363
Boscawen, police officers in district No. 7	333
Bounty on foxes repealed	334
Bristol, doings of selectmen and assessors legalized	367
Brown, Geo. H., claim of	389
Brown, L. B., claim of	390
Burglary, how punished	371
Campbell and Hanscom, claim of	392
Canney, A. W., claim of	390
Carter, Solon A., claim of	385
Carroll County Bank, tax remitted	375
Carroll County, in regard to affairs of	383
Carroll, doings of selectmen legalized	343
Caswell, Wm. A., claim of	387
Centennial exhibition, in relation to closing up	383
Certificates of election of representatives, how returned	368
Challenges of jurors, by the state	371
Chamberlain, John, claim of	374
Chaplain to state-prison, salary of	388
Check-lists, hearings for correction of	368
Check-lists to be used at all elections	368
Children, act relating to employment of	340
Children, destitute and abused, protected	335
Church property taxable	363
Civil cases, amendments in	332
Claims of citizens against other states, may be assigned to this state	357
Clarke, John B., claim of	392
Clerks of court to attend law terms	333
Clerk at sale of non-resident land, fees not allowed	369
Commissioners may be appointed in foreign countries	368
Concord, police officers in ward one	333
Coos County, times for holding supreme court changed	334
Corporations, minority representation in	365
County, not chargeable as trustee	371
County commissioner, when to meet with board of equalization	369
County officers, tenure of office	329
County paupers, in relation to support of	336
Cummings, C. E., claim of	387
Cumulative voting in corporations	365
Danville, proceedings of legalized	343
Democratic Publishing Co., claim of	390, 392
Dickey, Geo. A., claim of	387
Dover, line changed	338
Executors under a will, relating to bond	363
Farr, John, claim of	389
Faulkner, F. A., claim of heirs	390
Fertilizers, sale of regulated	353
Fire-districts may sprinkle streets	370
Fish, in relation to catching salmon	358
Fish, in relation to bass and smelts	341

Foster, John, claim of	389
Fountain in state-house yard, to be moved	378
Foxes, bounty on repealed	334
Fraud by false pretenses, relating to	351
Freights, charges for on railroads regulated	366
Gardner, Wm. H., claim of	387
General Laws, sections of repealed	369
General Laws, verbal correction	370
General Laws of 1878, supersedence, etc.	372
Gorham, state tax abated	378
Hammond, I. W., claims of	385, 392
Hammond and Ayers, claim of	386
Hardy, A. C., claim of	387
Haverhill, proceedings of legalized	343
Hayes, Lyman, claim of	387
Haynes, M. A., claim of	390
Health officers, to remove matter liable to become putrid	370
Highways, repairs of	355
Highways, settlement of damage in laying out	369
Hillsborough County, times and places of holding probate courts	355
Hillsborough County, salary of judge of probate	356
Homesteads, exemption of	338
Hull, Samuel H., claim of	387
Husband, relating to right in estate of deceased wife	354
Incidental expenses of governor provided for	373
Insane, asylum for, price of board	389
Insurance, contracts of regulated	336
Inventories, blank, furnished by secretary of state	369
Invoice, annual, act in relation to	361
Invoice-books, to be furnished by secretary of state	368
Jackson, Andrew, claim of	385
Jenkins, F. S., claim of	387
Journal of senate and house, relating to	339
number to be published	368
Justices of supreme court, may not sit at law term, when	372
Keene, proceedings of assessors and collectors legalized	362
Keneson, R. S., claim of	390
Lee, doings of selectmen legalized	343
Lien, lumbermen's	370
License, for sale of fertilizers	353
for sale of lightning-rods	352
for billiard-tables	342
for sale of trees, shrubs, and patent-rights	359
peddler's, certain persons exempt	370
Lightning-rods, sale of regulated	352
Lobsters, protection of	331, 341
Londonderry, proceedings of annual meeting legalized	330
Manufacturing corporations may not employ children under ten years old	340
Married women, rights of	370
Measurers of bark may be chosen	332
Mechanics' Savings Bank, tax remitted	382
Meloon, J. A., claim of	392
Minors, discrimination against repealed	369
Moore, O. C., claim of	392
Morrill and Silsby, claim of	392
Names changed	392, 393
Newcastle, tax abated	345

N. H. N. G., concerning enlistments in	340
Newspapers to publish laws	368
Non-resident land, fees not allowed to clerk at sale of	369
Normal school, trustees and appropriation	360
appropriation to pay trustees	388
Notes, copies of, may be filed in vacation	362
Noyes, R. T., claim of	389
Pamphlet laws, number to be published	368
Parker, H. W., claim of	385
Parker, Charles H., claim of	390
Parker, Carmi M., claim of	392
Partnerships may be renewed, when	337
Patent-rights, sale of, regulated	359
Paupers, county, in relation to support of	336
Peddler's license, certain persons exempt	370
Perkins, George A., claim of	387
Personal injuries, actions for	353
Petroleum, in relation to inspection of	370
in relation to purity of	370
Pigeon-shooting, act to suppress	364
Pittsburg, doings of selectmen legalized	343
Portraits, thanks for	382
Prisoners' Aid Association, appropriation for	375
Prisoners, may communicate with governor	391
Probate courts, times and places of holding	355
salary of judge, Hillsborough County	356
Public health protected	370
Railroads, freight charges regulated	366
Rand, D. H., claim of	387
Reform school, appropriation for	381
Reports to legislature, number to be published	368
Representatives, certificates of election to be sent to secretary of state.	368
Republican Press Association, claim of	392, 390
Richmond, proceedings of legalized	343
Rolfe, Henry P., claim of	390
Rolfe, Fred F., claim of	387
Rollinsford, town line changed	338
Rye, relating to Gosport district	364
Sale of attached property, court may order	371
Salmon, time of taking	358
Sanders, Calvin, claim of	387
Sargent, J. E., claim of	387
Savings banks, act in relation to	331
Schools, relating to literary fund	365
School-districts, women may hold office in	370
School-district meetings, relative to	372
School-meetings, oath may be administered by clerk	369
School-meetings, qualification of voters in	370
School-teacher, how examined in certain cases	372
Sheriffs and county officers, tenure of office	329
Shooting-matches, act to suppress	364
Sinclair, Frank B., claim of	387
Smelts, may be taken	341
State-house, appropriation for heating apparatus	378
library, appropriation for	377
prison, appropriation for enlarging yard	391
relating to prisoners	391
library, appropriation for	377
tax, amount to be raised	343
treasurer, may borrow money	381
normal school, trustees and appropriation	360
Stevens and Dunklee, claim of	386
Stewartstown, proceedings of annual meeting legalized	362
Stokes, John K., claim of	387

Sugar beet, to encourage growing of	341
Supervisors of check-lists, law relating to amended	368
Supreme court, Amherst term abolished	357
times of holding at Nashua and Manchester	357
when justices may not sit	372
Coos County, times of holding changed	334
Taxable property, annual invoice of	361
Taxes, resident, notice in newspapers of sale of real estate in collection of, not required	369
Telegraph companies, where to keep offices	356
Trees, shrubs, and patent-rights, sale of regulated	359
Trout, time of taking	358
Trustees, relating to service of writs upon	339
Trustees under a will, relating to bond	363
Underhill, John, claim of	387
Vessels, sea-going, how rated for taxation	368
Veteran soldiers may enlist in N. H. N. G., when	340
Village fire-districts, may sprinkle streets	370
Vogler Brothers, claim of	385
Washington, proceedings of legalized	343
Wiggin, Josiah B., claim of	376
Wiggin, J. F., claim of	387
Wife, relating to right in estate of deceased husband	354
Wild animals, bounty on foxes repealed	334
Winnepesaukee Lake Company, commissioners' claims	389
Woodman, C. W., claim of	390
Writs upon trustees, service of	339

INDEX

TO

PRIVATE ACTS AND RESOLUTIONS, PASSED JUNE SESSION, 1879.

Amory Manufacturing Company incorporated	395
Amoskeag Bank incorporated	411
Apthorp Reservoir Company incorporated	398
Banks incorporated, Amoskeag	411
Guaranty Savings	413
Kearsarge	418
Merchants'	412
New Hampshire	419
Pittsfield	417
B., C. and M. Railroad, charter amended	402
Bristol Savings Bank, charter amended	407
Carter, T. S., homestead changed for school purposes	409
Charters amended, B., C. and M. Railroad	402
Bristol Savings Bank	407
city of Dover	403, 415
city of Keene	404
city of Manchester	408
Concord and Rochester Railroad	401
Crystal Springs Water Company	395
Elliot Bridge Company	403
Farmington and Rochester Railroad	404
Manchester and Keene Railroad	419
N. H. Missionary Society	397
Whitefield and Jefferson Railroad	417
Concord and Rochester Railroad, charter amended	401
Crystal Springs Water Company, charter amended	395
Dover, city of, charter amended	403, 415
Elliot Bridge Company, charter amended	403
Farmington and Rochester Railroad, charter amended	404
Good Templars, Grand Lodge of, incorporated	402
Hampstead, homesteads changed for school purposes	409
Kearsarge Bank incorporated	418
Keene, city of, charter amended	404
Lancaster and Kilkenny Railroad incorporated	405

Manchester, city of, charter amended	408
Manchester and Keene Railroad, charter amended	419
Manchester Steam-Heating Company incorporated	416
Merchants' Bank incorporated	412
Morrison Lodge, F. and A. Masons, incorporated	396
Nashua and Rochester Railroad, relating to bonds	415
New Hampshire Banking Company incorporated	419
N. H. Missionary Society, name changed	397
Odd Fellows' Building Association incorporated	400
Pillsbury, Lyman, Alden E., and Benj. L., homesteads changed for school purposes	409
Pittsfield Bank incorporated	417
Railroads, Worcester and Nashua	397
Boston, Concord, and Montreal	402
Concord and Rochester	401
Farmington and Rochester	404
Lancaster and Kilkenny	405
Manchester and Keene	419
Nashua and Rochester	415
Whitefield and Jefferson	417
Salisbury, homestead changed for school purposes	401
Savings Bank, Guaranty, of Manchester, incorporated	413
Sawyer, I. N., homestead changed for school purposes.	401
Unitarian Educational Society incorporated	410
Whitefield and Jefferson Railroad, charter amended	417
Worcester and Nashua Railroad may mortgage road	397

