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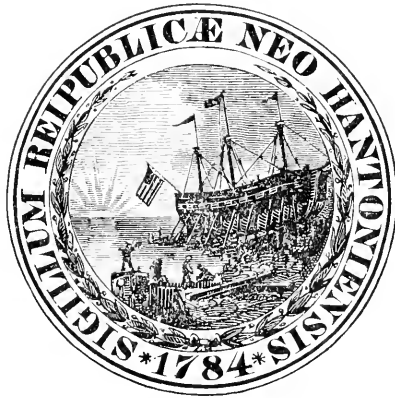
Accession No. 8016

L A W S

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1885.



MANCHESTER, N. H. :
JOHN B. CLARKE, PUBLIC PRINTER
1885.

STATE OFFICERS.

MOODY CURRIER, *Governor.*
AL B. THOMPSON, *Secretary of State.*
ISAAC W. HAMMOND, *Deputy Secretary of State, and Editor
of State Papers.*
SOLON A. CARTER, *State Treasurer.*
JOHN B. CLARKE, *Public Printer.*
CHESTER PIKE, *President of the Senate.*
FRANK D. CURRIER, *Clerk of the Senate.*
EDGAR ALDRICH, *Speaker of the House.*
EDWIN F. JONES, *Clerk of the House.*
AUGUSTUS D. AYLING, *Adjutant-General.*
FRANK S. DODGE, *Warden of State Prison.*
OLIVER PILLSBURY, *Insurance Commissioner.*
JAMES W. PATTERSON, *Superintendent of Public Instruction.*
CHARLES A. DOLE, *Secretary of Board of Equalization.*
JAMES O. ADAMS, *Secretary of Board of Agriculture.*
IRVING A. WATSON, *Secretary of Board of Health.*
WILLIAM H. KIMBALL, *State Librarian.*

SUPREME COURT.

CHARLES DOE, *Chief Justice.*
WILLIAM H. H. ALLEN,
ISAAC W. SMITH,
LEWIS W. CLARK,
ISAAC N. BLODGETT,
ALONZO P. CARPENTER,
GEORGE A. BINGHAM, } *Associate Justices.*
MASON W. TAPPAN, *Attorney-General.*
WILLIAM S. LADD, *Law Reporter.*

L A W S

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JUNE SESSION, 1885.

CHAPTER 1.

AN ACT AUTHORIZING THE PRINTING OF THE TABULATED RETURNS OF
THE VOTE ON CONSTITUTIONAL AMENDMENTS.

SECTION

1. Tabulated votes on proposed constitutional amendments to be printed.

SECTION

2. How distributed.

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

SECTION 1. The secretary of state is authorized and directed to procure the printing in convenient form of one thousand copies of the official tabulated returns of the votes cast in each city and town of this state, on the proposed amendments to the constitution that were submitted to the people by the convention holden in December, 1876, together with the proclamation of the governor announcing what amendments had been adopted and what rejected.

Tabulated votes on proposed constitutional amendments to be printed.

SECT. 2. The secretary of state shall distribute the tables when printed as follows: One copy to the governor and each member of the council; one copy to each member of the legislature; one copy to each state officer; one copy to each public library in the state; ten copies to the New Hampshire Historical Society; ten copies to the New Hampshire Antiquarian Society; and the

How distributed.

remainder shall be placed in the State Library, to be disposed of in such way as the trustees thereof may direct.

[Approved July 9, 1885.]

CHAPTER 2.

AN ACT PROVIDING FOR A REPORT OF THE NUMBER AND CAUSES OF DIVORCES.

SECTION

- 1. Clerks of court to report divorces.
- 2. Returns to be published.

SECTION

- 3. Repealing clause.
- 4. Takes effect, when.

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

Clerks of court to report divorces.

SECTION 1. That the clerks of the supreme court shall, at the close of each term in their respective counties at which divorces are granted, make return to the registrar of vital statistics of the number of divorces decreed at that term, the causes thereof, the sex of the libellant, and the date of the decree.

Returns to be published.

SECT. 2. That it shall be the duty of the registrar of vital statistics to consolidate said returns, and publish them with his report of births, marriages, and deaths.

Repealing clause.

SECT. 3. That chapter 12 of the Session Laws of 1881 be and hereby is repealed.

Takes effect, when.

SECT. 4. That this act shall take effect on its passage.
[Approved July 9, 1885.]

CHAPTER 3.

AN ACT REPEALING SECTION 9 OF CHAPTER 176 OF THE GENERAL LAWS, AND CHAPTER 38 OF THE LAWS OF 1881, RELATIVE TO PROHIBITING FISHING BY TOWNS AND CITIES.

SECTION

- 1. Laws repealed.

SECTION

- 2. Takes effect, when.

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

Laws repealed.

SECTION 1. That section 9 of chapter 176 of the General Laws, and chapter 38 of the laws of 1881, authorizing towns and cities to prohibit fishing for a period not exceeding three years, are hereby repealed.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 9, 1885.]

CHAPTER 4.

AN ACT REPEALING CHAPTER 44 OF PAMPHLET LAWS OF 1879, REGULATING THE "SALE OF TREES, SHRUBS, AND PATENT RIGHTS."

SECTION 1. Law repealed.		SECTION 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 44 of Pamphlet Laws of 1879, regulating the sale of trees, shrubs, and patent rights, is hereby repealed. Law repealed.

SECT. 2. This act shall take effect on its passage. Takes effect, when.
[Approved July 10, 1885.]

CHAPTER 5.

AN ACT RELATING TO THE SALARY OF THE SOLICITOR OF THE COUNTY OF ROCKINGHAM.

SECTION 1. Salary \$600.		SECTION 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The annual salary of the solicitor of the county of Rockingham shall, hereafter, be six hundred dollars, payable at the same time and subject to the same conditions as now provided by law. Salary \$600.

SECT. 2. This act shall take effect upon its passage. Takes effect, when.
[Approved July 10, 1885.]

CHAPTER 6.

AN ACT TO EXPEDITE THE CLOSING UP OF INSOLVENT BANKS, AND IN AMENDMENT OF CHAPTER 166, GENERAL LAWS.

SECTION 1. Uncalled-for dividends to be paid into state treasury.		SECTION 2. How disposed of. 3. Takes effect, when.
--	--	--

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

SECTION 1. At the expiration of one year from the final decree or order of court distributing the assets of an incorporated bank Uncalled-for dividends to be paid into state treasury.

among the stockholders or depositors, as provided by section 17, chapter 166 of the General Laws, the assignee shall make report to the court or some justice of the supreme court of the names, residence, so far as known, and amount of all dividends uncalled for, and the court or justice shall thereupon order the same paid into the state treasury, and a copy of such report to be delivered to the state treasurer. The receipt of the state treasurer to the assignee shall be a full discharge to the assignee for said dividends.

How disposed of.

SECT. 2. It shall be the duty of the state treasurer to keep in a book provided for that purpose a record of all such dividends so paid to him, with the names of the stockholders or depositors to whom the same belong, their residence, so far as known, and the amount of the same; and he shall pay the same, less one per cent for his services, to the stockholders or depositors to whom the same belong, or to their legal representatives when called for, without interest. All dividends uncalled for at the end of five years from the time they are paid into the state treasury, shall escheat to the state.

Takes effect when.

SECT. 3. This act shall take effect upon its passage.
[Approved July 10, 1885.]

CHAPTER 7.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 290 OF THE GENERAL LAWS, IN RELATION TO FEES AND COSTS.

SECTION

1. Fees of justices of the peace increased in certain cases.

SECTION

2. Takes effect, when.

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

Fees of justices of the peace increased in certain cases.

SECTION 1. That section 1, chapter 290 of the General Laws be and hereby is amended by adding after the words "one dollar" at the end of the twenty-second line in said section, the words "*provided, however, that in case said trial shall occupy the time of said justice for a full day or more, he shall be allowed the sum of two dollars per day, for the time so occupied.*"

Takes effect when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 16, 1885.]

CHAPTER 8.

AN ACT ABOLISHING THE POLICE COURT OF THE TOWN OF HAMPTON.

SECTION

1. Police court abolished.

SECTION

2. Takes effect, when.

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

SECTION 1. That the police court of the town of Hampton is hereby abolished. Police court abolished.

SECT. 2. This act shall take effect upon its passage. Takes effect, when.
 [Approved July 17, 1885.]

CHAPTER 9.

AN ACT IN AMENDMENT OF SECTION 16 OF CHAPTER 224 OF THE GENERAL LAWS, RELATING TO ATTACHMENTS.

SECTION

1. Copy of writ to be left within twenty-four hours after attachment.

SECTION

2. Takes effect, when.

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

SECTION 1. That section 16 of chapter 224 of the General Laws be amended by inserting after the word "may" and before the word "leave," in the fifth line of said section, the words "within twenty-four hours thereafter," so that said section shall read: "The officer attaching grain unthreshed, hay, potatoes, leaf tobacco, lumber, bark, wood, or other fuel, bricks, stone, lime, gypsum, ore, manufacturing or other machinery, or hides in the process of tanning, or any building situate on land not belonging to the owner of the building, may, within twenty-four hours thereafter, leave an attested copy of the writ and of his return of such attachment thereon, as in the attachment of real estate; and in such case the attachment shall not be dissolved or defeated by any neglect of the officer to retain actual possession of the property."

Copy of writ to be left within twenty-four hours after attachment.

SECT. 2. This act shall take effect upon its passage. Takes effect, when.
 [Approved July 17, 1885.]

CHAPTER 10.

AN ACT TO PROHIBIT THE SALE AND CIRCULATION OF IMPURE AND CORRUPTING LITERATURE.

SECTION

- 1. Penalty for publishing or selling impure literature.
- 2. For employing minor child for that purpose.

SECTION

- 3. For permitting minor child to be employed for that purpose.
- 4. Takes effect, when.

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

Penalty for publishing or selling impure literature.

SECTION 1. If any person shall knowingly print, publish, sell, lend, give, or show to any other person any book, pamphlet, magazine, newspaper, or any other printed paper, devoted to the publication or illustration of stories of bloodshed, lust, or crime, or principally made up of police reports and criminal news; or circulates, displays, or posts, or causes to be circulated, displayed, or posted, any picture, handbill, or poster advertising any such book, pamphlet, magazine, or printed paper, or giving information where any such literature may be found, he shall be fined not less than twenty-five dollars nor more than one hundred dollars, or imprisoned not exceeding six months, or both.

For employing minor child for that purpose.

SECT. 2. If any person shall in any manner hire, employ, or use any minor child to sell or give away, or in any manner to distribute any such reading matter, or any such advertisement, he shall be fined not less than twenty-five dollars or imprisoned not exceeding six months, or both.

For permitting minor child to be employed for that purpose.

SECT. 3. If any person having the care, custody, or control of any minor child shall knowingly permit such child to sell or give away any such reading matter or any such advertisement, he shall be fined not less than twenty-five dollars, or imprisoned not exceeding six months, or both.

Takes effect, when.

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

[Approved July 23, 1885.]

CHAPTER 11.

AN ACT RELATING TO THE SURVIVAL OF ACTIONS AND CAUSES OF ACTIONS.

SECTION

1. Actions and their causes survive death of parties.

SECTION

2. Repealing clause.

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

SECTION 1. No action, or cause of action, shall be lost by the death of either party, but the same shall survive for and against the personal representatives of the deceased.

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

[Approved July 23, 1885.]

CHAPTER 12.

AN ACT TO PROVIDE FOR THE PUBLICATION OF A RECORD OF NEW HAMPSHIRE SOLDIERS AND SAILORS IN THE WAR OF THE REBELLION.

SECTION

1. Military record of soldiers and sailors to be prepared and published.
2. Number and distribution.

SECTION

3. \$1,200 annually for two years, appropriated.
4. Takes effect, when.

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

SECTION 1. The adjutant-general shall, as soon as practicable after the passage of this act, under the direction of the governor and council, prepare and publish a record of all soldiers and sailors who served in the war of the Rebellion from the state of New Hampshire, such record to contain the name, residence, date of enlistment, to what city or town assigned, date of muster in, rank, promotions, wounds received, date of discharge, muster out, or death, date and place of death since discharge, or present residence, and such other facts as shall make the same, as far as practicable, a complete and concise military record of each soldier or sailor so serving; and for this purpose the adjutant-general is authorized to employ such clerical assistance as may be necessary.

SECT. 2. Two thousand copies of said record shall be printed by the state printer and distributed as follows, namely: One copy to each city and town in the state, one copy to each public library in the state, one copy to each post of the Grand Army of the Republic in the state, fifty copies to the New Hampshire Histor-

ical Society, and the remainder to be placed in the custody of the trustees of the State Library, who are hereby authorized to exchange the same for similar publications by other states, and to dispose of the same at cost of paper, printing, and binding.

§1,200 annually for two years, appropriated.

SECT. 3. For the purpose of carrying into effect the provisions of this act, a sum not exceeding twelve hundred dollars is hereby appropriated annually for two years, commencing September 1, 1885, to be expended under the direction of the governor and council, and the governor is hereby authorized to draw his warrant on the state treasurer for the said amount.

Takes effect, when.

SECT. 4. This act shall take effect upon its passage.
[Approved July 23, 1885.]

CHAPTER 13.

AN ACT TO EXPEDITE THE TRIAL OF PROBATE APPEALS.

SECTION

1. Appeals to be taken to trial terms of supreme court.

SECTION

2. Repealing clause; takes effect, when.

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

Appeals to be taken to trial terms of supreme court.

SECTION 1. Probate appeals and applications therefor shall be taken to and entered at the trial terms of the supreme court.

Repealing clause; takes effect, when.

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

[Approved July 23, 1885.]

CHAPTER 14.

AN ACT TO RENDER MORE EFFICIENT THE HEALTH LAWS OF THE STATE.

SECTION

1. Duties of selectmen in appointment of health officers.

2. State board of health may make rules and regulations for local boards.

SECTION

3. Local boards to report to state board.

4. Repealing clause.

5. Takes effect, when.

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

Duties of selectmen in appointment of health officers.

SECTION 1. The selectmen of any town that has neglected to elect a health officer or officers may appoint one or more health officers for said town as in the judgment of the selectmen may be necessary; but if no health officer or officers shall have been

elected or appointed, it shall, upon the petition of ten or more legal voters, be the duty of the selectmen to appoint one or more health officers, as in their judgment may be necessary.

SECT. 2. The state board of health may make, in addition to the rules and regulations of local health officers, such other rules and regulations, or may make such amendments to existing rules and regulations as in the judgment of the board the public good may demand, and such rules and regulations shall be enforced by the health officers in the same manner as other health regulations.

State board of health may make rules and regulations for local boards.

SECT. 3. Health officers or local boards of health shall furnish the state board of health with such information as may be called for from time to time concerning the work of such health officers or local boards of health, and a copy of all rules and regulations issued by such health officers or local boards of health shall be forwarded to the state board of health when issued.

Local boards to report to state board.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing clause.

SECT. 5. This act shall take effect upon its passage.
[Approved July 23, 1885.]

Takes effect, when.

CHAPTER 15.

AN ACT IN AMENDMENT OF SECTION 7 OF CHAPTER 170 OF THE GENERAL LAWS, RELATING TO THE BONDS OF TREASURERS OF SAVINGS BANKS.

SECTION

1. Penal sum of bond limited.

SECTION

2. Takes effect, when.

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

SECTION 1. Section 7 of chapter 170 of the General Laws is hereby amended by adding at the close the words: "*Provided, however,* that no bond shall ever be required in a larger penal sum than one hundred thousand dollars."

Penal sum of bond limited.

SECT. 2. This act shall take effect on its passage.
[Approved July 23, 1885.]

Takes effect, when.

CHAPTER 16.

AN ACT TO LEGALIZE THE TOWN MEETINGS HELD IN RANDOLPH FOR
1883 AND 1884.

SECTION	}	SECTION
1. Proceedings of town meetings legalized.		2. Takes effect, when.

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

Proceedings of
town meetings
legalized.

SECTION 1. That the town meetings held in the town of Randolph for the years 1883 and 1884, and all votes passed by said meetings called for by the warrants, are hereby ratified, confirmed, and legalized.

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 23, 1885.]

CHAPTER 17.

AN ACT TO AUTHORIZE THE REPRINTING THE LAWS AND ACTS
OF THE PROVINCE OF NEW HAMPSHIRE FROM 1696 TO 1725.

SECTION	}	SECTION
1. Old laws to be republished. 2. How disposed of.		3. Takes effect, when.

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

Old laws to be
republished.

SECTION 1. That the secretary of state is authorized to have printed three hundred copies of the volume entitled " Acts and Laws of the Province of New Hampshire " from 1696 to 1725, published in 1726.

How disposed of.

SECT. 2. Said books may be sold at cost under the direction of the trustees of the State Library, or exchanged with other public libraries as in the discretion of said trustees shall be deemed proper, and thirty copies may be given to the New Hampshire Historical Society.

Takes effect,
when.

SECT. 3. This act shall take effect upon its passage.
[Approved July 23, 1885.]

CHAPTER 18.

AN ACT AUTHORIZING THE PRINTING AND DISTRIBUTION OF THE
INDEX TO THE LAWS.

SECTION

1. Secretary to order 800 copies to be printed.
2. How distributed.

SECTION

3. How to be labeled.
4. Takes effect, when.

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

SECTION 1. The secretary of state is authorized and directed to issue an order to the public printer to print and bind eight hundred copies of the index to the laws of the state that has been prepared in his office, under the act approved September 11, 1883.

Secretary to order 800 copies to be printed.

SECT. 2. The volumes of the printed index shall be distributed as follows: To the governor; to each member of the council, Senate, and House; to the secretary, treasurer, adjutant-general, superintendent of public instruction, insurance commissioner, secretary of the board of health, secretary of the board of agriculture, railroad commissioners, superintendent of the asylum for the insane, warden of the state prison, superintendent of the industrial school, principal of normal school, each register of probate, each register of deeds, the attorney-general and each county solicitor, for the use of their respective offices; to each of the clerks of the Senate and House; to each of the justices of the supreme court, and to each clerk of said court for the use of the court; to the clerk of the supreme court of the United States for the use of said court; to the clerks of the circuit and district courts of the United States for the district of New Hampshire for the use of said courts; to each town and city in the state; to the New Hampshire Historical Society; to the New Hampshire Antiquarian Society; to the New England Historic Genealogical Society; to the Social Law Library of Boston, Massachusetts; to each state and territory of the United States; to the Congressional Library; and to the library of Dartmouth College, — one copy each.

How distributed.

SECT. 3. The secretary of state shall insert in each volume distributed a label by him signed and dated, and stating that the same is presented by the state, to whom, and for what use.

How to be labeled.

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

Takes effect, when.

[Approved July 23, 1885.]

CHAPTER 19.

AN ACT IN AMENDMENT OF CHAPTER 212, GENERAL LAWS, IN RELATION TO THE BONDS OF CLERKS OF COURTS.

SECTION

1. Bonds to be lodged, when.

SECTION

2. Takes effect, when.

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

Bonds to be
lodged, when.

SECTION 1. The bonds of the clerks of the supreme court shall be lodged with and kept by the secretary of state.

Takes effect,
when.

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

[Approved July 23, 1885.]

CHAPTER 20.

AN ACT RELATING TO COSTS IN CIVIL ACTIONS SENT FOR TRIAL FROM ONE COUNTY TO ANOTHER.

SECTION 1. When court orders change of venue, expenses of trial to be paid by county wherein cause of action arose.

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

When court
orders change
of venue, expenses
of trial to be
paid by county
wherein cause of
action arose.

SECTION 1. Whenever any civil action, pending in any county in this state, is, by the supreme court, ordered to be tried in any other county, or whenever a change of venue is in any case ordered, the county from which the action is sent shall reimburse the county where the action is tried, for the amount chargeable to said county and paid by them for the travel and attendance of jurors, drawn or impaneled for the trial of such case, the fees of sheriffs and messengers in attendance during such trial, and the charges allowed any stenographer paid by said county for services upon such trial, such costs and fees to be taxed by the justice presiding at the trial, and the clerk shall enter judgment and issue execution therefor.

[Approved July 29, 1885.]

CHAPTER 21.

AN ACT RELATING TO THE REPORTS OF COUNTY OFFICERS, AND PROVIDING FOR THE PUBLICATION OF THE PROCEEDINGS OF COUNTY CONVENTIONS.

SECTION 1. Proceedings of county conventions to be published.

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

SECTION 1. It shall be the duty of the county commissioners of each county to publish attested copies of the proceedings of the county convention, with the printed reports of the county officers for the year in which such proceedings shall have occurred.

Proceedings of county conventions to be published.

[Approved July 29, 1885.]

CHAPTER 22.

AN ACT FOR THE PROTECTION OF PERSONS ENGAGED IN THE LOBSTER FISHERY.

SECTION 1. Penalty for unlawfully removing lobster traps.

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

SECTION 1. That whoever takes, or attempts to take up, or in any way knowingly and willfully interferes with any lobster trap, while set for use within this state, and in the season in which it is lawful to prosecute the lobster fishery, without the authority of the owner thereof, shall be punished by a fine of not less than twenty nor more than fifty dollars, to be recovered by indictment or an action of debt, one half to the complainant and one half to the county where such proceedings are commenced; *provided, however,* that no action or indictment shall be maintained under this act unless the name or the initials of the owner of such trap or traps shall be carved, painted, or branded in legible letters, not less than three fourths of an inch in length, on all the buoys connected with such traps.

Penalty for unlawfully removing lobster traps.

[Approved July 29, 1885.]

CHAPTER 23.

AN ACT TO PROVIDE FOR ANY DEFICIENCY IN THE INCOME OF THE STATE PRISON.

SECTION

1. Governor may draw warrant on the treasury.

SECTION

2. Takes effect, when.

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

Governor may draw warrant on the treasury.

SECTION 1. That in case the income of the state prison should at any time prior to the first Wednesday of June, 1887, be insufficient to meet the current expenses, the governor is hereby authorized to draw his warrant on the treasury, from time to time, to provide for such deficiency out of any moneys in the treasury not otherwise appropriated.

Takes effect, when.

SECT. 2. This act shall be in force from and after its passage. [Approved July 29, 1885.]

CHAPTER 24.

AN ACT IN RELATION TO THE NEW HAMPSHIRE STATE PRISON.

SECTION

1. \$800 annually for chaplain.

SECTION

2. Takes effect, when.

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

\$800 annually for chaplain.

SECTION 1. That the sum of eight hundred dollars, annually, for the ensuing two years, be and hereby is appropriated for the payment of the salary of the chaplain of the state prison.

Takes effect, when.

SECT. 2. This act shall be in force from and after its passage. [Approved July 29, 1885.]

CHAPTER 25.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 53 OF THE GENERAL LAWS, RELATING TO THE TAXATION OF MINING PROPERTY.

SECTION		SECTION
1. Mica mines taxable as real estate.		2. Takes effect, when.

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

SECTION 1. Section 3, chapter 53 of the General Laws, is hereby amended as follows: Insert between the word "tin" and the word "or" in the sixth line of said section the word "mica," so that the section as amended shall read as follows: "Section 3. Buildings, mills, carding machines, factory buildings and machinery, wharves, ferries, toll bridges, locks and canals, and aqueducts, any portion of the water of which is sold or rented for pay, are taxable as real estate; and the real estate of mining companies, or of persons owning or discovering mines of gold, silver, lead, copper, iron, tin, mica, or zinc, shall be appraised and taxed at its value, independently of the existence of said mines, until such time as the proprietor or proprietors of said mines or mining companies are able, out of the profits of the business, to declare dividends."

SECT 2. This act shall take effect upon its passage.
[Approved August 5, 1885.]

Takes effect, when.

CHAPTER 26.

AN ACT IN AMENDMENT OF CHAPTER 52 OF THE GENERAL LAWS, AND PROVIDING FOR ELECTION OF CONSTABLES IN UNINCORPORATED PLACES.

SECTION 1. Powers of unincorporated places enlarged.

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

SECTION 1. That chapter 52 of the General Laws be amended by inserting after the word "assessors" in the fourth line of section 1 the word "constables," so that said chapter 52 shall read as follows: "Section 1. All places, not incorporated as towns, which shall be required to pay any public tax, are invested with the powers of towns relating to the choice of moderator and clerk, supervisors, selectmen, assessors, constables, and collectors; and all the provisions of law applicable to towns and town officers are extended to such places and their officers so far as they relate to meetings for the choice of such officers, and to their election,

Powers of unincorporated places enlarged.

powers, duties, and liabilities, and so far as they relate to public highways, the assessment and collection of public taxes, and the perambulation of the lines of such places.”

[Approved August 5, 1885.]

CHAPTER 27.

AN ACT IN AMENDMENT OF CHAPTER 228 OF THE GENERAL LAWS, RELATING TO TAKING THE DEPOSITIONS OF PARTIES.

SECTION 1. Taking, filing, and using depositions in civil actions.

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

Taking, filing
and using depo-
sitions in civil
actions.

SECTION 1. That section 13 of chapter 228 of the General Laws be amended by inserting at the close of said section the following words, viz. : “But whenever the deposition of the opposite party shall have been taken, it shall be put on file with the clerk of the court where the action in which it was taken is pending, within ten days from the conclusion of the taking thereof by the magistrate taking the same: and either party may use such deposition upon the trial of the cause in which it was taken, and if the party whose deposition has thus been taken shall use the same upon said trial, his rights as a witness on his own behalf shall not thereby be affected. No such deposition shall be taken after the expiration of the time limited by rule of court for the taking of depositions to be used on the trial of the cause,” so that said section as thus amended shall read : “No person shall be excused or excluded from testifying or giving his deposition in any civil cause by reason of his interest therein as a party or otherwise, but whenever the deposition of the opposite party shall have been taken it shall be put on file with the clerk of the court where the action in which it was taken is pending, within ten days from the conclusion of the taking thereof by the magistrate taking the same : and either party may use such deposition upon the trial of the cause in which it was taken, and if the party whose deposition has thus been taken shall use the same upon said trial, his rights as a witness on his own behalf shall not thereby be affected. No such deposition shall be taken after the expiration of the time limited by rule of court for the taking of depositions to be used on the trial of the cause.”

[Approved August 5, 1885.]

CHAPTER 28.

AN ACT IN RELATION TO THE NEW HAMPSHIRE NATIONAL GUARD,
AMENDING SECTION 1, CHAPTER 96, AND SECTION 25, CHAPTER 97,
GENERAL LAWS.

SECTION

1. One company of cavalry.
2. Staff of brigade commander increased.
3. Duty and compensation of inspector of rifle practice; pay of non-commissioned staff.
4. Fines.

SECTION

5. Enrollment, when, how, and to whom to be made.
6. Commander-in-chief to issue necessary orders.
7. Repealing clause; takes effect, when.

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

SECTION 1. The cavalry force of the New Hampshire National Guard shall consist of one company. One company of cavalry.

SECT. 2. There shall be in addition to the present staff of the brigade commander an inspector of rifle practice with the rank of major; and a non-commissioned staff consisting of a sergeant, major, a quartermaster-sergeant, and a hospital steward, who shall be regularly enlisted. Staff of brigade commander increased.

SECT. 3. It shall be the duty of the inspector of rifle practice to inspect each company in the brigade at its armory, at least once during each year, upon the order of the brigade commander, with reference to its proficiency in rifle practice, and shall give such instruction as shall insure uniform system of practice in conformity to the usages and practice of the regular service. The inspection shall be made at such time as the companies meet for drills, and no pay shall be allowed the officers or enlisted men of a company for appearing at such inspection. There shall be allowed to each company a reasonable sum each year for the purchase of cartridges, re-loading tools, and targets; and such allowance and the amount of same to each company shall be contingent upon the interest shown and the progress made by the company. The inspector of rifle practice shall, on or before the first day of May in each year, report the result of his inspection to the brigade commander, who shall, within the next ten days thereafter, forward such report to the adjutant-general. The inspector of rifle practice shall receive for his services the sum of three dollars per day for the time actually and necessarily employed in making his inspection and all necessary expenses incurred; *provided, however,* that such compensation for pay and expenses shall not exceed three hundred dollars per annum. There shall be paid for attendance and performance of duty to all non-commissioned staff officers when in camp or specially ordered out by the commander-in-chief, the sum of one dollar and fifty cents per day. Duty and compensation of inspector of rifle practice; pay of non-commissioned staff.

SECT. 4. All fines collected of any officer, non-commissioned officer, musician or private of any troop, platoon, battery, or company, shall be covered into the treasury of the troop, platoon, Allowance for purchase of cartridges. Pay of non-commissioned staff. Fines.

battery, or company to which he may belong, for the benefit thereof.

Enrollment,
when, how, and
to whom to be
made.

SECT. 5. The names of all male citizens of this state between the ages of eighteen and forty-five shall, when ordered by the governor, be enrolled alphabetically by the selectmen of the towns and places and assessors of the cities in which they respectively reside. On such enrollment lists and opposite the name of every person exempt from military duty, or a minor, or in the active militia, the selectmen and assessors shall write "exempt" and the reason of such exemption, or "minor" or "active militia," as the case may be. Said lists shall contain the whole number enrolled in their respective towns and cities, and the number exempt on said rolls. They shall subscribe and make oath to said lists that to the best of their knowledge and belief they are true. They shall file said lists in the offices of the respective town or city clerks within twenty days after they are notified by the secretary of state to make and prepare the same; and said town or city clerks shall forward to the adjutant-general, within ten days after said lists are filed as aforesaid, a certified copy of said roll, and copy the same into an enrollment book kept by them for that purpose.

Commander-in-
chief to issue
necessary
orders.

SECT. 6. The governor is hereby authorized and empowered to issue such orders for the purpose of carrying into effect the provisions of this act as may be necessary.

Repealing
clause; takes
effect, when.

SECT. 7. 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 August 5, 1885.]

CHAPTER 29.

AN ACT REPEALING CHAPTER 87 OF THE PAMPHLET LAWS OF 1883, ESTABLISHING A BOUNTY ON WOODCHUCKS.

SECTION

1. Law repealed.

SECTION

2. Takes effect, when.

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

Law repealed.

SECTION 1. Chapter 87 of the Pamphlet Laws of 1883, establishing a bounty on woodchucks, is hereby repealed.

Takes effect,
when.

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

[Approved August 11, 1885.]

CHAPTER 30.

AN ACT PROVIDING THAT ALL LIENS RESERVED ON PERSONAL PROPERTY SOLD CONDITIONALLY AND PASSING INTO THE HANDS OF THE PURCHASER SHALL BE EVIDENCED IN WRITING AND RECORDED.

SECTION	SECTION
1. Lien invalid, unless sale in writing and recorded.	3. When copartners and corporations are parties.
2. Oath of vendor and vendee.	4. Town clerk's fee.
	5. Takes effect, when.

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

SECTION 1. No lien reserved on personal property sold conditionally and passing into the hands of the conditional purchaser shall be valid against attaching creditors or subsequent purchasers without notice, unless the vendor of such property takes a written memorandum, signed by the purchaser, witnessing such lien, and the sum due thereon, and causes it to be recorded in the town clerk's office of the town where the purchaser of such property resides, if he resides in the state, otherwise in the town clerk's office of the town where the vendor resides, within ten days after such property is delivered. Lien invalid, unless sale in writing and recorded.

SECT. 2. Each vendor and purchaser shall make and subscribe an affidavit in substance as follows: " We severally swear that the foregoing memorandum is made for the purpose of witnessing the lien and the sum due thereon, as specified in said memorandum, and for no other purpose whatever, and that said lien and the sum due thereon were not created for the purpose of enabling the purchaser to execute said memorandum, but said lien is a just lien, and the sum stated to be due thereon is honestly due thereon and owing from the purchaser to the vendor." Oath of vendor and vendee.

SECT. 3. When copartners are parties to such a memorandum, or when a corporation is a party thereto, the affidavit may be made and subscribed as it is by law provided that the affidavit required in the case of mortgages of personal property may be made and subscribed. When copartners and corporations are parties.

SECT. 4. The fee of the town clerk for making such record shall be twenty-five cents, or ten cents a folio, at his option. Town clerk's fee.

SECT. 5. This act shall take effect on the first day of January, 1886. Takes effect, when.

[Approved August 12, 1885.]

CHAPTER 31.

AN ACT TO AMEND SECTION 15 OF CHAPTER 115 OF THE GENERAL LAWS, RELATING TO WILD ANIMALS, DOGS, AND SHEEP.

SECTION 1. Time of payment for damage by dogs changed.

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

Time of payment for damage by dogs changed.

SECTION 1. That section 15 of chapter 115 of the General Laws be amended by striking out the word "April" and substituting the word "March" instead thereof, so said section shall read as amended as follows: "The treasurer of each town shall register all such orders at the time of their presentation, and annually on the first day of March pay them in full, if the gross amount received by his town from taxes on dogs, and not previously paid out, shall be sufficient for that purpose: otherwise he shall divide such amount *pro rata* among such orders in full discharge thereof."

[Approved August 12, 1885.]

CHAPTER 32.

AN ACT TO LEGALIZE THE PROCEEDINGS OF THE BIENNIAL ELECTION HELD AT CONWAY, NOVEMBER 4, 1884.

SECTION

1. Election of supervisors and their acts legalized.

SECTION

2. Takes effect, when.

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

Election of supervisors and their acts legalized.

SECTION 1. That the election of supervisors of the town of Conway at the last biennial election in said town, and all the acts of said supervisors since said biennial election, are hereby legalized, ratified, and confirmed.

Takes effect, when.

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

[Approved August 12, 1885.]

CHAPTER 33.

AN ACT TO REPEAL CHAPTER 16 OF THE SESSION LAWS OF 1879, RELATIVE TO THE TAKING OF BIRDS.

SECTION

1. Act repealed.

SECTION

2. Takes effect, when.

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

SECTION 1. That chapter 16 of the Session Laws of 1879, relative to the taking of birds, be and is hereby repealed. Act repealed.

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

[Approved August 12, 1885.]

Takes effect, when.

CHAPTER 34.

AN ACT IN AMENDMENT OF SECTION 3 OF CHAPTER 101 OF THE LAWS OF 1883, RELATING TO PROVISIONS FOR PAYMENT OF SALARIES AND EXPENSES OF RAILROAD COMMISSIONERS.

SECTION

1. Time of apportioning expenses, etc., changed.

SECTION

2. Repealing clause; takes effect, when.

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

SECTION 1. That section 3 of chapter 101 of the laws of 1883 be amended by striking out therefrom the words "on or before the first day of July in each year," and by inserting in the place thereof the words "each year, at the time they assess the taxes upon the railroads," so that said section after being so amended shall read: "The annual expenses of the board, including the salaries of its members and the expense of accountant, shall be borne by the several railroad corporations according to their gross receipts, and shall be apportioned by the board of equalization, who each year, at the time they assess the taxes upon the railroads, shall assess upon each of said corporations its just proportion of such expenses, in proportion to its said receipts, for the year next preceding that in which the assessment is made, and such assessment shall be collected in the manner provided by law for the collection of taxes upon railroad corporations."

Time of apportioning expenses, etc., changed.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed. This act shall take effect upon its passage.

Repealing clause; takes effect, when.

[Approved August 12, 1885.]

CHAPTER 35.

AN ACT TO ABOLISH THE POLICE COURT OF PITTSFIELD.

SECTION 1. Court abolished.

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

Court abolished.

SECTION 1. The police court of Pittsfield is hereby abolished.
[Approved August 12, 1885.]

CHAPTER 36.

AN ACT PROVIDING FOR THE REFUNDING OF LICENSE FEES PAID UNDER CHAPTER 44, SESSION LAWS OF 1879, FOR THE SALE OF TREES, SHRUBS, AND VINES, NOT GROWN IN THE STATE.

SECTION

1. License fees refunded.

SECTION

2. Takes effect, when.

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

License fees refunded.

SECTION 1. That any person who has paid money into the state treasury for license fees to sell trees, shrubs, or vines, not grown in the state, under sections 1 and 2 of chapter 44, Session Laws of 1879, so much of said sections as relates to the sale of trees, shrubs, and vines, not grown in the state having been declared unconstitutional by the supreme court of the state, may present to the governor the receipts of the state treasurer, or other evidence, who, if satisfied of the payment thereof, shall draw his warrant for the amount of such license fees upon the treasurer of the state, who shall pay the same upon presentation out of any money in the treasury not otherwise appropriated.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved August 12, 1885.]

CHAPTER 37.

AN ACT TO GIVE EFFECT TO REFEREE'S REPORTS MADE TO JUSTICES OF THE PEACE, UNDER SECTION 14 OF CHAPTER 251 OF THE GENERAL LAWS.

SECTION

1. Referee's reports to justices of the peace may be sent to supreme court.

SECTION

2. Act amended.

3. Repealing clause; takes effect, when.

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

SECTION 1. When a referee's report is made to a justice of the peace, under section 14 of chapter 251 of the General Laws, and further proceedings before some other tribunal are necessary for reconmitting, correcting, setting aside, or enforcing the report, or for the decision of a question of law or fact raised on or by the report, said justice shall send the papers to the trial term of the supreme court in his county, where upon due notice the same proceedings may be had as if the report were made to the supreme court under said chapter 251. Referee's reports to justices of the peace may be sent to supreme court.

SECT. 2. Section 1 of chapter 251 of the General Laws is so amended as to read as follows: "All controversies which may be the subject of a civil action may be submitted to one or more referees in the mode prescribed in this chapter." Act amended.

SECT. 3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect on its passage. Repealing clause; takes effect, when.

[Approved August 12, 1885.]

CHAPTER 38.

AN ACT REGULATING THE SALE OF VEAL.

SECTION

1. Killing calves under four weeks old prohibited.

SECTION

2. Takes effect, when.

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

SECTION 1. If any person kills, or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in possession with intent to sell, for food, the meat of any calf killed when less than four weeks old, he shall be punished by imprisonment in jail not exceeding thirty days, or by fine not exceeding fifty dollars, or both; and all such meat exposed for sale, or kept with intent to sell, may be seized and destroyed by any board of health, health officer, or any sheriff, deputy sheriff, constable, or police officer. Killing calves under four weeks old prohibited.

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

Takes effect, when.

[Approved August 12, 1885.]

CHAPTER 39.

AN ACT IN RELATION TO THE DISTRIBUTION OF THE SAVINGS BANK TAX.

SECTION

1. Time of paying bank tax to towns changed.

SECTION

2. Repealing clause; takes effect, when.

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

Time of paying bank tax to towns changed.

SECTION 1. The state treasurer is hereby authorized to use the funds received on account of the annual tax upon savings banks, for the payment of ordinary state charges, but shall, on or before the first day of January, annually pay to each town in which any of said depositors resided on the first day of April next preceding, such part of said tax as would be in proportion to the amount of said deposits and accumulations, held by residents of said town on said day.

Repealing clause; takes effect, when.

SECT. 2. Section 9, chapter 65 of the General Laws is hereby repealed, and this act shall take effect upon its passage.

[Approved August 12, 1885.]

CHAPTER 40.

AN ACT ESTABLISHING AND FIXING THE SALARY OF THE SECRETARY OF THE STATE BOARD OF EQUALIZATION.

SECTION

1. \$600 annually.

SECTION

2. Repealing clause; takes effect, when.

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

\$600 annually.

SECTION 1. The secretary of the state board of equalization shall receive an annual salary of six hundred dollars in full compensation for his services and expenses, which shall be paid quarterly from the state treasury.

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 from and after its passage.

[Approved August 12, 1885.]

CHAPTER 41.

AN ACT FOR THE RELIEF OF POOR PERSONS WHO HAVE SERVED IN THE ARMY OR NAVY OF THE UNITED STATES, AND THEIR DEPENDENT FAMILIES.

SECTION

1. Indigent soldiers and sailors and their families not to be sent to almshouses.

SECTION

2. Expense for their support to be borne by municipality liable therefor.
3. Repealing clause; takes effect, when.

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

SECTION 1. Whenever any person resident in this state, not under guardianship or legal restraint, who has been honorably discharged from the army or navy of the United States, shall from any cause become poor, and unable to provide maintenance for himself and dependent family: such person, his wife, widow or minor children, or such of said children as are unable to maintain themselves, shall be supported at the public expense, in the town or city of their abode, at their own home, or such place, other than a town or county almshouse, as the selectmen or overseer of the poor may think right and proper in said town or city.

Indigent soldiers and sailors and their families not to be sent to almshouses.

SECT. 2. The necessary expense of such maintenance shall be paid by the town or county liable under existing laws for the support of such soldier or sailor.

Expense for their support to be borne by municipality liable therefor.

SECT. 3. 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.

Repealing clause; takes effect, when.

[Approved August 12, 1885.]

CHAPTER 42.

AN ACT TO EXPEDITE THE TRIALS OF CERTAIN CASES.

SECTION

1. Supreme court may issue certain writs at trial term.
2. Justices in vacation may hear petitions, etc. in certain cases.

SECTION

3. Case on exceptions may be transferred to law term.
4. Takes effect, when; repealing clause.

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

SECTION 1. The supreme court at the trial terms shall have authority to issue writs of *mandamus* and *quo warranto*.

Supreme court may issue certain writs at trial term.

SECT. 2. Any justice of the supreme court may, in vacation, hear and determine petitions for *mandamus* and *quo warranto* and informations in the nature of *quo warranto*, and make all such

Justices in vacation may hear petitions, etc. in certain cases.

orders and decrees therein as may properly be made in term time.

Cases on exceptions may be transferred to law term.

SECT. 3. Whenever an application under the foregoing sections of this act has been heard and determined and exceptions taken, a case shall be stated at the request of either party setting forth the facts found and the exceptions taken, and the same shall be transferred to the law term of the supreme court, and all proceedings shall be stayed until a final determination thereof.

Takes effect, when; repealing clause.

SECT. 4. This act shall take effect on its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

[Approved August 12, 1885.]

CHAPTER 43.

AN ACT IN AMENDMENT OF CHAPTER 86 OF THE GENERAL LAWS, RELATING TO SCHOOLS, AND TO ESTABLISH THE TOWN SYSTEM OF SCHOOLS.

SECTION

- 1. School districts abolished.
- 2. Mode of transferring district property to towns.
- 3. District records to be preserved.
- 4. School boards.
- 5. First meeting of town district.

SECTION

- 6. Duties of school board.
- 7. Districts holding funds.
- 8. District system may be re-established after five years.
- 9. Laws repealed and not repealed; takes effect, when.

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

School districts abolished.

SECTION 1. The division of towns into school districts heretofore existing is hereby abolished, and each town shall hereafter constitute a single district for school purposes; *provided, however,* that districts organized under special acts of the legislature may retain their present organization.

Mode of transferring district property to towns.

SECT. 2. Each town shall forthwith take possession of all the schoolhouses, lands, apparatus, and other property owned and used for school purposes by the said districts hereby abolished, which said districts might lawfully sell or convey. The property so taken shall be appraised by the assessors of the town, and at the next annual assessment a tax shall be levied upon the whole town equal to the amount of the whole appraisal; and there shall be remitted to the tax-payers of each district the said appraised value of its property so taken. In the case of a union district, the fractional parts of which belong to different towns, the selectmen of such towns shall, acting together, appraise the school property of such union district, abolished under the provisions of this act, and shall make an equitable apportionment of the property and debts of such district, and find the balance equitably due from either of said towns to any of said towns, and order such balance to be paid within a time to be by them limited; and whenever such selectmen shall fail to agree upon the apportionment of the property and debts of such union district, they shall choose a referee, whose decision shall be final.

SECT. 3. The records of the districts hereby abolished shall be preserved by the town, and returned to the several districts whenever the town shall vote to return to the district system, under the provisions of section 8 of this act. District records to be preserved.

SECT. 4. The duties heretofore devolving upon superintending and prudential committees shall hereafter be performed by a school board of three persons in each town, to be chosen by ballot at the annual school-meeting, and to hold office for three years: *provided, however*, that at the first election under this act, one person shall be chosen for three years, one person for two years, and one person for one year, and thereafter one person shall be chosen each year; and said board shall have power at any time to fill its own vacancies until the next annual meeting of the district. School boards.

SECT. 5. The first meeting of such district so composed of the whole town by virtue of this act, shall be called by the selectmen of such town; and the clerk of such town shall act as the clerk of such district until the clerk of such district is chosen and qualified. First meeting of town district.

SECT. 6. The said school board of each town shall provide schools within the limits of said town, at such places and times as in their judgment shall best subserve the interests of education, and as shall give all the scholars of the town as nearly equal advantages as may be practicable, and said school board may use a portion of the school money, not exceeding twenty-five per cent thereof, for the purpose of conveying scholars to and from such schools. Duties of school board.

SECT. 7. The provisions of this act shall not be applied to school districts holding funds for school purposes, in such manner as to prevent said districts from retaining and enjoying the benefit of said funds. Districts holding funds.

SECT. 8. Any town, after five years from the time this act goes into effect, may, by a majority vote of all the voters of the district, re-establish the district system in such town, and shall thereafter be subject to the same laws as are now in force in this state in relation to school districts. District system may be re-established after five years.

SECT. 9. The provisions of the General Laws heretofore enacted in relation to school districts and schools shall be in force so far as the same are consistent with this act, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect and be in force from and after March 1, 1886. Laws repealed and not repealed: takes effect, when.

[Approved August 13, 1885.]

CHAPTER 44.

AN ACT AUTHORIZING SELECTMEN TO REGULATE THE USE OF SIDEWALKS.

SECTION

1. Sidewalks in villages.

SECTION

2. Takes effect, when.

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

Sidewalks in
villages.

SECTION 1. It shall be the duty of selectmen to regulate the use of sidewalks in the villages and compact parts of their respective towns, and for this purpose they may exercise all the powers conferred by law upon city councils.

Takes effect,
when.

SECT. 2. This act shall take effect on its passage.
[Approved August 13, 1885.]

CHAPTER 45.

AN ACT TO PREVENT THE INVALIDITY OF THE ELECTION OF TOWN OFFICERS REQUIRED BY LAW, AT REGULAR TOWN MEETINGS.

SECTION

1. Election valid if no article in warrant.

SECTION

2. Repealing clause; takes effect, when.

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

Election valid
if no article in
warrant.

SECTION 1. No election of any town officer required by law to be made at any annual or biennial town meeting shall be rendered invalid by reason of the omission of the subject in the warrant for the meeting.

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 on its passage.
[Approved August 13, 1885.]

CHAPTER 46.

AN ACT IN AMENDMENT OF CHAPTER 179 OF THE GENERAL LAWS,
RELATING TO FISH LAWS, VIOLATIONS, AND PENALTIES.

SECTION

1. Time for taking lobsters changed.

SECTION

2. Repealing clause.

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

SECTION 1. That section 16 of chapter 179 of the General Laws be and hereby is amended by striking out the word "fifteenth" wherever it occurs in said section before the word "October," and by inserting in lieu thereof the word "first," so that the amended section shall read: Section 16. No person shall catch, preserve, sell, or expose for sale, within the limits of the state of New Hampshire, any lobster, between the fifteenth day of August and the first day of October of each year: and from the said first day of October to the fifteenth day of August next following of each year, no lobster shall be caught, preserved, sold, or exposed for sale, under ten and a half inches in length, measuring from one extreme of the body to the other, exclusive of claws or feelers, nor shall any female lobster be killed or destroyed while carrying her spawn or hatching her young: and any person violating any provision of this section shall be punished by a fine of ten dollars for every lobster so caught, used, sold, or exposed for sale, as aforesaid.

Time for taking
lobsters
changed.

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

Repealing
clause.

[Approved August 13, 1885.]

CHAPTER 47.

AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER 186 OF THE
GENERAL LAWS, IN RELATION TO DUTIES OF GUARDIANS OF IN-
SANE PERSONS.

SECTION

1. Guardian to render account.

SECTION

2. Takes effect, when.

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

SECTION 1. That section 6 of chapter 186 of the General Laws is hereby amended by adding at the end of said section the words "and as often as once in three years shall settle his guardian account, and if he neglects for four years to settle, his trust shall be revoked," so that said section as amended shall read: "He shall make and return a true and perfect inventory of the estate of his

Guardian to
render account.

ward, as inventories of persons deceased are taken, and as often as once in three years shall settle his guardian account, and if he neglects for four years to settle, his trust shall be revoked."

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

[Approved August 13, 1885.]

Takes effect,
when.

CHAPTER 48.

AN ACT TO FACILITATE THE GIVING OF BONDS REQUIRED BY LAW.

SECTION

1. Certain corporations may become surety on bonds.
2. Expense of procuring surety.

SECTION

3. Company shall not deny its liability.
4. Takes effect, when; repealing clause.

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

Certain corporations may become surety on bonds.

SECTION 1. That any company with a paid up capital of not less than two hundred thousand dollars, incorporated and organized under the laws of any state of the United States, for the purpose of transacting business as surety on obligations of persons or corporations, and which has complied with all the requirements of the law regulating the admission of such companies to transact business in this state, may, upon production of evidence of solvency and credit satisfactory to the judge, head of department, or other officer authorized to approve such bond, be accepted as surety upon the bond of any person or corporation required by the laws of this state to execute a bond, and if such surety company shall furnish satisfactory evidence of its ability to provide all the security required by law, no additional surety may be exacted, but other surety may, in the discretion of the official authorized to approve such bond, be required, and such surety may be released from its liability on the same terms and conditions as are by law prescribed for the release of individuals, it being the true intent and meaning of this act to enable corporations created for that purpose to become the surety on bonds required by law, subject to all the rights and liabilities of private parties.

Expense of procuring surety.

SECT. 2. Any court or officer whose duty it is to pass upon the account of any person or corporation required by law to give a bond, may, whenever such person or corporation has procured any such surety company as surety upon said bond, allow in the settlement of such account a reasonable sum for the expense of procuring such surety.

Company shall not deny its liability.

SECT. 3. Any company which shall execute any bond as surety under the provisions of this act, shall be estopped, in any proceedings to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute such instrument or assume such liability.

SECT. 4. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed. Takes effect, when; repealing clause.
 [Approved August 13, 1885.]

CHAPTER 49.

AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 179 OF THE GENERAL LAWS, RELATING TO ALEWIVES AND LAMPER EELS.

SECTION 1. Alewives and lamper eels protected.

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

SECTION 1. That section 8 of chapter 179 of the General Laws be amended by striking out after the word "prohibited" in the second line the words "during the same period," and inserting in the place thereof "from the first day of August, 1885, to the first day of August, 1887," and striking out the word "said" in the second line of said section, and inserting after the word "waters" in said line the words "of the Merrimaek or Connecticut rivers," so that the section as amended shall read: "Section 8. The taking or catching of any alewives or lamper eels in the waters of the Merrimaek and Connecticut rivers is also prohibited from the first day of August, 1885, to the first day of August, 1887, under a penalty of ten dollars for each fish or eel so caught or killed."
 [Approved August 13, 1885.] Alewives and lamper eels protected.

CHAPTER 50.

AN ACT TO PROVIDE FOR THE PUBLICATION OF FINANCIAL STATISTICS OF THE COUNTIES, CITIES, TOWNS, AND PRECINCTS WITHIN THE STATE.

SECTION	SECTION
1. State treasurer to collect and publish county, city, and town statistics.	2. To furnish blanks for that purpose.
	3. Duties of town and city officers.

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

SECTION 1. The state treasurer is hereby directed to collect and publish hereafter with his annual reports a statement of the financial condition of the several counties, cities, towns, and precincts within this state, at the close of their respective fiscal years, next prior to the first day of April of each year. The county statements shall include the total debt, cash on hand, net debt, State treasurer to collect and publish county, city, and town statistics.

value of county buildings and farms, and the value of stock and other personal property thereon. The city and town statements shall include their assessed valuation, amount of taxes assessed for all purposes, tax rate, total debt, assets, cost of public works, net debt, and increase or reduction of debt during the preceding year. The statement of assets shall include cash on hand and bonds and items convertible into cash, but in no case shall the value of public buildings, lands, or public works, be reported in assets.

To furnish
blanks for that
purpose.

SECT. 2. The state treasurer shall seasonably issue to the clerks of the several boards of county commissioners, clerks of the several cities, and to the selectmen of the towns, suitable blanks upon which the statistics required by section 1 shall be reported, and it shall be the duty of the aforesaid officers to fill out and certify such returns and forward them to the state treasurer on or before the fifteenth day of April of each year.

Duties of town
and city officers.

SECT. 3. Clerks of cities and selectmen of towns shall include in their returns, under appropriate heads, the financial condition of all school, fire, water, or other precincts within their respective cities and towns.

[Approved August 13, 1885.]

CHAPTER 51.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 177 OF THE GENERAL LAWS, IN RELATION TO THE TRANSPORTATION OF GAME IN OR FROM THIS STATE.

SECTION

1. Killing of birds prohibited at certain seasons.
2. Ducks may be taken, when.

SECTION

3. Repeating clause.
4. Takes effect, when.

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

Killing of birds
prohibited at
certain seasons.

SECTION 1. Section 2 of chapter 177 of the General Laws is hereby amended by striking out the word "woodcock" in the third line of said section, and inserting the word "woodcock" in the fifth line of said section after the word "any," and striking out the word "February" in the fourth line and inserting the word "January" in the place thereof; and further amending said section by adding after the word "both" in the tenth line "and no person shall kill, expose for sale, or have in possession any woodcock, ruffed grouse, or partridge, during the months of September, October, November, and December of any year, or plover during the months of August, September, October, November, December, and January of any year, except for consumption as food within the state, under the same penalty as provided for other offenses in this section," so the section so amended shall

read: " If any person shall, between the first day of February and the first day of August of each year, take, kill, or destroy any of the birds called plover, yellowlegs, sandpipers, ducks, or rails, or shall, between the first day of January and the first day of September of each year, take, kill, or destroy any woodcock, ruffed grouse, partridges, or quails, or shall within the respective times aforesaid sell, buy, or have in possession any of said birds, he shall be punished by a fine of ten dollars for each bird so taken, killed, or destroyed, bought, sold, or had in possession, or by imprisonment not exceeding sixty days, or both. And no person shall kill, expose for sale, or have in possession any woodcock, ruffed grouse, or partridge, during the months of September, October, November, and December of any year, or plover during the months of August, September, October, November, December, and January of any year, except for consumption as food within the state, under the same penalty as provided for other offenses in this section."

SECT. 2. Nothing in the above section shall be construed to prevent the shooting of ducks on the sea coast or in salt water during the months of February, March, and April. Ducks may be taken, when.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SECT. 4. This act shall take effect from its passage. Takes effect, when.
 [Approved August 13, 1885.]

CHAPTER 52.

AN ACT IN AMENDMENT OF SECTION 10, CHAPTER 42 OF THE PAMPHLET LAWS OF 1883, BEING AN ACT TO REGULATE THE SALE OF AND INSPECTION OF MILK.

SECTION 1. Complaint and prosecution for selling adulterated milk.		SECTION 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened :

SECTION 1. That section 10 of chapter 42 of the laws passed June session, 1883, be amended by adding at the end of said section the following: " But this provision shall not be construed to prevent any person from making complaint and instituting and carrying on prosecutions for the violation of any of said provisions, and such complainant, whether a town or city, by its officers or an individual shall be entitled to one half of every fine collected through prosecution, and in any town where no inspector has been appointed complaints may be made to the state board of health, and said board shall proceed with such complaint in the same manner as is required of the inspector, whether the town from which complaint is made has or has not adopted the pro- Complaint and prosecution for selling adulterated milk.

visions of this act," so that said section shall read: "It shall be the duty of every inspector to institute a complaint for a violation of any of the provisions of this act, on the information of any person who lays before him satisfactory evidence by which to sustain such complaint, but this provision shall not be construed to prevent any person from making complaint and instituting and carrying on prosecutions for the violation of any of said provisions, and such complainant, whether a town or city, by its officers or an individual shall be entitled to one half of every fine collected through such prosecution, and in any town where no inspector has been appointed complaints may be made to the state board of health, and said board shall proceed with such complaint in the same manner as required of an inspector, whether the town from which complaint is made has or has not adopted the provisions of this act."

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved August 13, 1885.]

CHAPTER 53.

AN ACT TO REGULATE THE ADMISSION OF FOREIGN SURETY COMPANIES TO DO BUSINESS IN THIS STATE.

SECTION

1. Surety companies may be admitted to do business in this state.

SECTION

2. Liability and solvency.
3. Takes effect, when.

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

Surety companies may be admitted to do business in this state.

SECTION 1. Any surety company incorporated and organized under the laws of any state of the United States other than the state of New Hampshire, for the purpose of transacting business as surety on obligations of persons or corporations, may transact business in this state upon complying with the provisions of all laws relating to foreign insurance companies and their agents, and not otherwise.

Liability and solvency.

SECT. 2. Fifty per cent of the amount received on all outstanding contracts shall be treated as a liability by the insurance commissioner in determining the question of the solvency of the company.

Takes effect, when.

SECT. 3. This act shall take effect upon its passage.
[Approved August 13, 1885.]

CHAPTER 54.

AN ACT TO REPEAL CHAPTER 65 OF THE PAMPHLET LAWS, PASSED
JUNE SESSION, 1883.

SECTION

1. Act repealed.

SECTION

2. Takes effect, when.

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

SECTION 1. Chapter 65 of the Pamphlet Laws of 1883, entitled Act repealed.
“An act to amend sections 1, 2, and 3 of chapter 119 of the
General Laws, relating to licensing peddlers, transient traders,
etc.” is hereby repealed.

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

[Approved August 19, 1885.]

CHAPTER 55.

AN ACT TO PROHIBIT THE USE OF BARBED WIRE FENCES IN CER-
TAIN CASES.

SECTION

1. Penalty for using barbed wire for
fencing land next to school lots.

SECTION

2. What officers to prosecute.

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

SECTION 1. If the owner or occupant of any land adjoining Penalty for
using barbed
wire for fencing
land next to
school lots.
land owned or occupied by any town or school district for school
purposes, erects, keeps, or maintains any barbed wire fence, to
separate or divide said lands, he shall be fined not exceeding
twenty-five dollars.

SECT. 2. The selectmen of every town, and prudential com-
mittee of every school district, shall prosecute at the expense of What officers to
prosecute.
the town or district, as the case may be, any violations of the
previous section.

[Approved August 19, 1885.]

CHAPTER 56.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 195 OF THE GENERAL LAWS, IN RELATION TO ADMINISTRATORS.

SECTION

1. Place where property taxable not changed by appointment of special administrator.

SECTION

2. Takes effect upon its passage.

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

Place where property taxable not changed by appointment of special administrator.

SECTION 1. That section 20 of chapter 195 of the General Laws is hereby amended by adding at the end of said section the words: "No taxation of any property of the deceased shall in consequence of the appointment of such special administrator be changed from the town or place where it would otherwise rightfully be taxed," so that said section, as amended, shall read: "Such special administrator, under such directions and restrictions as may be inserted in his commission, shall return an inventory of the estate of the deceased, and take care of and preserve the property and effects of the deceased, and do all other acts which he may be directed to perform by the judge of probate or the supreme court. No taxation of any property of the deceased shall in consequence of the appointment of such special administrator be changed from the town or place where it would otherwise rightfully be taxed."

Takes effect upon its passage.

SECT. 2. This act shall take effect upon its passage. [Approved August 19, 1885.]

CHAPTER 57.

AN ACT IN AMENDMENT OF SECTION 10 OF CHAPTER 289 OF THE GENERAL LAWS, IN RELATION TO THE SALARY OF THE SOLICITOR OF THE COUNTY OF COOS.

SECTION

1. Salary increased to \$350.

SECTION

2. Takes effect, when.

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

Salary increased to \$350.

SECTION 1. Section 10 of chapter 289 of the General Laws be and the same hereby is amended by striking out in the last line of said section the words "two hundred and fifty dollars," and inserting in the place thereof the words "three hundred and fifty dollars."

Takes effect, when.

SECT. 2. This act shall take effect upon its passage. [Approved August 19, 1885.]

CHAPTER 58.

AN ACT TO REPEAL SECTION 4 OF CHAPTER 133 OF GENERAL LAWS,
WHICH PERMITS CERTAIN PERSONS TO ENGAGE IN THE BUSINESS
OF AN APOTHECARY WITHOUT FIRST PASSING AN EXAMINATION.

SECTION
1. Repealing clause.

SECTION
2. Takes effect, when.

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

SECTION 1. Section 4 of chapter 133 of the General Laws is hereby repealed. Repealing
clause.

SECT. 2. This act shall take effect from its passage.
[Approved August 19, 1885.] Takes effect,
when.

CHAPTER 59.

AN ACT IN AMENDMENT OF CHAPTER 19, LAWS OF 1881, RELATING TO
COPIES OF PUBLIC RECORDS AND PROOFS OF THE SAME.

SECTION 1. Preservation of county records.

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

SECTION 1. That chapter 19 of the laws of 1881 be amended by inserting after the word "obliteration," in the third line, the words "or becomes so mutilated or injured by fire or otherwise as to require to be copied in order that it may be preserved," and by inserting after the word "counties," in the fourth line of said section, the words "and town and city clerks in their respective towns and cities," and also by inserting after the word "commissioners," in the fifth line of said chapter, the words "or the selectmen or boards of mayor and aldermen, as the case may be." So that said chapter shall read as follows: "Section 1. That in case any public record in any county in this state becomes so faded or illegible as to be in danger of immediate obliteration, or becomes so mutilated or injured by fire or otherwise as to require to be copied in order that it may be preserved, the clerks of court, registers of probate, and registers of deeds, in their several counties, and town and city clerks, in their respective towns and cities, may copy the same under the direction of the county commissioners, or the selectmen, or boards of mayor and aldermen, as the case may be, into books prepared for that purpose, and such copies, bearing a certificate showing the authority under which they were made, and also the certificate of the Preservation of
county records.

officer making the same that they are true and correct, shall be considered as the original record; and copies of the same shall be taken and accepted as evidence in court, the same as copies of the original record are now taken."

[Approved August 19, 1885.]

CHAPTER 60.

AN ACT TO PROHIBIT THE SALE OF CIGARETTES OR TOBACCO IN ANY OF ITS FORMS TO MINORS.

SECTION

1. Sale of tobacco to minors prohibited.

SECTION

2. Penalty.

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

Sale of tobacco to minors prohibited.

SECTION 1. No person shall knowingly sell any cigarette, or tobacco in any of its forms, to any minor under sixteen years of age.

Penalty.

SECT. 2. If any person shall violate the provisions of this act, he shall be liable to a fine of twenty dollars for each and every such offense, such penalty or fine to go to the county treasurer, for the use of the county wherein the violation of this act occurs.

[Approved August 25, 1885.]

CHAPTER 61.

AN ACT TO AMEND SECTION 1 OF CHAPTER 179 OF THE GENERAL LAWS, FORBIDDING THE TAKING OF FISH IN ARTIFICIAL PONDS.

SECTION 1. Not to apply in any case to natural ponds.

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

Not to apply in any case to natural ponds.

SECTION 1. That section 1 of chapter 179 of the General Laws be amended by adding at the end thereof the following: "And in no case shall it apply to natural ponds," so that said section shall read: "Section 1. If any person shall at any time catch, kill, or destroy in any manner any fish in any pond, reservoir, or spring prepared or used for the purpose of breeding, growing, or preserving the same, or from any brook or stream running through or supplying such pond or reservoir on land owned or leased for the purpose aforesaid, or shall break down any dam or embankment of the same, or shall in any way poison or pollute such water, or shall place therein any fish or the roc, spawn, or fry of

the same without permission of the owner or lessee of the land upon or through which such waters stand or flow, he shall, for every such offense, be fined not exceeding fifty dollars or be imprisoned not exceeding six months, or both: *provided*, that said owners or lessees shall post in at least two conspicuous places on said land a notice with the words 'Reserved for fish culture or preservation, trespass forbidden.' plainly painted, printed, or written thereon, and keep the same thus posted. This section shall be interpreted to apply only to such ponds, streams, or springs as are wholly within the control of some person owning the land around the same, who has made some improvement or expended money or labor in stocking the same with fish for his own use. And in no case shall it apply to natural ponds."

[Approved August 25, 1885.]

CHAPTER 62.

AN ACT IN AMENDMENT OF SECTION 15 OF CHAPTER 166 OF THE GENERAL LAWS, RELATING TO BANK COMMISSIONERS.

SECTION

1. Duty of commissioners in relation to insolvent banks.

SECTION

2. Takes effect, when.

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

SECTION 1. That section 15 of chapter 166 of the General Laws be and is hereby amended by adding after the word "necessary" in the last line of said section, the following: "And it shall be the duty of the said commissioners to extend their examinations and exact reports from the assignees of insolvent savings banks, whose property and effects they are now or hereafter may be in possession of, by virtue of authority conferred by sections nine and thirteen of this chapter, and the result of said examinations shall be embraced in the annual report of said bank commissioners."

Duty of commissioners in regard to insolvent banks.

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

Takes effect, when.

[Approved August 25, 1885.]

CHAPTER 63.

AN ACT TO PROVIDE FOR THE SPEEDY DELIVERY OF FREIGHTS, AND TO REGULATE THE LIABILITY OF RAILROAD CORPORATIONS IN CERTAIN CASES.

SECTION 1. Consignee to remove goods or pay for use of cars.

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

Consignee to remove goods or pay for use of cars.

SECTION 1. That any railroad corporation having transported any lumber, wood, coal, stone, brick, iron, sand, machinery, grain, or other bulky or heavy freight which is usually delivered to and unloaded by the consignee from the cars, may, after the arrival of such freight at the place of its destination, provided said goods are in good condition, notify the consignee in writing to receive and remove the same, and after five days from the time of such notice may charge a reasonable sum for the use and detention of the cars containing the same.

[Approved August 25, 1885.]

CHAPTER 64.

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

SECTION 1. \$800,000 authorized.

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

\$800,000 authorized.

SECTION 1. The sum of four hundred thousand dollars shall be raised annually for the use of the state for the years 1886 and 1887, 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 session of 1883, 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 1886 and 1887: and the state treasurer is hereby authorized to issue his extents for all taxes which shall remain unpaid on the dates last above named.

[Approved August 25, 1885.]

CHAPTER 65.

AN ACT TO AMEND SECTION 7, CHAPTER 75 OF THE GENERAL LAWS,
RELATIVE TO NOTICE TO TOWNS IN CASE OF DAMAGE UPON HIGH-
WAYS.

SECTION

1. Notice of damage to be filed with
selectmen.

SECTION

2. Repealing clause.

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

SECTION 1. That section 7, chapter 75 of the General Laws be amended by inserting after the word "with" in the fifth line, the words "the selectmen of the town and," so that as amended the section shall read: "Section 7. Every person sustaining damage to his person, team, or carriage while traveling upon any highway or bridge thereon, by reason of any obstruction, defect, insufficiency, or want of repair, rendering it unsuitable for travel thereon, shall, within ten days from the date of receiving such damage, file with the selectmen of the town and the clerk of the town or city which by law may be liable for the same, a written statement, under oath, of the exact place where and the time when such damage was received, a full description of the injuries, the extent of the same, and the amount of damages claimed therefor."

Notice of
damage to be
filed with
selectmen.

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

Repealing
clause.

[Approved August 25, 1885.]

CHAPTER 66.

AN ACT RELATING TO THE GUARANTY FUND OF SAVINGS BANKS.

SECTION

1. Guaranty fund may be used, except
for payment of dividends.

SECTION

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

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

SECTION 1. Whenever a majority of the trustees of any savings bank shall deem it necessary they may by vote utilize the guaranty fund of said bank provided for in section 13, chapter 170 of the General Laws, but in no case shall said fund be used for the payment of dividends.

Guaranty fund
may be used,
except for pay-
ment of
dividends.

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

Takes effect,
when.

SECT. 3. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealing
clause.

[Approved August 25, 1885.]

CHAPTER 67.

AN ACT TO AMEND CHAPTER 239 OF THE GENERAL LAWS, IN REGARD TO LEVY OF EXECUTIONS AGAINST TOWNS AND SCHOOL DISTRICTS AND IN ADDITION THERETO.

SECTION

- 1. Execution may be levied on property of non-residents.
- 2. On petition of person on whose prop-

SECTION

erty levy is commenced, court may issue *writs mandamus* to selectmen to collect tax to pay execution.

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

Execution may be levied on property of non-residents.

SECTION 1. That section 8, chapter 239 of the General Laws be amended so as to read as follows : " If such execution is not paid within sixty days after an attested copy is left as aforesaid, it may be levied, if against the town, upon the goods or estate of the selectmen, and if against the school district, upon the goods or estate of the prudential committee, and if sufficient goods or estate of said selectmen or prudential committee are not found, it may be levied upon the property of any inhabitant of the town or district respectively, and if the goods or estate of said selectmen or prudential committee and of the inhabitants of said town or district are not sufficient to satisfy said execution, then it may be levied on the property in said town or district, as the case may be, of any non-resident thereof."

On petition of persons on whose property levy is commenced, court may issue *writs mandamus* to selectmen to collect tax to pay execution.

SECT. 2. In case any levy is commenced upon the property of any inhabitant or non-resident other than of one of the selectmen or of the prudential committee, the supreme court, upon application of the person whose property is so levied upon, or upon the application of any other property owner in the town or district, shall issue a writ of *writs mandamus* ordering the selectmen to assess and collect a tax sufficient to pay the amount of the execution and costs, and if a vacancy exists before or after the issuing of the writ in the office of selectmen or collector, so that the tax cannot be assessed or collected by their aid, the court may appoint a receiver with full power to perform said duties of assessment and collection of the tax and payment of the debt. If application for the writ is made to the court by any person whose property is levied upon, within thirty days after the commencement of such levy, further proceedings on the levy shall be suspended, unless the court shall otherwise order.

[Approved August 25, 1885.]

CHAPTER 68.

AN ACT RELATING TO THE SALE OF IMITATION BUTTER.

SECTION

1. Penalty for selling imitation butter.
2. Mode of testing.

SECTION

3. Butter defined.
4. Takes effect, when.

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

SECTION 1. Whoever by himself or his agent shall sell, expose for sale, or have in his possession with intent to sell, any article or compound made in imitation of butter or as a substitute for butter, and not wholly made from milk or cream, and that is of any other color than pink, shall, for every package that he or they sells or exposes for sale, forfeit and pay a fine of fifty dollars, and for a second and each subsequent offense a fine of one hundred dollars, to be recovered with costs in any court of this state of competent jurisdiction; and any fine so recovered and paid shall go one half to the complainant and one half to the county where the offense was committed.

Penalty for selling imitation butter.

SECT. 2. The complainant in any action brought under section 1 of this act, or the health officers of any city or town, may cause specimens of suspected butter to be analyzed or otherwise satisfactorily tested as to color and compounds; and a certificate of the analysis, sworn to by the analyzer, shall be admitted in evidence in all prosecutions under this act. The expense of such analysis or test, not exceeding twenty dollars in any one case, may be included in the costs of prosecutions in all cases prosecuted under this act.

Mode of testing.

SECT. 3. For the purpose of this act the term butter shall be understood to mean the product usually known by that name, and which is manufactured exclusively from milk or cream or both with salt, and with or without coloring matter.

Butter defined.

SECT. 4. This act shall take effect upon its passage.
[Approved August 26, 1885.]

Takes effect, when.

CHAPTER 69.

AN ACT IN AMENDMENT OF SECTION 18 OF CHAPTER 91 OF THE GENERAL LAWS, ENTITLED "SCHOLARS."

SECTION 1. Duties of school committees as to suits; penalty for neglect.

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

SECTION 1. Section 18 of chapter 91 of the General Laws is hereby amended by striking out after the words "board of edu-

Duties of school committees as to suits; penalty for neglect.

cation," in the fourth line thereof, the words "upon whom a written notice has been served by any taxpayer stating by whom, when, and how," and inserting in place thereof the following words: "To whom information has been furnished of any case in which": also by striking out after the word "after," in the seventh line of said section, the words "the service of such notice upon them, to institute," and inserting in place thereof the words "receiving such information to bring," also by striking out after the word "upon," in the ninth line of said section, the words "investigation during that time, they shall be satisfied that no," and inserting in their place the words "investigating the matter during that time they shall become satisfied that they have been misinformed, and that no such," so that said section as amended will read as follows: "Section 18. School committees and boards of education, respectively, shall sue for all penalties incurred under and institute prosecutions for all violations of the provisions of this chapter, and any school committee or board of education to whom information has been furnished of any case in which any such penalty has been incurred, who shall neglect for ten days after receiving such information to bring a suit for the recovering thereof, unless such penalty shall sooner be paid without a suit, or unless upon investigating the matter during that time they shall become satisfied that they have been misinformed, and that no such penalty has actually been incurred, shall forfeit and pay the sum of twenty dollars for each neglect, to be recovered by the selectmen of the town, in an action of debt in the name of the town: such penalty, when recovered, to be paid to the district in which the original penalty was incurred, and added to the school money thereof. All necessary expenses arising from prosecutions instituted in enforcing the provisions of this chapter, shall be paid out of the town treasury."

[Approved August 28, 1885.]

CHAPTER 70.

AN ACT TO AMEND SECTION 6 OF CHAPTER 170 OF THE GENERAL LAWS, RELATING TO THE SALARY OF THE TREASURER AND HIS NECESSARY CLERKS OF SAVINGS BANKS.

SECTION

1. Limit of salaries and expenses of treasurer and clerks.

SECTION

2. Takes effect, when.

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

Limit of salaries and expenses of treasurer and clerks.

SECTION 1. That section 6 of chapter 170 of the General Laws shall be amended by striking out of the sixth line of said section the word "eighth," and inserting instead thereof the word "fifth," so that said section shall read as follows: "The trustees

of all the savings banks in the state shall annually establish the salary of the treasurer and his necessary clerks, which, together with all expenses, shall not exceed four thousand dollars, except when the average amount of deposits exceeds the full sum of one million dollars: then the salary of such treasurer, necessary clerks, and expenses, shall not exceed one fifth of one per cent upon the excess of one million dollars in addition to the sum herein before fixed, up to the sum of one million dollars: which compensation so established shall be in full for all the services of the treasurer and his clerks, and other expenses in all cases.

SECT. 2. This act shall take effect from and after its passage. Takes effect,
when.
[Approved August 28, 1885.]

CHAPTER 71.

AN ACT FOR THE RELIEF OF THE TOWN OF SUNAPEE.

SECTION 1. \$213.50 railroad tax.	SECTION 2. Takes effect, when.
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Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the state treasurer is hereby authorized and required to pay to the town of Sunapee, in the county of Sullivan, the sum of \$213.50, the same being the railroad tax for the years 1882, 1883, and 1884, assessed on railroad stock owned by said town and not paid over. \$213.50 railroad
tax.

SECT. 2. This act shall take effect upon its passage. Takes effect,
when.
[Approved August 28, 1885.]

CHAPTER 72.

AN ACT IN AMENDMENT OF CHAPTER 288 OF THE GENERAL LAWS, RELATING TO DISCIPLINE IN THE STATE PRISON.

SECTION 1. Punishment and discipline regulated.

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

SECTION 1. That section 16 of chapter 288 of the General Laws be amended by inserting at the close of said section the following words, viz.: "or by such other reasonable and effective modes of punishment and discipline as the governor and council may from time to time prescribe," so that said section as Punishment and
discipline
regulated.

thus amended shall read: "The warden, with the consent of the governor and council, may offer suitable encouragement and indulgences to those convicts who distinguish themselves by obedience, industry, and faithfulness, and may punish any convict guilty of insolence or ill language to any officer of the prison, or of obstinate and refractory behavior, by solitary imprisonment not exceeding thirty days at one time, or by such other reasonable and effective modes of punishment and discipline as the governor and council may from time to time prescribe."

[Approved August 28, 1885.]

CHAPTER 73.

AN ACT IN AMENDMENT OF CHAPTER 172, GENERAL LAWS, IN RELATION TO INSURANCE.

SECTION

1. Effect of erroneous statements and change of use of property by insured.

SECTION

2. Takes effect, when.

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

Effect of erroneous statements and change of use of property by insured.

SECTION 1. All statements of description or value in an application or policy of insurance, are representations and not warranties: erroneous descriptions or statements of value or title by the insured do not prevent his recovering on his policy, unless the jury find that the difference between the property as described and as it really existed contributed to the loss or materially increased the risk: a change in the property insured, or in its use or occupation, or a breach of any of the terms of the policy by the insured, do not affect the policy, except during the continuance of the change, use, or occupation, or of the state of things constituting the breach of the terms of the policy: nor shall any misrepresentation of the title or interest of the insured in the whole or a part of the property insured, real or personal, unless material or fraudulent, prevent his recovering on his policy to the extent of his insurable interest.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage, and shall only apply to contracts of insurance entered into or renewed after it goes into effect.

[Approved August 28, 1885.]

CHAPTER 74.

AN ACT FOR THE BETTER PRESERVATION OF TOWN AND OTHER RECORDS.

SECTION

1. Books of record to be bound and properly filed.

SECTION

2. Custodian not to loan them.

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

SECTION 1. It shall be the duty of the city governments of cities, and of the selectmen of towns, to cause all books of public record and registry belonging to such cities and towns respectively to be well and strongly bound, and other papers and documents duly filed and arranged in an orderly manner, convenient for examination and reference, and to provide, at the expense of the city or town, a suitable place for the safe keeping and preservation of the public records and other documents, where they may be deposited and securely kept.

Books of record to be bound and properly filed.

SECT. 2. No person having the custody of such public records or documents shall loan the same or permit them to be taken out of his custody, except on summons in due form of law or by written direction of the mayor and aldermen or selectmen, but they shall be open at all proper times to the inspection and examination of all persons interested.

Custodian not to loan them.

[Approved August 28, 1885.]

CHAPTER 75.

AN ACT IN AID OF AN ACT TO PROVIDE FOR THE PUBLICATION OF A RECORD OF NEW HAMPSHIRE SOLDIERS AND SAILORS IN THE WAR OF THE REBELLION.

SECTION

1. Provision for collecting information for the adjutant-general's office.

SECTION

2. Penalty.

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

SECTION 1. The selectmen or assessors of each town and city shall, at the same time they distribute the blank inventories for the assessment of taxes for the year 1886, also distribute such blanks as may be seasonably provided by the adjutant-general, for the purpose of collecting the information required by the provisions of the act "to provide for the publication of a record of New Hampshire soldiers and sailors in the war of the Rebellion,"

Provision for collecting information for the adjutant-general's office.

approved July 23, 1885, and every person having such information shall make answer in writing, so far as possible, to such questions as may be in such blanks, and the same shall be returned and delivered to said selectmen or assessors before the fifteenth day of April, as is provided by law for the return of inventories of taxable property. The papers returned to the selectmen or assessors, under the provisions of this act, shall be returned to the office of the adjutant-general by them within thirty days after said fifteenth day of April.

Penalty.

SECT. 2. Any officer or person violating the provisions of this act shall be subject to a fine of fifty dollars for each offense, to be recovered in an action of debt by the adjutant-general, and all sums of money so recovered shall be applied in carrying out the provisions of said act of July 23, 1885.

[Approved August 28, 1885.]

CHAPTER 76.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 269 OF THE GENERAL LAWS, AND TO AID AND PROTECT THE LABORING AND MANUFACTURING INTERESTS OF THE STATE.

SECTION

1. Offenses and disorders in streets.

SECTION

2. Takes effect, when.

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

Offenses and disorders in streets.

SECTION 1. That section 1 of chapter 269 of the General Laws be amended by adding at the end thereof the following: "Nor shall any person address to any person passing along any street to, from, or about his lawful business or occupation, any offensive, derisive, or annoying word or words, or call such person by any derisive or offensive name; nor shall any person make any noise or exclamation in the presence and hearing of such person so passing, with intent to deride, offend, or annoy such person, or to prevent him from pursuing and engaging in his lawful business or occupation."

Takes effect, when.

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

[Approved August 28, 1885.]

CHAPTER 77.

AN ACT IN RELATION TO THE SALARY OF THE STATE SUPERINTEND-
ENT OF PUBLIC INSTRUCTION.

SECTION
1. Salary \$2,500.

SECTION
2. Takes effect, when; repealing clause.

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

SECTION 1. That the state superintendent of public instruction Salary \$2,500. shall receive in full for salary and expenses, other than clerk hire, the sum of twenty-five hundred dollars per annum.

SECT. 2. This act shall take effect from and after its passage, Takes effect, when; repealing clause. and all acts and parts of acts inconsistent therewith are hereby repealed.

[Approved August 28, 1885.]

CHAPTER 78.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 179, OF THE GENERAL LAWS, RELATING TO THE PROTECTION OF SALMON AND TROUT.

SECTION
1. Salmon and trout protected.

SECTION
2. Repealing clause; takes effect, when.

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

SECTION 1. That section 4, chapter 179 of the General Laws Salmon and trout protected. be amended by striking out the words "the month of September" in the fourth line, and inserting in place thereof the words "the thirtieth day of September"; also by striking out the words "the month of April" in the fifth line, and inserting in place thereof the words "the first day of May," so that said section as amended shall read: "It shall not be lawful for any person to take, catch, kill, or have in his possession any land-locked or fresh-water salmon, lake trout, brook or speckled trout, in or from any of the waters of this state, between the thirtieth day of September of any year and the first day of May next following, except that lake trout may be taken, with single hook and line only, during the months of January, February, March, and April; and any person so offending shall be fined not more than fifty dollars for each fish so taken or had in possession, or imprisoned not more than six months, or both."

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

[Approved August 28, 1885.]

CHAPTER 79.

AN ACT RELATING TO THE SALARY OF THE SHERIFF OF THE COUNTY OF HILLSBOROUGH.

SECTION
1. Salary §500.

SECTION
2. Takes effect, when.

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

Salary §500.

SECTION 1. The annual salary of the sheriff of the county of Hillsborough shall hereafter be five hundred dollars, payable as now provided by law, and so much of section 13 of chapter 289 of the General Laws as is inconsistent with this act is hereby repealed.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved August 28, 1885.]

CHAPTER 80.

AN ACT IN RELATION TO THE SALARY OF THE JUSTICE OF THE POLICE COURT OF THE CITY OF DOVER.

SECTION 1. Salary §800.

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

Salary §800.

SECTION 1. That section 10 of chapter 256 of the Session Laws of 1881, entitled "An act for the revision of the city charter of the city of Dover," is hereby amended by striking out the word "six" in the second line and inserting in place thereof the word "eight," so that the said section shall read as follows: "The salary of the justice of the police court of said city shall be eight hundred dollars per annum, to be paid in quarterly payments out of the city treasury, and the salary so received shall be in full for services of every kind rendered by him as justice of said court."

[Approved August 28, 1885.]

CHAPTER 81.

AN ACT IN AMENDMENT OF SECTION 11 OF CHAPTER 252 OF THE GENERAL LAWS, IN RELATION TO COURTS OF CRIMINAL JURISDICTION.

SECTION

1. Police court warrant; how returnable.

SECTION

2. Repealing clause; takes effect, when.

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

SECTION 1. That section 11 of said chapter is hereby amended by inserting in the second line of said section after the word "established" the words "for any offense committed in said town," so that said section 11 shall read as follows: "Section 11. If such warrant is issued by a police court, or by any justice within the town in which such police court is established, for any offense committed in such town, it shall be made returnable before such police court, and not elsewhere."

Police court warrant; how returnable.

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

Repealing clause; takes effect, when.

[Approved August 28, 1885.]

CHAPTER 82.

AN ACT PROVIDING FOR THE PAYMENT OF THE MEMBERS OF THE ELECTORAL COLLEGE.

SECTION

1. Per diem and mileage.

2. Act applies to electors of 1884.

SECTION

3. Takes effect, when.

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

SECTION 1. The electors of president and vice-president shall each receive three dollars a day during their session, and ten cents a mile for their travel to and from their place of meeting; and they shall be allowed a reasonable sum, not to exceed twenty-five dollars, to pay for the services of a secretary.

Per diem and mileage.

SECT. 2. The provisions of this act shall apply to the college of electors for the year 1884.

Act applies to electors of 1884.

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

Takes effect, when.

[Approved August 28, 1885.]

CHAPTER 83.

AN ACT RELATING TO THE QUALIFICATION OF OFFICERS OF SAVINGS BANKS.

SECTION

1. Officers of savings institutions not to receive fees, etc. on account of loans.

SECTION

2. Penalty.
3. Takes effect, when.

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

Officers of savings institutions not to receive fees, etc. on account of loans.

SECTION 1. No officer, trustee, director, or employee of any savings bank, savings institution, or trust company shall receive any fee, present, benefit, or commission, directly or indirectly, from any borrower or applicant for a loan or as an inducement or as a consideration therefor, or from any one negotiating securities at the institution or company of which he is an officer, trustee, director, or employee, nor shall he receive any fee, benefit, commission, or profit, directly or indirectly, from any loan made or securities bought or sold by said institution or company, except the benefit or profit he may derive in common with other depositors or stockholders, and the compensation allowed by such institution or company for services and expenses. But this section shall not preclude the ownership by bank officials of stock in organized banks or companies, or the performance of legal or clerical services by them. *Provided*, that in no case shall savings bank officials negotiate loans with themselves acting as officials of other corporations.

Penalty.

SECT. 2. Any trustee, director, officer, or employee of a savings bank, savings institution, or trust company who violates the provisions of this act shall be fined not exceeding ten thousand dollars or imprisoned not more than ten years, or both.

Takes effect, when.

SECT. 3. This act shall take effect on its passage.
[Approved August 28, 1885.]

CHAPTER 84.

AN ACT REGULATING THE ATTENDANCE OF TEACHERS UPON TEACHERS' INSTITUTES.

SECTION

1. Teachers may attend institutes.

SECTION

2. Takes effect, when.

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

Teachers may attend institutes.

SECTION 1. The time, not exceeding three days in any one term, or five days in one year, actually spent by a teacher of any

public school in the state in attendance upon a teachers' institute held in accordance with the laws of the state, under the direction of the superintendent of public instruction, shall be considered time lawfully expended by such teacher in the service of the district where such teacher is employed, and no deduction of wages shall be made for such absences. And it shall be the duty of the school committee and boards of education to allow teachers to close their school for such attendance upon such institute.

SECT. 2. This act shall take effect from its passage.
 [Approved August 28, 1885.]

Takes effect, when.

CHAPTER 85.

AN ACT IN AMENDMENT OF CHAPTER 140 OF THE GENERAL LAWS, IN RELATION TO ASSIGNMENTS.

SECTION

1. Judge of probate to be and to appoint assignee; filing of assignment.
2. Debtor to file list of creditors and schedule of property; messenger.
3. Penalty for not filing.
4. After notice to creditors, judge to appoint assignee; his bond and duty.
5. Creditor to file claim; assignee to render account; closing of estate.
6. Appeal if amount less than \$100.
7. Proceedings in case debtor owes \$300, and has not property sufficient to pay his debts.
8. Removal of assignee.
9. Effect of attachments, sales, etc. within three months previous to assignment.
10. Powers of judge not restricted.

SECTION

11. Debtor to be discharged, when.
12. Discharge not valid if procured by fraud.
13. Not to be granted till expenses paid.
14. Creditor refusing to accept his percentage.
15. Proceedings on application of debtor for discharge; effect of discharge.
16. Allowance to debtor.
17. Certain wages to be paid in full.
18. Proceedings in case of copartnership.
19. Fees of judge, assignee, and messenger.
20. Expenses and fees.
21. Blanks.
22. Repealing clause.
23. Takes effect, when; pending suits not affected.

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

SECTION 1. Every assignment under said chapter of this act shall be to the judge of probate of the county in which the debtor resides, and to such assignee as may be appointed by such judge, and shall be filed with the judge or with the register of probate for said county, and until so filed shall be of no effect.

Judge of probate to be and to appoint assignee; filing of assignment.

SECT. 2. The debtor shall, within ten days after the filing of such assignment, file in said office a list of the names and residences of all his creditors, verified by his oath to be true according to the best of his knowledge, information, and belief; and he shall also, within fifteen days after the filing of said assignment, file in said office a schedule of all his property, verified by his oath to be true according to the best of his knowledge, information, and belief. Upon such filing the judge shall appoint a

Debtor to file list of creditors and schedule of property; messenger.

messenger to take possession of the property, who may sell perishable articles, and hold the proceeds for the assignee.

Penalty for not filing.

SECT. 3. Any debtor who shall willfully omit to file such list or schedule as ordered, shall be punished by imprisonment not more than one year.

After notice to creditors, judge to appoint assignee; his bond and duty.

SECT. 4. Upon the filing of such list or schedule, said judge shall give notice, both personal and by publication, for such time as he shall direct, to the creditors of said debtor, that at a designated time an assignee of said debtor will be appointed by said judge, and that all parties interested may be heard in reference to such appointment: and at the time and place designated, or as soon after as may be, said judge, upon the written recommendation of two thirds in numbers, and a majority in value, of those who have proved their debts by their oath, shall appoint an assignee, who shall not be a creditor of said debtor, and issue to him a letter of appointment: and such assignee shall thereupon give bond as required by said chapter, and shall also file in said office, within ten days of said appointment, a schedule of all property embraced in said assignment, with his estimated value thereof, and of the incumbrances thereon, verified by his oath to be true according to the best of his knowledge, information, and belief.

Creditor to file claims; assignee to render account; closing of estate.

SECT. 5. The statement required by section 11 of said chapter shall be filed within one month after said assignment, and all objections thereto within three months after said assignment, unless said judge, upon cause shown, shall give a further time to any party omitting, not exceeding two months additional: and the accounts required by section 21 of said chapter shall be rendered within six months after the appointment, and at such other times as the judge may direct. The estate shall be closed and a final distribution made within one year from the date of the assignment, unless the judge of probate, for good cause, and upon the written consent of a majority in number of the creditors owning a majority in amount of the debts, shall grant further time.

Appeal if amount less than \$100.

SECT. 6. Upon any appeal under section 25 of said chapter, when the amount in controversy does not exceed one hundred dollars, and the title of real estate is not concerned, any justice of the supreme court, before or after the entry of such appeal, at the term of court to which the same shall be taken, or said court, at said term or afterwards, may refer said appeal to one or more referees, under chapter 231 of the General Laws, and judgment rendered on their report shall be final and conclusive.

Proceedings in case debtor owes \$300, and has not property sufficient to pay his debts.

SECT. 7. The judge of probate, upon an application in writing by any creditor or creditors of any debtor residing in the county, and satisfactory evidence that said debtor is owing said petitioner or petitioners three hundred dollars or upward, and that his property within this state not exempt from attachment is insufficient to pay all his debts, may appoint a messenger, and order said debtor to return a list of his creditors, verified by his oath, and a schedule of his property, verified by his oath, within such time as said judge may direct: and upon the return of such list said judge shall give notice to creditors and proceed for the choice of

an assignee, as directed by section 4 of this act. If for any reason said list shall not be returned, said judge shall give such notice as he deems sufficient, and afterwards proceed as in section 4. The estate of the debtor shall vest in such assignee the same as in an appointment under section 4, and the debtor may also be ordered to execute an assignment.

SECT. 8. Any assignee may be removed by said judge, with or without notice to the creditors and said debtor, whenever he shall deem it necessary for the protection of the estate, subject, however, to the right of two thirds in number and a majority in value of the creditors to have him reinstated.

Removal of assignee.

SECT. 9. Whenever an assignment to the judge of probate is made as provided by section 1 of this act, all attachments shall be void except such as have been made three months previous to such assignment, and all payments, pledges, mortgages, conveyances, sales, and transfers, made within three months next before said assignment, and after the passage of this act and before the first of September next, and also all payments, pledges, mortgages, conveyances, sales, and transfers, whenever made, if fraudulent as to creditors, shall be void, and the assignee may recover and hold the property attached, mortgaged, conveyed, sold, or transferred as aforesaid, disencumbered of all such liens or claims: *provided*, that sales of real or personal estate, in the ordinary course of business shall, although made within said three months, be deemed valid if the purchaser has received the property in entire good faith and for an adequate consideration. *Provided, also*, that any mortgage given within said three months to secure a debt actually created at the time of the execution of said mortgage shall be valid, or the consideration of said mortgage shall be returned to the mortgagee.

Effect of attachments, sales, etc., within three months previous to assignment.

SECT. 10. The penalties imposed by this act and by said chapter shall not be construed to take from said judge his power to enforce his orders by the usual process of contempt.

Powers of judge not restricted.

SECT. 11. In all cases of assignment where the debtor's or debtors' liability exceeds the sum of three hundred dollars, if the debtor or debtors shall, at the first meeting of the creditors, produce an affidavit by him or them signed, and sworn to before the judge of probate, of the tenor following: "I, _____, of _____, in the county of _____, do solemnly swear that I have not removed, concealed, or secreted any money, papers, securities, effects, or property, real or personal, with the intent, purpose, or expectation of receiving, directly or indirectly, any benefit or advantage to myself, and that I have not changed or falsified my books of account, deeds, or papers, relating to my estate; and that I have not sold, pledged, conveyed, or transferred any of my property or estate in anticipation of insolvency, or made any conveyance, mortgage, pledge, transfer, or payment to any creditor for the purpose of preferring any of my creditors, and that I have not, directly or indirectly, given any creditor or other person any compensation or promise of reward, except reasonable counsel fees for service, and that my assets and liabilities are correctly stated in the schedule hereunto annexed and signed by me"; and at the same time shall also produce an agreement signed by three fourths

Debtor to be discharged, when.

in number of his creditors holding three fourths of all his indebtedness, whose debts shall each exceed the sum of fifty dollars, in the form following: "We, the undersigned, creditors of _____, of _____, in the county of _____, do hereby agree to accept _____ per cent of our actual net claims against _____, the amounts of which are correctly stated against our respective names, in full discharge of the same: and we further agree that we have not received, directly or indirectly, any compensation or promise of future payment beyond the per cent herein named"; and if the judge shall be satisfied that such agreement is signed by said proportion of the creditors of such debtor, and that such debtor has either paid or secured the percentage named in such agreement and according to the terms thereof, he shall give such debtor, under his hand and the seal of the court, a full discharge of all his debts and liabilities contracted prior to the filing of the assignment of said debtor.

Discharge not valid if procured by fraud.

SECT. 12. Such discharge shall not be valid if the signature of any creditor has been obtained by fraud, or if any material statement contained in such affidavit or schedule is false to the knowledge of the debtor making the same: and any creditor may sue for and recover the balance of his claim or debt against such debtor, if any fraud be proved.

Not to be granted till expenses paid.

SECT. 13. When a debtor effects a compromise or composition with his creditors, said debtor shall not have granted to him a discharge until he shall have paid all expenses incurred during the proceedings.

Creditor refusing to accept his percentage.

SECT. 14. If any creditor shall refuse to take or accept in discharge of his debt or claim the per cent which has been accepted by the creditors under section 11 of this act, the same shall be deposited with the judge subject to the order of such creditor: and if not claimed by such creditor within twelve months from the date of the acceptance of such per cent by said creditors, the judge shall give such sum to the said debtor.

Proceedings on application of debtor for discharge; effect of discharge.

SECT. 15. Any time after the final decree of distribution by the judge, the debtor may apply in writing to the judge for a discharge from his debts, of which application due notice shall be given to the creditors and a time and place of hearing thereon appointed. And if upon such hearing the judge shall be satisfied that the debtor has made an honest and full return of all his assets, he shall grant such debtor, under his hand and the seal of the court, a full discharge of all his debts and liabilities contracted prior to the commencement of proceedings under this act, upon the written approval of three fourths of his creditors in numbers representing and owning three fourths in amount of his debts. *Provided*, that the debtor, upon the payment of seventy per cent of his liabilities in the absence of fraud, shall be discharged without such consent. *Provided, also*, that a debtor who has once been discharged under this act shall not be entitled to a second discharge. No certificate of discharge under this act shall affect any debts contracted prior to the passage of this act, unless such debts shall be proved in the proceedings under this act.

Allowance to debtor.

SECT. 16. The debtor shall be allowed out of his estate for his services, attendance, and for the necessary support of himself and

family, such sum, not exceeding one dollar a day for himself, and two dollars per week for each member of his family, and for such time, not exceeding three months, as the judge may order.

SECT. 17. Wages due to any operative, clerk, house servant, or other laborer, to an amount not exceeding fifty dollars, for labor performed within six months previous to the commencement of proceedings under this act, shall be paid in full. Certain wages to be paid in full.

SECT. 18. In case the proceedings are by or against a copartnership, the affidavit, agreement, and certificate shall be varied accordingly, and shall contain both the names of the firm and the names of the members thereof. Proceedings in case of copartnership.

SECT. 19. The fees of the judge of probate, assignee, and messenger in all proceedings under this act, shall be as follows: The judge of probate shall receive five dollars per day for actual service. The assignee shall receive three dollars per day for service actually performed, and the same commission now allowed by law to administrators of persons deceased, and also his necessary traveling expenses, the whole to be itemized by said assignee and audited and allowed by the judge of probate. The messenger shall receive two dollars per day for service actually performed, and also his necessary traveling expenses, the whole to be itemized by said messenger and audited and allowed by judge of probate. And the register may be appointed such messenger at the discretion of the court. Fees of judge, assignee, and messenger.

SECT. 20. All necessary expenses incurred under the execution of this act shall be determined and allowed by the judge of probate, and all fees and expenses of whatever nature shall be paid from the assets of the debtor, except such as are hereinafter mentioned. Expenses and fees.

SECT. 21. All necessary blanks and forms shall be prepared by the judge of probate and provided at the expense of each county. Blanks.

SECT. 22. Sections 4 and 14 of said chapter, and all acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SECT. 23. This act shall take effect and be in force from and after its passage; and nothing in said act shall be construed to affect any attachment made prior to said date, or to affect any suit now or then pending. Takes effect, when pending suits not affected.

[Approved August 28, 1885.]

CHAPTER 86.

AN ACT PARTIALLY REPEALING SECTION 14 OF CHAPTER 287 OF THE GENERAL LAWS, RELATING TO PERSONS WHO MAY BE SENT TO THE INDUSTRIAL SCHOOL.

SECTION 1. Minor may be sent to industrial school.

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

Minor may be sent to industrial school.

SECTION 1. That the words "or shall be ordered to recognize for his appearance at the supreme court," between the word "accordingly," in the third line of section 14 of chapter 287 of the General Laws and the words "the court," in the fifth line of said section, be stricken out, and also that the words "or recognizance" in the sixth and seventh lines of said section, be stricken out, so that said section shall read as follows, viz.: "Section 14. When any minor under the age of seventeen years, charged with any offense punishable by imprisonment, otherwise than for life, shall be convicted and sentenced accordingly, the court or justice, upon application of such minor, his friends, or the state's counsel, may order that instead of such imprisonment the said minor may be sent and kept employed and instructed at the industrial school for such term not less than one year nor extending beyond the age of twenty-one years, as said court shall judge most for his true interest and benefit, provided he shall conduct himself according to the regulations of said school, and a copy of such order shall be sufficient authority for his commitment and detention at said school."

[Approved August 28, 1885.]

CHAPTER 87.

AN ACT TO SIMPLIFY THE PROCESS FOR PROTECTING CERTAIN WATER RIGHTS AND THE RIGHTS OF RIPARIAN PROPRIETORS.

SECTION

1. Redress for rights infringed.

SECTION

2. Same subject.

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

Redress for rights infringed.

SECTION 1. Any legal right, public or private, infringed by a change in the water level of any natural lake or pond, and the water rights of riparian proprietors on any stream, may be ascertained and enforced in a constitutional manner on a bill in equity without ascertainment of the right by a suit at law, and rights of boating, fishing, and navigation may be enforced on a bill in equity brought by the attorney-general in the name of the state.

SECT. 2. Any legal right, public or private, infringed by saw-^{Same subject.} dust or other waste of a saw mill or other lumber mill, cast or dropped into a water course, or any other material cast or dropped into a water course, may be enforced by the first section of this act.

[Approved August 28, 1885.]

CHAPTER 88.

AN ACT IN AMENDMENT OF AND IN ADDITION TO CHAPTER 100 OF THE PAMPHLET LAWS PASSED JUNE SESSION, 1881, ENTITLED "AN ACT FOR THE INSPECTION AND LICENSING OF STEAMBOATS AND THEIR ENGINEERS."

SECTION

- 1. All passenger steamboats to be inspected.
- 2. Engineers and pilots to be examined.
- 3. Examination to be under oath by inspector.
- 4. Penalty for misconduct of engineer or pilot.
- 5. Inspector may detain boat for repairs, etc.

SECTION

- 6. Examinations by inspector; his compensation.
- 7. Penalty for carrying passengers in excess of allowance.
- 8. Penalty for misconduct of inspector.
- 9. Takes effect, when.

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

SECTION 1. Sections 1 and 2 of chapter 100 of the Pamphlet Laws passed June session, 1881, are hereby amended by striking out the words "for the carriage of passengers for hire" in the third and fourth lines of section 1, and the same words in the second line of section 2. All passenger steamboats to be inspected.

SECT. 2. Sections 1, 2, and 3 of said act are amended by inserting after the word "engineer," wherever it occurs, the words "or pilot." Engineers and pilots to be examined.

SECT. 3. All engineers and pilots shall be examined as provided in said act, under oath by said inspectors, who shall have power to administer an oath. Examination to be under oath by inspector.

SECT. 4. If any person shall act as engineer or pilot on any steamboat without the certificate herein provided for: or if any engineer or pilot shall, during the year for which he is licensed, neglect the duties of his office, or be of intemperate habits, or willfully violate any of the rules and regulations established by the inspector: or if any engineer shall carry more steam than the certificate for his boat allows, or shall in any way or manner interfere with the locked safety-valve of the boiler, after the same is set by the inspector, so as to allow greater pressure in the boiler than the amount specified by said certificate, his license may be suspended or revoked by the inspector, and he shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding one year, or by both. Penalty for misconduct of engineer or pilot.

Inspector may detain boat for repairs, etc.

SECT. 5. If any steamboat licensed as aforesaid shall, during the period of its license, be deemed by the inspector unsafe in its hull, or defective in its engine, boilers, or machinery; or its owners or lessees shall not have complied with the rules and regulations prescribed by the inspector, he shall have power to stop and detain such boat until the necessary repairs are made, or said rules and regulations are complied with.

Examinations by inspector; his compensation.

SECT. 6. Said inspector shall examine such boat, its boilers and engines, to see if the provisions of this act and the rules and regulations established by the inspector have been complied with, not more than three times in each year, at such times as the inspector shall deem the public interests and safety require, and be paid therefor the same compensation now provided by law; his accounts for the same to be audited by the governor and council, and the governor shall draw his warrant on the treasurer therefor.

Penalty for carrying passengers in excess of allowance.

SECT. 7. If the owners or lessees of any steamboat licensed as aforesaid shall carry more passengers than its certificate allows, they shall be fined twenty-five dollars for each passenger carried in excess of the number so allowed.

Penalty for misconduct of inspector.

SECT. 8. Every inspector of steamboats who, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall forfeit his office, and be otherwise punished by a fine of not more than five hundred dollars, or by imprisonment not more than six months, or by both.

Takes effect, when.

SECT. 9. This act shall take effect upon its passage. [Approved August 28, 1885.]

CHAPTER 89.

AN ACT IN RELATION TO SPECIAL SCHOOL DISTRICTS AND POWERS OF BOARDS OF EDUCATION.

SECTION

- 1. Special school districts may be abolished.
- 2. Boards of education may contract

SECTION

- for education of scholars out of district.
- 3. Takes effect, when.

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

Special school districts may be abolished.

SECTION 1. That any school district organized under a special act of the legislature may, by a major vote of the qualified voters present and voting at a legal meeting duly warned for the purpose, abolish such district, and unite with the town district.

Boards of education may contract for education of scholars out of district.

SECT. 2. The boards of education of adjoining towns, cities, or districts, may contract with each other, or with any academy, seminary, or college, incorporated under the laws of the state, for the education of scholars in such towns, cities, or districts, upon such terms and conditions as they may agree upon.

SECT. 3. This act shall take effect and be in force after March 1, 1886. ^{Takes effect, when.}
 [Approved August 28, 1885.]

CHAPTER 90.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 53 OF THE LAWS OF 1883, ENTITLED "AN ACT IN AMENDMENT OF SECTION 9, CHAPTER 111 OF THE GENERAL LAWS, RELATING TO THE PENALTY IN CERTAIN CASES OF NUISANCE."

SECTION 1. Penalty for leaving offensive matter.

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

SECTION 1. That section 1 of chapter 53 of the laws of 1883, ^{Penalty for leaving offensive matter.} entitled "An act in amendment of section 9 of chapter 111 of the General Laws, relating to the penalty in certain cases of nuisance," shall be amended by adding thereto the following: "And if any person shall place, leave, or cause to be placed or left, any substance or fluid in or near to any lake or pond, or stream tributary thereto, from which the water supply in whole or in part of any city, town, or village is taken for domestic purposes, that may cause the water thereof to become impure or unfit for the uses for which it is intended, such person shall be punished by fine not exceeding twenty dollars or by imprisonment not exceeding thirty days, or both, and any justice of the peace is authorized to hear and determine complaints and to impose the penalties and render judgments in proceedings provided for by this act in a similar manner as in other criminal proceedings, and any constable is authorized to serve any process in proceedings provided for by this act, and any board of health or water commission may remove any such substance or fluid as are rendering the water in such lake or pond, or stream tributary thereto, impure or unfit for use as aforesaid, and may recover the expense of such removal from the person who placed or caused to be placed the same in or near the water as aforesaid, in an action on the case," so that said section 1 of chapter 53 shall read as follows: "Section 1. That section 9 of chapter 111 be amended by striking out the word 'fifty' (see laws of 1879) in the fifth line and inserting the word 'twenty,' so that the section shall read as follows: 'Section 9. If any person shall place or leave, or cause to be placed or left, in or near any highway, street, alley, public place, wharf, or shall allow to be exposed unburied any animal or other substance liable to become putrid or offensive or injurious to the public health, he shall incur a penalty of not more than twenty dollars, to be recovered by the health officers in the name of the town, and the health officers shall remove the same; and if any person shall place, leave, or cause to be placed or left any sub-

stance or fluid in or near to any lake or pond, or stream tributary thereto, from which the water supply in whole or in part of any city, town, or village is taken for domestic purposes, that may cause the water thereof to become impure or unfit for the uses for which it is intended, such person shall be punished by fine not exceeding twenty dollars or by imprisonment not exceeding thirty days, or both; and any justice of the peace is authorized to hear and determine complaints and to impose the penalties and render judgments in proceedings provided for by this act in a similar manner as in other criminal proceedings, and any constable is authorized to serve any process in proceedings provided for by this act, and any board of health or water commission may remove any such substance or fluid as are rendering the water in such lake or pond, or stream tributary thereto, impure or unfit for use as aforesaid, and may recover the expense of such removal from the person who placed or caused to be placed the same in or near the water as aforesaid, in an action on the case.'"

[Approved August 28, 1885.]

CHAPTER 91.

AN ACT TO AUTHORIZE THE PURCHASE OF THE SCAFFOLD CONSTRUCTED AND DEPOSITED IN THE STATE PRISON, BY THE SHERIFF OF THE COUNTY OF BELKNAP.

SECTION

1. Scaffold to be paid for.

SECTION

2. Takes effect, when.

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

Scaffold to be paid for.

SECTION 1. That the governor and council are hereby authorized to draw their warrant on the state treasurer for a sum sufficient to reimburse the sheriff of Belknap county the amount expended by him in the construction of the scaffold or gallows now erected at the state prison, and that the same be held by the warden for the use, without charge, of the respective sheriffs of the several counties.

Takes effect, when.

SECT. 2. This act shall take effect from and after its approval. [Approved August 28, 1885.]

CHAPTER 92.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 279 OF THE GENERAL LAWS, RELATING TO BURGLARY AND BREAKING BUILDINGS.

SECTION 1. Term of imprisonment increased.

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

SECTION 1. That section 2 of chapter 279 of the General Laws, relating to burglary and breaking buildings, be and hereby is amended by striking out the word "ten" in the sixth line thereof, and inserting instead the word "fifteen," so that said section as amended shall read: "Section 2. If any person shall, in the night-time, break and enter any dwelling-house, office, bank, shop, store, or warehouse, or any vessel lying within the body of any county, with intent to commit any other crime the punishment whereof may be imprisonment for more than one year, or to commit any larceny, he shall be imprisoned not exceeding fifteen years."

Term of imprisonment increased.

[Approved August 28, 1885.]

CHAPTER 93.

AN ACT IN REGARD TO FOREIGN INSURANCE COMPANIES AND DUTIES OF INSURANCE COMMISSIONER.

SECTION

1. License to be revoked in certain cases.
2. Payment for total and partial losses regulated.

SECTION

3. Commissioner to provide standard policy.
4. Repeating clause; takes effect, when.

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

SECTION 1. Should any insurance company not organized under the laws, but doing an insurance business within this state, make an application to remove any suit or action to which it is a party, heretofore or hereafter commenced in any court of this state, to the United States district or circuit court, or shall enter into any compact or combination with other insurance companies for the purpose of governing or controlling the rates charged for fire insurance on any property within this state, the insurance commissioner shall forthwith revoke the license or authority of said company to transact business, and no renewal of said license or authority shall be granted for the period of three years from the date of such revocation.

License to be revoked in certain cases.

SECT. 2. In any suit that may be brought in this state against an insurance company, to recover for a total loss sustained by fire

Payment for total and partial losses regulated.

or other casualty to real estate or buildings on the land of another, the amount of damage shall be the amount expressed in the contract as the sum insured, and no other evidence shall be admitted on trial as to the value of the property insured: *provided*, whenever there is a partial destruction or damage to the property insured, it shall be the duty of the company to pay the assured a sum of money equal to the damage done to the property. And *provided further*, that nothing in this section shall be construed to prevent the admission of testimony to prove over-insurance fraudulently obtained.

Commissioner to provide standard policy.

SECT. 3. The insurance commissioner shall provide a standard form of policy and contract for companies insuring property in this state, and no license shall be granted, and no company allowed to do an insurance business, unless it shall conform to the regulations of the insurance commissioner.

Repealing clause; takes effect, when.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect from and after January 1, 1886.

[Approved August 29, 1885.]

CHAPTER 94.

AN ACT TO AID AND INSURE THE PURITY OF ELECTIONS.

SECTION

- 1. Voter may challenge any other voter; oath.
- 2. Penalty for receiving votes of non-jurors.
- 3. For swearing falsely; affidavit sworn before whom.

SECTION

- 4. Blank oaths.
- 5. Manner of making complaints.
- 6. Hearing of complainants.
- 7. Proceedings thereafter.
- 8. This act to be read and posted by selectmen.

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

Voter may challenge any other voter; oath.

SECTION 1. Any voter at any town-meeting may challenge any other voter offering to vote at such meeting, and the moderator shall not receive the vote of such voter so challenged until he shall make and subscribe an affidavit, and shall tender to the town clerk or moderator such affidavit, which shall be in form and substance as follows: —

“ I, _____, solemnly swear that I have not, directly or indirectly, hired, procured, induced, or in any way influenced, or attempted to hire, procure, induce, or in any way influence, by payment, promises, offers of emolument, offers of reward of any kind, loans of money or other thing, threats, or intimidation, any voter to stay away from this town-meeting, or to avoid voting at this town-meeting, or to vote at this town-meeting for or against any particular ticket or candidate for office, or to ask, in order to disqualify himself from voting at this town-meeting, abatement of his taxes, or to be excused from paying his taxes; nor have I,

directly or indirectly, contributed or furnished, or promised to contribute or furnish, any money, goods, or chattels, or any other thing whatsoever, to be used to induce any voter to stay away from this town-meeting, or to avoid voting at this town-meeting, or to vote at this town-meeting for or against any particular ticket or candidate for office, or to ask, in order to disqualify himself from voting at this town-meeting, the abatement of his taxes, or to be excused from paying taxes: nor have I, either directly or indirectly, been hired or procured, or in any way influenced, by payment, promises, offers of emoluments, offers of reward of any kind, loans of money or other things, threats, or intimidation, to vote at this town-meeting for or against any particular ticket or candidate for office: but the vote I now offer to cast, and the votes I propose to offer to cast at this town-meeting, are in accordance with my solemn convictions of duty to my country, uninfluenced by any payment, promises, offers of emolument, offers of reward of any kind, loans of money or other thing, threats, or intimidation whatsoever. So help me God. Subscribed and sworn to before me,

“ ———— ss. ———— ”

SECT. 2. In case any voter so challenged as aforesaid, at any town-meeting, shall not make and subscribe such affidavit, he shall be denied the right of voting at such town-meeting, and any moderator who shall receive the vote of a voter so challenged and not making and subscribing said affidavit, shall be punished by a fine not exceeding one hundred dollars (\$100) nor less than fifty dollars (\$50).

Penalty for receiving votes of non-jurors.

SECT. 3. Any person who shall make and subscribe said affidavit, and who, in so doing, shall swear falsely, shall be deemed guilty of perjury, and be punished accordingly. The affidavit may be sworn to before any person authorized by law to administer oaths, or before the moderator, town clerk, or any one of the selectmen or supervisors.

For swearing falsely: affidavit sworn before whom.

SECT. 4. The secretary of state shall prepare and distribute to the clerk of each town printed blanks for the oath aforesaid, at the times he is by law required to furnish said clerks with printed blanks for the return of votes; and it shall be the duty of said clerks to have at hand such blanks at every town-meeting, and to keep on file all affidavits that may be made and subscribed and taken, as by this act provided, and to make the record of the names of the voters making and subscribing such affidavits upon the record of the proceedings of the town-meeting at which said affidavits were made and subscribed.

Blank oaths.

SECT. 5. On the day of any town or ward-meeting, or within thirty days thereafter, any five voters may make written complaint to any justice of the peace, or police judge, stating only that in their belief the law against bribery in elections has been violated in connection with such town or ward-meeting, and asking for an inquiry concerning such violation, and naming the witnesses whom they desire to have examined, and thereupon such justice or judge shall immediately proceed to make such inquiry; and for that purpose he may issue his subpoena, or compulsory process, if necessary, to the witnesses named, and to any

Manner of making complaints.

others, and may examine them in the same manner as he might upon a complaint in a criminal proceeding before him; and the powers, duties, and liabilities of the justice, judge, and witnesses shall be the same as in such case.

Hearing of complainants.

SECT. 6. Such justice or judge may allow said complainants, or either of them, or any person who may seem to be accused, to appear before him, personally or by counsel, and to interrogate the witnesses; and he shall take brief notes of the testimony, and may also, if he shall deem it necessary, and not otherwise, reduce the testimony of any witness to writing, and cause him to sign the same, and shall close said inquiry within thirty days from the date of the complaint, and make a record of the proceedings, and of his notes of the testimony, and any sworn depositions therein, and transmit the same at once to the solicitor of the county, who shall cause proceedings to be instituted for any violation of the law which may appear.

Proceedings thereafter.

SECT. 7. If any such inquiry, before such justice or judge, shall disclose any violation of sections 12 and 13 of chapter 36 of the General Laws, it shall be the duty of said justice or judge to cause due complaint to be made, and the person offending to be apprehended or committed to jail, or bound over, with sufficient sureties, to the next term of the supreme court.

This act to be read and posted by selectmen.

SECT. 8. It shall be the duty of the selectmen, at the opening of the town-meeting, before any votes are taken, to read this act to the meeting, or cause the same to be read; and also post or cause to be posted in some conspicuous place where the town-meeting is held, one or more copies of the same.

[Approved August 29, 1885.]

CHAPTER 95.

AN ACT IN AMENDMENT OF SECTION 10, CHAPTER 53 OF THE GENERAL LAWS, RELATING TO THE EXEMPTION OF MANUFACTURING PROPERTY FROM TAXATION.

SECTION

1. Exemption prohibited in certain cases.

SECTION

2. Takes effect, when.

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

Exemption prohibited in certain cases.

SECTION 1. Section 10, chapter 53 of the General Laws, is hereby amended by adding thereto the following words: "*provided*, that no manufacturing establishment, or the capital used in operating the same, which shall be removed from one town or city in this state to another town or city in this state, shall, as a condition of such removal, be so exempted from taxation by the town or city to which the same shall be removed," so that said section shall read: "Section 10. 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; *provided*, that no manufacturing establishment or the capital used in operating the same, which shall be removed from one town or city in this state to another town or city in this state, shall, as a condition of such removal, be so exempted from taxation by the town or city to which the same shall be removed."

SECT. 2. This act shall take effect on the first day of January, 1886. Takes effect, when.

[Approved August 29, 1885.]

CHAPTER 96.

AN ACT FOR THE BETTER PROTECTION OF LIFE AND PROPERTY.

SECTION 1. Penalty for illegal carriage and use of explosive compounds.

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

SECTION 1. No person shall transport or have in his possession for the purpose of transporting in any public conveyance, nor shall any person leave, deposit, or have in his possession in any dwelling-house, shop, or manufactory, dynamite, giant powder, nitro-glycerine, or any explosive compound of which nitro-glycerine forms a part. Any violation of this act shall be punished by a fine of not more than five hundred dollars nor less than one hundred dollars. Penalty for illegal carriage and use of explosive compounds.

[Approved August 29, 1885.]

CHAPTER 97.

AN ACT IN RELATION TO THE LIABILITY OF HOTEL-KEEPERS.

SECTION	SECTION
1. Condition of hotel-keeper's liability.	2. Takes effect, when.

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

SECTION 1. No hotel-keeper shall be liable for losses sustained by his guest, except for wearing apparel, articles worn or carried upon the person to a reasonable amount, personal baggage, and money necessary for traveling expenses and personal use, unless upon delivery or offer of delivery by such guest of his money, Condition of hotel-keeper's liability.

jewelry, or other property to such hotel-keeper, his agent or servants, for safe custody; *provided*, that a copy of this act is posted in the office of the hotel of such hotel-keeper, and in the room of such guest.

Takes effect when.

SECT. 2. This act shall take effect on its passage.
[Approved August 29, 1885.]

CHAPTER 98.

AN ACT RELATING TO RAILROAD CROSSINGS, AND THE DUTIES OF RAILROAD COMMISSIONERS IN CERTAIN CASES.

SECTION

1. Warning signs.
2. Their construction.
3. When not required.
4. Whistling and bell-ringing.
5. Grade crossings.

SECTION

6. Highway crossings.
7. Same subject.
8. Same subject.
9. Repealing clause; takes effect, when.

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

Warning signs.

SECTION 1. Every railroad corporation shall maintain warning signs at every railroad crossing at grade, except as hereinafter provided.

Their construction.

SECT. 2. Such warning signs shall be constructed upon a uniform pattern, to be determined by the railroad commissioners; but warning signs already in existence and legible shall not be required to be of the established pattern, except as they are renewed.

When not required.

SECT. 3. No warning signs shall be required to be placed at a crossing where gates or a flagman are employed.

Whistling and bell-ringing.

SECT. 4. When a locomotive approaches within eighty rods of a crossing over a highway at grade, the whistle shall be sounded by two long and two short whistles, and the bell shall be rung until the locomotive passes the crossing. *Provided*, that no whistle need be sounded in cities and villages, where upon petition and complaint the board of railroad commissioners shall decide that it is not necessary.

Grade crossings.

SECT. 5. No railroad shall be constructed across another railroad at grade without the consent in writing of the board of railroad commissioners.

Highway crossings.

SECT. 6. When a railroad is hereafter laid out across a highway or other way, it shall be constructed so as not to unreasonably obstruct the same, and unless the railroad commissioners authorize a crossing at grade, it shall be constructed so as to pass either over or under the highway or other way; and whenever any railroad now existing or hereafter constructed crosses any highway or other way at grade, if such highway or other way is so situated that in the ordinary running of trains it is impossible to avoid a detention longer than two minutes, the railroad com-

missioners, upon petition, after hearing all persons interested therein, may prescribe and establish such regulations and restrictions relating to the time of obstructing such highway or other way, by placing or running engines, cars, or trains thereon, as in their judgment are proper for the protection of the public: *provided*, that in no case shall such obstruction exceed five minutes; and an appeal from all decisions of the board of railroad commissioners under this act shall be had to the supreme court of the state.

SECT. 7. A railroad corporation may raise or lower a highway or other way for the purpose of having its road pass over or under the same, but before proceeding to bridge or excavate for the purpose of crossing the same, the railroad commissioners shall be notified and the board shall give opportunity for any parties to appear and be heard before giving its written consent to the proposed change in the manner of crossing. Same subject.

SECT. 8. A railroad corporation may alter the course of a highway or other way for the purpose of facilitating the crossing of the same by its road or of permitting its road to pass at the side thereof without crossing, upon obtaining the written consent of the railroad commissioners, but such consent shall not be given until all parties in interest shall have been duly notified and heard. Same subject.

SECT. 9. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; takes effect when.

[Approved August 29, 1885.]

CHAPTER 99.

JOINT RESOLUTION AUTHORIZING CERTAIN REPAIRS OF THE STATE HOUSE.

Awnings to be placed over west windows of representatives' hall.

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

That the sergent-at-arms be and hereby is directed to cause Italian awnings of suitable size to be placed over the three west windows of the house of representatives. Awnings to be placed over west windows of representatives' hall.

[Approved July 9, 1885.]

CHAPTER 100.

JOINT RESOLUTION RELIEVING THE ASHUELOT SAVINGS BANK FROM
LIABILITY FOR TAXES.

Relieved from liability on account of taxes.

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

Preamble. WHEREAS, the Ashuelot Savings Bank, formerly located at Winchester in our county of Cheshire, on the twenty-fourth day of March, 1881, ceased doing business and passed into the hands of an assignee; and on the fifteenth day of November, 1881, a dividend of sixty per cent of their deposits was ordered by the court and was paid to the depositors, which payment, by reason of doubtful paper and suits then pending, both against and in favor of said bank, gave to the depositors all which it was certain that they would ever receive; and because of this condition of the affairs of the bank no state taxes for the years 1882, 1883, 1884, 1885, have been demanded or paid; and

Preamble. WHEREAS, something has been realized from said doubtful paper, and the suits aforesaid having lately resulted favorably to said bank, the assignee now has in his hands about ten per cent additional for distribution among said depositors; and

Preamble. WHEREAS, before dividing the same it is desirable on the part of the assignee that all possible questions relating to the payment of taxes be settled,

Relieved from liability on account of taxes. *Resolved*, that the said Ashuelot Savings Bank be fully relieved from any and all liability to the state on account of taxes.
[Approved July 10, 1885.]

CHAPTER 101.

JOINT RESOLUTION IN REFERENCE TO THE DISTRIBUTION OF THE
HITCHCOCK GEOLOGICAL WORKS.

Fifty copies geological works to be disposed of.

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

Fifty copies geological works to be disposed of. That the governor and council be and are hereby authorized to exchange or present sets of the Hitchcock geological works to such institutions and libraries as they shall deem for the best interests of the state, *provided*, that the number so exchanged or presented shall not in all exceed fifty sets.

[Approved July 10, 1885.]

CHAPTER 102.

JOINT RESOLUTION AUTHORIZING REPAIRS ON THE STATE HOUSE.

Necessary repairs authorized.

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

That the sum of two thousand dollars, to be expended under the direction of the governor and council, be and hereby is appropriated for the purpose of repairing the chimneys and roof of the state house, for repairing the stucco work and whitening the ceilings and walls of the senate chamber, the representatives' hall, the committee rooms, and corridors ; for putting in a stairway from the office of the secretary of state to the room below, and for making such other repairs on the state house as may be deemed necessary ; and the governor is authorized to draw his warrant for the whole sum or such part thereof as may be required for the purposes enumerated.

[Approved July 10, 1885.]

CHAPTER 103.

JOINT RESOLUTION FOR THE APPOINTMENT OF "ARBOR DAY" BY THE GOVERNOR.

A day for planting trees, etc. to be appointed by executive proclamation.

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

That the governor, with advice and consent of the council, be requested to appoint a day annually by proclamation to be designated as "arbor day," to be observed throughout the state as a day for planting trees, shrubs, and vines about the homes and along highways, and about the public grounds of the state, thus contributing to the wealth, comforts, and attractions of our commonwealth.

[Approved July 10, 1885.]

CHAPTER 104.

JOINT RESOLUTION FOR THE REPAYMENT OF THE TAX ERRONEOUSLY
ASSESSED UPON AND PAID BY THE GRANITE STATE TELEPHONE
COMPANY.

Tax refunded.

Preamble. WHEREAS, the stock of the Granite State Telephone Company, a corporation duly established by law and doing business in this state, was taxed to the holders thereof, by the local authorities of the towns, in this state and elsewhere, where the said holders lived for the year 1883, and said tax was paid by said stockholders to said local authorities; and

Preamble. WHEREAS, the state treasurer of said state assessed upon said stock a tax of one thousand fourteen dollars and nineteen cents for said year 1883, which said tax was paid by said corporation to said treasurer under protest, on the 31st day of October, 1883, said corporation claiming said tax to be illegal and unconstitutional; and

Preamble. WHEREAS, the supreme court for the county of Merrimack at the October term, 1884, thereof, upon a petition filed in said court by said corporation for that purpose, ordered said tax of one thousand fourteen dollars and nineteen cents assessed by said state treasurer as aforesaid to be abated; therefore,

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

Tax refunded. That the state treasurer be authorized to refund to the Granite State Telephone Company the sum of one thousand fourteen dollars and nineteen cents, the amount of said tax assessed and received by said state treasurer as aforesaid.

[Approved July 10, 1885.]

CHAPTER 105.

JOINT RESOLUTION IN AID OF THE VETERAN SOLDIERS OF THE STATE
OF NEW HAMPSHIRE, AND FOR THE PURCHASE OF LAND AND
ERECTION OF MONUMENTS ON THE BATTLEFIELD OF GETTYSBURG.

\$2,500 appropriated for veterans' head- quarters.	\$2,000 for monuments.
Agent.	\$1,000 for lots. Agents.

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

\$2,500 appropri-
ated for veter-
ans' headquar-
ters.

That the sum of twenty-five hundred dollars be and hereby is appropriated to the use of the New Hampshire Veterans' Asso-

ciation, to be expended as follows: Two thousand dollars for the erection of a building for the headquarters of the association, and five hundred dollars for repairs of buildings and for the introduction of water to the same.

That the appropriation be expended by an agent appointed by the governor. When the expenditures of said agent shall be approved by the governor and council a warrant shall be drawn upon the treasury to pay the same.

That there be allowed and be paid out of the state treasury a sum not exceeding five hundred dollars to each of the following named organizations, viz.: Second, Fifth, and Twelfth regiments of infantry, and the First battery of light artillery, all New Hampshire volunteers and engaged in the battle of Gettysburg, Pennsylvania, for the purpose of erecting suitable monuments on the said battlefield; and that the further sum of one thousand dollars be appropriated for the purchase of a suitable plot of land on which said monuments shall be placed; and that the sums above named be paid upon the approval of the governor and council to a duly authorized officer or committee of each association of the aforementioned organizations.

[Approved July 16, 1885.]

CHAPTER 106.

JOINT RESOLUTION RELATING TO OFFICE FOR BANK COMMISSIONERS.

Office for bank commissioners.

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

That the bank commissioners be provided with an office either in the state house or some other suitable place in the city of Concord.

[Approved July 23, 1885.]

CHAPTER 107.

JOINT RESOLUTION PROVIDING FOR INDEXING THE PUBLIC RECORDS.

\$1,200 annually for two years.

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

That the sum of twelve hundred dollars a year for two years, to be expended under the direction of the governor and council,

be and is hereby appropriated for continuing the work of indexing the records in the office of the secretary of state, as provided in the act approved September 11, 1883.

[Approved July 23, 1885.]

CHAPTER 108.

JOINT RESOLUTION OF THANKS FOR PORTRAITS.

Thanks for portraits.

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

Thanks for portraits.

That the thanks of the state of New Hampshire be presented to the following persons for their generous gifts to the state, viz. : The children of Hon. Joel Parker for the portrait of their father, and John W. Edgerley for the portrait of Hon. George G. Fogg; and that a copy of this resolution be transmitted by the secretary of state to the donors.

[Approved July 23, 1885.]

CHAPTER 109.

JOINT RESOLUTION FOR THE USUAL APPROPRIATION FOR THE STATE LIBRARY.

\$500 annually for two years.

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

\$500 annually for two years.

That the sum of five hundred dollars be and the same is hereby appropriated in each of the years 1885 and 1886 for the use of the state library, to be expended by the trustees in purchasing and binding books for the said library.

[Approved July 29, 1885.]

CHAPTER 110.

JOINT RESOLUTION IN RELATION TO THE NEW HAMPSHIRE STATE PRISON.

\$400 for prison library.

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

That the sum of four hundred dollars be and the same is hereby appropriated for the benefit of the prison library for the ensuing two years, and the governor is hereby authorized to draw his warrant for the same on any moneys in the treasury not otherwise appropriated.

[Approved July 29, 1885.]

CHAPTER 111.

JOINT RESOLUTION FOR THE IMPROVEMENT OF THE STATE CAMP GROUND.

\$1,000 appropriated.

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

That the sum of one thousand dollars be and hereby is appropriated for the improvement of the state camp ground, at Concord. Said sum shall be expended under the direction of the adjutant-general, and the governor is hereby authorized to draw his warrant on the state treasurer therefor.

[Approved August 5, 1885.]

CHAPTER 112.

JOINT RESOLUTION RELATING TO A CLERK FOR THE STATE BOARD OF HEALTH.

\$500 appropriated.

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

That in consequence of the largely increasing labor in the office of the state board of health, and the considerable amount of time

now required of the secretary in different parts of the state in carrying out the demands made upon the board, the sum of five hundred dollars, or such part thereof as may be needed, is hereby annually appropriated for the clerical expenses of that department; 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.

[Approved August 12, 1885.]

CHAPTER 113.

JOINT RESOLUTION IN FAVOR OF MRS. A. W. BRYANT.

Preamble; §30 appropriated.

Preamble.

WHEREAS, the coupon for the interest due January 1, A. D. 1884, upon state of New Hampshire municipal war loan bond No. 704, for one thousand dollars belonging to Mrs. A. W. Bryant of Newcastle, Maine, and amounting to thirty dollars, has been accidentally lost;

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

§30 appropriated.

That the state treasurer be authorized to pay to Mrs. A. W. Bryant the sum of thirty dollars, upon the receipt of satisfactory security to refund the amount, with all costs, interest, and charges, in case said coupon shall hereafter be presented by any person lawfully entitled thereto.

[Approved August 12, 1885.]

CHAPTER 114.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DEAF MUTE MISSION.

§150 appropriated annually for two years.

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

§150 appropriated annually for two years.

That the sum of one hundred and fifty dollars annually be appropriated for the use of the Granite State Deaf Mute Mission during the coming two years; and the governor is hereby authorized to draw his warrant for the same upon any money in the treasury not otherwise appropriated.

[Approved August 12, 1885.]

CHAPTER 115.

JOINT RESOLUTION IN FAVOR OF THE FIRST BATTALION OF NEW HAMPSHIRE SHARPSHOOTERS.

§500 appropriated.

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

That there be allowed and paid out of the state treasury the sum of five hundred dollars to the First battalion of sharpshooters of the state of New Hampshire, an organization of New Hampshire volunteers engaged in the battle of Gettysburg, Pa., for the purpose of erecting a suitable monument on said battlefield; and that the sum above named be paid, upon the approval of the governor and council, to a duly authorized officer or committee of said association.

[Approved August 13, 1885.]

CHAPTER 116.

JOINT RESOLUTION IN FAVOR OF JOHN W. ODLIN, FOR SERVICES AS STENOGRAPHER TO THE LAKE COMMISSIONER.

§101.30 appropriated.

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

That the sum of one hundred and one dollars and thirty cents is hereby appropriated to pay John W. Odlin for services as stenographer to the lake commissioner, and the governor is hereby authorized to draw his warrant therefor.

[Approved August 13, 1885.]

CHAPTER 117.

JOINT RESOLUTION TO PROVIDE FOR TAKING THE SENSE OF THE QUALIFIED VOTERS OF THE STATE AS TO THE EXPEDIENCY OF CALLING A CONSTITUTIONAL CONVENTION.

SECTION

- 1. Sense of voters to be taken in March, 1886.
- 2. Special meetings to be held in wards of cities.

SECTION

- 3. Tickets to be prepared.
- 4. Town clerks to make return of votes.

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

Sense of voters to be taken in March, 1886.

SECTION 1. That the selectmen of the several towns and places in this state be directed to insert in their several warrants calling town-meetings for the election of town officers on the second Tuesday of March, 1886, an article which shall require the sense of the qualified voters to be taken on the following question, viz. : Is it expedient that a convention be called to revise the constitution ?

Special meetings to be held in wards of cities.

SECT. 2. That the selectmen of the several wards in all of the cities of this state not holding their annual or biennial city election upon said second Tuesday of March, be directed to call special meetings of the qualified voters in their respective wards, upon said second Tuesday of March, and to insert an article in like terms in the warrants calling such meetings.

Tickets to be prepared.

SECT. 3. That the secretary of state furnish the town clerks of the several towns and wards, at least ten days before said second Tuesday of March, a number of tickets equal to twice the number of votes cast for governor at the last biennial election, upon which tickets shall be printed the aforesaid question with the answer " yes," and a like number of tickets upon which shall be printed the aforesaid question and the answer " no," all of which tickets the said town clerks shall have at the places of voting in their respective towns and wards, for the use of the voters at the opening of said meetings.

Town clerks to make return of votes.

SECT. 4. That the town clerks of the several towns and wards in this state, within thirty days after said second Tuesday of March, shall make return to the secretary of state of the number of votes cast for, and also of the number of votes cast against, the calling of a convention to revise the constitution.

[Approved August 13, 1885.]

CHAPTER 118.

JOINT RESOLUTION IN FAVOR OF JOHN T. ABBOTT.

\$339.64 appropriated.

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

That the sum of three hundred and thirty-nine dollars and sixty-four cents be allowed and paid John T. Abbott for his services and disbursements as commissioner under and by virtue of an appointment made in accordance with chapter 145 of the Session Laws of 1883. \$339.64 appropriated.

[Approved August 13, 1885.]

CHAPTER 119. ✓

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

\$3,000 annually for two years.

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

That the sum of three thousand dollars be and hereby is appropriated annually to the New Hampshire College of Agriculture and the Mechanic Arts, to be annually expended for two years in providing free tuition for all students in said college who are residents of the state, and in paying the general expenses of the college in such manner as the trustees may direct; the said sum to be drawn from the treasury in semi-annual payments from any moneys not otherwise appropriated. \$3,000 annually for two years.

[Approved August 13, 1885.]

CHAPTER 120.

JOINT RESOLUTION IN RELATION TO THE DUTIES OF THE ADJUTANT-GENERAL.

\$200 conditionally appropriated for making abstracts of military records.

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

That the adjutant-general is hereby authorized to prepare abstracts from the records of his office for the use of any persons \$200 conditionally appropriated for making abstracts of military records.

actually engaged in the preparation of histories of regiments or other military organizations, or the military history of towns in this state; and for such clerical assistance as may be necessary to enable him to perform said duties, he shall be paid out of any money in the treasury not otherwise appropriated, upon due warrant of the governor; *provided*, that such abstracts shall not be required under this resolution unless the preparation of such histories shall have been authorized by vote of the town or city or veteran association to which it particularly relates; *and further provided*, that the expense for clerk hire shall in no case exceed two hundred dollars in any one year.

[Approved August 13, 1885.]

CHAPTER 121.

JOINT RESOLUTION IN FAVOR OF A. J. SHURTLEFF, FOR FEES FOR SERVICES RENDERED THE LAKE COMMISSIONER.

§50.50 appropriated.

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

§50.50 appropriated.

That the sum of fifty dollars and fifty cents be and hereby is appropriated to be paid to A. J. Shurtleff for fees for services as stenographer, rendered the lake commissioner.

[Approved August 13, 1885.]

CHAPTER 122.

JOINT RESOLUTION IN FAVOR OF EVERETT HILL, TO REMUNERATE HIM FOR LOSS OF CATTLE.

§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 the same is hereby appropriated to be paid Everett Hill for loss of cattle killed by order of the board of health, and the governor is hereby authorized to draw his warrant for the same.

[Approved August 13, 1885.]

CHAPTER 123.

JOINT RESOLUTION AUTHORIZING THE GOVERNOR TO APPOINT COMMISSIONERS TO SETTLE THE BOUNDARY LINE BETWEEN THIS STATE AND THE COMMONWEALTH OF MASSACHUSETTS.

Three commissioners to be appointed.
Their compensation.
Repealing clause.

Copy to be sent to governor of Massachusetts.

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

That his excellency the governor, with the advice and consent of the council, be and hereby is authorized and requested to appoint three commissioners on the part of this state, to meet such commissioners as may be appointed on the part of the said commonwealth of Massachusetts, under and by virtue of a resolve approved June 19, 1885, for the purpose of ascertaining and establishing the true jurisdictional boundary line between the two states.

Three commissioners to be appointed.

That said commissioners are to serve without pay, but all their necessary expenses shall be approved by the governor and council, and paid out of the treasury of the state.

Their compensation.

That all previous legislation inconsistent herewith is hereby repealed.

Repealing clause.

That his excellency the governor be requested to transmit a copy of this resolution to his excellency the governor of the commonwealth of Massachusetts.

Copy to be sent to governor of Massachusetts.

[Approved August 19, 1885.]

CHAPTER 124.

JOINT RESOLUTION FOR THE RELIEF OF JOHN C. KEENAN, LATE SECOND LIEUTENANT COMPANY F, TENTH REGIMENT NEW HAMPSHIRE VOLUNTEERS.

Claim to be investigated.

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

That the governor and council are hereby authorized to examine and audit the claim of John C. Keenan, late second lieutenant of Company F, Tenth regiment New Hampshire volunteers, for money expended and services rendered by said Keenan for the state; and if said claim or any part thereof be found due said Keenan, the governor is hereby authorized to pay the same with interest, out of any money in the treasury not otherwise appropriated.

Claim to be investigated.

[Approved August 19, 1885.]

CHAPTER 125.

JOINT RESOLUTION TO APPROPRIATE MONEY TO PAINT THE FENCE
AROUND THE DUSTON MONUMENT.

§30 appropriated.

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

§30 appropri-
ated.

That a sum of money not exceeding thirty dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of painting the iron fence around the Duston monument, and that the governor shall be authorized to draw his warrant therefor.

[Approved August 25, 1885.]

CHAPTER 126.

JOINT RESOLUTION RELATING TO THE APPROPRIATION OF MONEY
FOR THE PRESERVATION OF ENDICOTT ROCK, AT WEIRS, IN THE
TOWN OF LACONIA.

§720 appropriated.

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

§720 appropri-
ated.

That the sum of seven hundred twenty dollars be and hereby is appropriated for the preservation, protection, and appropriate designation of the Endicott rock at the Weirs, in the town of Laconia, in addition to any amount now remaining in the hands of the commission appointed under and by virtue of a joint resolution approved September 7, 1883, the whole or any needed part of which shall be expended under the direction of the said commission, to be paid out of any money in the treasury not otherwise appropriated, and that the governor be and hereby is authorized to draw his warrant therefor.

[Approved August 25, 1885.]

CHAPTER 127.

JOINT RESOLUTION IN REGARD TO PUBLISHING A BOOK OF NEW HAMPSHIRE CITATIONS, AND A COMPLETE OR SUPPLEMENTARY DIGEST OF THE NEW HAMPSHIRE REPORTS.

350 copies of book of citations and digest of reports to be procured.

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

That the governor, under the direction and by the advice of the supreme court, is hereby authorized to contract with the publisher of Ray and Walker's New Hampshire citations, or with the publisher of any similar work having the same object and purposes in view, accordingly as said court on examination and comparison may advise, for three hundred and fifty copies of the work the court shall select, provided the same can be obtained at a reasonable price, said copies, if obtained, to be distributed as the New Hampshire reports are now distributed; and that the governor is also authorized, under the same direction and by the same advice, to contract in like manner with some suitable person for a like number of copies of either a complete or a supplementary digest of the New Hampshire reports, to be in like manner distributed. [Approved August 25, 1885.]

350 copies of book of citations and digest of reports to be procured.

CHAPTER 128.

JOINT RESOLUTION FOR THE ERECTION OF A MONUMENT AT THE GRAVE OF MATTHEW THORNTON.

SECTION

1. \$1,000 appropriated.
2. Executive to procure monument.

SECTION

3. Town of Merrimack may appropriate \$500.

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

SECTION 1. That a sum not exceeding one thousand dollars be and hereby is appropriated for procuring and erecting in the town of Merrimack a suitable granite monument at the grave of Matthew Thornton, one of the signers of the Declaration of Independence, provided said town prepare and furnish proper grounds and foundation upon which to erect such monument.

SECT. 2. That the governor and council are authorized to procure such a monument as they may think a credit to the state, and direct its construction and erection; and the governor is hereby authorized to draw his warrant for the sum named, out of any money in the treasury not otherwise appropriated.

\$1,000 appropriated.
Executive to procure monument.

Town of Merrimack may appropriate \$500.

SECT. 3. The town of Merrimack is hereby authorized, by a vote of the town at a legal meeting duly called for that purpose, to raise or appropriate any sum not exceeding five hundred dollars, to prepare and furnish proper grounds and foundation for said monument.

[Approved August 28, 1885.]

CHAPTER 129.

JOINT RESOLUTION IN FAVOR OF HENRY O. KENT.

\$49.16 appropriated.

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

\$49.16 appropriated.

That the sum of forty-nine dollars and sixteen cents be paid to Henry O. Kent out of any money in the treasury not otherwise appropriated, for expenses by him incurred, under the direction of a joint select committee.

[Approved August 28, 1885.]

CHAPTER 130.

JOINT RESOLUTION TO DEFRAY THE EXPENSES ATTENDING THE OBSEQUIES OF THE LATE GENERAL GRANT.

\$1,600 appropriated.

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

\$1,600 appropriated.

That sixteen hundred dollars, or so much thereof as may be necessary, are hereby appropriated to defray the expenses incurred in draping the state house and the legislative and executive chambers, and to discharge the cost of transportation and subsistence for the governor and his staff and the joint legislative committee to New York, in attendance upon the funeral of the late General Grant; and the governor is hereby authorized to draw his warrant for the same, on the presentation of proper vouchers, out of any money in the treasury not otherwise appropriated.

[Approved August 28, 1885.]

CHAPTER 131.

JOINT RESOLUTION IN FAVOR OF JASON J. BURLEY.

§279.31 appropriated.

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

That Jason J. Burley be allowed the sum of two hundred seventy-nine dollars and thirty-one cents (§279.31), the same being the expense incurred by him for witnesses and summoning the same to maintain his right to a seat in this house, and that 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 for the same.

[Approved August 28, 1885.]

CHAPTER 132.

JOINT RESOLUTION IN RELATION TO THE REPAIRS OF HIGHWAYS IN THE NORTHERN PART OF THE STATE.

§3,200 appropriated.

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

The following annual appropriations for the years 1885 and 1886 are hereby made in the sums and for the repairs of the roads specified, namely:—

Three hundred dollars for the highway in the town of Dixville. Dixville.

One hundred dollars for the highway in the town of Millsfield. Millsfield.

Three hundred dollars for the highway in the town of Errol, lying between Errol dam and the south line of Wentworth's Location. Errol.

Three hundred dollars for the new highway in the town of Errol, leading from the old road near the dwelling-house of Luman H. Grover in said Errol, down the Androscoggin River to the east line of Dummer. Errol.

Two hundred dollars for the highway in the town of Dummer, commencing at the east line of Dummer on the west side of the Androscoggin River, thence down the river to the north line of Milan. Dummer.

Seventy-five dollars for the highway in Wentworth's Location. Wentworth's Location.

Four hundred dollars for the highway in Randolph. Randolph.

One hundred dollars for the highway in the town of Thornton, leading through the Sandwich Notch, from Mad River bridge to the Sandwich town line. Thornton.

- Lincoln. Four hundred dollars for the highways in the town of Lincoln, through the Franconia Notch.
- Fabyan's. Two hundred and fifty dollars for the highway between the Fabyan and Crawford Houses.
- Crawford. Four hundred dollars between the Crawford and Willey Houses, and three hundred dollars between the Willey House and the north line of the town of Bartlett.
- Pittsburg. Seventy-five dollars for the highway in the town of Pittsburg, leading from the outlet of Second Connecticut Lake to Camp Chester (so called).
- Agents. Said sums to be expended by agents to be appointed by the governor, with advice of the council.
[Approved August 28, 1885.]

CHAPTER 133.

JOINT RESOLUTION REQUESTING CONGRESS TO AMEND ENACTMENT RELATING TO ELECTION OF UNITED STATES SENATORS.

Preamble; resolution.

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

- Preamble. WHEREAS, the legislature of this state has, at its sessions commencing in June in each of the years 1879, 1883, and 1885, three times elected a United States senator to fill a vacancy happening by the expiration of a term on the fourth of the preceding March, which elections have been thus deferred for three months or more after the happening of the vacancies, in assumed conformity to the act of congress first enacted July 25, 1866, requiring "the legislature of each state which is chosen next preceding the expiration of the time for which any senator was elected" to choose his successor; and
- Preamble. WHEREAS, doubts and contentions have arisen and continue within the state concerning the meaning and force of said act of congress, and concerning the correctness of such deferred action of the legislature, which it is important to have authoritatively decided and ended; therefore,
- Resolution. *Resolved*, that the congress of the United States be and is hereby requested to take into consideration the statute of the United States regulating the election of United States senators, and the proper application thereof to the elections of such senators within and for the state of New Hampshire under the existing constitution and laws of such state; and that congress be and is hereby requested, by appropriate declaratory or amendatory enactments, to establish a clear and unambiguous rule of proceeding applicable to such elections within and for said state.
[Approved August 28, 1885.]

CHAPTER 134.

JOINT RESOLUTION IN FAVOR OF JOHN M. CRAWFORD.

§250 appropriated.

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

That the sum of two hundred and fifty dollars be and hereby is appropriated out of any money in the treasury not otherwise appropriated, to be paid to John M. Crawford for services and expenses in preparing manuals for the legislature for four years, viz. : 1879, 1881, 1883, and 1885 : and the governor is hereby authorized to draw his warrant for the payment of the same.

[Approved August 28, 1885.]

CHAPTER 135.

JOINT RESOLUTION IN RELATION TO OUR NATIONAL DOMAIN.

American soil for American citizens.

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

THAT WHEREAS, more than twenty million acres of the lands of the United States are now held by non-resident aliens, and in great measure by the titled and governing class of Great Britain; and

WHEREAS, this non-resident ownership of lands in the United States may eventually lead to a system of alien landlordism, of which the unhappy condition of Ireland is a lamentable example; and

WHEREAS, this system of ownership, whereby immense landed estates are in possession of a few individuals to the exclusion of actual settlers, is incompatible with the best interests of the people, and antagonistic to our free institutions; and

WHEREAS, our remaining public lands, so far as they are adapted to agriculture, ought to be granted as homesteads or sold in small quantities to actual settlers only — citizens of the United States, or those intending to become such; therefore,

Resolved, that American soil is for Americans and should be exclusively owned and controlled by American citizens and those intending to become such; and

Resolved, that our senators in congress be instructed, and our representatives be requested to use their utmost endeavors in that body to secure the speedy enactment of such laws as will secure exclusively to the American people the public lands of the United

States, and prevent sales to, or the vesting of title to the public lands in, any but citizens of this country or those intending to become such, to be held by individuals only in moderate quantities, reserving all the unsold agricultural lands for homesteads for actual settlers; and

Resolution.

Resolved, that the governor be requested to send a copy of this joint resolution to each of our senators and representatives in congress, to the president of the senate, and to the speaker of the house of representatives, at the opening of the next session of congress.

[Approved August 28, 1885.]

CHAPTER 136.

JOINT RESOLUTION ESTABLISHING AN EPIDEMIC FUND.

\$5,000 appropriated.

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

\$5,000 appropriated.

That the sum of five thousand dollars is hereby appropriated as an epidemic fund, to be used, if necessary, under the direction of the governor and council, in case of the invasion, or threatened invasion of cholera or other epidemic disease in this state; and the governor is hereby authorized to draw his warrant for the same, or such part of the same as may be needed, out of any money in the treasury not otherwise appropriated.

[Approved August 28, 1885.]

CHAPTER 137.

JOINT RESOLUTION OF THANKS TO STILSON HUTCHINS, ESQ.

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

That the thanks of the state are hereby tendered to Stilson Hutchins, Esq., for the gift of a "framed exhibit of the signatures of the administrators of the Federal government at the beginning of the second century, July 4, 1876"; that the same be accepted and placed in the hall of the house of representatives; and that a copy of this resolution, signed by the speaker of the house, the president of the senate, and his excellency the governor, be presented to the donor.

[Approved August 28, 1885.]

CHAPTER 138.

JOINT RESOLUTION IN FAVOR OF THE ENGROSSING CLERK.

§100 appropriated.

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

That the sum of one hundred dollars be allowed to the engrossing clerk for extra clerk hire during the session; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. §100 appropriated.

[Approved August 28, 1885.]

CHAPTER 139.

JOINT RESOLUTION IN FAVOR OF THE CLERKS OF THE SENATE AND HOUSE.

§600 for extra services.

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

That Frank D. Currier, clerk of the senate, be allowed the sum of two hundred dollars; that Edwin F. Jones, clerk of the house of representatives, be allowed the sum of two hundred and fifty dollars; that Ira A. Chase, assistant clerk of the senate, be allowed the sum of seventy-five dollars, and George A. Dickey, assistant clerk of the house of representatives, be allowed the sum of seventy-five dollars, all for extra services during the present session of the legislature; 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. §600 for extra services.

[Approved August 28, 1885.]

CHAPTER 140.

JOINT RESOLUTION RELATIVE TO THE RECEPTION AND DEDICATION OF THE STATUE OF DANIEL WEBSTER.

Reception and dedication committee.

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

That a joint committee, consisting of five members of the house, of which the speaker shall be one, and such as the senate Reception and dedication committee.

may join, be appointed with authority to make proper arrangements for the reception and dedication of the statue of Daniel Webster, to be presented to the state of New Hampshire by Benjamin Pierce Cheney, and that the necessary expenses authorized by said committee be audited and approved by the governor and council, and paid from the state treasury.

[Approved August 28, 1885.]

CHAPTER 141.

JOINT RESOLUTION IN FAVOR OF JOHN UNDERHILL AND OTHERS.

\$4,579.95 appropriated.

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

\$4,579.95 appropriated.

That John Underhill be allowed the sum of three hundred and sixty-two dollars and twenty cents; Frank M. Tappan the sum of three hundred and sixteen dollars and ninety cents; Hiram E. Currier the sum of three hundred and thirty-one dollars; Rose and Ellen Tommay the sum of three hundred and twenty dollars; Michael Sullivan the sum of one hundred and seventy-six dollars; Geo. N. Baker the sum of one hundred and seventy-six dollars; Winthrop Parker the sum of one hundred and seventy-six dollars; Eugene F. Bailey the sum of two hundred and three dollars; Rev. C. B. Crane the sum of two hundred and sixty-four dollars; Leonard E. Tilden the sum of three hundred and sixty-seven dollars and seventy cents; Charles J. Hamblett the sum of three hundred and twenty-one dollars and ten cents; Natt. G. Shaw the sum of three hundred and eleven dollars and fifty cents; Edwin F. Jones the sum of seventy-five dollars for making up the roll and organizing the house of representatives as clerk of the last house; Frank D. Currier the sum of thirty dollars, for organizing the senate; Chas. P. Smith the sum of twenty-eight dollars; Fred W. Clifford the sum of twenty-eight dollars; Chas. M. Horn the sum of thirty-five dollars; Norris A. Dunklee the sum of twenty dollars and fifty cents; John K. Stokes the sum of three hundred dollars; Frank E. Stokes the sum of one hundred and seventy-six dollars; J. Henry Nye the sum of two hundred and twenty-five dollars; T. W. Woodward the sum of fifty-eight dollars; Ira C. Evans the sum of one dollar and twenty-five cents; G. L. Lovejoy the sum of eight dollars and fifty cents; J. F. Scott the sum of nineteen dollars and thirty cents; that the sum of fifty dollars be and hereby is appropriated for each of the legislative reporters, viz.: John T. Hulme, Daniel B. Donovan, George F. Bean, Ira A. Chase, and True L. Norris, and that the governor is hereby authorized to draw his warrant for the same on the state treasurer out of any money not otherwise appropriated.

[Approved August 28, 1885.]

CHAPTER 142.

JOINT RESOLUTION IN REGARD TO THE LOCATION OF THE COLLEGE
OF AGRICULTURE AND THE MECHANIC ARTS.

Committee to be appointed to consider the propriety of its removal.

WHEREAS, the College of Agriculture and the Mechanic Arts Preamble.
was established in 1866 and located at Hanover, and during the
period of almost twenty years has graduated less than forty agri-
cultural students; therefore,

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

That the governor and council appoint a committee of three to Resolution.
investigate the propriety of the removal of the College of Agri-
culture and the Mechanic Arts from Hanover, and if they find
such removal desirable to receive proposals, with statement of
inducements offered for its removal from Hanover to some more
favorable location, and report to the legislature of 1887.

[Approved August 29, 1885.]

CHAPTER 143.

JOINT RESOLUTION PROVIDING FOR THE USE OF COPIES OF THE REPORT
OF THE STATE GEOLOGIST, FOR THE ENCOURAGEMENT OF THE PUB-
LICATION OF TOWN HISTORIES.

Town historians encouraged to consult Hitchcock's Geology.

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

That the committee or historian duly appointed by any town Town historians
encouraged to
consult Hitch-
cock's Geology.
which has appropriated, or may hereafter appropriate not less
than five hundred dollars for the preparation or publication of a
town history, shall be entitled to one set of Hitchcock's Geology
of this state, with a set of the accompanying atlas; *provided, how-
ever*, that this resolution shall not apply to towns whose history
has already been prepared or published.

[Approved August 29, 1885.]

CHAPTER 144.

JOINT RESOLUTION PROVIDING FOR THE APPOINTMENT OF A COMMISSIONER TO REVISE, CODIFY, AND AMEND THE STATUTE LAWS OF THE STATE, RELATING TO SCHOOLS.

Commissioner to be appointed to codify school laws.

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

Commissioner to be appointed to codify school laws.

That the governor, with the advice of the council, be required, as soon as may be, to appoint and commission one person who shall be learned in the law to compile the public statutes of this state relating to schools now in force, including those of the present session, and frame rules and forms of proceeding in towns under said statutes, which rules and forms when approved by the supreme court or a majority of the judges thereof, shall be deemed valid and sufficient. Said statutes as compiled, and said rules and forms, shall be printed by the state printer and distributed by the secretary of state to the several towns on or before the first day of February, 1886. The governor and council shall allow said commissioner such sum as they deem reasonable, not exceeding three hundred dollars.

[Approved August 29, 1885.]

CHAPTER 145.

JOINT RESOLUTION IN FAVOR OF THE UNION PUBLISHING COMPANY AND OTHERS.

\$2,339.30 appropriated.

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

\$2,339.30 appropriated.

That the Union Publishing Co. be allowed the sum of five hundred and seventy dollars for the Manchester Daily Union; the Republican Press Association the sum of five hundred and eighty dollars and fifty cents for the Daily Monitor; the N. H. Democratic Press Co. the sum of five hundred and eighty dollars and fifty cents for the Daily People and Patriot; O. C. Moore the sum of one hundred and thirty-four dollars for the Daily Telegraph, and G. H. Silsby & Son the sum of three hundred and forty dollars and thirty cents for stationery and sundries furnished the state as per bill rendered; also, that John B. Clarke be allowed the sum of one hundred and thirty-four dollars [for] the Daily Mirror and American.

[Approved August 29, 1885.]

CHAPTER 146.

ADDRESS FOR THE REMOVAL OF J. EDWARD HURST, CAPTAIN OF CO. D, 3D REGIMENT, NEW HAMPSHIRE NATIONAL GUARD.

To His Excellency Moody Currier, Governor of the State of New Hampshire:

The Senate and House of Representatives in General Court convened, satisfied that the public good requires that J. Edward Hurst, captain of Company D, Third regiment, New Hampshire National Guard, should no longer hold and retain his said office, respectfully address and request your excellency, with the consent of the council, to remove the said J. Edward Hurst from the office which he holds.

[Removed by the governor, pursuant to article 52 of the Constitution, July 14, 1885.]

CHAPTER 147.

AN ADDRESS FOR THE REMOVAL OF FREDERICK STINER FROM THE OFFICE OF JUSTICE OF THE PEACE FOR THE COUNTY OF HILLSBOROUGH.

To His Excellency Moody Currier, Governor of the State of New Hampshire:

The Senate and House of Representatives in General Court convened, satisfied that the public good requires that Frederick Stiner, justice of the peace for the county of Hillsborough, should no longer hold and retain said office, respectfully address and request your excellency, with the advice and consent of the council, to remove said Stiner from his said office.

[Removed by the governor, with consent of the council, July 14, 1885, pursuant to section 9, chapter 18, General Laws.]

CHAPTER 148.

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 years from June, 1883, to June, 1885. Names changed.

ROCKINGHAM COUNTY. Edward Coleman, of Brentwood, to Edward D. Ureh; Hiram Doyle, of Northwood, to William Batchelder; Gertie Woods, of Portsmouth, to Gertie Sanborn; Freeman Connor George, of Plaistow, to James Freeman George; Rockingham.

George M. Marden, of Portsmouth, to George M. Ayer; Hattie J. Morrison, of Exeter, to Hattie J. Furnald; Sarah Elizabeth Sias, of Stratham, to Sarah Elizabeth Burnham; Ann Dooley, of Chester, to Ann Maria Kelley; Blanche I. Robinson, of Deerfield, to Blanche Canfield; William A. Kelsey, Newmarket, to Alvin W. Kelsey; Ella E. W. Little, of Chester, to Ella E. Webster; Frank S. Davis, of Brentwood, to Frank S. Glidden; Julia A. Sherburne, of Kensington, to Julia Annie Dow; Albert S. Samborn, Fremont, to Bert. S. Samborn.

Strafford.

STRAFFORD COUNTY. Emma Adelaide Flye to Emma Adelaide Flye Carrier, Lillian Coleman to Bessie Ella Philbrick, Sarah J. Hutchins to Sadie Lucinda Blanche Goodwin, Mattie M. Bills to Mattie M. Hobbs, Arthur Edward Jackson to Arthur Edward Wyatt, Cora A. Critchett to Cora A. Caswell, Hannah Bragdon to Hannah Brock, Nellie E. Mason to Nellie E. Hunter, Zylfa May Davis to Zylfa May O'Neil, Blanche Nason to Blanche Woodman, Emma F. Tibbetts to Emma F. Frost, John Colby Twombly to John Colby Shirley, Adella M. Coles to Adella M. Burleigh, Hattie E. Twombly to Hattie E. Raymond, Winnefred May Batchelder to Winnefred May Smith, Georgie Edith Buzzell to Georgie Edith Foss, Rebecca Adelaide Chamberlain to Rebecca Adelaide Lord, Nancie O. Critchett to Nancie O. Caverly, Isaac B. Downing to Benton Everett Downing, Abbie B. Russell to Abbie B. Clay, John F. Shorey to John F. Corson.

Belknap.

BELKNAP COUNTY. Loretta S. Ambrose, of Meredith, to Loretta S. Fernal; Nellie M. Hall, of Belmont, to Nellie M. Babb; Ann M. Clough, of Gilmanston, to Ann M. Brackett; Emma Bell Jackman, of Laconia, to Ethel Emma Tyler; Martha M. Bennett, of Laconia, to Martha M. Weeks; Mary F. Lawrence, of Meredith, to Mary F. Calef; Mabel Maude Jackman, of Laconia, to Mabel Maude J. Smith; Betsey L. Samborn, of New Hampton, to Betsey L. Woodman; Alice M. Thurston, of Gilford, to Alice M. Clough; Cathie B. Hart, of Belmont, to Blanche May Prouty; Georgianna Moulton, of Gilford, to Georgianna Goss; Abbie A. Ham, of Tilton, to Abbie A. Hill; Edith Swan, of Gilford, to Virginia Louise Cole; Edwin Carlton Hosford, of Meredith, to Carlton Edwin Mansfield; Joseph William Whittier, of Barnstead, to Joseph William Jenness.

Carroll.

CARROLL COUNTY. Walter H. Cady to Walter Cady Stanton, Robert Dwyer to Robert L. Chamberlain, John M. Philbrick to John M. Chase, Minnie Garland to Minnie Anna Varney, Addie E. Young to Addie F. Hicks, Freeland Amos Ordway to Fred Ordway, Elsie Hermione to Elsie M. Young, Hattie M. Applebee to Hattie M. Stevens.

Merrimack.

MERRIMACK COUNTY. Lillian E. Cilley to Eda Lillian Follansbee, Carrie L. Ross to Carrie L. Colby, Irvin Ross to Irvin Colby, Ida M. Ross to Ida M. Colby, Josie M. Smith to Josie M. Steeney, Hannah Maria Manning to Ella Maria Flanders, Abbie E. Spear to Abbie E. Eastman, Sarah M. Marsh to Sarah M. Carr, Ada B. Farwell to Ada B. Greenwood, Joseph Lyman Jackman to Lyman Jackman, Emma L. Colby to Emma L. Lovejoy, Alice H. Fern to Alice H. Dolbeer, Louisa A. Gage to Louisa A. Follansbee, Mary

Lucia Gove to Mary Lucia Woodward, Lizzie C. Annis to Lizzie C. Hook, Timothy Breen to Timothy E. Breen, Mary G. Fiske to Mary G. Turner, Joseph A. Whitehead to Joseph A. Flanders, Letta B. Babb to Letta Ardella Sweatt, Donnie M. Maynard to Donnie Eleanor Welch, Maud E. Blanchard to Winifred Head, Mary Carrie Gordon to Mary Carrie Gordon Neal, Henrietta Littlefield to Alta May Boynton, Willie C. Rowe to Willie C. Buswell, Joseph Gokley to Joseph Bean, Gracie Maude Brown to Gracie Brown Morgan, Zella V. Gove to Zella V. Crowther, Ernest E. Harris to William M. Palmer, Jessie B. Flagg to Jessie Bell Johnson, Cora Mitchell to Cora Bell Haskin, Harrison J. Bingham to Harry J. Ring, Gracie B. Hunt to Gracie B. Tucker.

HILLSBOROUGH COUNTY. Ella Augusta Berry to Ella Augusta Hillsborough. Healey, Susan Alicia Gaffney to Alice Grey, William Bagerkiewret to William Boru, Lizzie J. Roby to Lizzie J. Cheever, Capitola E. Tucker to Capitola E. McClentic, Minnie A. Buell to Minnie A. Wadsworth, John E. Hancock to John E. Sherwin, J. Warren Wentworth to J. Warren Holmes, Nancy K. Worthley to Nancy J. Crawford, Joanna Crowell Harmon to Joanna Crowell Thompson, Eliza Francis Dutton to Eliza Francis Reed, Annie L. Vincent to Annie L. Simonds, Sarah Walker to Sarah Griffin, Frank S. Spofford to Frank S. Stacy, Adelia A. Cass to Adelia A. Clement, John Lucy to John Preston, Patrick Allison Collins to Ross Allison Collins, Lizzie A. Jones to Lizzie A. Aiken, Maria C. Abbott to Maria C. Stockdale, Nora E. Currier to Nora E. Hutchins, Helen G. Treat to Helen G. Rockwood, Addie Evelyn Taylor to Addie Evelyn Kendrick, Carrie J. Cochran to Carrie J. Woodman, Mabel Florence Mason to Mabel Florence Haseltin, Elma Lemieux to Elma Champaigne, Florence May Southwell to Florence May Bixby, Nellie E. Mason to Nellie E. Bond, Flossie Bell Wells to Flossie Belle Morse, Edith Redmund Davis to Jessie R. Simpson, Harry Arthur Winchell to Harry Arthur Conant, Grace E. Preston to Grace E. Herrick, Elma Champaigne to Elma Lemieux, Myrtie M. Davis to Myrtie M. Patterson, Alfred Jacques to Alfred Bourgue, Ethel Josephine Dooley to Ethel Josephine Dooley Fullerton, Aloysius Waldron to Aloysius G. Searles, Nellie M. Kittredge to Nellie M. Carr, Frank Loomis to Ernest Ralph Woods, Tryrissa A. McGrath to Tryrissa A. McQuade, Harvey A. Rankin to Harvey Rankin Perkins, Mabel Estella Gorman to Mabel Estella Fiske, Mertie D. Patterson to Mertie Melissa Davis, Benjamin W. Rogers to Benjamin W. Lake, Edith Celia Lackie to Edith Celia Wallace, Florence Nutting to Lilla May Burbank, Maud A. Wadlow to Maud A. Fellows, Minnie F. Cummings to Minnie F. Cummings Carr.

CHESHIRE COUNTY. Florence Nash to Florence Mary Brown, Cheshire. Harriet E. Carroll to Harriet E. Robbins, Rosa L. Melane to Rosa L. Bemis, Charles F. Heath to Charles F. Coburn, Lottie M. Bemis to Lottie M. Ayer, Minnie Barnes to Edith Z. Mason, Lydia Eldora Putney to Lydia Eldora Green, Harriet Prentiss Cross to Katherine Prentiss Cross, Lydia Elenor Parker to Elenor L. Swan, Mary Crouch to Mary Wilber, Thirza C. Clark to

Thirza C. Burt, William Stinson to Alva Eustis Robbins, Maria J. Dunham to Maria J. Paine, Elvah E. Colburn to Elvah E. Leach.

Sullivan.

SULLIVAN COUNTY. Cecil Bean, of Claremont, to Hugh Putnam Eastman; Lillian Mabel Davis, of Lempster, to Lillian Mabel Keyes; infant child of Luella Wellman, adopted by Mehitabel Wright, of Unity, to Forest E. Wright; Eva V. Daniels, of Plainfield, to Eva V. French; George P. Walkup, of Claremont, to George P. Merton; Willie Norton, of Cornish, to Willie Henderson; Forest John Nichols, of Newport, to Forest John Folsom; Josephine Loverin, of Croydon, to Josephine Woodward; Floyd Burton Paul, of Unity, to Floyd Burton Hall; Arthur T. Paul, of Unity, to Frank Arthur Allen.

Grafton.

GRAFTON COUNTY. Abbie F. Andrews, of Plymouth, to Abbie Andrews Dodge; Nelson Painchard, of Lebanon, to Nelson Langlois; Alice Elnora Titus, of Hanover, to Alice Elnora Hatch; Henry Oliver, of Alexandria, to Harry D. Rollins; Eddie Dow, of Franconia, to Edward B. Tewksbury; Bessie M. Goodwin, of Lyme, to Bessie M. Mayo; Sarah Clifford, of Haverhill, to Sarah Fellows; Bessie R. Scruton, of Alexandria, to Bessie R. Cheney; Fred Osmon Merrill, of Holderness, to Osmon B. Copeland; Anna B. Noyes, of Warren, to Anna B. Leighton; Mary Elizabeth Chapman, of Lebanon, to Mary Elizabeth Cushman; Lillian B. Simonds, of Alexandria, to Lillian Winnifred Kelley; Ella Ford, of Canaan, to Ella Aldrich; Florence English, of Littleton, to Florence Gertrude Page; Harry G. Clifford, of Plymouth, to Harry G. Paige; Sarah Elizabeth Johnston, of Lebanon, to Sarah Elizabeth Cressy; Elmah S. Davis, of Bath, to Nellie S. Davis; Annie Eliza Peterson, of Littleton, to Annie Peterson Gile; Adelaide A. Perkins, of Plymouth, to Adelaide A. Harran; Minnie M. Johnson, of Lebanon, to Minnie M. Hoffman.

Coos.

COOS COUNTY. Joshua Martin Tirrell to Martin L. Tirrell, Edith G. Wilson to Edith G. Smith, Jacob Elmer Huntley to Joseph N. Dauphin, Setira Emma Huntley to Setira Emma St. Hillaire, Abigail Sullivan to Abigail Sullivan Hall, infant child adopted by Walter H. and Hannah E. Evans, decree making name of child Flora Winfield Evans, infant daughter of Daniel Gray to Elize Plaettner.

PRIVATE ACTS.

CHAPTER 149.

AN ACT TO AUTHORIZE THE WARDENS OF CHRIST'S CHURCH IN ROLLINSFORD TO REMOVE THE DEAD BODIES IN ITS CHURCHYARD TO THE TOWN CEMETERY.

SECTION

1. Disinterment, removal, and reinterment authorized.

SECTION

2. Takes effect, when.

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

SECTION 1. That the wardens of Christ's Church in Rollinsford are hereby authorized to disinter and remove all the dead bodies or remains of persons buried in their churchyard, in the village of Salmon Falls, and to reinter the same in a suitable lot in the public cemetery of said town, said disinterment and reinterment to be done prudently and with all proper care and attention; all monuments, gravestones, and other appurtenances attached to the grave being carefully removed and replaced with as little injury as the nature of the case will admit, and at the expense of said church, and in case of injury to any such monument, gravestone, or other appurtenance, the said church shall pay all damage therefor.

Disinterment, removal, and reinterment authorized.

SECT. 2. This act shall take effect upon its passage.
[Approved July 9, 1885.]

Takes effect, when.

CHAPTER 150.

AN ACT TO INCORPORATE THE AMOSKEAG INDURATED FIBRE WARE COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Its purpose.

SECTION

4. Real and personal property.
5. Board of directors.
6. First meeting ; takes effect, when.

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

Corporation constituted.

SECTION 1. That Person C. Cheney, Edson Hill, B. Frank Brown, George C. Gilmore, Joseph W. Fellows, George F. Bosher, Joseph W. Hildreth, John Dowst, A. H. Daniels, Alonzo Elliott, Josiah G. Dearborn, Charles H. Hill, Alonzo P. Nichols, James M. Blake, Clark F. Rowell, Elmer P. Nichols, their associates and successors, be and they hereby are made a body corporate and politic by the name of the Amoskeag Indurated Fibre Ware Company, with all the rights, powers, and privileges, and subject to all the liabilities of corporations of a similar nature.

Capital stock.

SECT. 2. The capital stock of this corporation may be established by the corporation at any sum not exceeding fifty thousand dollars, and shall be divided into shares of one hundred dollars each, and the certificates thereof may be issued at such times and in such manner as the board of directors of the corporation shall determine.

Its purpose.

SECT. 3. This corporation is authorized to carry on the business of manufacturing, drying, preparing, indurating, or otherwise treating pulp, pulp ware, or any article composed in part or wholly of pulp or other fibrous or wood material, and of dealing in any such materials, articles, or wares as are required for convenience in or incident to the manufacture of the same, either as principal or agent for manufacturing or dealing in the same.

Real and personal property.

SECT. 4. Said corporation is authorized to purchase, take on lease, or acquire otherwise, hold, manage, improve, or dispose of real or personal estate to an amount not exceeding its capital stock, and to obtain by purchase, license, or otherwise any patents, privileges, inventions, secrets, or secret processes, rights, or permits to use the same as may be deemed necessary for the business of the corporation, and may make any contract with any other company or person for the same that may be deemed expedient, and may do all such things as may be deemed for the interests of the corporation.

Board of directors.

SECT. 5. The management and control of the affairs of this corporation shall be vested in a board of seven directors, which shall have power to make all the rules, regulations, and by-laws necessary for the management of the affairs of the corporation, to establish the principal place of business, and have and be vested with all the powers of the corporation.

First meeting ; takes effect, when.

SECT. 6. Any three of the persons named in this act may call

the first meeting of the corporation at any time and place which they may deem expedient, by giving each of the others named notice at least three days before such meeting, orally or in writing by mail, as may be deemed convenient. And this act shall take effect from and after its passage.

[Approved July 9, 1885.]

CHAPTER 151.

AN ACT TO INCREASE THE CAPITAL STOCK AND ENLARGE THE POWERS OF THE UNION PUBLISHING COMPANY OF MANCHESTER.

SECTION

1. Increase of capital stock authorized.
2. Limitation as to property.

SECTION

3. Takes effect, when.

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

SECTION 1. That the Union Publishing Company, of Manchester, is hereby authorized to increase its capital stock to the amount of two hundred thousand dollars, which shall be divided into shares of one hundred dollars each, and to issue certificates thereof in such time and manner as its directors shall deem expedient. Increase of capital stock authorized.

SECT. 2. Said Union Publishing Company is authorized and empowered to purchase, take upon lease, or otherwise acquire, hold, manage, and dispose of real or personal estate to an amount not exceeding its capital stock. Limitation as to property.

SECT. 3. This act shall take effect on and after its passage. Takes effect, when.

[Approved July 9, 1885.]

CHAPTER 152.

AN ACT TO AUTHORIZE THE BOSTON, CONCORD & MONTREAL RAILROAD TO REFUND ITS DEBTS.

SECTION

1. Corporation may issue bonds secured by mortgage.
2. Which may be exchanged, sold, or pledged as collateral.

SECTION

3. Mortgages to be made to trustees.
4. Coupons for semi-annual interest to be attached.
5. Takes effect, when.

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

SECTION 1. That for the purpose of refunding its present indebtedness, and liquidating any unadjusted liability now existing Corporation may issue bonds secured by mortgage.

against it, the Boston, Concord & Montreal railroad is hereby authorized from time to time to issue its bonds, in such sums as may be deemed expedient, and at a rate of interest not exceeding five per cent per annum, payable semi-annually, in not less than twenty years, and secured by mortgage of the road, franchises, and property of the corporation, agreeably to the votes of the stockholders passed at a special meeting of said corporation, held June 12, 1884, and such mortgage subject to any existing prior mortgage.

Which may be exchanged, sold, or pledged as collateral.

SECT. 2. Said corporation may authorize its directors or treasurer, from time to time, to exchange the bonds herein authorized for any of the other bonds or liabilities of the corporation, upon such terms as shall be for the interest of the corporation, and to sell such bonds and purchase any of the bonds heretofore authorized by the corporation, whenever such sale and purchase shall be for the interest of the corporation, and to use such bonds temporarily as collateral to the debts and liabilities of the corporation, whenever the interest to be paid by the corporation will be thereby reduced.

Mortgages to be made to trustees.

SECT. 3. The mortgage to secure such bonds shall be made to three trustees, to be selected by the directors of the corporation for the benefit of the holders of such bonds, and said directors shall have authority to fill any vacancy that may at any time exist in the office of said trustees; and one or more of said trustees shall certify on said bonds that they are secured by such mortgage.

Coupons for semi-annual interest to be attached.

SECT. 4. Said bonds shall have attached thereto coupons for the payment of the semi-annual interest that may from time to time [be] due on said bonds, and such bonds and mortgage shall be signed by such officers as are designated by the corporation.

Takes effect, when.

SECT. 5. This act shall take effect on its passage.

[Approved July 9, 1885.]

CHAPTER 153.

AN ACT IN AMENDMENT OF SECTION TWO (2) OF THE CHARTER OF THE NASHUA LOCK COMPANY, IN RELATION TO AN INCREASE OF CAPITAL STOCK.

SECTION

1. Increase of capital authorized.

SECTION

2. Takes effect, when.

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

Increase of capital authorized.

SECTION 1. That the charter of the Nashua Lock Company, approved July 13, 1854, be amended by striking out the words "one hundred thousand dollars," in the (2d) second section, and inserting instead thereof the words two hundred and fifty thousand dollars.

Takes effect, when.

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

[Approved July 10, 1885.]

CHAPTER 154.

AN ACT TO ENABLE THE TOWN OF NORTHFIELD TO APPROPRIATE MONEY TO ASSIST IN ERECTING A SOLDIERS' MONUMENT IN THE TOWN OF TILTON.

SECTION

1. Town to raise and appropriate money for monument.

SECTION

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

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

SECTION 1. The town of Northfield is hereby authorized and empowered to raise by tax and appropriate such sum of money as said town may deem just, to assist in erecting a soldiers' monument in the town of Tilton.

Town to raise and appropriate money for monument.

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

Repealing clause.

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

Takes effect, when.

[Approved July 16, 1885.]

CHAPTER 155.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE NEW HAMPSHIRE METHODIST ANNUAL CONFERENCE.

SECTION 1. Name changed.

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

SECTION 1. That the aforesaid corporation shall hereafter be known and called by the name of the Trustees of the New Hampshire Conference of the Methodist Episcopal Church.

Name changed.

[Approved July 16, 1885.]

CHAPTER 156.

AN ACT TO AMEND THE CHARTER OF THE CLAREMONT & WHITE RIVER JUNCTION RAILROAD.

- | | |
|---------------------------------|--|
| SECTION
1. Charter extended. | SECTION
2. Repealing clause ; takes effect, when. |
|---------------------------------|--|

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

Charter extended.

SECTION 1. That the time limited by the act approved July 3, 1872, entitled "An act incorporating the Claremont & White River Junction Railroad," be so amended as to extend the time for the construction and completion of said railroad to the third day of July, A. D. 1891.

Repealing clause ; takes effect, when.

SECT. 2. That all acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect from and after its passage.

[Approved July 16, 1885.]

CHAPTER 157.

AN ACT IN AMENDMENT OF THE CHARTER OF THE NEW HAMPSHIRE HOME MISSIONARY SOCIETY.

- | | |
|--|---|
| SECTION
1. Society may hold real and personal property.
2. May hold property in trust. | SECTION
3. Bequests, etc. not defeated by misnomers.
4. Trustees to make annual report.
5. Repealing clause; takes effect, when. |
|--|---|

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

Society may hold real and personal property.

SECTION 1. The New Hampshire Home Missionary Society is hereby authorized and empowered to take, receive, and hold in fee simple or otherwise, gifts, grants, and devises of lands and real estate, and also donations, subscriptions, and bequests of money or other personal estate, and may establish funds not exceeding one hundred and fifty thousand dollars, for promoting the laudable and benevolent designs of its institution.

May hold property in trust.

SECT. 2. Said corporation is also authorized and empowered to take and hold any and all transfers, conveyances, gifts, devises, and bequests of real and personal estate which may be made to it, *on trust*, condition, or otherwise, for the support of the institutions, ecclesiastical societies, parishes, churches, or missionary work, either general or local, of the Orthodox Congregational denomination of Christians in this state, or for the promotion of the interests of the churches of said denomination in this

state; and to execute, perform, and carry out any and all conditions, uses, and trusts which may be imposed upon such transfers, conveyances, gifts, devises, and bequests, or may be connected therewith, and to manage, invest, sell, devise, and convey, or otherwise dispose of such real estate, and to appropriate and apply the net income thereof to any and all of the purposes and objects above declared: subject, however, in each and every case, to the specific trusts, directions, limitations, or conditions contained in such transfer, conveyance, gift, devise, or bequest; *provided*, that such corporation shall not hold property, under the provisions of this section, of a greater aggregate annual net income than twenty thousand dollars.

SECT. 3. No misnomer of said corporation shall defeat or vitiate any deed, will, or other instrument, so as to prevent said corporation from taking benefit thereof, if it shall appear that it was the intention of the grantor, testator, or other party to name or describe the said society. Bequests, etc. not defeated by misnomers.

SECT. 4. The trustees of said society shall through their treasurer make annually to said society a report of the amount and condition of the several funds and estates held by them under section 2 of this act, and of the manner in which the same have been invested, and the income has been expended and applied. Trustees to make annual report.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect and be in force from and after its passage. Repealing clause; takes effect, when.

[Approved July 16, 1885.]

CHAPTER 158.

AN ACT TO AMEND AN ACT PASSED IN 1852, TO INCORPORATE THE NEW HAMPSHIRE CONFERENCE SEMINARY AND FEMALE COLLEGE.

SECTION 1. Corporation may hold \$200,000.

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

SECTION 1. That the aforesaid corporation shall be authorized to hold two hundred thousand dollars for the purposes named in the act of incorporation. Corporation may hold \$200,000.

[Approved July 16, 1885.]

CHAPTER 159.

AN ACT TO AMEND THE CHARTER OF THE CITY OF NASHUA, PROVIDING FOR THE ELECTION OF CERTAIN OFFICERS.

SECTION 1. Election of officers provided for.

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

Election of
officers provided
for.

SECTION 1. That section 2 of chapter 259 of the laws, amending the charter of the city of Nashua, approved September 15, 1883, be amended by striking out in the thirteenth and fourteenth lines of said section the words "they shall elect a city clerk and other officers now required by law to be chosen by the city councils," and inserting instead thereof "the city councils shall, by joint ballot and by major vote, elect a city clerk, city solicitor, collector of taxes, city treasurer, city physician, street commissioners, a board of health officers, consisting of three persons, a chief engineer and assistant engineers of the fire department:" so that said section shall read: "The persons respectively elected as mayor, aldermen, common councilmen, board of education, board of assessors, board of overseers of the poor, and board of inspectors of the check-lists, at the next city election, shall be duly notified by the city clerk, and shall meet in convention for the purpose of taking the oath of office on the first day of January, 1886, at ten o'clock in the forenoon: and the persons elected to said offices at the annual city elections thereafter held shall be notified and shall meet in like manner and for like purpose, on the first day of January in every year thereafter, at ten o'clock in the forenoon, except when the first day of January shall occur on Sunday, in which case they shall so meet on the second day of January: and when so met in convention the city councils shall, by joint ballot and by major vote, elect a city clerk, city solicitor, collector of taxes, city treasurer, city physician, street commissioners, a board of health officers, consisting of three persons, a chief engineer and assistant engineers of the fire department; and such officers thus elected shall hold their offices for one year and until others are elected and qualified in their stead; and the mayor and aldermen shall thereupon proceed to appoint such officers as are now required by law to be appointed by them, who shall hold their offices for one year, and until others are appointed and qualified in their stead."

[Approved July 16, 1885.]

CHAPTER 160.

AN ACT AUTHORIZING THE EMPLOYMENT OF A SUPERINTENDENT OF SCHOOLS IN UNION DISTRICT IN THE CITY OF KEENE.

SECTION

1. Superintendent of schools in Keene.

SECTION

2. Takes effect, when; repealing clause.

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

SECTION 1. That the board of education of the city of Keene are hereby authorized and empowered to appoint a superintendent of schools for said district, who shall hold his office during their pleasure, and perform such duties as they shall direct; and they are hereby authorized to pay such superintendent for his services such sum as the district shall at its annual meeting raise and appropriate for that purpose.

SECT. 2. This act shall take effect upon its passage, and all acts and parts of acts inconsistent with it are hereby repealed.

[Approved July 17, 1885.]

CHAPTER 161.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE GRANITE STATE FIRE INSURANCE COMPANY."

SECTION

1. Charter revived and amended.
2. Corporation constituted.
3. Capital stock and real estate.
4. First meeting.

SECTION

5. By-laws.
6. Taxation and returns.
7. Subject to repeal; takes effect, when.

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

SECTION 1. That the act to incorporate the Granite State Fire Insurance Company, approved June 26, 1874, be and the same is hereby revived and amended so as to read as follows:—

SECT. 2. That Frank Jones, Edwin Wallace, Samuel C. Fisher, John W. Sanborn, Charles H. Sawyer, Alvah W. Sulloway, George H. Stowell, Thomas G. Jameson, and John F. Cloutman, and their associates, successors, and assigns be and they hereby are incorporated and made a body politic by the name of the Granite State Fire Insurance Company, to be located within this state where the board of directors may determine; with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose [of] making and effecting insurance against losses by fire and lightning.

Capital stock
and real estate.

SECT. 3. Said corporation shall have a capital stock of fifty thousand dollars, with authority to increase the same not exceeding five hundred thousand dollars, divided into shares of one hundred dollars each; and may acquire and hold real estate for its own use to the value of twenty-five thousand dollars, exclusive of such real estate as may be taken for debts or may be held for security.

First meeting.

SECT. 4. Any two of said grantees may call the first meeting of the members of the corporation by an advertisement printed in some newspaper in the county of Rockingham, at least fifteen days before the day named for such meeting.

By-laws.

SECT. 5. Said corporation at any meeting duly held may adopt such by-laws and regulations, not repugnant to the laws of this state, as shall be convenient and necessary for the proper management of the business and concerns of the corporation and the prosecution of fire insurance.

Taxation and
returns.

SECT. 6. Said corporation shall be taxed in the manner provided by law to tax other insurance companies organized under the laws of this state, and the treasurer of said corporation shall make such returns as are from time to time required.

Subject to re-
peal; takes
effect, when.

SECT. 7. The legislature may at any time alter, amend, or repeal this act whenever the public good may require, and this act shall take effect on its passage.

[Approved July 17, 1885.]

CHAPTER 162.

AN ACT IN RELATION TO THE BONDHOLDERS OF THE PORTLAND & OGDENSBURG RAILROAD COMPANY.

SECTION

1. Bondholders vested with corporate rights, when.

SECTION

2. May issue bonds.

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

Bondholders
vested with cor-
porate rights,
when.

SECTION 1. Whenever the holders of the bonds and coupons secured by the mortgage of the Portland & Ogdensburg Railroad Co., dated the first day of November, in the year of our Lord eighteen hundred and seventy-one, shall have formed a corporation by virtue of any statute of the state of Maine, which secures to each holder of said bonds and coupons his proportionate share in such corporation, such corporation may receive from the trustees of said mortgage, or their successors, a conveyance of all the property, franchises, rights, powers, and privileges which under the laws of New Hampshire vest or may vest in said trustees or their successors; and such corporation, after receiving such conveyance, shall be entitled to the benefit of all the laws of New

Hampshire, with reference to all portions of the railway of said Portland & Ogdensburg Railroad Company constructed or authorized to be constructed, and shall have all the same unexpired rights to locate and complete any portion of any railway, and all the same unexpired rights of connection, leasing, purchasing, or consolidating with other railways or railway corporations heretofore granted by New Hampshire to the Portland & Ogdensburg Railroad Company; subject nevertheless within New Hampshire to all the present and future laws of said state in reference to the duties of railway corporations and other managers of railways.

SECT. 2. Such new corporation may issue its bonds, secured by mortgage or mortgages upon the whole of its railway or any part thereof, with its franchises and privileges, for such amounts as it may from time to time deem necessary, to complete, equip, or improve its railway, or to pay any prior incumbrance or other indebtedness. May issue bonds.

[Approved July 17, 1885.]

CHAPTER 163.

AN ACT IN AMENDMENT OF THE CHARTER OF THE LANCASTER & KILKENNY RAILWAY COMPANY.

SECTION

1. Location changed.

SECTION

2. Repealing clause.

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

SECTION 1. Section 7 of chapter 115 of the Private Acts, passed June session, 1879, entitled "An act to incorporate the Lancaster & Kilkenny Railway Co.," is hereby amended as follows: "In the proviso of said section, after the word 'Main' and before the word 'Middle,' insert the words 'Water, Mill, Mechanic, Pleasant,' so that said proviso as amended shall read: '*Provided,* that said railway may run on and through or across Canal, Main, Water, Mill, Mechanic, Pleasant, and Middle streets, or any part thereof in said village of Lancaster at grade.' "Location changed.

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

[Approved July 23, 1885.]

CHAPTER 164.

AN ACT TO CHANGE THE NAME OF THE EATON & AYER COMPANY TO THE NASHUA BOBBIN AND SHUTTLE COMPANY, AND TO AMEND THE CHARTER THEREOF.

SECTION 1. Charter amended.

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

Charter amended.

SECTION 1. That section 1 of chapter 211 of the laws of 1883, entitled "An act to incorporate the Eaton & Ayer Company," approved August 15, 1883, be amended by striking out the words "Eaton & Ayer" and inserting in place thereof the words "Nashua Bobbin and Shuttle," and by striking out the name "Isaac Eaton" and inserting in place thereof the name "Frederick W. Hatch," so that said section shall read: "That Frank H. Ayer, Anne M. Ayer, Ira Cross, George H. Hatch, and Frederick W. Hatch, their associates, successors, and assigns, be and hereby are made a corporation by the name of the Nashua Bobbin and Shuttle Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities contained in the laws of this state applicable to corporations of a similar nature."

[Approved July 23, 1885.]

CHAPTER 165.

AN ACT TO ESTABLISH A BOARD OF HEALTH FOR THE CITY OF MANCHESTER, AND DEFINE ITS POWERS AND DUTIES.

SECTION

1. Mayor to appoint three health officers; term of office; vacancy.
2. Time of assuming duties; organization; regulations; compensation.
3. Powers and duties of board of health; sanitary inspectors.
4. Buildings unfit for occupancy to be

SECTION

- renovated on notice, or board to notify occupants to quit.
5. Buildings may be closed, when; penalty for occupying.
6. Privy-vaults, barn cellars, etc.
7. Drainage and sewers.
8. Penalty for neglect.
9. Takes effect, when.

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

Mayor to appoint three health officers; term of office; vacancy.

SECTION 1. The mayor shall appoint three health officers, one of whom shall hold office for one year from the first Monday in February, 1885, one for two years, and one for three years from said first Monday in February, who shall constitute a board of

health, and annually hereafter in the month of January in each year he shall appoint one member to said board who shall hold office for three years from the first Monday in February succeeding. In case of a vacancy occurring in said board the mayor shall appoint some person for the remainder of the unexpired term.

SECT. 2. The board shall enter upon its duties on the first Monday in February annually; said board shall organize by the choice of one of its members as chairman and another as clerk, and they may adopt such rules and regulations for their own and the government of all subordinate officers by them employed as they may deem expedient, not repugnant to the laws of the state, and the said board shall receive such compensation for their services as the city councils may determine.

Time of assuming duties; organization; regulations; compensation.

SECT. 3. The board of health hereby constituted shall have and exercise all the powers vested in, and shall perform all the duties prescribed to health officers of towns under the statutes, and shall have power to appoint such sanitary inspectors as they may deem necessary, and define their duties, term of service, and fix their compensation; *provided*, that the whole amount of such compensation shall not exceed the amount appropriated therefor by the city councils; and said inspectors so appointed shall be responsible to the board and under its control and direction: and it shall be the duty of said inspectors, under the direction of said board, to enforce the laws of the state, the ordinances of said city, and the regulations of said board relative to health, and make a report to said board in writing of all acts done by them, as such inspectors, once each month.

Powers and duties of board of health; sanitary inspectors.

SECT. 4. The board of health, when satisfied upon due examination that a building, tenement, room, or cellar in said city, occupied as a dwelling-place or workshop, has become, by reason of the number of occupants, want of cleanliness, unsuitable drainage, lack of privy accommodations, or from any other cause, unfit for a dwelling-place or workshop, may issue a notice in writing to such occupants or to the owner or agent in charge, to cause the same to be put in a proper sanitary condition: and in case said premises shall not be put in such proper sanitary condition within a reasonable time after such notice, then said board may notify the occupants in writing to quit the premises in such time as the board shall deem necessary.

Buildings unfit for occupancy to be renovated on notice, or board to notify occupants to quit.

SECT. 5. The board, after such reasonable notice and the neglect and refusal of the occupant, owner, or agent to put the premises into such proper sanitary condition, may close up said premises, and if the owner or agent thereafter occupies, or knowingly permits others to occupy such closed premises without the written permission of the board, he shall be fined not less than ten or more than fifty dollars for each offense.

Buildings may be closed, when; penalty for occupying.

SECT. 6. The board of health shall, within certain limits which they may establish from time to time, and which shall include the compact part of the city, have control of the cleaning of privy-vaults and barn and stable cellars, and none shall be opened or cleaned without the permission of the board, nor by any other

Privy-vaults, barn cellars, etc.

person, nor in any other manner, nor at any other time than as said board may direct: they may, within said limits, prohibit the keeping of swine and the construction or continuance of privy-vaults, unless the same shall be more than forty feet away from any dwelling-house, shop, or public street, and vaulted six feet deep, thoroughly built of brick or stone laid in cement, and sufficiently secured, inclosed, and ventilated, and shall be a separate and special inclosure and not a part of the cellar of a barn or stable.

Drainage and sewers.

SECT. 7. The board may prepare and enforce such regulations as they may deem necessary for the safety and health of the people, relative to the drainage of buildings and connections with public sewers, when such sewer is within one hundred feet of the premises to be drained.

Penalty for neglect.

SECT. 8. If any person shall neglect to comply with the provisions of this act or the regulations of said board, he shall be punished by a fine not less than ten or more than fifty dollars.

Takes effect when.

SECT. 9. This act shall take effect on its passage.
[Approved July 23, 1885.]

CHAPTER 166.

AN ACT TO INCORPORATE THE TRUSTEES OF THE SIMONDS HIGH SCHOOL FUND.

SECTION

1. Corporation constituted.
2. May invest funds.
3. Real estate held by trustees may be conveyed in name of corporation.

SECTION

4. May be conveyed to corporation.
5. Organization and by-laws.
6. Subject to repeal.
7. Takes effect, when.

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

Corporation constituted.

SECTION 1. That Robert Thompson, Stephen S. Bean, Stephen C. Pattee, Samuel W. Colby, Samuel H. Dow, and Charles Carrier, of Warner, in the county of Merrimack, of said state, their associates and successors, trustees of certain school funds, under the respective wills of Franklin Simonds and Abigail K. Simonds, late of said Warner, deceased, be and hereby are constituted a corporation by the name of the Trustees of the Simonds High School Fund, for the purpose of holding and controlling the said school funds committed to their care by the provisions of said wills, possessing all the rights and powers, and subject to all the duties and restrictions contained in said wills, with all the powers and privileges, and subject to all the duties, liabilities, and restrictions of corporations of a similar nature: and by that name may sue and be sued, prosecute and defend causes to final judgment.

May invest funds.

SECT. 2. Said corporation may invest and reinvest said funds in such way as they deem proper, having regard to safety and a

reasonable income from the same, and for this purpose may purchase and sell real estate, or make loans secured by mortgage on the same, as they shall see fit.

SECT. 3. Any real estate now held by said trustees in their individual name as trustees, or in the name of any agent or officer of said trustees, may be conveyed or leased by such trustees or their successors, or such agent or officer, or his successor in office, respectively, in the name of such corporation. Real estate held by trustees may be conveyed in name of corporation.

SECT. 4. Any real estate now held by said trustees in their individual names as trustees, or in the name of any agent or officer of said trustees, may be conveyed by such trustees, or such agent or officer, or the successors of either, to said corporation. May be conveyed to corporation.

SECT. 5. The said trustees, under their present organization, may proceed at any meeting thereof to organize under this act, by the election of such officers and the adoption of such by-laws and rules for their government and for the transaction of business as shall not be inconsistent herewith. Organization and by-laws.

SECT. 6. This act may at any time be altered, amended, or repealed. Subject to repeal.

SECT. 7. This act shall take effect upon its passage. Takes effect, when.
 [Approved July 23, 1885.]

CHAPTER 167.

AN ACT TO INCORPORATE SAINT MARY'S SCHOOL FOR GIRLS.

SECTION

- 1. Corporation constituted.
- 2. Purpose; limitation as to property; by-laws.
- 3. Management of affairs; vacancies; limit of membership; quorum.

SECTION

- 4. Election of principal of school.
- 5. First meeting, how called; where held.
- 6. Takes effect, when.

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

SECTION 1. That William W. Niles, Henry A. Coit, Daniel C. Roberts, Henry E. Hovey, A. B. Thompson, and John L. Farwell, their associates and successors, be and they hereby are made a body politic and corporate by the name of Saint Mary's School for Girls: and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have and enjoy all the powers and privileges, and be subject to all the liabilities incident to corporations of a similar character; *provided*, that the number of said associates shall not exceed six. Corporation constituted.

SECT. 2. Said corporation is hereby empowered to establish and maintain, in the city of Concord or elsewhere in New Hampshire, a school for the education of girls, and for that purpose may acquire and hold by gift, bequest, or otherwise, real and personal estate to an amount not exceeding two hundred thousand Purpose; limitation as to property; by-laws.

dollars: may erect suitable buildings, employ proper teachers and assistants, and establish all necessary by-laws and regulations for their government, and exercise any other power proper to carry into effect the object of this act: *provided*, that said by-laws and regulations shall not be repugnant to the constitution and laws of this state.

Management of affairs; vacancies; limit of membership; quorum.

SECT. 3. Said corporators and their associates and successors shall have the entire management and control of the affairs of said corporation, and shall by election fill all vacancies which may from time to time occur in their body, but the number of eleven shall not be exceeded. At all meetings of the corporation three shall constitute a quorum for the transaction of all business, except as provided in section 4 of this act.

Election of principal of school.

SECT. 4. The principal of the school shall be elected, and may at any time be removed by the corporation, but it shall require a majority of the members of the corporation either to elect or to remove the said principal, or to authorize the conveyance of real estate.

First meeting, how called; where held.

SECT. 5. Said corporators, or any two of them, may call, in such manner and at such time as they may deem proper, the first meeting of said corporation, which shall be held in the city of Concord, at which, or at any subsequent meeting duly called and holden, said corporation may adopt the by-laws and regulations aforesaid.

Takes effect, when.

SECT. 6. This act shall take effect and be in force from and after its passage.

[Approved July 23, 1885.]

CHAPTER 168.

AN ACT TO ALTER AND AMEND THE CHARTER OF THE FIRST BAPTIST SOCIETY IN NEW BOSTON.

SECTION 1. Limitation of real estate.

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

Limitation of real estate.

SECTION 1. That section 4 of the charter of the First Baptist Society in New Boston, approved June 22, 1819, be altered and amended by striking out the words "three thousand" in said section, and substituting therefor the words "ten thousand," so that said section 4 shall read as follows: "*And be it further enacted*, that said corporation may hold any estate for the purposes of said society, not exceeding ten thousand dollars in value."

[Approved July 23, 1885.]

CHAPTER 169.

AN ACT TO ENABLE THE TOWN OF HENNIKER TO CONTRACT WITH HENNIKER SPRING WATER COMPANY, FOR THE USE OF HYDRANTS FOR FIRE PURPOSES.

SECTION

1. Town may purchase, how, etc.

SECTION

2. Takes effect, when.

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

SECTION 1. The town of Henniker is hereby authorized to purchase hose to be used for the extinguishment of fires, and to contract with the Henniker Spring Water Company for water for the extinguishment of fires in any part or parts of the town, and for all necessary conveniences for supplying said water at the desired part or parts, and to raise or appropriate money for said purposes. Town may purchase, how, etc.

SECT. 2. This act shall take effect upon its passage.
[Approved July 23, 1885.]

Takes effect, when.

CHAPTER 170.

AN ACT IN AMENDMENT OF AN ACT APPROVED JULY 1, 1870, ENTITLED "AN ACT TO INCORPORATE SUNDRY PERSONS BY THE NAME OF THE UNION BRIDGE COMPANY."

SECTION

1. Charter amended.

SECTION

2. Takes effect, when.

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

SECTION 1. That section 2 of said act be amended by striking out the words "and the said corporation is hereby empowered to construct and build a bridge," and inserting in the place thereof the words "and the said corporation shall have the exclusive right to build and maintain a bridge," so that said section as amended shall read as follows: "And the said corporation shall have the exclusive right to build and maintain a bridge over and across the Connecticut River, between the northerly line of the town of Dalton, where it crosses said river, and the southerly line of the home farm of the late John H. White, as now occupied by George M. Stevens, in Lancaster, where it touches said river; and the same to be kept in repair, and from time to time rebuild, and for this purpose to purchase and hold so much land as may be necessary for their use and accommodation; and the capital Charter amended.

stock of said corporation shall not exceed the sum of thirty thousand dollars."

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 23, 1885.]

CHAPTER 171.

AN ACT AMENDING THE CHARTER OF THE NEW HAMPSHIRE MEDICAL SOCIETY.

SECTION

1. Charter amended.

SECTION

2. Takes effect, when.

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

Charter
amended.

SECTION 1. That an act passed by the New Hampshire legislature in 1816, entitled "An act in addition to an act entitled 'An act to incorporate certain physicians by the name of the New Hampshire Medical Society,'" be hereby amended by striking out the words "two hundred," and inserting in the place thereof the words "five hundred," so that the clause as amended will read: "That the New Hampshire Medical Society shall hereafter be authorized and empowered to admit and receive into their society five hundred members."

Takes effect,
when.

SECT. 2. This act shall take effect upon its passage.
[Approved July 29, 1885.]

CHAPTER 172.

AN ACT TO INCORPORATE THE MASONIC BUILDING ASSOCIATION OF MANCHESTER.

SECTION

1. Corporation constituted.
2. Buildings and other estate.
3. Capital stock.
4. Bonds and mortgages.
5. Directors and officers.

SECTION

6. By-laws.
7. First meeting.
8. Subject to repeal.
9. Takes effect, when; not taxable.

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

Corporation
constituted.

SECTION 1. That James A. Weston, Henry A. Bailey, Joseph W. Fellows, Nathan P. Hunt, Alphens Gay, Andrew Bunton, Nathaniel Baker, Samuel N. Bell, Abraham P. Olzendam, Charles E. Cox, Alonzo H. Weston, David H. Young, George W. Weeks, Joseph Kidder, George W. Riddle, Adoniram J.

Lane, Oscar D. Abbott, Joseph E. Bennett, John Hosley, Edwin H. Hobbs, Henry Chandler, John D. Bean, John C. French, Ezra Huntington, Nathaniel W. Cunnner, John K. Wilson, William G. Gannon, George B. Chandler, their associates, successors, and assigns, be and are hereby made a body corporate by the name of the Masonic Building Association of Manchester, 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.

SECT. 2. The said corporation is hereby empowered to purchase, erect, maintain, and manage a building in Manchester, in the county of Hillsborough, and for that purpose may purchase, have, and hold such real and personal estate as may be deemed necessary for the purposes of said corporation, to an amount not exceeding the sum of two hundred thousand dollars, and the same may sell, alienate, and dispose of at pleasure.

Buildings and other estate.

SECT. 3. The capital stock of the corporation shall not exceed one 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.

Capital stock.

SECT. 4. Said corporation may issue its bonds, secured by a mortgage of its real estate, to one or more trustees for the benefit of the holders of said bonds, to an amount not exceeding one hundred thousand dollars, at such rate of interest, payable at such times and upon such conditions and limitations, as may be determined by the corporation.

Bonds and mortgages.

SECT. 5. The control and management of the affairs of the corporation shall be vested in a board of directors, not exceeding seven, to be chosen by the stockholders at the annual meetings, who shall hold office till others are chosen in their places. Said board of directors shall elect a president, clerk, and a treasurer, who shall give such bond as they shall determine, and such other officers and agents as may be found necessary, and fix their duties and compensation.

Directors and officers.

SECT. 6. Said corporation may from time to time make and establish all necessary by-laws, rules, and regulations for its government and for the management of the business thereof, not inconsistent with this act and the laws of this state, and change the same at its pleasure.

By-laws.

SECT. 7. James A. Weston, Joseph W. Fellows, and Nathan P. Hunt, or any two of them, may call the first meeting of the corporation by giving each of their associates named herein notice in writing by mail of the meeting at least six days prior thereto.

First meeting.

SECT. 8. Any future legislature may alter, amend, or repeal this act when it is made to appear that the public good requires it.

Subject to repeal.

SECT. 9. This act shall take effect on and after its passage, and shall be exempt from the provisions of section 5 of chapter 13 of the General Laws.

Takes effect, when; not taxable.

[Approved July 29, 1885.]

CHAPTER 173.

AN ACT TO INCORPORATE THE CONCORD WATER POWER COMPANY.

SECTION

1. Corporation constituted.
2. Its purpose and powers.

SECTION

3. First meeting.
4. Repealing clause; takes effect, when.

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

Corporation constituted.

SECTION 1. George F. Page, Charles T. Page, Samuel S. Kimball, Daniel Barnard, and Frank S. Streeter, their associates, successors, and assigns, be and hereby are made a body corporate by the name of the "Concord Water Power Company," with all the powers and privileges incident to corporations of a similar nature.

Its purpose and powers.

SECT. 2. Said corporation is authorized to establish and carry on, in the city of Concord, in this state, such various manufactures as it may from time to time desire in the improvement of the water power at and near Sewall's Falls on the Merrimack River in said Concord, and for that purpose may purchase, take, hold, and convey real and personal property, not exceeding in value at any one time the sum of one million of dollars, with power to construct a dam across said river, build canals in connection therewith, deepen the channel of said river, remove obstructions therein, and otherwise manage, improve, and dispose of said property at pleasure.

First meeting.

SECT. 3. Either of the persons named in this act may call the first meeting of said corporation by giving three days' previous notice to each of the persons named herein.

Repealing clause; takes effect, when.

SECT. 4. The legislature may at any time alter and repeal this act, and this act shall take effect upon its passage.

[Approved July 29, 1885.]

CHAPTER 174.

AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE NEW HAMPSHIRE ODD FELLOWS' WIDOWS AND ORPHANS' HOME.

SECTION

1. Name changed.

SECTION

2. Charter amended.

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

Name changed.

SECTION 1. That the name of the New Hampshire Odd Fellows' Widows and Orphans' Home is hereby changed to the New Hampshire Odd Fellows' Home.

Charter amended.

SECT. 2. That the first section of said act be so amended as to read after the name as follows: "for the purpose of aiding and

providing for indigent Odd Fellows and the widows and orphans of Odd Fellows; with all the powers and privileges, and subject to all the liabilities by law incident to corporations of a similar nature."

[Approved July 29, 1885.]

CHAPTER 175.

AN ACT TO LEGALIZE THE MEETING OF THE GOFFSTOWN FIRE PRECINCT.

SECTION
1. Meeting legalized.

SECTION
2. Takes effect, when.

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

SECTION 1. That the meeting of the Goffstown fire precinct held June 13. A. D. 1885, and all the proceedings thereof, be and are hereby legalized. Meeting legalized.

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

[Approved July 29, 1885.]

CHAPTER 176.

AN ACT IN AMENDMENT OF CHAPTER 30 OF THE SESSION LAWS OF 1835, ENTITLED "AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE FIRST FREE BAPTIST SOCIETY IN GILMANTON."

SECTION
1. Pews may be assessed to pay insurance.

SECTION
2. Third becomes fourth section.
3. Takes effect, when.

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

SECTION 1. Chapter 30 of the laws of 1835, entitled "An act to incorporate the First Free Baptist Society in Gilmanton," is hereby amended by the addition of the following section, which shall be the third section of said act: "Said society is empowered to insure its church property against loss by fire at the expense of the pew-holders, the assessments for such insurance to be made in accordance with the appraised value of the pews." Pews may be assessed to pay insurance.

SECT. 2. The third section of said act shall hereafter be the fourth section. Third becomes fourth section.

SECT. 3. This act shall take effect upon its passage. Takes effect, when.

[Approved July 29, 1885.]

CHAPTER 177.

AN ACT TO INCORPORATE THE AMERICAN TYPOGRAPHIC COMPANY.

SECTION

1. Corporation constituted.
2. Places and kinds of business.
3. Directors.
4. Powers of directors.
5. Their removal.
6. General meetings.

SECTION

7. Composition and meetings of board.
8. Service of legal processes.
9. Capital stock.
10. First meeting.
11. Takes effect, when; subject to repeal.

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

Corporation
constituted.

SECTION 1. That Stilson Hutchins, Whitelaw Reid, Charles A. Busiel, Joseph W. Fellows, L. G. Hine, Nathan P. Hunt, John Hatch, Josiah G. Dearborn, E. Kurtz Johnson, Charles F. Stone, Joseph C. Moore, Wallace Hackett, Melville E. Stone, John M. Hill, Frank S. Streeter, John F. Jones, and William Henry Smith, their associates, successors, and assigns, be and are hereby made a body politic and corporate by the name of the American Typographic Company, and by that name may sue and be sued, defend and be defended, have and use a common seal and establish subsidiary companies, with like objects, with power to adopt such by-laws and regulations as may be necessary to carry out the purposes of this act.

Places and kinds
of business.

SECT. 2. The principal place of business of this corporation shall be Manchester, N. H., but it is authorized to carry on a general printing and publishing business in any state of the United States, the Dominion of Canada, and foreign countries, subject to the laws thereof; to purchase the right, license, or privilege of using any invention or improvement in machines, devices, and appliances for such business as are now known or which may be hereafter made, and to grant or license to others the right to use such machines, devices, and appliances; it may make, use, and sell the same, and license others to make, use, and sell the same: it may acquire by assignment letters patent of the United States (or any interest in such letters patent) for valuable inventions or improvements in the art of printing or devices relating thereto, and sell, assign, and transfer any right so assigned or any interest therein to others, and may acquire, develop, use, and dispose of such devices, inventions, improvements, and caveats, applications for patents, grants, concessions, or privileges relating to or connected with such devices, inventions, or improvements or apparatus applicable in any way to the art of printing, or any process relating thereto or useful therein in any of its branches; it is authorized to contract with any local company, corporation, organization, or individual in any state of the United States, or country foreign thereto, and subject to the laws thereof to do a printing and publishing business, and may take such interests therein, or compensation as royalty for the use of the

inventions, machines, or devices which it may acquire, as may be determined by its board of directors.

SECT. 3. The management of the affairs of the corporation shall be vested in a board of directors, consisting of not less than seven nor more than fifteen in number, who shall be elected by ballot by the stockholders at their annual meetings. Directors.

SECT. 4. The directors shall have power to fill vacancies in their board caused by death, or resignation, or otherwise, and appoint such officers and committees as they may deem advisable, and prescribe their duties. Powers of directors.

SECT. 5. Members of the board of directors may be removed and others elected in their places at any general meeting of the stockholders. Their removal.

SECT. 6. A general meeting of the stockholders may be called at any time by the board of directors or by stockholders representing one fourth in amount of all the stock issued. A notice of all general meetings, specifying the object therefor, shall be given by the secretary mailing to each stockholder appearing on the books of the company a written or printed notice directed to the last known address of such stockholder, at least ten days before such meeting, and by publishing such notices at least once per week for two weeks prior to such meeting, in a newspaper of general circulation published near the principal office of said corporation. General meetings.

SECT. 7. Said board of directors may be composed of residents of any state or the District of Columbia, and meetings thereof may be held wherever they may determine. Composition and meetings of board.

SECT. 8. All legal papers and processes may be served on the clerk of the corporation, and such service shall be sufficient in law. Service of legal processes.

SECT. 9. The capital stock of said company shall be five millions of dollars, divided into shares of one hundred dollars each, and may be increased by a vote of two thirds of the stock of the company, to an amount not exceeding ten millions of dollars. Capital stock.

SECT. 10. The first five named persons in this act, or any three of them, may call the first meeting of this corporation by publishing a notice in the Daily Union of Manchester, N. H., at least five days before the time of said meeting. First meeting.

SECT. 11. This act shall take effect from its passage, and may at any time be altered, amended, or repealed. Takes effect, when ; subject to repeal.

[Approved July 29, 1885.]

CHAPTER 178.

AN ACT TO ENABLE THE TOWN OF NEWPORT TO RAISE AND APPROPRIATE MONEY TO BUILD A TOWN-HOUSE AND PURCHASE FIRE APPARATUS.

SECTION

1. Town may appropriate money for certain purposes.

SECTION

2. Takes effect, when.

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

Town may appropriate money for certain purposes.

SECTION 1. That the town of Newport, by a majority vote of those present and voting at any special town-meeting called or to be called by a legal notice for that purpose, may vote to raise and appropriate any sum of money they may deem necessary to build a town-house for said town, and purchase suitable steam fire-engines and hose and fire apparatus for extinguishing fires in said town.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage. [Approved July 30, 1885.]

CHAPTER 179.

AN ACT TO INCORPORATE THE EXETER WATER WORKS.

SECTION

- 1. Corporation constituted.
- 2. Capital stock.
- 3. Annual and special meetings.
- 4. Limitation as to real estate ; right to dig ditches and lay pipes.

SECTION

- 5. To take springs, etc. ; damages.
- 6. Water rates and water bonds.
- 7. First meeting ; by-laws.
- 8. Subject to repeal ; takes effect, when.

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

Corporation constituted.

SECTION 1. That George A. Wentworth, Edwin G. Eastman, William B. Morrill, Warren F. Putnam, and Charles J. Gilman, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Exeter Water Works, for the purpose of bringing water into the village of Exeter, in the county of Rockingham, for domestic uses, the extinguishment of fires, and such other purposes as may be deemed necessary, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and subject to all the liabilities incident to corporations of a similar nature.

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

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 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 the carrying into effect the purposes of this act, not exceeding in value forty thousand dollars at the time of the purchase: and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passage-way, or highway, through which it may be deemed necessary for the pipes and water works of said corporation to pass, be, or exist, for the purpose of placing said pipes, water works, and such other material as may be deemed necessary for building said water works, and to relay and repair the same, subject to such regulations as to the safety of the citizens and security of the public travel as may be prescribed by the selectmen of the town of Exeter. Limitation as to real estate; right to dig ditches and lay pipes.

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 such springs, streams, or ponds by fences or otherwise, and dig ditches, make excavations and reservoirs through, over, in, or upon any land or inclosure through which it may be necessary for said pipes and water to pass, or said excavations, reservoirs, and water works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water, and placing such pipes, other materials, 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 be able to agree with the owners thereof for the damages that may be done by said corporation, or the owner shall be unknown, either party may apply to the supreme court at a trial term in the county of Rockingham, to have the same laid out and the damages determined; and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for laying out highways. Said commissioners shall make report to said court, and said court may issue execution therein accordingly: but if either party shall desire it, upon application to said court, before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe. To take springs, etc.; damages.

Water rates and water bonds.

SECT. 6. Said corporation may contract with individuals and corporations for supplying them with water, establish such tolls, and charge such rents for the use of water as shall be deemed reasonable, and said corporation is authorized to borrow money to defray the cost of such water works and to issue the notes, bonds, or obligations of said corporation therefor, payable at such times and at such rate of interest not exceeding six per cent as they may determine, and may, if they deem it expedient, secure such notes, bonds, or obligations by a mortgage of all their estate, real and personal, which mortgage shall be recorded in the office of the register of deeds for the county of Rockingham.

First meeting : by-laws.

SECT. 7. Any two of the corporators named in this act may call the first meeting of the corporation by giving a notice in writing to each of the corporators of the time and place of meeting at least seven days before the day of meeting, or by notice published in some newspaper published in said Exeter at least fourteen days before said meeting : and at said meeting, or any adjourned meeting thereof, or at any subsequent meeting duly called, associates may be admitted and all proper officers chosen, the number and par value of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

Subject to repeal ; takes effect, when.

SECT. 8. This act may be altered, amended, or repealed whenever the public good requires, and shall take effect on its passage.
[Approved August 12, 1885.]

CHAPTER 180.

AN ACT TO INCORPORATE THE NASHUA HISTORICAL SOCIETY.

SECTION

- 1. Corporation constituted.
- 2. Limitation of property.
- 3. Powers and privileges.

SECTION

- 4. First meeting.
- 5. Takes effect, when ; subject to repeal.

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

Corporation constituted.

SECTION 1. That Orren C. Moore, John H. Goodale, Henry B. Atherton, Fred Kelsey, Charles Holman, Cornelius V. Dearborn, Dana W. King, Virgil C. Gilman, William W. Bailey, Charles W. Stevens, and William F. York, with their associates, and such other persons as shall from time to time be admitted members under the constitution and by-laws to be established by said society, be and they hereby are created a body corporate under the name of the Nashua Historical Society, with all the powers, privileges, and liabilities incident to corporations of a like nature.

Limitation of property.

SECT. 2. The said corporation may purchase, take by gift, bequest, or devise, and hold real and personal property to an amount not exceeding twenty thousand dollars.

SECT. 3. The said corporation shall have power to determine at what place their library and collections shall be located; at what times and places their meetings shall be holden; to elect from among the members of said corporation such officers with such powers and duties as they shall judge expedient: and also to enact any by-laws for the government of said corporation: *provided*, the same be not repugnant to the constitution and laws of this state.

Powers and privileges.

SECT. 4. The said Orren C. Moore, John H. Goodale, Henry B. Atherton, and Charles Holman, or any three of them, shall have power to call the first meeting of said corporation at such time and place as they may deem expedient.

First meeting.

SECT. 5. This act shall take effect upon its passage, and may at any time be altered, amended, or repealed.

Takes effect, when: subject to repeal.

[Approved August 12, 1885.]

CHAPTER 181.

AN ACT TO ENABLE THE CITY OF KEENE TO PROCURE AN ADDITIONAL WATER SUPPLY, AND TO CONSTRUCT AND MAINTAIN THE ADDITIONAL WORKS NECESSARY THERETO.

SECTION

1. Keene may construct additional water works.

SECTION

2. Takes effect, when.

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

SECTION 1. The city of Keene, in the county of Cheshire, is hereby authorized to procure an additional water supply, and to construct and maintain an additional reservoir pond or ponds, with the necessary dams and buildings, in said city, or in the towns of Roxbury or Chesterfield in said county, to be used independent of or in connection with the present city water works: and for that purpose to procure by purchase or otherwise, and to hold the necessary lands, rights, and appurtenances required for the same and for conducting water to and from said ponds; and in obtaining and securing the same, said city shall be subject to all the duties and have all the rights contained in sections 1 and 2 of an act entitled "An act to enable the town of Keene to establish water works," approved July 3, 1861; and the provisions contained in said sections of said act shall be in force and applicable to the procuring and appraisal of lands, rights, and maintenance of said additional reservoir ponds, the whole expense of the same not to exceed one hundred thousand dollars: and said city is hereby authorized to levy taxes and borrow money by issuing its bonds or otherwise, for the purpose of obtaining an additional water supply as herein stated, to an amount not exceeding said sum of one hundred thousand dollars.

Keene may construct additional water works.

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

Takes effect, when.

[Approved August 12, 1885.]

CHAPTER 182.

AN ACT TO INCORPORATE THE NASHUA CEMETERY ADDITIONAL.

SECTION

1. Corporation constituted.
2. May use land and lay out cemetery lots.

SECTION

3. Must give unincumbered title.
4. First meeting.
5. Takes effect, when; subject to repeal.

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

Corporation
constituted.

SECTION 1. John A. Spalding, Israel T. Hunt, and Charles W. Hoitt, their associates and successors, are hereby made a body corporate by the name of the Nashua Cemetery Additional, with all the rights and privileges, and subject to all the duties and liabilities incident to such corporations.

May use land
and lay out cem-
etry lots.

SECT. 2. The said corporation may establish and maintain a public burial ground on the northerly side of Canal street and westerly side of Grove street in said Nashua, adjoining the Nashua Cemetery on the north, as an addition to and enlargement of said Nashua Cemetery, and for that purpose may make use of the lot of land, or so much thereof as may be necessary therefor, adjoining said Nashua Cemetery, owned by the late Israel Hunt of said Nashua at his decease, and may arrange and divide the same into lots, with ways and avenues thereto, for family and private burial lots, and may dispose of the right to use such lots for cemetery purposes at their pleasure.

Must give unin-
cumbered title.

SECT. 3. A valid title of the said lot of land shall be conveyed by the heirs of said Israel Hunt to said corporation, or of so much thereof as may be used for said Cemetery Additional, upon terms to be agreed on between said heirs and said corporation, before the corporation shall convey or dispose of any lot, or the right to use any lot in said cemetery for burial purposes, so that the purchaser of such lot, or of the right so to use such, may be assured of an unincumbered title or right thereto.

First meeting.

SECT. 4. The said John A. Spalding may call the first meeting of said corporation by giving personal notice to each of the other grantees of this charter of the time and place of said meeting, at least forty-eight hours before the time designated therefor.

Takes effect,
when; subject
to repeal.

SECT. 5. This act shall take effect and be in force at its passage, and may at any time be altered, amended, or repealed.

[Approved August 12, 1885.]

CHAPTER 183.

AN ACT TO AUTHORIZE THE EXTENSION OF THE PORTSMOUTH BREWING COMPANY'S WHARF.

SECTION

1. Company may extend wharf.
2. Limit of extension.

SECTION

3. Takes effect, when.

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

SECTION 1. The Portsmouth Brewing Company, a voluntary association, is hereby authorized to construct and maintain a wharf on the bank of the Piscataqua river, for the loading of vessels and discharging the cargoes thereof, and for other wharfage purposes. Company may extend wharf.

SECT. 2. Said wharf shall extend from the land now owned by said Brewing Company lying on the Piscataqua river in Portsmouth, for a distance of not more than six feet into said river below the line of low water mark. Limit of extension.

SECT. 3. This act shall take effect upon its passage.
[Approved August 12, 1885.] Takes effect, when.

CHAPTER 184.

AN ACT TO INCORPORATE THE NEW HAMPSHIRE TRUST COMPANY.

SECTION

1. Corporation constituted: powers and privileges; name and location.
2. Capital stock; limitation as to real estate.
3. Taxation.
4. By-laws.

SECTION

5. Personal liability.
6. Bank commissioners.
7. First meeting.
8. Subject to repeal.
9. Takes effect, when.

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

SECTION 1. That John C. French, Clinton S. Ayerill, William H. Berry, James F. Briggs, Hiram D. Upton, Edwin F. Jones, George C. Gilmore, Virgil C. Gilman, John S. Collins, Osear H. Bradley, Alonzo Elliott, Charles H. Bartlett, Royal H. Porter, Leonard P. Foster, George A. Fernald, Abraham P. Olzendam, Edward M. Slayton, Arthur L. Walker, Walter S. Holt, William P. Chamberlain, and their associates, successors, and assigns, be and they are hereby incorporated and made a body corporate by the name of the New Hampshire Trust Company, to be located at Manchester in this state, with authority to have and execute all the powers and privileges incident to corporations of a similar Corporation constituted; powers and privileges; name and location.

nature, for the purpose of prosecuting the business of a safe deposit and trust company, to receive on deposit or for safe keeping money and other valuables, to act as trustee or financial agent, to negotiate loans for persons, firms, or corporations, and to deal in investment securities. Said company may have the further rights and powers of a fidelity insurance company, for the purpose of guaranteeing the fidelity of persons holding positions of financial responsibility.

Capital stock ;
limitation as to
real estate.

SECT. 2. Said company shall have a capital stock of one hundred thousand dollars (\$100,000), divided into shares of one hundred dollars each, with authority to increase the capital to two hundred thousand dollars (\$200,000), and may acquire and hold real estate for its own use to the value of twenty-five thousand dollars (\$25,000), exclusive of such real estate as may be taken in good faith for debt or held as collateral security.

Taxation.

SECT. 3. The provisions of law now or hereafter in force, governing the taxation of the capital stock of banks, shall apply to this company.

By-laws.

SECT. 4. Said company, at any meeting duly held, may adopt such by-laws and regulations, not repugnant to the laws of this state, as may be convenient and necessary for the proper management of the business for which the company was created.

Personal
liability.

SECT. 5. The private property of shareholders shall not be liable for the debts of the company.

Bank com-
missioners.

SECT. 6. The affairs of the company shall be under the supervision and control of the bank commissioners, who shall make the same examinations into and the same reports upon its condition, and receive the same pay for their services from the state as in case of savings banks.

First meeting.

SECT. 7. Hiram D. Upton, John C. French, and Alonzo Elliott, or any two of them, may call the first meeting of the members by a notice in some newspaper published in said Manchester, giving fifteen days' previous notice.

Subject to
repeal.

SECT. 8. The legislature may alter, amend, or repeal this act whenever in their opinion the public good requires it.

Takes effect,
when.

SECT. 9. This act shall take effect from and after its passage.
[Approved August 13, 1885.]

CHAPTER 185.

AN ACT TO EXTEND THE CHARTER OF THE CONCORD GUARANTY SAVINGS BANK, PASSED JUNE SESSION, 1883.

SECTION

1. Charter extended.

SECTION

2. Takes effect, when.

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

SECTION 1. The act to incorporate the Concord Guaranty Savings Bank, approved September 14, 1883, be and hereby is Charter extended. revised and extended.

SECT. 2. This act shall take effect upon its passage. Takes effect, when.
[Approved August 13, 1885.]

AN ACT TO INCORPORATE THE CONCORD GUARANTY SAVINGS BANK.

SECTION

- 1. Corporation constituted.
- 2. Deposits and investments.
- 3. Guaranty fund.
- 4. Special deposits.
- 5. Members of corporation; officers; quorum.

SECTION

- 6. Real estate.
- 7. Taxation.
- 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 :

SECTION 1. That Stillman Humphrey, B. Frank Brown, Cyrus R. Robinson, Paul Holden, Edson C. Eastman, Robert A. Ray, Dr. J. H. Gallinger, E. F. Mann, G. B. Emmons, and Frank L. Abbott, and their associates, successors, and assigns, are hereby made a body politic and corporate under the name of the Concord Guaranty Savings Bank, to be located at Concord, 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 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. Deposits and investments.

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 Guaranty fund.

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 the 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. The special deposits shall at no time be less than ten per cent of the general deposits, nor shall said special deposits be increased by amounts of less than ten thousand dollars at any one time.

Special deposits.

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 commissioners, nor at any time so as to reduce said fund below the amount required for the same as hereinbefore 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 be less than four per cent per annum; and the book given general depositors on making their first deposit shall state therein the rate of interest to be paid, and no change can be made therefrom until after three months' notice of the proposed change has been given by mailing notice of same to each and every depositor, directed to his or her last known residence; 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 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.

Members of corporation: officers; quorum.

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.

Real estate.

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.

SECT. 7. The tax on the special deposits shall be assessed and paid in the same manner and at the same rate as the law requires on general deposits. Taxation.

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 in Concord, 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 it. Subject to repeal.

SECT. 10. This act shall take effect upon its passage. Takes effect, when.
 [Approved September 14, 1883.]

CHAPTER 186.

AN ACT TO INCORPORATE THE NEW ENGLAND MUSICAL FESTIVAL ASSOCIATION.

SECTION

1. Corporation constituted.
2. Limitation of property.
3. First meeting.

SECTION

4. Subject to repeal.
5. Takes effect, when.

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

SECTION 1. That Anthony C. Hardy, Henri G. Blaisdell, W. R. Brackett, George W. Weeks, and David B. Story, their associates, successors, and assigns, be and are hereby made a body politic and corporate by the name of the New England Musical Festival Association, for the purposes of cultivating the arts of music and literature by holding conventions and festivals, for instruction, practice, and entertainment: and the said corporation may sue and be sued, defend and be defended, have and use a common seal, and establish by-laws and regulations which may be necessary to carry out the purposes of this act, and shall be vested with all the powers and privileges, and be subject to all the liabilities by law incident to corporations of similar nature. Corporation constituted.

SECT. 2. Said corporation may purchase, take, and hold, by deed, gift, bequest, devise, or otherwise, real and personal estate, for the purposes of said corporation, to any amount not exceeding at any one time fifty thousand dollars, and may improve, use, sell, and convey, or otherwise dispose of the same at pleasure. Limitation of property.

SECT. 3. The above named persons in this act may call the first meeting of this corporation by publishing a notice in some paper printed in Concord, N. H., two weeks before the time of the meeting. First meeting.

Subject to
repeal.

SECT. 4. The legislature may at any time alter, amend, or repeal this act, whenever the public good may require it.

Takes effect,
when.

SECT. 5. This act shall take effect from and after its passage.
[Approved August 13, 1885.]

CHAPTER 187.

AN ACT TO INCORPORATE THE WOODSTOCK AND LINCOLN TURNPIKE COMPANY.

SECTION

1. Corporation constituted.
2. May construct a road ; its termini.
3. Capital stock.
4. Laying out and damages.
5. Toll-gates and tolls.

SECTION

6. Officers and agents.
7. Annual and special meetings.
8. First meeting.
9. Limitation of charter.
10. Subject to repeal ; takes effect, when.

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

Corporation
constituted.

SECTION 1. That Joseph W. Campbell, Samuel N. Bell, N. H. Weeks, Charles H. Greenleaf, J. B. Elliot, C. M. Buchanan, their associates, successors, and assigns, are hereby made a body corporate by the name of the Woodstock and Lincoln Turnpike Company, and by that name may sue and be sued, and have and enjoy all the rights, privileges, and powers, and be subject to all the duties and liabilities by law incident to corporations of a similar nature.

May construct
a road ; its ter-
mini.

SECT. 2. Said corporation is authorized to lay out, construct, and keep in repair a road from some convenient point near the terminus of the Penigewasset Valley Railroad at North Woodstock, to the summit of the Penigewasset Mountain (so called) in Lincoln, and to such other points of interest in the towns of Woodstock and Lincoln and vicinity (where roads do not now exist) as the directors of said corporation shall deem the public convenience to require to accommodate the summer pleasure travel.

Capital stock.

SECT. 3. The capital stock of said corporation shall consist of not more than two thousand shares of the par value of one hundred dollars each, and the amount of the capital stock may be fixed at the first meeting of the corporation, and may be increased from time to time by the directors, not exceeding the amount herein limited.

Laying out and
damages.

SECT. 4. If said corporation do not agree with the owners of the land for the right of way, such roads may be laid out on the petition of the corporation, and damages assessed in the same manner that highways are laid out and damages assessed therefor.

Toll-gates and
tolls.

SECT. 5. Said corporation may erect and hold toll-houses and other real estate, and erect and maintain gates across said roads, and the directors may appoint such toll-gatherers as may be re-

quired to collect the tolls, who shall have authority to stop any persons and teams passing on said roads until they shall have paid the tolls thereon; and the directors shall have authority from time to time to direct and establish such rates and tolls as they may deem proper, subject to alteration and revision by the legislature.

SECT. 6. The immediate government and control of the affairs of said corporation shall be vested in not less than five directors, to be chosen by the members or stockholders, and to hold their offices until others are chosen in their stead; and said directors, a majority of whom shall constitute a quorum for the transaction of business, shall elect one of their number to be president who shall be president of the corporation, and a clerk who shall be sworn and shall be clerk of the corporation, and such other officers and agents as may be proper for the purposes of the corporation.

Officers and agents.

SECT. 7. The annual meeting of said corporation shall be held at such place and on such day in this state as the by-laws may prescribe, or as the directors may appoint, at which meeting directors shall be chosen by ballot; and special meetings may be held whenever the directors shall deem the same proper, giving such notice as the by-laws may prescribe.

Annual and special meetings.

SECT. 8. The three persons first named in this act may call the first meeting of the corporation by publishing notice thereof in some newspaper printed in the county of Grafton one week before the day of meeting, at which meeting directors may be chosen, the amount of capital stock limited, and such other business transacted as the interests of the corporation may require.

First meeting.

SECT. 9. The roads herein authorized may be constructed from time to time as the public travel may require, and this act shall be void as to all such parts of said roads as shall not be completed for use before December 31, 1895.

Limitation of charter.

SECT. 10. The legislature may alter, amend, and repeal this act, and the same shall take effect on its passage.

Subject to repeal; takes effect, when.

[Approved August 13, 1885.]

CHAPTER 188.

AN ACT TO INCORPORATE THE CAPITOL FIRE ASSOCIATION OF N. H.

SECTION.

- 1. Corporation constituted.
- 2. Capital stock; real estate.
- 3. First meeting.

SECTION.

- 4. By-laws.
- 5. Returns and taxation.
- 6. Subject to repeal; takes effect, when.

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

SECTION 1. That Ezra B. Mann, Samuel B. Page, Edward Woods, Andrew J. Leighton, Ira Whiteher, Charles G. Smith, Joseph Poor, William F. Westgate, Clark F. Rowell, and their

Corporation constituted.

associates, successors, and assigns, be and they hereby are incorporated and made a body politic by the name of the Capitol Fire Association of N. H., with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of making and effecting insurance against losses by fire.

Capital stock ;
real estate.

SECT. 2. Said corporation shall have a capital stock of fifty thousand dollars, divided into shares of fifty dollars each, with liberty to increase the capital stock to five hundred thousand dollars; and may acquire and hold real estate for its own use to the value of twenty-five thousand dollars, exclusive of such real estate as may be taken for debt, or may be held for collateral security.

First meeting.

SECT. 3. Said Ezra B. Mann and Samuel B. Page may call the first meeting of the members of said corporation, by an advertisement in some newspaper printed in Littleton, giving fifteen days' previous notice.

By-laws.

SECT. 4. Said corporation, at any meeting duly held, may adopt such by-laws and regulations, not repugnant to the laws of this state, as shall be convenient and necessary for the proper management of the business and concerns of the corporation, and the prosecution of fire insurance.

Returns and
taxation.

SECT. 5. The treasurer of said corporation shall make the returns, and said corporation shall be taxed in the manner provided in chapter 90 of the laws of 1870, entitled "An act in amendment of the charter of the New Hampshire Fire Insurance Company," approved July 2, 1870.

Subject to re-
peal; takes ef-
fect, when.

SECT. 6. The legislature may at any time alter, amend, or repeal this act, if in their opinion the public good requires it; and this act shall take effect upon its passage.

[Approved August 13, 1885.]

CHAPTER 189.

AN ACT PROVIDING FOR THE IMPROVEMENT OF THE ISRAEL'S RIVER AND ITS TRIBUTARIES.

SECTION

1. Corporation constituted.
2. May erect dams; damages.
3. Establish tolls.
4. Excessive tolls.

SECTION

5. Rates of tolls to be published.
6. First meeting.
7. Subject to repeal.
8. Takes effect, when.

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

Corporation
constituted.

SECTION 1. Frank Smith, Willie E. Bullard, Henry O. Kent, Samuel H. Legro, Jared I. Williams, and Wilbur F. Burns, and their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Israel's Improvement Company, for the purpose of erecting dams and

sluices, and making such other improvements as may be proper and necessary, on Israel River and its tributaries in the towns of Jefferson and Lancaster, in Coos County, to improve said river and its tributaries, for the purpose of driving logs and lumber therein, and driving lumber over and through said dams and sluices, and of establishing rates of toll on lumber so driven and sluiced; and shall be invested with all the rights and privileges, and subjected to all the liabilities of corporations of a similar nature: and may purchase and hold real estate and other property not exceeding in value the sum of twenty-five thousand dollars, said sum to be held in shares of one hundred dollars each.

SECT. 2. Said corporation may erect and maintain such and so many dams, sluices, and booms, on said river and its tributaries, and may clear, deepen, and improve the same to such extent as shall be deemed necessary for the proper driving of logs and lumber through said improvements and river into the Connecticut River: and if the owner or owners of any property situated within said towns feel that his or their property has been damaged by said improvements, he or they may apply to the supreme court for the southern judicial district of said county, and said court shall, on application of the party aggrieved, cause said damage, if any, to be estimated by a committee of three disinterested men of said county; *provided, however*, that if either party be dissatisfied with the award of said committee, he may transfer any question of law in the report of said committee contained to the law term of said court for the determination of the full bench, in the same manner as like questions are now determined; but said committee's finding of facts shall be final and conclusive.

May erect dams ;
damages.

SECT. 3. Said corporation may make and establish such rates of toll for driving lumber or timber over or through said dams, sluices, and river and its tributaries as may be deemed by them expedient, and shall have power to sue for and collect such toll in the same manner as corporations are by law allowed to collect debts due them: and said corporation may have a lien on all logs or timber which may pass over or through said dams, sluices, and improvements, and may hold possession of the same until said tolls are paid or satisfactorily secured.

Establish tolls.

SECT. 4. Any party aggrieved by the rates of toll so established as aforesaid in the preceding section, may apply to said court or any justice thereof, who after due notice to the parties and hearing shall revise said rates, and his revised rates of toll shall be the established rates on said river.

Excessive tolls.

SECT. 5. As soon as said rates of toll are established, said corporation shall cause the same, duly attested, to be published in some newspaper in said district, and such rates, when so published and recorded in the clerk's book of records of the doings of said corporation, shall be the established rates, and such notice shall be deemed legal notice to all parties concerned.

Rates of tolls to
be published.

SECT. 6. Frank Smith, or Henry O. Kent, or either of them, may call the first meeting of said corporation by publishing notice thereof three weeks prior to said meeting in the Coos County Democrat, a newspaper printed in said district: and said corpora-

First meeting.

tion when so met may elect associates, establish by-laws, rules, and regulations for the government of the same, elect such officers as may be necessary, and transact such business as may pertain to corporations of a similar nature.

Subject to
repeal.

SECT. 7. The legislature may at any time alter, amend, or repeal this act.

Takes effect,
when.

SECT. 8. This act shall take effect upon its passage.
[Approved August 13, 1885.]

CHAPTER 190.

AN ACT TO INCORPORATE THE FARMS CEMETERY IN HUDSON.

SECTION

1. Corporation constituted.
2. Real estate ; by-laws, etc.

SECTION

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

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

Corporation
constituted.

SECTION 1. That Charles W. Spalding, Kimball Webster, and James L. Pierce, and the other owners of lots in the cemetery in Hudson known as "The Farms Cemetery," and their associates, successors, and assigns, be and hereby are incorporated and made a body politic and corporate by the name of The Farms Cemetery, and are vested with all the powers and privileges, and made subject to all the restrictions and liabilities incident by law to corporations of a similar nature.

Real estate ;
by-laws, etc.

SECT. 2. Said corporation is authorized to hold such real and personal estate as may be necessary and proper to enable them to maintain and keep in repair said cemetery, to an amount not exceeding five thousand dollars, and to establish by-laws to regulate the mode of notifying and holding the meetings of said corporation, and the number, powers, and duties, and mode of choice of the officers thereof: to provide the mode of admitting and discharging members, and to provide for the laying of assessments and for the sale or forfeiture of the rights or shares of members for the non-payment thereof, and all the other necessary and proper by-laws and regulations not repugnant to the laws of this state.

First meeting.

SECT. 3. The three persons first named in this act, or any two of them, may call the first meeting of said corporation by posting up notices in at least three public places in said Hudson, not less than three weeks previous to the day of said meeting: and at such meeting, or at any subsequent one duly called for that purpose, by-laws may be adopted and all necessary officers chosen for managing the affairs of said corporation.

Takes effect,
when.

SECT. 4. This act shall take effect from its passage.
[Approved August 13, 1885.]

CHAPTER 191.

AN ACT RELATING TO THE MANCHESTER HORSE RAILROAD.

SECTION

1. Charter extended.

SECTION

2. Takes effect, when.

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

SECTION 1. That so much of the charter of the Manchester Horse Railroad as relates to the uncompleted parts of the road is hereby continued in force, and the time for the completion of the same is hereby extended to December 31, 1890; *provided*, that an extension of the present road be constructed as the same may be laid out under the provisions of the original charter, in accordance with the vote of the directors of said horse railroad, from Elm St. to the intersection of Park and Massabesic Sts., on or before June 30, 1886; otherwise this act shall be null and void.

Charter extended.

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

Takes effect, when.

[Approved August 14, 1885.]

CHAPTER 192.

AN ACT TO INCORPORATE THE NASHUA STREET RAILWAY.

SECTION

1. Corporation constituted; land damages.
2. Laying out of railway.
3. Distance from sidewalks.
4. Rates of fare; powers and privileges.
5. Motive power and rate of speed.
6. Damages for neglect.
7. Penalty for obstructing railway or highway.
8. Capital stock and par value.
9. Directors.

SECTION

10. Clerk and treasurer.
11. Real estate.
12. Grade.
13. City rights not abridged.
14. By-laws.
15. Meetings.
16. Contracts.
17. Bonds and mortgages.
18. Subject to repeal.
19. Repealing clause; takes effect, when.

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

SECTION 1. That John A. Spaulding, Henry Stearns, Isaac Eaton, Rufus A. Maxfield, William D. Cadwell, Webster P. Hunsay, Quincy A. Woodward, Royal D. Barnes, and Charles Williams, their associates, successors, and assigns, are hereby made a body corporate by the name of the Nashua Street Railway, with power to construct, maintain, and use a railway with convenient single or double track, over, along, and upon such of the streets, highways, bridges, and lands in the city of Nashua, in the county of Hillsborough, as may be necessary to accommo-

Corporation constituted; land damages.

date the public travel and transportation on the same, and as said grantees at their first meeting and from time to time thereafter shall determine: the damages for lands not in any highway to be fixed in the same manner as lands taken for highways.

Laying out of railway.

SECT. 2. Such railway shall be laid out by the mayor and aldermen of said Nashua, in the like manner as highways are laid, and they shall give notice to all the land owners abutting on the streets or highways through which such proposed railway shall pass, of the time and place of hearing in reference to such laying out, by publication of a notice in such of the newspapers printed at said Nashua as they shall direct, fourteen days at least before said day of hearing.

Distance from sidewalks.

SECT. 3. The track of such railway shall be laid at such distance from the sidewalk in said city as may be determined by said mayor and aldermen.

Rates of fare; powers and privileges.

SECT. 4. Said corporation shall have power to fix, from time to time, such rates of compensation for transportation of persons and property on said railway as they may deem reasonable, and shall be subject to the duties and liabilities, and possess all the rights and privileges by law incident to railway or railroad corporations, so far as the same shall be applicable.

Motive power and rate of speed.

SECT. 5. Said railway may be operated by such horse or other motive power as may be authorized by the mayor and aldermen, and they shall have power to make all such regulations as to the rate of speed and the mode of use of said railway as the public safety and convenience may require.

Damages for neglect.

SECT. 6. Said corporation shall keep in repair such portion of the streets or highways as are occupied by their tracks, and shall be liable to pay for any loss or damage arising by reason of the negligence, carelessness, or misconduct of their agents and servants: and in case any recovery is had against said Nashua for defect or want of repair in or use of said railway, said corporation shall be liable to pay the same, together with all reasonable costs and expenses.

Penalty for obstructing railway or highway.

SECT. 7. Any person willfully or maliciously obstructing said corporation in the use of said railway, or who shall aid, abet, or counsel the same, shall be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or both; and if said corporation, or its agents or servants, shall willfully or maliciously obstruct any highway, they shall be punished by a fine not exceeding five hundred dollars.

Capital stock and par value.

SECT. 8. The capital stock of said corporation shall consist of a sum not exceeding fifty thousand dollars, to be determined by the grantees at the first meeting of the corporation, and to be divided into such number of shares, with such par value thereof, as shall be determined at said meeting, and the same may be increased or diminished from time to time as may be necessary: *provided, however,* that the par value of such shares shall not be fixed below ten dollars.

Directors.

SECT. 9. The management of the affairs of said corporation shall be vested in a board of directors consisting of not less than three nor more than seven stockholders in said corporation, and

shall hold their offices until others shall be chosen and qualified in their stead: and the said directors, a majority of whom shall be a quorum for the transaction of business, shall elect one of their number to be president of the board and of the corporation: they shall also choose or appoint all such other officers, agents, and servants of said corporation, not otherwise herein provided, as they may deem expedient, fix the salaries of all officers, servants, and agents, and generally shall have and exercise all the powers of the corporation.

SECT. 10. There shall also be elected annually by the stockholders a clerk who shall be clerk of the corporation, and sworn to the faithful performance of his duties: and a treasurer who shall give bond with sureties for the faithful performance of his trust. Clerk and treasurer.

SECT. 11. Said corporation shall have power to hold so much real estate as may be necessary to accommodate its business. Real estate.

SECT. 12. Said railway shall be constructed at such grade as may be determined by said mayor and aldermen, and if it shall be necessary to alter the grade of any street or highway, it shall be done at the expense of said railway. Grade.

SECT. 13. Said city shall have power to take up the streets or highways through which said railway may pass, for the same purposes and in the same manner they may now do, doing no unnecessary damage to said railway. City rights not abridged.

SECT. 14. Said corporation shall have power to make, ordain, and establish all such by-laws, rules, and regulations as they shall deem expedient to accomplish the purposes of this act, and for the well ordering, regulating, and securing the interest and affairs of said corporation. By-laws.

SECT. 15. The annual meeting of said corporation shall be held at such time and place as the corporation by their by-laws or the directors for the time being shall direct, at which meeting the directors, clerk, and treasurer shall be elected by ballot: and any two of the grantees named in this act are authorized to call the first meeting of said corporation, by advertising the same three weeks successively in some newspaper printed in said Nashua: and the directors are authorized to call special meetings whenever they shall deem it expedient and proper. Meetings.

SECT. 16. Said corporation may make such contracts with any person or corporation as may be necessary or useful to carry out the purposes of this act. Contracts.

SECT. 17. Said corporation are hereby authorized and empowered to issue bonds, secured by mortgage upon their road or any part thereof, to an amount not exceeding one half the capital stock fixed by said corporation, which may be increased from time to time, as said corporation shall increase its capital stock and enlarge its business. Bonds and mortgages.

SECT. 18. The legislature may alter or amend this act whenever in their opinion the public good may require it. Subject to repeal.

SECT. 19. All charters or acts or parts of acts heretofore made and passed for a like purpose as this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; takes effect, when.

[Approved August 14, 1885.]

CHAPTER 193.

AN ACT TO AMEND THE CHARTER OF THE CONTOCOOK MANUFACTURING AND MECHANIC COMPANY.

SECTION

- 1. Preferred stock authorized.
- 2. Not to be sold less than par.
- 3. Manner of making new issue regulated.
- 4. Dividends; proviso.
- 5. Preferred stock may be bought in.

SECTION

- 6. Interest to cease on tender of par value.
- 7. Proceedings on winding up affairs.
- 8. Old and new stock.
- 9. Takes effect, when.

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

Preferred stock authorized.

SECTION 1. The Contocook Manufacturing and Mechanic Company is hereby authorized and empowered to issue capital stock to an amount not exceeding five hundred shares, of the par value of one hundred dollars each, and the same shall be known as preferred stock, the said preferred stock to be in addition to the amount of capital now authorized by law.

Not to be sold less than par.

SECT. 2. No portion of the stock issued under the provisions of this act shall be issued, sold, or disposed of at less than its par value, and the time and manner of issuing it shall be determined by the directors of the corporation.

Manner of making new issue regulated.

SECT. 3. For the purpose of carrying into effect the provisions of this act, the said directors are authorized to issue from time to time so much of said five hundred shares as they shall think proper; and the holders of stock heretofore issued shall have the first right to subscribe for and take said preferred stock in the proportion which the amount thereof, so issued from time to time, shall bear to the amount of stock heretofore issued and held by each at the time of such new issue, they paying therefor in cash the sum of one hundred dollars for each share; and said directors shall determine such proportion, and the amount and manner of each proportional subscription, and the time when the right to make such proportional subscription shall expire, and give notice thereof by mail to each of said stockholders thirty days at least before such expiration.

Dividends; proviso.

SECT. 4. Said board of directors are authorized and empowered to and shall declare and pay semi-annual dividends on each share of said preferred stock, not exceeding six per centum per annum; and no dividends shall hereafter be declared and paid upon any other shares of said corporation in the hands of stockholders until said dividends upon said preferred stock shall have been fully paid, with interest, on any dividends not declared and paid at the regular time, for want of profits out of which to pay the same; *provided, however,* that said corporation, by its directors, shall have the right to appropriate all the net surplus earnings of the corporation, after paying in full the dividends on said preferred stock, or any of said net earnings, to purchasing in and retaining said preferred stock in the manner hereinafter provided.

SECT. 5. Said corporation shall have the right, by its directors, and at their discretion, from time to time to purchase of the holders of such preferred stock any or all shares of such stock, by paying or tendering to such holders the par value of the shares, and the accrued interest thereon, and may for that purpose appropriate and use the net surplus earnings of the corporation, after paying the dividends on said preferred stock. Preferred stock may be bought in.

SECT. 6. Upon such tender of the par value and interest of the preferred stock, the interest or earnings on the same shall cease, and all sums realized from the sale of preferred stock shall be applied in payment of the indebtedness of the corporation. Interest to cease on tender of par value.

SECT. 7. In case of the winding up of the affairs of said corporation before all said preferred stock shall have been purchased in or have been otherwise retired under the provisions of this act, then the assets of the corporation remaining after the payment of its liabilities shall be divided *pro rata* to the holders of the preferred stock, to an amount not exceeding the par value of the shares and the accrued interest thereon: and the surplus of said assets shall be divided *pro rata* among the other stockholders. Proceedings on winding up affairs.

SECT. 8. The par value of the common stock shall hereafter be one hundred dollars, and one share of the present stock of the par value of five hundred dollars shall be divided into and treated as five shares of one hundred dollars each, and new certificates shall be issued in exchange for the old. Old and new stock.

SECT. 9. This act shall take effect when the same is accepted by a vote of two thirds of the stockholders present and voting at any meeting called for that purpose, or when the written assent of two thirds of the present outstanding stock is obtained in writing. Takes effect, when.

[Approved August 19, 1885.]

CHAPTER 194.

AN ACT TO INCORPORATE THE PEOPLE'S FIRE INSURANCE COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock; real estate.
3. First meeting.

SECTION

4. By-laws.
5. Returns and taxation.
6. Takes effect, when.

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

SECTION 1. Henry O. Kent, Irvyn W. Drew, Charles F. Eastman, Chester B. Jordan, Henry F. Green, Frank Smith, Otis G. Hale, George Van Dyke, and Edward Woods, their associates, successors, and assigns, be and they are hereby incorporated and made a body politic by the name of the People's Fire Insurance Company, to be located in this state, with authority to have and exercise all the powers and privileges incident to corporations of Corporation constituted.

a similar nature, for the purpose of making and effecting insurance against losses by fire.

Capital stock ;
real estate.

SECT. 2. Said corporation shall have a capital stock of fifty thousand dollars, divided into shares of one hundred dollars each, with liberty to increase the capital stock to five hundred thousand dollars ; and may acquire and hold real estate for their own use to the value of twenty-five thousand dollars, exclusive of such real estate as may be taken for debt, or may be held for collateral security.

First meeting.

SECT. 3. Said Henry O. Kent and Irvén W. Drew may call the first meeting of the members of the corporation by an advertisement printed in some newspaper published in the county of Coos, at least fifteen days before the day named for such meeting.

By-laws.

SECT. 4. Said corporation, at any meeting duly held, may adopt such by-laws and regulations, not repugnant to the laws of this state, as shall be convenient and necessary for the proper management of the business and concerns of the corporation and the prosecution of fire insurance.

Returns and
taxation.

SECT. 5. The treasurer of said corporation shall make the returns, and said corporation shall be taxed in the manner provided in chapter ninety of the laws of 1870, entitled " An act in amendment of the charter of the New Hampshire Fire Insurance Company," approved July 2, 1870.

Takes effect,
when.

SECT. 6. This act shall take effect on its passage.
[Approved August 19, 1885.]

CHAPTER 195.

AN ACT IN AMENDMENT OF " AN ACT TO ESTABLISH A BOARD OF EDUCATION IN SCHOOL DISTRICT NO. 13, IN THE TOWN OF GILFORD," PASSED AT THE JUNE SESSION OF THE LEGISLATURE, A. D. 1877.

SECTION

- 1. Annual meeting.
- 2. Election and tenure of office of board of education.

SECTION

- 3. Vacancies.
- 4. Takes effect, when.

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

Annual meeting.

SECTION 1. The annual meeting in school district No. 13, in the town of Gilford, shall hereafter be held in the month of March, and said meetings shall be called and holden as provided by law in the case of school districts for which no special provision is made.

Election and
tenure of office
of board of
education.

SECT. 2. The terms of office of the several members of the board of education in said district shall expire at the time of its next annual meeting, and said district shall at that time choose a new board of education consisting of three members, one of whom shall hold office for one year, one for two years, and one

for three years, or until others are duly chosen and qualified in their stead, the term of office for which each is chosen to be designated by ballot. One member of said board shall thereafter be chosen annually to fill the vacancy caused by the expiration of the term of office of one of its members, and to hold office for three years, and until one is duly chosen and qualified in his stead.

SECT. 3. Any vacancies occurring in the board of education at any other time than at the annual meeting shall be filled by the remaining members of the board; and if from any cause the whole board shall become vacant, a special meeting of the district shall be called by the clerk of the district, at which members shall be chosen to fill all unexpired terms of the previous board. Vacancies.

SECT. 4. This act shall take effect on and after its passage. Takes effect, when.
 [Approved August 19, 1885.]

CHAPTER 196.

AN ACT TO INCORPORATE THE PEMIGEWASSET MUTUAL RELIEF ASSOCIATION.

SECTION	SECTION
1. Corporation constituted.	4. First meeting.
2. Personal estate.	5. Subject to repeal.
3. Assessments.	6. Takes effect, when.

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

SECTION 1. That Joseph C. Blair, Philip F. Gordon, Heber K. Smith, Rufus R. Swett, and Mardenborough N. Davis, their associates, successors, and assigns, be and hereby are made a body politic and corporate by the name of the Pemigewasset Mutual Relief Association, for charitable and benevolent purposes, and furnishing relief and assistance by means of mutual agreements and the payment of funds; and said corporation may sue and be sued, defend and be defended, have and use a common seal, and establish all by-laws and regulations which may be necessary to carry out the purposes of this act, and shall be vested with all the powers and privileges, and be subject to all the liabilities by law incident to corporations of a similar nature. Corporation constituted.

SECT. 2. Said corporation may purchase, take, and hold, by deed, gift, bequest, devise, or otherwise, personal estate for the purpose of said corporation to an amount not exceeding at any one time five thousand dollars, and may improve, use, sell, and convey, or otherwise dispose of the same at pleasure. Personal estate.

SECT. 3. No part of the money realized from the assessments made to pay death benefits shall be used for any other purpose than the payment of death benefits. Assessments.

SECT. 4. The two first named persons in this act may call the first meeting of this corporation by personal notice, either written First meeting.

or printed, delivered or mailed to each corporator at least ten days before the time of meeting.

Subject to
repeal.

SECT. 5. The legislature may at any time alter, amend, or repeal this act, whenever the public good may require it.

Takes effect,
when.

SECT. 6. This act shall take effect from and after its passage.
[Approved August 19, 1885.]

CHAPTER 197.

AN ACT TO INCORPORATE THE HILLSBOROUGH LODGE, NO. 17, OF THE
KNIGHTS OF PYTHIAS.

SECTION

1. Corporation constituted.
2. First meeting.

SECTION

3. Takes effect, when ; subject to repeal.

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

Corporation
constituted.

SECTION 1. That Jason H. T. Newell, Ezra C. Black, George F. Russell, Charles H. Danforth, George Dunham, Wm. S. Emerson, N. L. Buxton, S. B. Otis, Warren C. Eaton, Rolland T. Abbott, and Sylvanus Harriman, their associates and successors, be and hereby are made a body politic and corporate by the name of "Hillsborough Lodge, No. 17, of the Knights of Pythias," 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 estate 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 August 19, 1885.]

CHAPTER 198.

AN ACT TO REPEAL CHAPTER 106 OF THE PAMPHLET LAWS OF 1873, RELATING TO DISANNEXING LANDS OF E. W. MOSES AND OTHERS FROM COLUMBIA, AND ANNEXING THEM TO COLEBROOK FOR SCHOOL PURPOSES.

SECTION

1. Act repealed.

SECTION

2. Takes effect, when.

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

SECTION 1. Chapter 106 of the Pamphlet Laws, passed June session, 1873, is hereby repealed. Act repealed.

SECT. 2. This act shall take effect and be in force on its passage. Takes effect, when.
[Approved August 19, 1885.]

CHAPTER 199.

AN ACT TO INCORPORATE THE BELLOWS FALLS BOOM COMPANY IN NEW HAMPSHIRE.

SECTION

1. Corporation constituted; property limitation.
2. May construct booms, etc.
3. Damages.
4. Use of booms regulated.

SECTION

5. Penalty for injuring.
6. Place of business.
7. First meeting.
8. Subject to repeal; takes effect, when.

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

SECTION 1. That George Van Dyke, William A. Russell, George W. Russell, A. N. Burbank, James H. Williams, E. S. Leonard, Edward C. Thayer, and their associates and successors, are hereby constituted a body corporate by the name of the Bellows Falls Boom Company in New Hampshire, and by that name may sue and be sued, prosecute and defend to final judgment and execution, make by-laws for the management of their corporate concerns, and have and enjoy all the rights and powers of similar corporations, and may purchase and hold real estate and other property to the amount of fifty thousand dollars. Corporation constituted; property limitation.

SECT. 2. Said corporation may erect and maintain booms and piers in and across the Connecticut River, from the dam of the Bellows Falls Canal Company, in the town of Rockingham, county of Windham, and state of Vermont, for the distance of two miles up said Connecticut River; and may erect and maintain side or branch booms where they may be necessary, and attach the same to the bank of said river for the purpose of stopping, assorting, May construct booms, etc.

and securing logs, masts, spars, and other lumber floating upon said river; and said booms shall be provided with sufficient and suitable assorting gaps.

Damages.

SECT. 3. If said corporation shall be unable to agree with the owner or owners of said banks to which said booms may be fastened as to the amount of damages that may be done by said corporation, either party may apply to the supreme court at the trial term thereof, and said court shall refer the question of damages to the county commissioners for the county of Cheshire, who shall, upon due notice, and after hearing the parties interested, report to said court, which shall issue execution accordingly. If either shall desire, upon application to said court before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Use of booms regulated.

SECT. 4. No person shall be allowed at any time to encumber said booms or piers with logs, boards, or other lumber; *provided*, said corporation shall at all reasonable times open their said assorting gaps for the reasonable passage of the same. And said corporation shall at all times manage their said boom so as to not interfere with the reasonable use of the river as a public highway.

Penalty for injuring.

SECT. 5. If any person or persons shall willfully or maliciously injure or destroy any of such booms, piers, or other works connected therewith, he shall be liable for double the amount of damage to the corporation, to be recovered by an action of trespass in any court proper to try the same, and be further liable to indictment, and on conviction thereof shall suffer the penalty of a fine not exceeding five hundred dollars, or imprisonment for not more than six months, or both, at the discretion of said court.

Place of business.

SECT. 6. The principal place of business of said corporation shall be in Walpole, in said county of Cheshire.

First meeting.

SECT. 7. Either two of the first corporators named in this act may call the first meeting of said corporation by mailing written notices to each of said corporators of the time and place of meeting, at least six days before said meeting.

Subject to repeal; takes effect, when.

SECT. 8. The legislature may at any time alter, amend, or repeal this act, and said act shall take effect from its passage.

[Approved August 25, 1885.]

CHAPTER 200.

AN ACT AUTHORIZING THE JUNCTION OF THE MOUNT WASHINGTON SUMMIT ROAD COMPANY AND THE WHITE MOUNTAIN TURNPIKE COMPANY.

SECTION

1. Junction of roads to regulate tolls.
2. Rate per mile.

SECTION

3. Division of tolls.

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

SECTION 1. That the Mount Washington Summit Road Company and the White Mountain Turnpike Company be authorized to make a junction of their roads to accommodate the travel to the top of Mount Washington; and the tolls shall be the same over the road of the latter company, and from thence to the top of Mount Washington, that they are over the whole road of the first named company, as provided by their act of incorporation approved June 27, 1859. Junction of roads to regulate tolls.

SECT. 2. The tolls over the road of the White Mountain Turnpike Company shall be the same per mile as they are on said Mount Washington Summit Road Company's road, as provided in said act of incorporation. Rate per mile.

SECT. 3. The tolls collected for travel passing from one road to the other shall be divided between the two corporations, in accordance with an agreement made by agents of the corporations, dated May 26, 1885. Division of tolls.

[Approved August 25, 1885.]

CHAPTER 201.

AN ACT TO INCORPORATE THE CONCORD, N. H., GUARANTY SAVINGS BANK.

SECTION

1. Corporation constituted.
2. Deposits and investments.
3. Guaranty fund.
4. Special deposits, interest, and dividends.
5. Corporators, rights and liabilities; officers.

SECTION

6. Limitation as to real estate.
7. Tax on 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 :

SECTION 1. That Edward H. Rollins, William M. Chase, Edson J. Hill, William G. Carter, John H. George, Gustavus Walker, Henry M. French, Frank W. Rollins, Frank E. Abbott, Frank A. Stillings, James Minot, Frank S. Streeter, and their associates, successors, and assigns, are hereby made a body politic and cor- Corporation constituted.

porate under the name of the Concord, N. H., Guaranty Savings Bank, to be located at Concord, 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.

Deposits and investments.

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 the 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. The special deposits shall at no time be less than ten per cent of the general deposits, nor shall said special deposits be increased by amounts of less than ten thousand dollars at any one time.

Special deposits, interest, and dividends.

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 commissioners, nor at any time so as to reduce said fund below the amount required for the same, as hereinbefore 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 be less than four per cent per annum, and the book given general depositors on making their first deposit shall state therein the rate of interest to be paid, and no change can be made therefrom until after three months' notice of the proposed change has been given by mailing notice of same to each and every depositor, directed to his or her last known residence; 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 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.

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.

Corporators, rights and liabilities; officers.

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 as to real estate.

SECT. 7. The tax on the special deposits shall be assessed and paid in the same manner and at the same rate as the law requires on general deposits.

Tax on 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 Concord, 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 shall take effect upon its passage.

Takes effect, when.

[Approved August 25, 1885.]

CHAPTER 202.

AN ACT TO INCORPORATE THE WOODSVILLE AQUEDUCT COMPANY.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Annual and special meetings.
4. Real estate; pipe laying.
5. Streams and ponds; damages.

SECTION

6. Contracts for use of water.
7. First meeting.
8. Corporation may hold stock.
9. Subject to repeal; takes effect, when.

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

SECTION 1. That William A. Stowell, Ezra B. Mann, William Rieker, Edward F. Mann, Ira Whiteher, George A. Davison, and George S. Cummings, and their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Woodsville Aqueduct Company, for the purpose

Corporation constituted.

of bringing fresh water into the compact part of the village of Woodsville, in the town of Haverhill, 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 subject to all the 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 fifty dollars each, as may be from time to time determined by the directors of said corporation, not exceeding in the whole the sum of thirty thousand dollars.

Annual and special meetings.

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 it shall be necessary, giving such notice as the by-laws may prescribe.

Real estate ;
pipe laying.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real estate necessary for carrying into effect the purposes of this act, not exceeding in value at the time of its purchase the sum of fifteen thousand dollars; and said corporation is authorized to enter upon and break up ground and dig ditches in any street, highway, or common through which it may be necessary for said aqueduct to pass, for the purpose of placing such pipes as may be necessary for building said aqueduct, and to relay and repair the same, subject to such regulations as to the safety of the citizens and the security of the public travel as may be prescribed by the selectmen.

Streams and
ponds ; damages.

SECT. 5. Said corporation is authorized to enter upon and appropriate any stream, pond, or spring not belonging to any aqueduct company, and to secure, by fences or otherwise, such stream, pond, or spring, and dig ditches or canals in any land or inclosure through which it may be necessary for said aqueduct to pass, for the purpose of obtaining, preserving, or conducting the water, and placing such pipes or works as may be necessary for building and operating such aqueduct, or for repairing or extending the same; *provided*, if it shall be necessary to enter upon and appropriate any stream, pond, or spring, 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 damage 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 the said court shall refer the same to the county commissioners, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law for laying out highways; and said commissioners shall make a report to said court and they may issue execution accordingly. If either party shall desire, upon application to said court before such reference, they shall be entitled to a trial by jury, in such manner and under such regulations as said court may prescribe.

Contracts for use
of water.

SECT. 6. The village precinct of Woodsville, when organized, is hereby authorized and empowered to make any contracts with

said corporation for the use of the water for extinguishing fire and such other purposes as may be necessary, and shall have such use of the water on paying a fair compensation therefor; and said corporation may make any contracts with said village precinct, and with such other persons and corporations, as may be deemed necessary by the directors to carry out this act.

SECT. 7. The three first named persons in this act, or either of First meeting. them, may call the first meeting of the corporation by personal notice to all the grantees, at which meeting associates may be elected, by-laws adopted, and a president, clerk, and such other officers and agents as may be deemed necessary, may be chosen.

SECT. 8. The Boston, Concord & Montreal Railroad, or any Corporations may hold stock. other corporation taking or using the water of this company, may take and hold stock therein.

SECT. 9. The legislature may alter, amend, or repeal this act Subject to repeal; takes effect, when. whenever the public good may require the same; and this act shall take effect on its passage.

[Approved August 25, 1885.]

CHAPTER 203.

AN ACT TO ENABLE THE CITY OF PORTSMOUTH TO EMPLOY A SUPERINTENDENT OF SCHOOLS.

SECTION

1. Superintendent; his duties and compensation.

SECTION

2. Repealing clause; takes effect, when.

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

SECTION 1. The board of instruction of the city of Portsmouth Superintendent; his duties and compensation. is hereby authorized, at their annual meeting in July, or as soon after as practicable, to elect some suitable person to be superintendent of public instruction in said city, who shall hold office for one year from such annual meeting, or until his successor is elected and qualified. If any vacancy shall occur in said office by resignation or otherwise, said board shall fill the same. Said superintendent shall exercise the general supervision of the public schools in said city under the direction of the board of instruction, and shall perform such duties as relate to the visiting of schools, and shall assist in the examination of teachers and scholars. He shall make an annual report to the board of instruction at such time as said board shall determine, and shall report the proceedings and the condition and progress of the schools to the said board as often and in such manner as they may require. In addition he shall serve as secretary of the board of instruction; and for his services as superintendent and secretary he shall receive such compensation as said board of instruction may determine.

Repealing clause; takes effect, 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 August 28, 1885.]

CHAPTER 204.

AN ACT TO INCORPORATE THE SUNCOOK SAVINGS BANK.

SECTION

- 1. Corporation constituted.
- 2. Concerning deposits.
- 3. Limitation as to real estate.
- 4. By-laws.

SECTION

- 5. Books to be inspected.
- 6. Subject to repeal.
- 7. First meeting.
- 8. Takes effect, when.

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

Corporation constituted.

SECTION. 1 That William F. Head, Jesse Gault, Solomon Whitehouse, Martin H. Cochran, James G. Fellows, Addison N. Osgood, John B. Haselton, George H. Larabee, Eleazer Baker, Philip Sargent, David Hayes, Joseph H. Dearborn, Joseph L. Hosmer, George P. Little, George P. Cofran, Samuel Martin, Winthrop Fowler, James B. Tennant, Henry T. Simpson, Warren D. Foss, James Thompson, George A. Robie, Edmund E. Truesdell, Jacob E. Chickering, Hall B. Emery, and John R. Kimball, be and are hereby constituted a body politic and corporate by the name of the Suncook Savings Bank, which bank shall be located in the town of Pembroke in this state; and they and such other persons as shall be duly elected and admitted members of said corporation at regular meetings thereof, according to such by-laws as may hereafter be established, shall be and remain a body politic and corporate by said name, and are and shall be invested with all the powers, rights, and privileges, and subject to all the liabilities and duties which are or may be incident to corporations of like nature by the laws of this state.

Concerning deposits.

SECT. 2. Said corporation may receive from any person or persons disposed to enjoy the advantages thereof, any deposit or deposits of money, and may use, manage, and improve the same for the benefit of the depositors, in such manner as shall be convenient or necessary for the security and profitable investment thereof: and such deposits may be withdrawn, and the net income and profits of the deposits divided at such reasonable times, and in such manner and proportion, and subject to such equitable rules and regulations as said corporation shall from time to time limit and appoint, agreeably to the laws of the state: and deposits may be received on special contract, on such lawful terms as shall not be prejudicial to the rights of other depositors.

Limitation as to real estate.

SECT. 3. Said corporation may take and hold such real estate as shall be convenient for transacting the business thereof, but not exceeding ten thousand dollars in value at the time of the

purchase or acceptance thereof; and may further take, hold, and dispose of such real estate as may in good faith be received by them by the way of security or payment for loans made by them, or for any debts, demands, or liabilities which may be owing or accrue to said corporation.

SECT. 4. Said corporation may, from time to time, make such By-laws. by-laws, rules, and regulations for its government, and for the management of the business thereof, as shall not be inconsistent with this act and the laws of this state.

SECT. 5. The books and accounts of this corporation shall be Books to be inspected. at all times subject to the inspection of the governor and council, the bank commissioners, or other officers appointed by either branch of the legislature for this purpose.

SECT. 6. The legislature may at any time alter, amend, or Subject to repeal. repeal this act.

SECT. 7. The first nine persons named in the first section of First meeting. this act, or any five of them, may call the first meeting of this corporation at such time and place, and in such manner as they may think proper.

SECT. 8. This act shall take effect from and after its passage. Takes effect, when.
 [Approved August 28, 1885.]

CHAPTER 205.

AN ACT IN AMENDMENT AND ADDITION TO AN ACT ENTITLED "AN ACT TO INCORPORATE THE LACONIA AND LAKE VILLAGE WATER WORKS."

SECTION

- 1. Increase of capital authorized.
- 2. Belmont included.

SECTION

- 3. Takes effect, when.

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

SECTION 1. The said water works may from time to time in- Increase of capi tal authorized. crease its capital stock to an amount not exceeding one hundred thousand dollars.

SECT. 2. The said corporation is hereby authorized to extend Belmont included. its works into the town of Belmont, for the same purposes, and subject to the same conditions as provided in the original act for the towns of Laconia and Gilford.

SECT. 3. This act shall take effect upon its passage. Takes effect, when.
 [Approved August 28, 1885.]

CHAPTER 206.

AN ACT TO SEVER THE HOMESTEAD FARM OF THOMAS H. DANIELS FROM SCHOOL DISTRICT NO. 3, IN THE TOWN OF BRISTOL, AND ANNEX THE SAME TO UNION SCHOOL DISTRICT NO. 2, IN SAID TOWN, FOR SCHOOLING PURPOSES.

SECTION

1. Farm severed and annexed.

SECTION

2. Takes effect, when.

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

Farm severed and annexed.

SECTION 1. The homestead farm of Thomas H. Daniels be and the same hereby is severed from school district No. 3, in the town of Bristol, and annexed to Union school district No. 2, in said town, for school purposes.

Takes effect, when.

SECT. 2. This act shall take effect on its passage.
[Approved August 28, 1885.]

CHAPTER 207.

AN ACT TO ENABLE UNION SCHOOL DISTRICT IN THE CITY OF KEENE TO UNITE WITH OTHER SCHOOLS IN SAID CITY.

SECTION

1. District may be abolished.

SECTION

2. Takes effect, when.

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

District may be abolished.

SECTION 1. That Union school district in the city of Keene is hereby empowered and authorized, by a major vote of the voters of said district, present and voting at a legal meeting, to abolish its district organization, and unite with the rest of said city of Keene, for school purposes.

Takes effect, when.

SECT. 2. This act shall take effect upon its passage.
[Approved August 28, 1885.]

CHAPTER 208.

AN ACT TO ABOLISH THE HIGH SCHOOL DISTRICT IN HINSDALE.

SECTION

1. District may be abolished.

SECTION

2. Takes effect, when.

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

SECTION 1. That the high school district in Hinsdale is hereby authorized and empowered, at any legal meeting duly notified for the purpose, and by a major vote of the qualified voters of said district, present and voting, to abolish said district and to unite with the town district. District may be abolished.

SECT. 2. This act shall take effect and be in force after March 1, 1886. Takes effect, when.

[Approved August 28, 1885.]

CHAPTER 209.

AN ACT TO AMEND CHAPTER 239 OF THE SESSION LAWS OF 1881, APPROVED AUGUST 17, 1881, RELATING TO THE VILLAGE PRECINCT OF HANOVER.

SECTION 1. Election of commissioners ; their powers, etc.

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

SECTION 1. That the commissioners provided for by said act shall be classified, if the precinct shall so elect, in the same manner as is required respecting boards of education in school districts, so that one vacancy shall occur to be filled each year after the first. The commissioners shall have all the powers of mayor and aldermen of cities respecting all matters within the legal authority of the precinct, and shall be *ex officio* fire wards and health officers. They shall control and direct the expenditure of all moneys raised under authority of the precinct. The surveyor of highways in said precinct or district shall give bond to the town as provided by law, and shall be deemed an officer of the town ; and nothing in this act nor in that to which this is an amendment shall be construed to impose any distinct or special liability upon the precinct respecting highways within its limits. All highway taxes levied within the limits of the precinct shall be collected in money by the collector of other taxes, and paid into the treasury of the town separate from other moneys, and expended with the approval of the said commissioners.

[Approved August 28, 1885.]

CHAPTER 210.

AN ACT TO INCORPORATE THE NASHUA SOLDIERS' MONUMENT ASSOCIATION.

SECTION

- 1. Corporation constituted.
- 2. Organization and officers.
- 3. Treasurer.

SECTION

- 4. First meeting.
- 5. Subject to repeal; takes effect, when.

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

Corporation constituted.

SECTION 1. That Aaron F. Stevens, Orren C. Moore, Timothy B. Crowley, Chas. S. Bussell, Chas. W. Stevens, Alfred Chase, Elbridge J. Copp, Thos. P. Pierce, Wm. H. D. Cochrane, Alvin S. Eaton, and Dana W. King, their associates and successors, are hereby created a body politic and corporate by the name of the Nashua Soldiers' Monument Association, for the purpose of erecting and maintaining a monument in the city of Nashua, in commemoration of the soldiers of said city who imperiled their lives in securing and maintaining the liberty of the country; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities of corporations of a similar nature; and may acquire and hold real and personal estate, by donation, devise, payment, or otherwise, for the purpose of said corporation, in addition to the monument proposed and the land appurtenant, to an amount not exceeding five thousand dollars, and the same sell, convey, and dispose of at pleasure.

Organization and officers.

SECT. 2. Said grantees, at a meeting called as hereinafter provided, or at any adjournment thereof, may organize themselves into a corporation under this act: and such corporation may elect such officers, trustees, and managers as shall then be determined, and make such by-laws and regulations as are necessary and proper for the management of its affairs and the objects of the association, *provided* the same are not repugnant to law and the provisions of this act.

Treasurer.

SECT. 3. The treasurer of the corporation or of the trustees, as may be determined, shall give bond with sureties for the faithful performance of his duty, in such sum as the trustees or managers may determine, and his books of account shall be open to the inspection of every member of the corporation and any subscriber to the fund for the erection of the monument.

First meeting.

SECT. 4. The before named Aaron F. Stevens, Orren C. Moore, and Timothy B. Crowley, or any two of them, are authorized to call a meeting of the grantees of said corporation, at such time and place as they may elect, by giving notice by mail to each of the before named grantees, or by publishing a notice thereof in the Nashua Telegraph fifteen days previous to the day designated for such meeting.

SECT. 5. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good may require it, and this act shall take effect from and after its passage. Subject to repeal; takes effect, when.
 [Approved August 28, 1885.]

CHAPTER 211.

AN ACT TO ABOLISH THE UNION SCHOOL DISTRICT OF THE TOWNS OF PLYMOUTH AND BRIDGEWATER.

<p>SECTION</p> <p>1. District abolished.</p> <p>2. Parts annexed to their respective town districts.</p>	}	<p>SECTION</p> <p>3. Takes effect, when.</p>
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Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the Union school district in the towns of Bridgewater and Plymouth be abolished. District abolished.

SECT. 2. Such part of said district as lies in the town of Plymouth shall be annexed to the school district of the town of Plymouth, and so much thereof as lies in the town of Bridgewater shall be restored to the school district in said town to which it originally belonged. Parts annexed to their respective town districts.

SECT. 3. This act shall take effect March 1, 1886. Takes effect, when.
 [Approved August 28, 1885.]

CHAPTER 212.

AN ACT TO INCORPORATE THE BEAR CAMP RIVER BOOM AND IMPROVEMENT COMPANY.

<p>SECTION</p> <p>1. Corporation constituted.</p> <p>2. May erect booms, etc.</p> <p>3. Damages.</p> <p>4. Booms not to be encumbered.</p>	}	<p>SECTION</p> <p>5. Penalty for injuring booms.</p> <p>6. Separation of logs.</p> <p>7. First meeting.</p> <p>8. Takes effect, when.</p>
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Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Frank K. Hobbs, Joseph W. Roberts, Orodan P. Hobbs, David Davis, and John L. Peavey, and their associates and successors, be and hereby are constituted a body corporate by the name of the Bear Camp River Boom and Improvement Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, make by-laws for the Corporation constituted.

management of their corporate concerns, and have and enjoy all the rights and powers of similar corporations; and may purchase and hold real estate and other property to the amount of ten thousand dollars.

May erect
booms, etc.

SECT. 2. Said corporation may erect and maintain booms and piers in and across the Bear Camp River from Hobbs mill in the town of Ossipee in the county of Carroll, to a point opposite the house of Oliver Hodgson in said town of Ossipee, and may erect and maintain side or branch booms where they may be necessary between said points, and attach said booms and branch booms to the bank of said river when necessary, for the purpose of stopping, assorting, and securing logs, masts, spars, and other lumber floating upon said river; and said boom shall be supplied with sufficient and suitable assorting gaps; and said corporation shall have the right to erect and maintain such and so many dams and sluices on said river and its tributaries, and may clear, deepen, and improve the same to such extent as shall by it be deemed necessary for the proper driving of logs and lumber upon said river and its tributaries above said Hobbs mill.

Damages.

SECT. 3. If the owner or owners of any property situated within the limits of this charter feel that his or their property has been damaged by said improvements, he or they may apply to the supreme court for said county of Carroll, and said court shall, on application of the party aggrieved, cause said damage, if any, to be estimated by a committee of three disinterested men of said county; *provided, however*, if either party desire, upon application to said court before reference to said committee, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Booms not to
be encumbered.

SECT. 4. No person shall be allowed at any time to encumber said booms or piers with logs, boards, or other lumber: *provided*, said corporation shall at all reasonable times open their said assorting gaps for the reasonable passage of the same.

Penalty for in-
juring booms.

SECT. 5. If any person or persons shall willfully or maliciously injure or destroy any of such booms, piers, or other works connected therewith, he or they shall pay treble the amount of the damage to the corporation, to be recovered by an action of trespass, and be further liable to indictment and prosecution for a misdemeanor, and on conviction thereof to suffer such penalty or imprisonment as the court may direct.

Separation
of logs.

SECT. 6. Whenever any logs or lumber of other person or persons shall be intermixed with the logs of said corporation, the corporation may notify the owners of the logs so intermixed, and request said person or persons or their agents to furnish assistance in assorting and putting by their said logs, in proportion to their respective shares of all logs so intermixed; and if said person or persons shall not within sixty hours after service of said notice and request upon him or them comply with the same, then said corporation may assort and put by said logs, and shall be entitled to recover from the owners thereof such part of the reasonable and necessary expense of so assorting and putting by said logs as shall be proportionate to his or their respective shares of all logs so intermixed.

SECT. 7. Any two of the corporators named in this act may First meeting. call the first meeting of this corporation by mailing written notices to each of said corporators of the time and place of meeting, at least six days before said meeting, or by publication of said notice in some paper printed in Carroll county, the last publication whereof to be at least fourteen days before said meeting.

SECT. 8. This act shall take effect upon its passage.

[Approved August 29, 1885.]

Takes effect,
when.

STATE OF NEW HAMPSHIRE.

OFFICE OF SECRETARY OF STATE,
CONGRD, October 8, 1885.

I hereby certify that the acts and resolves and changes of names 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.

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