

# LAWS

OF THE

## STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1913.

LEGISLATURE COMPLETED JANUARY 15, 1913, AND ADJOURNED MAY 21, 1913.



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1913.

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CONCORD, N. H.

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PRINTED BY IRA C. EVANS CO., CONCORD  
BOUND BY THE RUMFORD PRESS, CONCORD

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JAMES P. TUTTLE, *Attorney-General.*

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ARTHUR H. CHASE, *Clerk of the Supreme Court.*

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ROBERT G. PIKE, *Chief Justice.*

ROBERT N. CHAMBERLIN,  
 WILLIAM A. PLUMMER,  
 JOHN KIVEL, } *Associate Justices.*

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# LAWS

OF THE

## STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1913.

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### CHAPTER 1.

AN ACT TO AMEND SECTION 1, CHAPTER 65, OF THE SESSION LAWS OF  
1911, RELATING TO HORN-POUT.

SECTION

1. Horn-pout protected: penalty.

SECTION

2. Repealing clause: act takes effect on  
passage.

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

SECTION 1. That section 1 of chapter 65, session Laws of 1911, be amended by inserting after the words "from any of the waters of this state" the words "excepting from the waters of the Connecticut river in Cheshire county, so that the section as amended shall read: SECTION 1. If any person shall take, kill, or have in his possession from any of the waters of this state, excepting from the waters of the Connecticut river in Cheshire county, any cat-fish, commonly called horn-pout or bull-head, between the fifteenth day of January and the first day of June, inclusive, of any year, he shall be punished by [a] fine of five dollars (\$5) for each fish so taken. Horn-pout protected.

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 All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.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

[Approved February 13, 1913.]

CHAPTER 2.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 27 OF THE PUBLIC STATUTES AS AMENDED BY CHAPTER 112 OF LAWS OF 1903, CHAPTER 22, LAWS OF 1907, AND CHAPTER 83, LAWS OF 1909, RELATING TO COUNTY COMMISSIONERS.

SECTION

1. Salaries and expenses of county commissioners.

SECTION

2. Takes effect on passage.

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

Salaries and expenses of county commissioners.

SECTION 1. That section 20 of chapter 27 of the Public Statutes, as amended by chapter 112 of the Laws of 1903, chapter 22 of the Laws of 1907 and chapter 83 of the Laws of 1909, be and the same hereby is amended, by striking out the whole thereof and inserting in place thereof the following: SECT. 20. Each county commissioner, except the commissioners of Hillsborough, Cheshire and Merrimack counties, shall be paid by the county treasurer for his services, when employed in business of the county and in inspecting the taxable property of towns, as provided in the preceding section, three dollars a day, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having been first audited by the court. Each commissioner of Hillsborough county shall be so paid the sum of twelve hundred dollars per year, each commissioner of Cheshire county the sum of five hundred dollars per year, and each commissioner of Merrimack county the sum of one thousand dollars per year, payable in equal quarterly instalments, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having first been audited by the court. The commissioners of Hillsborough county may expend not exceeding eight hundred dollars per year for such clerical, actuarial or stenographic assistance as may be necessary at the offices of the commission in Manchester and Nashua.

Takes effect on passage.

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

[Approved February 20, 1913.]

CHAPTER 3.

AN ACT IN AMENDMENT OF CHAPTER 279 OF THE PUBLIC STATUTES,  
RELATING TO TREASON AND MISPRISION.

SECTION

1. Treason, how punished.

SECTION

2. Takes effect on passage.

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

SECTION 1. Amend section 1 of chapter 279 of the Public Statutes by adding after the word "years" in the last line of said section the words and shall not have the right to vote, or be eligible to office under the constitution of this state: but the supreme court may, on notice to the attorney-general, restore the privileges of an elector to any person who may have forfeited them by conviction of such offenses, so that said section as amended shall read as follows: SECTION 1. If any person owing allegiance to this state shall levy war or conspire to levy war against it, or shall in any way give aid and comfort to the enemies of this state, and shall be convicted thereof, either upon confession in open court or by the testimony of two or more witnesses to the same overt act of treason of which such person may be indicted, he shall be adjudged guilty of treason, and shall be imprisoned not exceeding twenty-five years, and shall not have the right to vote, or be eligible to office under the constitution of this state: but the supreme court may, on notice to the attorney-general, restore the privileges of an elector to any person who may have forfeited them by conviction of such offenses.

Treason, how punished.

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

Takes effect on passage.

[Approved February 20, 1913.]

CHAPTER 4.

AN ACT IN AMENDMENT OF CHAPTER 35 OF THE SESSION LAWS OF 1899,  
RELATING TO THE APPOINTMENT OF GUARDIANS.

SECTION

1. Conservator for person on his own application.

SECTION

2. Conservator subject to same laws as guardian.

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

SECTION 1. That section 1 of chapter 35 of the session Laws of 1899 be amended by striking out the words "guardian over" in person on his own application.

the fifth [and sixth] line and also in the eighth line thereof and substituting therefor in each of said lines the words conservator for, and that section 2 of said chapter be amended by striking out the word "guardian" in the first line thereof and substituting therefor the word "conservator," so that said sections as amended shall read as follows: SECTION 1. Whenever any person shall deem himself unfitted by reason of infirmities of age or other mental or physical disability for the management of his affairs with prudence and understanding, he may apply to the court of probate for the county in which he resides for the appointment of a conservator for him, and thereupon the judge of probate for such county may, without notice or public hearing, appoint some suitable person as conservator for him. SECT. 2. Such conservator shall give bond to the judge of probate, with sufficient sureties, give notice of his appointment in the same manner as guardians of insane persons are required by law to do, and be subject to all provisions of law now in force as to guardians and estates of their wards.

Conservator sub-  
ject to same  
laws as  
guardian.

[Approved February 20, 1913.]

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## CHAPTER 5.

### AN ACT TO AMEND SECTION 2 OF CHAPTER 25 OF THE LAWS OF 1893 RELATING TO CONDITIONAL SALES OF RAILWAY EQUIPMENT.

SECTION 1. Fee for recording contracts as to railroad equipment.

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

Fee for recording  
contracts as to  
railroad  
equipment.

SECTION 1. That section 2 of chapter 25 of the Laws of 1893 be amended by striking out the last sentence of said section and inserting in place thereof the following: And for such services the secretary of state shall collect for the use of the state a fee of twenty-five (25) cents per page of 224 words, so that said section as amended shall read as follows: SECT. 2. The contracts herein authorized shall be recorded by the secretary of state in a book of records to be kept for that purpose. And on payment in full of the purchase money, and the performance of the terms and conditions stipulated in any such contract, a declaration in writing to that effect may be made by the vendor, lessor, or bailor, or his or its assignee, which declaration may be made on the margin of the record of the contract, duly attested, or it may be made by a separate instrument, to be acknowledged by the vendor, lessor, or

bailor, or his or its assignee, and recorded as aforesaid. And for such services the secretary of state shall collect for the use of the state a fee of twenty-five (25) cents per page of 224 words.

[Approved February 21, 1913.]

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CHAPTER 6.

AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 91, LAWS OF 1897,  
RELATING TO THE DUTIES OF THE STATE BOARD OF CHARITIES AND  
CORRECTION.

## SECTION

1. Board to inspect certain institutions  
and report results.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Amend section 8, chapter 91, Laws [of] 1897, by striking out the phrase "except the state prison and the asylum for the insane at Concord," so that the section shall read: SECT. 8. It shall be the duty of the board to inspect all state and county charitable or correctional institutions and report to the governor and council and legislature biennially the result of their inspection, with a recommendation for such changes in existing laws as in their judgment the public good requires; and shall, in making such inspection, report and recommend to the county commissioners, or such other county or state officers as have the control and management of such institutions, the changes, if any, that said boards find on such inspection should be made in said institutions.

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

Takes effect  
on passage.

[Approved February 21, 1913.]

CHAPTER 7.

AN ACT IN AMENDMENT OF SECTION 13, CHAPTER 75, SESSION LAWS OF 1909, ENTITLED "AN ACT TO CREATE THE OFFICE OF STATE AUDITOR."

SECTION

1. Auditor's report to show unexpended appropriations.

SECTION

2. Takes effect on passage.

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

Auditor's report to show unexpended appropriations.

SECTION 1. Amend section 13, chapter 75, session Laws of 1909, entitled "An act to create the Office of State Auditor," by inserting in said section after the word "state" in the second line of said section, the words all unexpended appropriations for the year, in two classes, *viz.*, unexpended appropriations that have lapsed by the ending of the fiscal year, in one class, and unexpended appropriations which continue as a liability or charge upon the treasury, in the other class, so that said section as amended shall read as follows: SECT. 13. The report shall show the aggregate amount of funded debt of the state, all unexpended appropriations for the year, in two classes, *viz.*, unexpended appropriations that have lapsed by the ending of the fiscal year, in one class, and unexpended appropriations which continue as a liability or charge upon the treasury, in the other class, and of all temporary loans at the beginning and end of each year respectively, and the balance of increase or decrease, and state the cause of such increase or decrease. It shall state whether or not the ordinary expenses of the year have exceeded the income and show the amount of the balance. It shall contain a particular statement of all transactions affecting the funds belonging to or held in trust by the state, including new investments of any portion of the same made during the preceding year. Such report shall include an estimate for two years of the ordinary and other revenues of the state, and of the expenses of the departments, boards and commissions, and of all other persons acting under the authority of the state.

Takes effect on passage.

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

[Approved February 21, 1913.]

## CHAPTER 8.

AN ACT IN AMENDMENT OF SECTION 2 OF CHAPTER 99 OF THE PAMPHLET LAWS OF 1911, ENTITLED "AN ACT TO PROHIBIT BRIBERY AT ELECTIONS AND TO EXCLUDE PERSONS CONVICTED THEREOF FROM HOLDING CIVIL OFFICE AND FROM EXERCISING THE RIGHT OF FRANCHISE."

## SECTION

1. Supreme court may restore certain privileges.

## SECTION

2. Repealing clause: act takes effect on passage.

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

SECTION 1. Section 2 of chapter 99 of the pamphlet Laws of 1911 is hereby amended by striking out all of said section after the word "suffrage" in the last line of said section and inserting in the place thereof the words but the supreme court may, on notice to the attorney-general, restore the privilege of an elector to any person who may have forfeited them by conviction of such offenses, so that said section as amended shall read as follows: SECT. 2. Any person convicted under the provisions of the foregoing section shall thereafter be forever disqualified from holding any civil office in this state and from exercising the right of suffrage; but the supreme court may, on notice to the attorney-general, restore the privilege of an elector to any person who may have forfeited them by conviction of such offenses.

SECT. 3 [2]. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 21, 1913.]

CHAPTER 9.

AN ACT IN AMENDMENT OF CHAPTER 34, LAWS OF 1911, RELATING TO THE CATHEDRAL AND WHITE HORSE LEDGES.

SECTION

1. Forestry commission to have care of property.
2. To report to governor and council.
3. May make rules and regulations.

SECTION

4. Penalty for violations.
5. Disposition of funds donated.
6. Takes effect on passage.

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

Forestry commission to have care of property.

SECTION 1. Section 2 of chapter 34 of the session Laws of 1901 is hereby amended by striking out all of said section after the words "shall be vested in," and inserting therefor the words the forestry commission; so that said section as amended shall read as follows: SECT. 2. The management, improvement and care of all property conveyed to the state as aforesaid shall be vested in the forestry commission.

To report to governor and council.

SECT. 2. Section 3 of chapter 34 of the session Laws of 1901 is hereby amended by striking out the said section 3 and inserting therefor the following: SECT. 3. The forestry commission shall, when required by the governor and council, make a full report of all their official acts in connection with the management of such property and of the condition of the property in their charge.

May make rules and regulations.

SECT. 3. Section 4 of chapter 34 of the session Laws of 1901 is hereby amended by striking out at the beginning of said section the words, "said board of custodians," and inserting therefor the words the forestry commission; so that said section as amended shall read as follows: SECT. 4. The forestry commission may make such rules and regulations as may be required to protect and preserve said property from injury or disfigurement, all such rules and regulations to be posted upon said property and at two public places in the towns of Conway and Bartlett, and in any other towns in which any part of such property may be located.

Penalty for violations.

SECT. 4. Section 5 of chapter 34 of the session Laws of 1901 is hereby amended by striking out the words "said board of custodians" and inserting therefor the words the forestry commission; so that said section as amended shall read as follows: SECT. 5. If any person shall violate any rule or regulation of the forestry commission, he shall be fined not exceeding twenty dollars or be imprisoned not exceeding six months.

Disposition of funds donated.

SECT. 5. Section 6 of chapter 34 of the session Laws of 1901 is hereby amended by striking out the words "said board of eustodians," and inserting therefor the words the forestry commission so that said section as amended shall read as follows: SECT. 6. The



forestry commission may receive, hold and invest such permanent funds as may be donated for the purpose of providing for the expense of preserving and improving such property, and may also receive and expend for the care, preservation, and improvement of the same the income from such permanent funds and such subscriptions or donations as may be made from time to time for such purposes.

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

Takes effect  
on passage.

[Approved February 21, 1913.]

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## CHAPTER 10.

AN ACT TO GIVE THE CONVENTION OF ANY COUNTY AUTHORITY TO RAISE MONEY FOR THE PURPOSE OF SECURING A COUNTY AGENT FOR THE DEVELOPMENT OF THE FARMING INDUSTRY IN SUCH COUNTY.

SECTION

1. Authority conferred.

SECTION

2. Takes effect on passage.

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

SECTION 1. The convention of any county may raise and appropriate money not exceeding twelve hundred dollars annually for the purpose of securing a county agent for the development of the farming industry in such county.

Authority  
conferred.

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

Takes effect  
on passage.

[Approved February 26, 1913.]

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## CHAPTER 11.

AN ACT TO AUTHORIZE THE TOWNS OF EFFINGHAM AND FREEDOM TO RAISE AND APPROPRIATE MONEY FOR THE EFFINGHAM AND OSSIPPEE CENTER ROAD.

SECTION

1. Appropriation authorized.

SECTION

2. Takes effect on passage.

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

SECTION 1. The towns of Effingham and Freedom are hereby authorized to raise and appropriate money for the repair and im-

Appropriation  
authorized.

provement of the road known as the Effingham and Ossipee Center road, in the town of Ossipee, beginning at the town line between the towns of Effingham and Ossipee, and extending to the state highway near Ossipee Center.

Takes effect on passage.

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

[Approved March 6, 1913.]

CHAPTER 12.

AN ACT IN AMENDMENT TO CHAPTER 114, SECTION 1, OF THE LAWS OF 1909, RELATING TO THE CARRYING OF DANGEROUS WEAPONS.

SECTION	SECTION
1. Carrying pistol, etc., penalty.	2. Takes effect on passage.

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

Carrying pistol, etc., penalty.

SECTION 1. Section 1, chapter 114 of the Laws of 1909 is hereby amended by striking out the word "loaded" in the second line so that said section as amended shall read: [SECTION 1.] Whoever, except as provided by the laws of this state, carries on his person a pistol or revolver, or any stiletto, dagger, dirk-knife, slung-shot, or metallic knuckles, shall upon conviction be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding one year or by both such fine and imprisonment; and any such weapon or article so carried by him shall be confiscated to the use of the state.

Takes effect on passage.

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

[Approved March 6, 1913.]

## CHAPTER 13.

AN ACT CHANGING THE NAME OF UPPER BEECH POND IN THE TOWN  
OF WOLFEBORO.

## SECTION

1. Name changed to Alpine Lake.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That the name of Upper Beech pond in the town Name changed.  
of Wolfeboro is hereby changed to Alpine lake, and said pond shall  
hereafter be known by the name of Alpine lake.

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

Takes effect  
on passage.

[Approved March 6, 1913.]

## CHAPTER 14.

AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 29 OF THE PAMPHLET  
LAWS OF 1893, ENTITLED "AN ACT PROVIDING FOR THE CONSTRUCTION,  
IMPROVEMENT AND REPAIR OF HIGHWAYS AND BRIDGES IN TOWNS, AND  
IN AMENDMENT OF CHAPTER 73 OF THE PUBLIC STATUTES."

## SECTION

1. Town may instruct selectmen to ap-  
point highway agent.

## SECTION

2. Repealing clause; act takes effect on  
passage.

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

SECTION 1. Chapter 29, section 3 of the pamphlet Laws of 1893 Town may  
is hereby amended by inserting after the words "highway agents" instruct selectmen  
in the second line of said section the words or the town may in- to appoint  
struct its selectmen to appoint an expert highway agent to have highway agent.  
the same power and perform the same duties as a highway agent  
could if elected by said town, so that said section as amended shall  
read as follows: SECT. 3. At the annual election each town shall  
elect, by ballot, one or more, not exceeding three, highway agents,  
or the town may instruct its selectmen to appoint an expert high-  
way agent, to have the same power and perform the same duties  
as a highway agent [could] if elected by said town, who shall have  
charge of the construction and repair of all highways and bridges  
within the town; and shall have authority to employ the necessary  
men and teams, and purchase timber, plank, and other material

for the construction and repair of highways and bridges; and they may remove gravel, rocks, or other materials from one part of the town to another, doing no damage to adjoining land, for the purpose of grading or otherwise repairing the same. Said agents shall be sworn to the faithful discharge of their duty, give bonds to the satisfaction of the selectmen, and be responsible to them for the expenditure of money and the discharge of their duties generally. The compensation of said agents shall be fixed by the town or selectmen, and they shall render to the selectmen monthly statements of their expenditures, and receive no money from the treasurer only on the order of the selectmen.

Repealing clause;  
act takes effect  
on passage.

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

[Approved March 6, 1913.]

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## CHAPTER 15.

AN ACT IN AMENDMENT OF CHAPTER 142 OF THE LAWS OF 1907, RELATING TO THE SANITARY MANAGEMENT OF BARBER SHOPS.

SECTION

1. Sanitary regulations for barber shops.

SECTION

2. Repealing clause: act takes effect on passage.

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

Sanitary regulations for barber shops.

SECTION 1. Section 1 of chapter 142 of the Laws of 1907 is hereby amended by striking out the word "and" in the 5th line of said section and placing a comma after the word brushes in said line; said section is also amended by inserting after the word "razors" in the 5th line the words tweezers, needles, or lances. Said section is also amended by striking out the word "after" in the 7th [sixth] line thereof and inserting in place thereof the word before. Said section is also amended by striking out the period after the word "thereof" in the 7th line and insert in place thereof a comma, and the following words and hair brushes, combs and neck dusters shall be sterilized each morning and the same shall be kept in a cleanly condition at all times. Said section is also amended by striking out the words "clean towel" in the 7th line of said section and inserting in place thereof the words fresh clean towels, or sterilized towels. Said section is further amended by striking out the words "hot water" in the 11th line thereof, and inserting in place thereof the words

running hot water, where water under pressure is available. Said section is further amended by striking out all of said section after the word "shall" in the 14th line of said section and inserting in place thereof the words keep his hands thoroughly cleansed, and the head-rest of every chair shall be protected with clean paper before serving any customer, so that said section as amended shall read as follows: SECTION 1. Boards of health of towns and cities are hereby authorized and directed to promulgate the following rules and regulations for the management of barber shops. Barber shops or places where the trade is carried on shall be kept at all times in a cleanly condition. Mugs, shaving brushes, razors, tweezers, needles, or lances shall be sterilized by immersion in boiling water or some sterilizing solution before every separate use thereof, and hair brushes, combs and neck dusters shall be sterilized each morning and the same shall be kept in a cleanly condition at all times. Fresh clean towels, or sterilized towels shall be used for each person. Alum, or other material, used to stop the flow of blood shall be used only in powdered form. The use of powder puffs and sponges is prohibited. Every barber shop shall be provided with running hot water, where water under pressure is available. No person or persons shall be allowed to sleep in any room used wholly or in part for tonsorial purposes, nor shall the business of a barber be carried on in any room used as a sleeping apartment. Every barber shall keep his hands thoroughly cleansed, and the head rest of every chair shall be protected with clean paper before serving any customer.

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;  
act takes effect  
on passage.

[Approved March 6, 1913.]

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CHAPTER 16.

AN ACT RELATING TO THE TAXATION OF VEHICLES, FOWLS AND BOATS.

SECTION

1. Taxation of vehicles, fowls, and boats.

SECTION

2. Takes effect on passage.

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

SECTION 1. That the words "the aggregate value of which exceeds one hundred dollars" in the [third and] fourth line of section 1, chapter 94, Laws 1899, be stricken out and the words

Taxation of  
vehicles, fowls,  
and boats.

in excess of the aggregate value of one hundred dollars be inserted instead thereof, so that said section as amended shall read as follows: Vehicles, in excess of the aggregate value of one hundred dollars; and the words "of every description exceeding fifty dollars in value" in division 11, section 7, chapter 55, Public Statutes, be stricken out and the words [of every description] in excess of the aggregate value of fifty dollars be inserted instead thereof, so that said division 11 as amended shall read as follows: Fowls of every description in excess of the aggregate value of fifty dollars; and the words "the aggregate value of which exceeds one hundred dollars" in the third and fourth lines of section 1, chapter 49, Laws 1911, be stricken out and the words in excess of the aggregate value of one hundred dollars be inserted instead thereof, so that said section as amended shall read as follows: [SECTION 1. Section 1 of chapter 25 of the Laws of 1905 is amended to read as follows:] All boats and launches of every description, whatever the motive power may be, in excess of the aggregate value of one hundred dollars, shall be taxed to the owner where the property is located on the first [day] of April.

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

[Approved March 6, 1913.]

Takes effect  
on passage.

CHAPTER 17.

AN ACT TO AID IN THE SUPPRESSION OF TUBERCULOSIS.

SECTION

- 1. State board of health to prepare bulletins.
- 2. Distribution by school teachers.
- 3. Report of number required.

SECTION

- 4. Distribution by state board of health.
- 5. Takes effect May 1, 1913.

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

SECTION 1. The state board of health is authorized and instructed to prepare, or to cause to be prepared, such bulletin or bulletins on the cause, restriction and prevention of tuberculosis, embodying such facts, suggestions and regulations as in its judgment shall best instruct the public in methods of prevention and restriction, including the proper sanitary management of said disease.

SECT. 2. It shall be the duty of the board of education of every school district in the state to furnish each teacher of a public school

State board of  
health to prepare  
bulletins.

Distribution by  
school teachers.

a sufficient number of copies of each bulletin, whenever issued, as to enable the said teacher, whose duty it shall be to distribute one copy to each family represented in said school district.

SECT. 3. The board of education shall ascertain, approximately, the number of copies of said bulletin that may be required under the provisions of the foregoing section and shall report the same to the state board of health within thirty days after request is made for same by said state board of health. Report of number required.

SECT. 4. The state board of health shall, as soon as practicable after ascertaining the number of copies of said bulletin that will be required for the distribution herein provided for, cause to be printed and forwarded to each board of education a sufficient number of copies to meet the requirements of section 2 of this act, and such additional number of copies as in the judgment of the said board may be otherwise profitably distributed. Distribution by state board of health.

SECT. 5. This act shall take effect and be in force on and after May 1, 1913. Takes effect May 1, 1913.

[Approved March 6, 1913.]

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CHAPTER 18.

AN ACT TO AMEND SECTION 5, CHAPTER 35, SESSION LAWS OF 1905, RELATING TO STATE AID IN THE PERMANENT IMPROVEMENT OF HIGHWAYS.

SECTION

1. Town may appropriate in excess of required amount; apportionment of state aid in such case.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 5, chapter 35, Laws of 1905, by adding the following: Any city or town or the county commissioners for any unincorporated place, may, in any year, set apart for the permanent improvement of the highways a larger sum than provided by section 4 of this act. When the amount set apart shall exceed the amount required in section 4 the fact shall be stated in the application for state aid. In such case for each dollar set apart in excess, the city, town or unincorporated place shall be entitled to receive from the state as state aid amounts in proportion to valuation as provided in this section, but in no case shall the state be required to pay in any given year a greater sum than if Town may make excess appropriation; apportionment of state aid in such case.

the amount set apart by the said city, town or unincorporated place had not exceeded the amount required in section 4. The application as to the amount in excess of that required by section 4 shall be regarded as continuing and the amount or amounts due from the state shall be paid each succeeding year in preference to any new application for state aid from said city, town or unincorporated places, to the end that the joint fund may be immediately effective; any city or town or any unincorporated place may borrow the amount or amounts which may be due from the state in the succeeding years by reason of the excess appropriation, and the selectmen, board of mayor and aldermen or county commissioners, shall have authority to pledge the credit of the town, city or unincorporated place, and issue notes unless other arrangement is made to render the joint fund available, so that as amended said section shall read: SECT. 5. The governor and council shall apportion from the amount appropriated under the provisions of this act, to each city, town, and unincorporated town or place which has applied for state aid, [and has raised, appropriated, and set aside the additional amount provided for in section 4, entitling it to state aid,] for the permanent improvement of its highways, for each dollar so set apart by such city or town, or for such unincorporated town or place under sections 3 and 4, the following amounts: towns and unincorporated towns and places having a valuation of less than \$100,000, \$3 for each \$1 set apart under sections 3 and 4; towns and unincorporated towns and places having a valuation of \$100,000 and less than \$250,000, \$1.25; towns and unincorporated towns and places having a valuation of \$250,000 and less than \$500,000, \$0.60; towns having a valuation of \$500,000 and less than \$1,000,000, \$0.40; cities and towns having a valuation of \$1,000,000 and less than \$3,000,000, \$0.25; and cities and towns having a valuation of \$3,000,000 and upwards, \$0.20. Any city or town or the county commissioners for any unincorporated place, may, in any year, set apart for the permanent improvement of the highways a larger sum than provided by section 4 of this act. When the amount set apart shall exceed the amount required in section 4 the fact shall be stated in the application for state aid. In such case for each dollar set apart in excess, the city, town or unincorporated place shall be entitled to receive from the state as state aid amounts in proportion to valuation as provided in this section, but in no case shall the state be required to pay in any given year a greater sum than if the amount set apart by the said city, town or unincorporated place had not exceeded the amount required in section 4. The application as to the amount in excess of that required by section 4 shall be regarded as continuing and the amount or amounts due from the state shall be paid



each succeeding year in preference to any new application for state aid from said city, town or unincorporated place, to the end that the joint fund may be immediately effective; any city, or town or any unincorporated place may borrow the amount or amounts which may be due from the state in the succeeding years by reason of the excess appropriation, and the selectmen, board of mayor and aldermen or county commissioners, shall have authority to pledge the credit of the town, city or unincorporated place, and issue notes unless other arrangement is made to render the joint fund available.

SECT. 2. All acts or parts of acts inconsistent herewith are repealed and this act shall take effect upon its passage. Repealing clause: act takes effect on passage.

[Approved March 6, 1913.]

CHAPTER 19.

AN ACT IN AMENDMENT OF CHAPTER 76 OF THE PUBLIC STATUTES RELATING TO DAMAGES HAPPENING IN THE USE OF HIGHWAYS, LAW OF THE ROAD.

SECTION

- 1. Town not liable if load exceeds certain amount.
- 2. Nor if load exceeds five tons, unless felloes are of specified width.

SECTION

- 3. Repealing clause: act takes effect on passage.

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

SECTION 1. Chapter 76, section 3 of the Public Statutes is hereby amended by striking out all after the word "carriage" in the second line of said section and inserting in the place thereof the words between the passage of this act and April 1, 1915, when the load inclusive of the carriage, exceeds six tons, and after April 1, 1915, they shall not be liable for such damages, when the load inclusive of the carriage exceeds ten tons, so that said section as amended shall read as follows: SECT. 3. Towns and other corporations are not liable for such damages to a person traveling with a loaded carriage, between the passage of this act and April 1, 1915, when the load, inclusive of the carriage, exceeds six tons, and after April 1, 1915, they shall not be liable for such damages, when the load, inclusive of the carriage, exceeds ten tons. Town not liable if load exceeds certain amount.

SECT. 2. Section 4 of said chapter is hereby amended by striking out after the word "load" in the second line of said section, the words "exclusive of the carriage, exceeds three tons," and in- Nor if load exceeds five tons, unless felloes are of specified width.

serting in the place thereof the words inclusive of the carriage, exceeds five tons, so that said section as amended shall read as follows: SECT. 4. They are not liable for such damages when the weight of the load, inclusive of the carriage, exceeds five tons, unless the width of the felloes of the wheels, if a two-wheeled carriage, is at least five inches, and if a four-wheeled carriage, three and one half inches.

Repealing clause;  
act takes effect  
on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 7, 1913.]

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CHAPTER 20.

AN ACT IN AMENDMENT OF CHAPTER 178 OF THE LAWS OF 1911, RELATING TO THE EXEMPTION FROM TAXATION OF PROPERTY IN NEWBURY.

SECTION

1. Not to be valued for state and county tax.

SECTION

2. Takes effect on passage.

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

Not to be valued  
for state and  
county tax.

SECTION 1. That chapter 178 of the Laws of 1911 is hereby amended by striking out section 2 thereof.

Takes effect  
on passage.

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

[Approved March 7, 1913.]

## CHAPTER 21.

AN ACT IN AMENDMENT OF SECTIONS 1, 9 AND 26 OF CHAPTER 243 OF THE PUBLIC STATUTES, RELATING TO THE PARTITION OF REAL ESTATE.

SECTION	SECTION
1. Who may have partition; who may be made petitionees.	3. Sale and distribution if division impracticable.
2. Issues, how framed and tried.	4. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 1 of said chapter as follows: Strike out all of said section and insert in place thereof the following: SECTION 1. One or more persons, having or holding real estate with others, in possession, reversion or remainder, may have partition thereof as in this chapter provided. And the petitioner may, at his election, make a tenant for life or for years, or a tenant by the courtesy of the entire real estate or any part thereof or whoever may be entitled to a contingent or vested remainder or reversion or any executory interest in the entire real estate or any part thereof or any lien-holder on the entire real estate or any part thereof a petitionee in the action.

SECTION 1. One or more persons, having or holding real estate with others, in possession, reversion or remainder, may have partition thereof as in this chapter provided. And the petitioner may, at his election, make a tenant for life or for years, or a tenant by the courtesy of the entire real estate or any part thereof or whoever may be entitled to a contingent or vested remainder or reversion or any executory interest in the entire real estate or any part thereof or any lien-holder on the entire real estate or any part thereof a petitionee in the action.

SECT. 2. Amend section 9 of said chapter 243 as follows: Strike out all of said section and insert in place thereof the following: SECT. 9. Matters alleged in the petition may be denied or avoided by the petitionee by plea, and further proceedings may be had, and an issue of fact or of law made and tried as upon a writ at common law or a bill in equity, and the court shall have full power to determine the respective interests of all the parties; or the petitionee may file a plea denying that he holds any part of the premises with the petitioner, with a brief statement of matters in defense.

SECT. 9. Matters alleged in the petition may be denied or avoided by the petitionee by plea, and further proceedings may be had, and an issue of fact or of law made and tried as upon a writ at common law or a bill in equity, and the court shall have full power to determine the respective interests of all the parties; or the petitionee may file a plea denying that he holds any part of the premises with the petitioner, with a brief statement of matters in defense.

SECT. 3. Amend section 26 of said chapter 243, as follows: Strike out all of said section and insert in place thereof the following: SECT. 26. When the proceedings are pending in the superior court, if it shall be alleged in the petition that the estate is so situated that it cannot be divided so as to give each owner his share thereof without great prejudice or inconvenience and the court so finds, or if, upon the report of the committee that the estate is of the nature aforesaid and the court so finds, the court may order it to be sold and the proceeds thereof to be divided among the owners according to their respective titles and may make all other orders that may be necessary to cause such sale and the

distribution of the proceeds, as a court of equity may do in like cases; but, if it appears to the court that the estate is divisible, it shall recommit the report to the committee with instructions as to the division thereof.

Repealing clause; act takes effect on passage. SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed and this act takes effect upon its passage.

[Approved March 7, 1913.]

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CHAPTER 22.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 11 OF THE SESSION LAWS OF 1899, AS AMENDED BY CHAPTER 96 OF THE SESSION LAWS OF 1909, MAKING THE TWELFTH DAY OF OCTOBER A LEGAL HOLIDAY.

SECTION  
1. October 12 a legal holiday.

SECTION  
2. Repealing clause; act takes effect on passage.

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

October 12  
a legal holiday.

SECTION 1. Amend section 1 of chapter 11 of the session Laws of 1899, as amended by chapter 96 of the session Laws of 1909 by inserting after the word "January," in the said amended section, the words the twelfth day of October, and by striking out the word "five" in the said amended section, and by striking out the word "four" in the said section 1 of chapter 11 of the session Laws of 1899, and inserting in place of said words "five" and "four" the word six, so that said section, as amended by said chapter 96 of the session Laws of 1909, and further amended by this act, shall read as follows: SECTION 1. Thanksgiving Day and Fast Day whenever appointed, Labor Day, the day on which the biennial elections are held, the twenty-second day of February, the thirtieth day of May, the fourth day of July, the first day of January, the twelfth day of October, and Christmas Day, shall be legal holidays, and when either of the six days last mentioned occurs on Sunday the following day shall be observed as a holiday.

Repealing clause; act takes effect on passage. SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect on its passage.

[Approved March 12, 1913.]

## CHAPTER 23.

AN ACT RELATING TO THE TAKING OF LAKE TROUT, SHAD, BLUE FINN OR WHITE FISH FROM THE WATERS OF LAKES PAUGUS AND WINNIPESAUKEE.

## SECTION

1. Number of fish limited.

## SECTION

2. Repealing clause: act takes effect on passage.

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

SECTION 1. It shall be lawful to take with a single hook and line from the waters of Lakes Panguis and Winnipiesaukee, while fishing from an anchored boat, two lake trout, and six shad, blue fins or white fish in any one day, between the fifteenth day of June and the first day of October in each year. Number of fish limited.

SECT. 2. So much of section 51 [section 56, chapter 79], of the Laws of 1901, as amended by chapter 82, Laws of 1903; chapter 36, Laws of 1907; chapter 32, Laws of 1909, and chapter 152, Laws of 1911, as is inconsistent with this act and all other acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage. Repealing clause; act takes effect on passage.

[Approved March 14, 1913.]

## CHAPTER 24.

AN ACT PROHIBITING FISHING THROUGH THE ICE ON STEELE POND IN THE TOWN OF ANTRIM.

## SECTION

1. Penalty for ice-fishing.

## SECTION

2. Takes effect on passage.

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

SECTION 1. For a period of five years from the date of the passage of this act, if any person shall fish through the ice on Steele pond, so called, in the town of Antrim, he shall be punished by a fine of ten dollars for each offense. Penalty for ice-fishing.

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

Takes effect on passage.

[Approved March 14, 1913.]

## CHAPTER 25.

AN ACT FOR THE BETTER PROTECTION OF BROOK OR SPECKLED TROUT IN PARTS OF CARROLL AND COOS COUNTIES.

## SECTION

1. Fishing in certain waters regulated.

## SECTION

2. Penalty for violation.

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

Fishing in certain waters regulated.

SECTION 1. No person shall between the first day of August and the first day of May next following, catch, kill, or take in any manner, any brook or speckled trout, from the Ellis or Wildcat rivers, or any brooks or tributaries emptying into the same, also the east and west branches of the Saco river, or the ponds in Carter's notch, together with the brooks or tributaries emptying into the same; all situated in the northern part of Carroll and southern part of Coos counties.

Penalty.

SECT. 2. Any person violating the provisions of this act shall be liable to a fine of twenty dollars (\$20).

[Approved March 14, 1913.]

## CHAPTER 26.

AN ACT TO PROHIBIT TAKING FISH THROUGH THE ICE IN KEYSER LAKE AND OTHER SPECIFIED WATERS.

SECTION 1. Penalty for ice-fishing.

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

Penalty for ice-fishing.

SECTION 1. If any person shall fish through the ice on Keyser lake or Gile pond, in the town of Sutton, or Cobbett pond in the town of Windham, or Canobie lake in the towns of Windham and Salem, he shall be punished by a fine of ten dollars for each offense.

[Approved March 14, 1913.]

## CHAPTER 27.

AN ACT AUTHORIZING TOWNS AND CITIES TO PURCHASE AND MANAGE  
LANDS FOR FORESTRY PURPOSES.

## SECTION

1. Authority granted.
2. State forester to direct management.

## SECTION

3. Net proceeds to town treasury.
4. Takes effect on passage.

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

SECTION 1. Towns and cities may at any legal meeting grant and vote such sums of money as they shall judge necessary to purchase, manage and improve lands for the purpose of growing wood and timber. Authority granted.

SECT. 2. Any lands so purchased shall be managed under the direction of the state forester. State forester to direct.

SECT. 3. The net proceeds, after deducting necessary expenses, from the sale of wood and timber from such lands shall be turned into the town treasury. Net proceeds to town treasury.

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

[Approved March 14, 1913.]

## CHAPTER 28.

AN ACT REPEALING CHAPTER 135 OF THE SESSION LAWS OF 1909 RE-  
LATING TO THE LICENSING OF DOGS KEPT FOR BREEDING PURPOSES.

## SECTION

1. Prior act repealed.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Chapter 135 of the session Laws of 1909, entitled "An Act amending Chapter 60 of the Session Laws of 1891, providing for the Licensing of Dogs kept for Breeding Purposes" is hereby repealed. Prior act repealed.

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

[Approved March 14, 1913.]

CHAPTER 29.

AN ACT PROVIDING A SEAL FOR THE STATE BOARD OF HEALTH.

- |                                       |  |                             |
|---------------------------------------|--|-----------------------------|
| SECTION                               |  | SECTION                     |
| 1. Seal provided for; use and effect. |  | 2. Takes effect on passage. |

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

Seal provided for; use and effect.

SECTION 1. The state board of health shall have a seal, which shall be like the present seal of the state except that the device thereon shall be surrounded by the words *State Board of Health of New Hampshire* in the place of the words "Sigillum Reipublicæ Neo Hantoniensis, 1784," surrounding the device of said seal of the state. Every certificate or other official paper executed by the secretary of the state board of health in pursuance of any authority conferred by law, and bearing the seal of the board, shall be received as evidence, when duly certified by the secretary of said board under its seal, with the same force and effect as the original would, in law, be entitled to, if produced in open court.

Takes effect on passage.

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

[Approved March 14, 1913.]

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CHAPTER 30.

AN ACT IN AMENDMENT OF SECTIONS 27, 28 AND 29 OF CHAPTER 233 OF THE PUBLIC STATUTES, RELATING TO THE LEVY OF EXECUTION UPON REAL ESTATE NOT ATTACHED.

- |   |  |                                  |
|---|--|----------------------------------|
| SECTION   |  | SECTION                          |
| 1. Copy of execution, etc., with register of deeds. |  | 3. Fees of officer and register. |
| 2. Copy to be filed and recorded.                   |  | 4. Takes effect on passage.      |

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

Copy of execution, etc., with register of deeds.

SECTION 1. Amend section 27 of said chapter by striking out the words "town clerk of the town in which the land lies, or, if there be no such clerk, with the clerk of the supreme court," and by inserting in place thereof the words register of deeds, so that said section as amended shall read: SECT. 27. No lien upon or right in real estate, upon which there is no existing lien by virtue of an attachment, made in the action in which the execution issued,



shall be acquired as against subsequent purchasers or attaching creditors without notice, by the levy of an execution upon it, or by the beginning of such levy, until the officer making the levy shall leave with the register of deeds for the county, an attested copy of the execution, with the return thereon that he has begun such levy, and of the steps already taken, or until the levy has been completed and a record thereof has been made in the registry of deeds as required by law.

SECT. 2. Amend section 28 of said chapter by striking out the words "town clerk" and inserting in place thereof the words register of deeds, so that said section as amended shall read: SECT. 28. The register of deeds shall certify upon each copy the time when it was received, and shall keep it on file. He shall also enter a record of it upon the index of attachments, the same as in the case of attachments of real estate upon writs of attachment, with the exception that the record shall state that the writ is a writ of execution. Copy to be filed and recorded.

SECT. 3. Amend section 29 of said chapter by striking out the words "town clerk," and inserting in place thereof the words register of deeds, so that said section as amended shall read: SECT. 29. The officers so making a levy shall pay to the register of deeds twenty cents for his fees, and shall be entitled to the same fees for travel and copy as in case of an [the] attachment of real estate, all of which shall be returned upon the execution. Fees.

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

[Approved March 14, 1913.]

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CHAPTER 31.

AN ACT IN AMENDMENT OF SECTION 4, CHAPTER 254 OF THE PUBLIC STATUTES, RELATING TO ARRAIGNMENT AND TRIAL OF MINORS.

SECTION

SECTION

- |  |                             |
|--|-----------------------------|
| 1. Counsel for minors, etc., charged with crime. | 2. Takes effect on passage. |
|--|-----------------------------|

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

SECTION 1. That section 4, chapter 254 of the Public Statutes, be amended by striking out the word "sixteen" in the first line thereof and inserting in place thereof the word seventeen, so that said section as amended shall read as follows: SECT. 4. No minor under the age of seventeen years, or person supposed to be of Counsel for minors, etc., charged with crime.

unsound mind, shall be permitted to plead guilty or shall be put upon his trial until counsel have been appointed to advise him and conduct his defense. If such person is poor, witnesses may, on motion of his counsel, be summoned in his behalf at the expense of the county.

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

[Approved March 14, 1913.]

Takes effect  
on passage.

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## CHAPTER 32.

AN ACT IN AMENDMENT OF CHAPTER 55, SECTION 3, SESSION LAWS OF 1899, RELATING TO LICENSING PLUMBERS.

SECTION

1. Board to examine plumbers, how constituted.

SECTION

2. Takes effect on passage.

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

Board to examine  
plumbers, how  
constituted.

SECTION 1. Section 3 of chapter 55 of the Laws of 1899 is hereby amended by striking out the word "journeyman" in the last sentence of said section, so that the latter portion of said section shall read: Said board shall be appointed by the mayor or board of selectmen, and shall consist of the following three persons: A member of the local board of health, the city or town engineer, or, in the absence of such officer, a local physician in regular practice, and a plumber of not less than five years' active and continuous practical experience.

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

[Approved March 14, 1913.]

Takes effect  
on passage.

## CHAPTER 33.

AN ACT TO CHANGE THE NAME OF HIT TIT OR HITTU TITTY POND IN THE  
TOWNS OF SALEM AND WINDHAM.

## SECTION

1. Name changed to Shadow lake.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That the name of Hit Tit or Hittu Titty pond in the towns of Salem and Windham is hereby changed to, and the same shall be hereafter known and called Shadow lake.

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

Takes effect  
on passage.

[Approved March 14, 1913.]

## CHAPTER 34.

AN ACT TO AMEND CHAPTER 140, SECTION 1, LAWS OF 1907, RELATIVE  
TO UNIFORMS AND EQUIPMENTS FOR COMMISSIONED OFFICERS OF THE  
NEW HAMPSHIRE NATIONAL GUARD.

SECTION 1. Annual uniform allowance to militia officers; takes effect on passage.

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

SECTION 1. Chapter 140, section 1 of the Laws of 1907 is hereby amended by striking out the following words: "Provided that no allowance shall be made to any commissioned officer who has not held a commission six months," so that the section shall now read as follows: [SECTION 1.] That the sum of twenty-five dollars be and hereby is annually appropriated and allowed to each commissioned officer of the New Hampshire National Guard, payable on the first day of June each year,—the same to be used exclusively for purchase and repair of uniforms and equipments, by such officers. This act shall take effect upon its passage.

Uniform allowance to militia officers; takes effect on passage.

[Approved March 14, 1913.]

CHAPTER 35.

AN ACT TO AMEND SECTION 52 OF CHAPTER 102, LAWS OF 1909, ENTITLED "AN ACT TO REVISE AND AMEND CHAPTER 59, OF THE LAWS OF 1895, RELATING TO THE MILITIA."

SECTION

1. Staff departments and officers of the militia.

SECTION

2. Repealing clause; act takes effect on passage.

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

Staff departments and officers.

SECTION 1. That section 52, chapter 102, Laws of 1909, is hereby amended by striking out the grade brigadier-general in the inspector-general's department, judge-advocate general's department and medical department; one major in the medical department; and one captain in the ordnance department; and consolidating the quartermaster's, subsistence and pay departments into one department, designated a quartermaster's corps, consisting of the adjutant general of the state, *ex-officio* quartermaster-general; one quartermaster, major; and two quartermasters, captains. *Provided* that no officer now in the service shall be mustered out in consequence of this act. The section as amended to read as follows: [SECT. 52.] There shall be the following departments, consisting of officers of number and rank hereinafter specified, necessary for the staff of the brigade, and for duty with the several organizations of the New Hampshire National Guard, as follows: An adjutant-general's department, consisting of one adjutant-general, brigadier-general, who shall be the adjutant-general of the state; and one adjutant-general, major. An inspector-general's department, consisting of one inspector-general, major. A judge-advocate general's department, consisting of one judge-advocate general, major. A quartermaster's corps, consisting of the adjutant-general of the state, *ex-officio* quartermaster-general; one quartermaster, major; and two quartermasters, captains. A medical department, consisting of one surgeon-general, major; one surgeon, major; and six assistant surgeons, captains or first lieutenants; and the hospital corps. Lieutenants to be promoted to captain after three years' service, upon passing the required examination. An ordnance department, consisting of the adjutant-general of the state *ex-officio*, acting chief of ordnance; one major and one captain, who shall act as inspectors of small arms practice. A signal corps, consisting of one first lieutenant, one first-class sergeant, one sergeant, two corporals and ten first-class privates or privates.

Repealing clause; act takes effect on passage.

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

[Approved March 14, 1913.]

## CHAPTER 36.

AN ACT TO AMEND CHAPTER 55, SECTION 7, PARAGRAPHS 8 AND 9 OF THE PUBLIC STATUTES, RELATING TO TAXATION OF HORSES AND CATTLE.

## SECTION

1. Horses, asses, mules, and neat stock, when taxable.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Amend chapter 55, section 7, paragraphs 8 and 9, of the Public Statutes, by striking out the word "eighteen" and substituting therefor the word twenty-four, so that said paragraphs as amended shall read as follows: Horses, asses, and mules over twenty-four months old. Oxen, cows and other neat stock over twenty-four months old.

Horses, asses, mules, and neat stock, when taxable.

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

Takes effect on passage.

[Approved March 19, 1913.]

## CHAPTER 37.

AN ACT REPEALING CHAPTER 22, LAWS OF 1903, AND IN AMENDMENT OF CHAPTER 150, SECTION 4, OF THE PUBLIC STATUTES, RELATING TO THE ISSUANCE OF BONDS, NOTES AND OTHER EVIDENCES OF INDEBTEDNESS, BY RAILROAD CORPORATIONS AND PUBLIC UTILITIES.

## SECTION

1. Prior act repealed.  
2. Certain bonds, etc., not invalid because sold at less than par.

## SECTION

3. Such securities not subject to statutory debt limit.  
4. Takes effect on passage.

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

SECTION 1. Chapter 22, Laws of 1903, "An Act relating [relative] to the Issue of Bonds, Coupon Notes and Other Evidences of Indebtedness of Street Railways or Other Railroad Companies," is hereby repealed.

Prior act repealed.

SECT. 2. No bond or note of any railroad corporation or public utility, issued in accordance with an order of the public service commission authorizing the same to be issued, shall be held to be

Certain bonds, etc., not invalid because sold at less than par.

invalid by reason of having been negotiated or sold by such railroad corporation or public utility at less than par.

Not subject to  
statutory debt  
limit.

SECT. 3. The prohibition of section 4 of chapter 150 of the Public Statutes shall not apply to bonds or notes of a railroad corporation or public utility issued by authority of the public service commission.

Takes effect  
in passage.

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

[Approved March 19, 1913.]

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## CHAPTER 38.

AN ACT PROVIDING FOR THE BI-WEEKLY PAYMENT OF ALL STATE EMPLOYEES, EXCEPT SALARIED OFFICERS.

SECTION

1. Certain employees to receive wages bi-weekly.

SECTION

2. Repealing clause: act takes effect on passage.

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

To be paid  
bi-weekly.

SECTION 1. All persons performing regular work in the service of the State of New Hampshire who are not under salary shall receive their wages in bi-weekly payments.

Repealing clause:  
act takes effect  
in passage.

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

[Approved March 19, 1913.]

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## CHAPTER 39.

AN ACT TO AMEND SECTION 11, CHAPTER 173 OF THE PUBLIC STATUTES, RELATING TO THE REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

SECTION 1. Neglect of imposed duty as to vital statistics, penalty.

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

Neglect of duty,  
penalty.

SECTION 1. Chapter 173 of the Public Statutes relating to the registration of births, marriages, and deaths is hereby amended by

striking out the whole of section 11, and inserting in the place thereof the following: SECT. 11. Any person who shall neglect or refuse to perform a duty imposed upon him by the provisions of this chapter, shall be fined not exceeding fifty dollars for each offense, for the use of the town in which the offense was committed, and it shall be the duty of the registrar of vital statistics to enforce this section.

[Approved March 19, 1913.]

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CHAPTER 40.

AN ACT TO AMEND SECTIONS 2 AND 7 OF CHAPTER 153, LAWS OF 1909,  
RELATING TO DIRECT PRIMARIES.

SECTION	SECTION
1. Ward clerks to be nominated at direct primaries.	4. Fee for recount.
2. Declaration of candidacy.	5. Repealing clause; act takes effect on passage.
3. Fee to be paid by candidates.	

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

SECTION 1. Amend said section two by adding after the word "check-list" in the third line the words and ward clerks in cities so that said section, as amended, shall read: SECT. 2. (1). This act shall not apply to special elections to fill vacancies, nor to city, town, and school district elections except as to elections of moderator and supervisors of the check-list, and ward clerks in cities, who shall be elected at each biennial election. (2). Moderators and other election officers, if any, chosen at elections other than the regular biennial election, shall be considered "regular election officers within the meaning of this act, for the biennial election of 1910.

SECT. 2. Amend paragraph (b) of division (2) of section 6 by adding the words ward clerk after the words "supervisors of the check-list," so that said paragraph as amended shall read as follows: (b) For members of the house of representatives, moderator, supervisors of the checklist, ward clerk and delegates to state conventions, with the clerk of the city or town within which such officers are to be voted for.

SECT. 3. Amend said section 7 by adding thereto the words (10) Fee to be paid. For ward clerk, one dollar, so that said section, as amended, shall read as follows: SECT. 7. At the time of filing declarations of candidacy each candidate, or some person for him, shall pay to the

officer with whom the same are filed the following fees: (1) For governor, one hundred dollars; (2) for any state officer, other than governor, to be voted for throughout the state, fifty dollars; (3) for representative in congress, fifty dollars; (4) for counecilor, twenty-five dollars; (5) for state senator, ten dollars; (6) for county officer, five dollars; (7) for member of the house of representatives, two dollars; (8) for supervisor of the check-list, one dollar; (9) for moderator, one dollar; (10) for ward clerk, one dollar.

Fee for recount.

SECT. 4. Amend division (4) of section 14 by adding at the end thereof the following: (i) If a candidate for ward clerk, five dollars, so that said division of said section as amended shall read as follows: SECT. 14. (4) No candidate, however, shall be entitled to a recount unless he shall pay to the secretary of state at the time of filing his application fees as follows: (a) If a candidate for governor, or other officer voted for throughout the state, one hundred dollars; (b) if a candidate for member of congress, fifty dollars; (c) if a candidate for counecilor, twenty-five dollars; (d) if a candidate for a county office, ten dollars; (e) if a candidate for state senator, ten dollars; (f) if a candidate for member of the house of representatives, five dollars; (g) if a candidate for supervisor of the check-list, five dollars; (h) if a candidate for moderator, five dollars; (i) if a candidate for ward clerk, five dollars.

Repealing clause:  
act takes effect  
on passage.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 19, 1913.]

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## CHAPTER 41.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF  
NEW HAMPSHIRE FOR THE YEAR ENDING AUGUST 31, 1914.

SECTION

1. Appropriations for sundry purposes.

SECTION

2. Takes effect June 1, 1913.

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

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the state, for the purposes specified, for the fiscal year ending on the thirty-first day of August, nineteen hundred and fourteen, to wit:—



For the executive department, \$36,300, as follows: For salary Executive. of governor, \$3,000; for salary of governor's secretary, \$800; for honorable council *per diem* and expenses, \$5,000; for contingent fund, \$1,500; transportation, \$600; incidentals, \$150; printing blanks, \$250; emergency fund for protection of interests of state, \$25,000.

For the secretary of state department, \$20,400, as follows: For Secretary of state. salary of secretary, \$4,000; for salary of deputy secretary, \$1,500; for clerical expenses, \$800; for incidentals, \$400; for printing blanks, \$250; printing report, \$500; for express, \$650; for postage, \$350; for indexing Province Records, \$1,600; for Australian ballot, \$100; for direct primary, \$200; for purchase N. H. Law Reports, \$1,050; for automobile expenses, \$9,000.

For treasury department, \$6,750, as follows: For salary of State treasury. the treasurer, \$2,500; salary of deputy treasurer, \$1,500; clerical expenses, \$1,000; compiling statistics, \$200; incidentals, \$500; printing blanks, \$250; for printing report, \$450; for treasurer's and deputy's bonds, \$350.

For treasury department, expenses legacy tax law, \$7,000, as Legacy tax department. follows: For salary of attorney in charge, \$2,500; salaries of assistants, \$1,500; for copies of wills and records, \$1,450; office supplies and incidentals, \$500; for printing and stationery, \$200; travel and expenses of litigation, \$850.

Auditor's department, \$5,450, as follows: For salary of auditor, State auditor. \$3,000; clerical expenses, \$1,350; incidentals, \$400; printing report and blanks, \$400; for office equipment, \$300.

For insurance department, \$6,800, as follows: For salary of Insurance commissioner. commissioner, \$2,000; clerical expenses, \$1,600; for incidentals, \$1,000; printing blanks, \$700; for printing report, \$1,500.

For bank commission, \$11,500, as follows: For salary of com- Bank com- missioners. missioners, \$7,500; clerical expenses, \$1,000; for expenses of commissioners, \$1,200; incidentals, \$500; for printing report and blanks, \$1,300.

Public printing commission, \$2,750, as follows: For clerical ex- Printing commission penses, \$600; incidentals, \$100; printing blanks, \$50; purchase of paper stock, \$2,000.

For department of indexing, for salaries, \$1,000.

Indexing.

For expense of legislature, \$500.

Legislative expenses.

For state house department, \$15,200, as follows: For salaries State house. and pay-roll, \$6,500; for fuel, \$2,500; for light and power, \$2,500; for water, \$200; for miscellaneous, *viz.*, repairs, furniture and incidentals, \$2,000; for telephone, switch-board and operator, \$1,500.

For supreme court department, \$24,430, as follows: For sal- Supreme court. aries of justices, \$20,200; for salary of clerk, \$500; salary of messenger, \$200; salary of state reporter, \$1,800; for justices' expenses, \$700; transportation, \$100; for examination of students, \$350; incidentals, \$550; for transportation of state reporter, \$30.

- Superior court. For superior court department, \$22,850, as follows: For salaries of justices, \$20,200; justices' expenses, \$2,000; for incidentals, \$250; for transportation, \$400.
- Attorney-general. Attorney-general's department, \$7,850, as follows: For salary of attorney-general, \$3,000; clerical expenses, \$1,500; expenses of attorney-general, \$400; incidentals, \$1,500; printing blanks, \$100; enforcement of liquor laws, \$500; employment of counsel, \$850.
- Probate courts. Probate court department, salaries of judges, \$9,900, as follows: Rockingham county, \$1,200; Strafford county, \$800; Belknap county, \$600; Carroll county, \$700; Merrimack county, \$1,200; Hillsborough county, \$2,000; Cheshire county, \$900; Sullivan county, \$600; Grafton county, \$1,000; Coos county, \$900. Salaries of registers of probate and deputies, \$11,100, as follows: Rockingham county, \$1,200, for register; for deputy, \$500. Strafford county, register, \$1,000. Belknap county, register, \$600. Carroll county, register, \$600. Merrimack county, register, \$1,200; and deputy register, \$600. Hillsborough county, register, \$1,500; deputy register, \$800. Cheshire county, register, \$600. Sullivan county, register, \$600. Grafton county, register, \$1,000. Coos county, register, \$900.
- Public instruction. Public instruction department, \$13,500, as follows: Salary of superintendent, payable monthly, \$3,000; salaries of clerks, \$2,500; truuant officer, attendance, \$1,000; incidentals, \$1,400; printing blanks, \$1,000; child labor act, salaries, \$2,400; travel and printing, \$2,200. Support and encouragement of common schools, \$95,100. (Unexpended balance of previous years to be carried forward.)
- Interest charges and maturing bonds. Interest charges and maturing bonds, \$67,471.47, as follows: For Fiske legacy, \$1,055.14; for Kimball legacy, \$270.14; Agricultural College fund, \$4,800; Hamilton Smith fund, \$400; Teachers' Institute fund, \$2,383.92; Benjamin Thompson fund, \$31,887.27; temporary loans, \$2,500; State Hospital loan, \$12,425; maturing loan—hospital issue, \$10,000; sanatorium loan, \$1,750.
- Deaf, dumb, and blind. Deaf, dumb and blind department, \$16,150, as follows: For support and education, \$16,000; Granite State Deaf Mute Mission, \$150.
- State library. State library department, \$18,020, as follows: Salaries, \$6,360; maintenance and operation, \$3,250; maintenance of library, \$2,260; books, periodicals, and binding, \$6,000; expenses of trustees, \$150.
- Soldiers' home. Soldiers' home, for maintenance, \$15,000.
- Prisoners' Aid association. Prisoners' Aid association, \$25.
- Public service commission. For public service commission department, \$21,200, as follows: For salaries, \$9,700; for clerks, experts and assistants, \$7,500; expenses of commissioners, \$1,000; incidentals and printing, \$3,000.
- Tax commission. For tax commission department, \$13,500, as follows: For sal-

aries, \$8,000; clerical expenses, \$1,000; expenses of commissioners, \$1,000; incidentals and printing, \$3,000; printing report, \$500.

For normal school, Plymouth, \$26,500, as follows: For salaries, Normal schools, \$20,250; maintenance and operation, \$5,000; incidentals, \$1,000; printing report, \$50; trustees' expenses, \$200. For Normal School, Keene, \$19,000, as follows: For salaries, \$13,300; maintenance and operation, \$4,700; incidentals, \$800; printing report, \$50; trustees' expenses, \$150.

For New Hampshire College of Agriculture, \$3,000, as follows: College of Agriculture, For free tuition to New Hampshire students, \$3,000.

For state board of charities and correction department, \$3,760, Board of charities and correction, as follows: Salary of secretary, \$1,800; for clerical expenses, \$800; for incidentals, \$400; traveling expenses, \$700; printing blanks, \$60.

For commissioners of lunacy department, \$800, as follows: For Lunacy commission, clerical expenses, \$500; incidentals, \$200; printing blanks, \$100.

For state hospital department, \$225,000, as follows: For the State hospital, support of the indigent, convict, twenty-year patients and dependent insane, including salaries and wages of officers and employees, and library, \$225,000.

For industrial school department, \$45,000, as follows: For Industrial school, salaries, \$17,000; clerical expenses, \$1,000; for maintenance, \$27,000.

For state prison department, \$9,500, as follows: For salary of State prison, warden, \$2,000; salary of chaplain, \$1,000; salary of physician, \$500; salary of parole officer, \$200; expenses of parole officer, \$100; for library, \$200; for special repairs, \$2,500; running expenses, \$3,000.

For New Hampshire school for feeble-minded children, \$35,100, School for feeble-minded, as follows: For maintenance, \$35,100.

For New Hampshire state sanatorium, \$22,000, as follows: For State sanatorium, maintenance, \$22,000.

For bureau of labor department, \$4,600, as follows: For salary Bureau of labor, of commissioner, \$1,600; salaries of clerks and assistants, \$1,000; expenses of arbitration, \$500; incidentals and travel, \$1,000; printing blanks, \$200; printing report, \$300.

Board of agriculture department, \$17,200, as follows: For Board of agriculture, salary of secretary, \$1,500; clerical expenses, \$1,000; for incidentals, \$250; expenses of members, \$300; printing blanks, \$50; institutes and public meetings, \$2,000; for feeding stuffs inspection, \$3,500; for fertilizer inspection, \$2,500; nursery inspection, \$600; seed inspection, \$500; for Summer Homes publication, \$3,000; Granite State Dairymen's Association, \$1,000; Horticultural Society, expenses, \$1,000.

For cattle commission department, \$18,000, as follows: For Cattle commission, animals destroyed, \$10,000; inspection, disinfection and appraisal,

\$3,500; services and expenses of board, \$1,500; for possible expenses of epidemic, \$3,000.

Board of health;  
laboratory of  
hygiene; vital  
statistics.

For board of health department, \$11,250, as follows: For salary of secretary, \$2,500; salary of clerk, \$500; for incidentals, \$450; printing blanks, \$300; for epidemic fund, \$5,000; for sanitary inspection, \$2,500. For laboratory of hygiene, \$6,400, as follows: For salaries of two chemists, \$3,000; salaries of two bacteriologists, \$1,800; incidentals, \$1,200; printing blanks and bulletins, \$400. For vital statistics department, \$1,750, as follows: For clerical expenses and incidentals, \$1,750.

Pharmacy  
commission.

For commission of pharmacy department, \$1,440, as follows: For compensation, \$375; incidentals and running expenses, \$700; for printing blanks, \$35; printing report, \$30; for enforcement of law, \$300.

Dentistry board.

For New Hampshire board of registration in dentistry, \$470, as follows: For compensation, \$220; transportation and expenses, \$125; incidentals, \$115; printing report, \$10.

Optometry board.

For optometry board department, \$275, as follows: For compensation and expenses, \$150; printing, \$100; for postage, \$25.

Steamboat  
inspection.

For steamboat inspection department, \$150, for steamboat inspection.

Medical referees.

For medical referees, \$50.

Adjutant-  
general.

For adjutant-general's department, \$67,325, as follows: For salary of adjutant-general, \$1,500; clerical expenses, \$1,000; for incidentals, \$900; printing blanks, \$700; rifle ranges, \$3,650; for officers' uniforms, \$2,650; for state armories, Concord, Manchester and Nashua, \$7,000; National Guard, \$49,925. So much of the appropriation as is necessary to pay the expenses of the annual encampment is available June 1, 1913.

Military  
organizations.

For military organizations, \$300, as follows: For Amoskeag Veterans, \$100; Manchester War Veterans, \$100; for Lafayette Artillery Company, \$100.

Bounty on  
hedgehogs.

For bounty on hedgehogs, \$6,500.

Bounty on bears  
and grasshoppers.  
Lights and buoys.

For bounty on bears and grasshoppers, \$500.

For lights and buoys department, \$1,915, as follows: For Winnepesaukee lake, \$1,100; Sunapee lake, \$400; for Squam lake, \$300; Winnisquam lake, \$65; Endicott Rock, \$50.

Firemen's  
relief fund.  
Fish and game  
commission.

Firemen's relief fund, \$2,000.

For fish and game commission department, \$18,450, as follows: For salaries of commissioners, \$2,600; general expenses, \$7,000; for personal expenses, \$1,200; for detectives, \$7,000; for incidentals, \$100; for transportation, \$250; printing, \$300.

Moth suppression.

For suppression of moths, \$12,500.

G. A. R.

For G. A. R. department, \$1,850, as follows: For printing, \$300; for burial of soldiers, \$1,500; incidentals, \$50.

Historical society.

For New Hampshire Historical society, \$500.

For forest protection, \$27,100, as follows: For salary of forester, Forest protection. \$2,500; clerical expenses, \$900; traveling expenses, \$1,000; salaries and expenses of four district chiefs, \$3,900; incidentals and commissioners' expenses, \$1,500; for printing blanks, \$800; for fire bills to towns, \$7,500; for nursery, \$500; lookout stations, establishment and maintenance, \$5,000; fire wardens' conference, \$1,000; for prevention of fires, \$2,500.

For highway department, \$250,000, as follows: For permanent State highways. improvement, \$125,000 (unexpended balances of previous years to be brought forward) and automobile fees, estimated at \$125,000, for maintenance.

For state historian, \$7,620, as follows: For salary of historian, State historian. \$2,500; clerical expenses, \$1,300; for incidentals, \$400; for printing and binding publications, \$3,000; printing blanks, \$20; copies of records in England, \$400.

SECT. 2. This act shall take effect on June 1, 1913.

Takes effect  
June 1, 1913.

[Approved March 19, 1913.]

CHAPTER 42.

AN ACT PROVIDING FOR THE REGULATION OF DOMESTIC INSURANCE COMPANIES.

SECTION	SECTION
1. Stock company, minimum capital of; deposit with commissioner.	12. Retirement from business, how effected.
2. Mutual company, minimum assets of; deposit with commissioner.	13. Income of deposit payable to company.
3. Annual statement to commissioner, requisites of.	14. Unauthorized business, penalty.
4. Commissioner to annually determine value of each policy; additional deposit, when required.	15. Penalties, how recoverable.
5. Annual certificate of commissioner.	16. Investment of funds.
6. Failure to make deposit or file statement, procedure.	17. Ownership of realty restricted.
7. Examinations by commissioner.	18. Certain realty to be sold within ten years.
8. If assets less than liabilities, procedure.	19. Transfer and reinsurance of risks.
9. Change or withdrawal of deposit.	20. Right of insured to change payee.
10. Examination at company's request.	21. Assessment companies, etc., not affected.
11. Restraining orders, etc., how procured.	22. Agents to be residents.
	23. Voluntary corporations not authorized.
	24. Takes effect on passage.

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

SECTION 1. Any corporation organized under New Hampshire Stock company, charter and engaged wholly or in part in the life insurance business as minimum capital a stock company shall have a capital stock of not less than two of; deposit with commissioner.

hundred thousand dollars paid in, which shall be invested as provided in section 16 of this act; one-half of such capital shall be deposited with the insurance commissioner; and upon said deposit and satisfactory evidence to the insurance commissioner that the capital stock of at least two hundred thousand dollars has been paid in and invested as herein prescribed, he shall issue to said stock company a certificate authorizing it to do business as such.

Mutual company,  
minimum assets  
of; deposit with  
commissioner.

SECT. 2. Any such corporation organized on the mutual plan shall have assets of not less than two hundred thousand dollars, which shall be invested and deposited as above provided for the capital of stock companies; and upon such deposit and satisfactory evidence to the insurance commissioner that its assets amount to at least two hundred thousand dollars and have been invested as above prescribed, he shall issue to such mutual company a certificate authorizing it to do business as such.

Annual statement  
to commissioner.

SECT. 3. The president or vice-president, and secretary or actuary, or a majority of the trustees or directors of every life insurance company organized under New Hampshire laws or charter shall, annually, on the first day of January, or within sixty days thereafter, prepare under oath and deposit in the office of the insurance commissioner, a statement of the condition of such company on the 31st day of December of the preceding year, showing: First:—Name and Where Located. 1. The names of the officers. 2. The amount of capital stock. 3. The amount of capital stock paid in. Second:—Assets. 1. The value of real estate owned by such company. 2. The amount of cash on hand. 3. The amount of cash deposited in bank or trust companies, giving names of bank or banks or trust companies. 4. The amount of unreported and deferred premiums. 5. The amount of stocks and bonds of the United States, and all other bonds, giving names and amounts, with the par and market value of each kind. 6. The amount of loans secured by first mortgage on real estate. 7. The amount of all other bonds and loans, and how secured, with the rate of interest. 8. The amount of premium notes on policies in force. 9. The amount of notes given for unpaid stock, and how secured. 10. The amount of interest due and unpaid. 11. All other assets. Third:—Liabilities. 1. The amount of losses due and unpaid. 2. The amount of losses adjusted but not due. 3. The amount of losses unadjusted. 4. The amount of claims for losses resisted. 5. The amount of money borrowed. 6. The amount required to safely reinsure all outstanding risks according to the American Experience Table of Mortality, and three and one-half per cent. interest per annum, or the Actuaries' Combined Experience Table with same rate of interest. Fourth:—Income During the Year. 1. The amount of cash premiums received. 2. The amount of premium notes received. 3. The amount of interest received from all sources.

4. The amount received from all other sources. Fifth:—Expenditures During the Year. 1. The amount paid for losses. 2. The amount of dividends paid to policy-holders and to stockholders. 3. The amount of commissions and salaries paid to agents. 4. The amount paid to officers for salaries. 5. The amount paid for taxes. 6. The amount of all other payments and expenditures. Sixth:—Miscellaneous. 1. The greatest amount insured on any one life. 2. The amount deposited in other states and territories as security for policyholders therein, stating the amount in each state or territory. 3. The amount of premiums received in this state during the year. 4. The amount paid for losses in this state during the year. 5. The whole number of policies issued during the year, with the amount of insurance effected thereby, and total amount of insurance at risk. The insurance commissioner is authorized to amend the form of annual statement, and to propose such additional inquiries, as he may think necessary to elicit a full exhibit of the standing of such companies.

SECT. 4. As soon as practicable after the filing of said annual statement the insurance commissioner shall proceed to ascertain the net cash value of each policy in force on the 31st day of December immediately preceding, upon the basis of the American Experience Table of Mortality and three and one-half per cent. interest, or Actuaries' Combined Experience Table of Mortality and like interest. For the purpose of making such valuation, the insurance commissioner may employ a competent actuary, who shall be paid by the company for which the services are rendered; but nothing herein shall prevent any company from making said valuation herein contemplated, which may be received by the insurance commissioner upon such proof as he may determine. Upon ascertaining in the manner above provided, the net cash value of all policies in force in any such company, the insurance commissioner shall notify said company of the amount thereof, and within ninety days after the date of such notification the officers of such company shall deposit with the insurance commissioner, for the security and benefit of its policy-holders, an amount which, together with the sum already deposited with said officer, shall be not less than the amount of such ascertained valuation of all policies in force in the securities described in section 16 of this act, or in certificates of deposit in any solvent bank or trust company. But no such company shall be required to make such deposit until the cash value of the policies in force as ascertained by the insurance commissioner exceeds the amount deposited by said company under section 1 hereof. All funds and securities deposited with the insurance commissioner by any such company under the provisions of this act shall be forthwith delivered by him into the custody of the state treasurer, who shall give receipt there-

Determination of policy value; additional deposit, when required

for and thereafter have and retain the custody of the same; and such funds or securities shall be withdrawn from his custody, subject to the provisions of this act, upon the written order of the insurance commissioner and not otherwise.

Annual certificate  
of commissioner.

SECT. 5. On receipt of the deposit and statement from any company, as provided in the preceding sections, which shall be renewed annually, the insurance commissioner shall issue a certificate setting forth the corporate name of the company; its principal office; that it has fully complied with the provisions of this act; stating the amount deposited, and the net cash value of outstanding policies, and the table upon which same is computed, and that it is authorized to transact the business of life insurance: *Provided*, that any such certificate shall expire on the 31st day of March, in the year following its issue.

Failure to make  
deposit or file  
statement.

SECT. 6. Upon the failure of any company organized or doing business under this act to make the deposit or file the statement in the time stated herein, the insurance commissioner shall notify such company to issue no new policies until there shall have been compliance with said requirement.

Examinations by  
commissioner.

SECT. 7. The insurance commissioner may, at any time, make a personal examination of the books, papers and securities of any such company, or may authorize or empower any other suitable person to make such examination, and for the purpose of securing a full and true exhibit of its affairs, he, or the person selected by him to make such examination, shall have power to examine, under oath, any officer of said company relative to its business and management.

If assets less than  
liabilities.

SECT. 8. If the insurance commissioner, at any time, shall find from any report, examination or otherwise, that the assets of any such life insurance company are less than its liabilities, including its capital stock, he may notify it to cease the issue of new policies or the payment of dividends to stockholders or policy-holders, or both, until the deficiency may be made good; and if it appear to him that the assets of such company are less than its liabilities, exclusive of capital stock, he may communicate the facts to the attorney-general, who shall, if by him deemed advisable, at once apply to the superior court in the county where the principal office of said company is located, or to a judge of said court for a receiver of said company, and said court or judge shall forthwith issue a citation to such company to appear at a day and place to be named therein and answer to said application; and if upon the hearing of said application said court or judge shall find the assets of said company to be less than its actual liabilities exclusive of capital stock as aforesaid, said court or judge may, if practicable, provide for the reinsurance of its outstanding policies in some solvent company authorized to do business in this state. If



such method shall not appear to be practicable, said court or judge shall appoint some disinterested person or persons to be receiver or receivers of such company, and said court or judge may provide the mode of proving claims against such company, and appoint a committee to hear and decide upon them, and may limit and extend the time for the presentation of such claims, and may make all necessary orders in reference to the delivery to and possession of such receiver of the assets and property of such company, and the sale and conveyance of the same by him, and may direct the application of the avails of such assets and property equitably in satisfaction of the claims proved against such company, and the payment of the present value of its outstanding policies to policyholders, either in whole or in part; and said court or judge shall annul the charter and decree the dissolution of such company, and make all other orders and decrees necessary and proper in reference to winding up the affairs of such company, and the disposition of its property.

SECT. 9. Companies shall have the right at any time to change their securities on deposit, by substituting for those withdrawn a like amount in other securities of the character provided for in this act, and, whenever the annual valuation of policies outstanding and in force against any company is less than the amount of security then on deposit with the insurance commissioner, said company shall have the right to withdraw such excess; but at least one hundred thousand dollars shall remain on deposit.

SECT. 10. The insurance commissioner shall, at the request of any such company, make an examination of such company, and shall furnish a certificate of the results of such examination, showing all of its assets and how they are invested, with such other particulars as may be deemed necessary to show the character and condition of said company. The necessary expense of such examination shall be paid by the company.

SECT. 11. No order, judgment or decree, providing for an accounting or enjoining, restraining or interfering with the prosecution of the business of any such insurance company, or appointing a temporary or permanent receiver thereof, shall be made or granted otherwise than upon the application of the attorney-general on his own motion, or after his approval of a request in writing therefor by the insurance commissioner, except in an action by a judgment creditor or in proceeding supplementary to execution.

SECT. 12. If at any time any company doing business under this act shows to the superior court of the county where its principal offices are located, that it wishes to retire from business, that it has reinsured all its policies, and that it has no unpaid liabilities of any character, such court shall, if it finds such facts to be true, enter an order directing the insurance commissioner to surrender

to said company all funds or securities theretofore deposited with him by such company. No such order shall be made until the insurance commissioner shall have been notified of the pendency of such application at least ten days before the time set for the hearing thereof and until after a full hearing by said court.

Income of deposit payable to company.

SECT. 13. The insurance commissioner shall permit companies having on deposit with him stocks or bonds as security, to collect the interest accruing on such deposits, delivering to their authorized agents, respectively, the coupons or other evidences of interest as the same become due, but upon default by any company to deposit additional security as called for by the insurance commissioner, or pending any proceedings to close up or enjoin it, the insurance commissioner shall collect the interest as it becomes due, and add the same to the securities in his hands belonging to such company.

Unauthorized business, penalty.

SECT. 14. Any such company doing or attempting to do life insurance business without certificate as provided for in either section 1, or in section 5 of this act, shall forfeit one hundred dollars for every day it continues to write new business in this state without such certificate.

Penalties, how recoverable.

SECT. 15. Suits brought to recover any of the penalties provided for in this act, shall be instituted in the name of the State of New Hampshire on relation of the attorney-general, under the direction and by the authority of the insurance commissioner. Said penalties, when recovered, shall be paid into the state treasury.

Investment of funds.

SECT. 16. No such company shall invest its funds in any other manner than as follows: In bonds of the United States; in bonds of this state or of any other state; in loans secured by mortgage on unincumbered real estate, worth at least double the amount of such loan, the value of such real estate to be determined by a valuation made under oath by two free-holders of the county where the real estate is located; and if buildings are considered as part of the value of such real estate, they must be insured for the benefit of the mortgagee; in bonds or other evidence of indebtedness, bearing interest, of any county, incorporated city, town or school district, where such bonds or other evidences of indebtedness are issued by authority of law, and upon which interest has never been defaulted; in such other bonds as are a legal investment for New Hampshire savings banks under laws now or hereafter in force; in loans upon the pledge of stock, bonds, or mortgages, if the current value of such stock, bonds or mortgages, is at least twenty-five per cent. more than the amount loaned thereon; and in loans upon its own policies, provided that the amount so loaned shall not exceed the reserve against said policy at the time such loan is made.

Ownership of realty restricted.

SECT. 17. No such company shall be permitted to purchase, hold, or convey real estate, except for the purpose and in the manner herein set forth: 1. For the erection and maintenance of buildings

at least ample and adequate for the transaction of its own business; or 2, such as shall have been mortgaged to it in good faith by way of security for loans or money due; or 3, such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings; or 4, such as shall have been purchased at sales upon judgments, decrees, or mortgages obtained or made for such debts, and no such company shall purchase, hold, or convey real estate in any other cases or for any other purpose.

SECT. 18. All real estate acquired as aforesaid except such as is occupied by the buildings used in whole or in part for the accommodation of such company in the transaction of its business, shall, except as hereinafter provided, be sold and disposed of within ten years after such company shall have acquired title to the same. No such company shall hold such real estate for a longer period than that above mentioned, unless it shall procure a certificate from the insurance commissioner that the interests of the company will suffer materially by a forced sale of such real estate, in which event the time for the sale may be extended to such time as the said insurance commissioner shall direct in said certificate.

Certain realty to be sold within ten years.

SECT. 19. No such corporation shall transfer its risks, or any part thereof, to, or reinsure its risks, or any part thereof, in any insurance corporation, association or society which is not at the time of such transfer or reinsurance authorized to do business in this state under the laws thereof.

Transfer and reinsurance of risks.

SECT. 20. The insured in any such corporation shall have the right at any time, with the consent of such corporation, to make a change in his payee or payees, or beneficiary or beneficiaries, without requiring the consent of such payee or beneficiaries, provided such policy has not been assigned as security for debt, or other legal consideration.

Right of insured to change payee.

SECT. 21. Nothing in this act shall be construed as affecting or governing life insurance companies, associations or societies, or accident insurance companies, doing business on the assessment plan.

Assessment companies, etc., not affected.

SECT. 22. No insurance shall be negotiated in this state by or on behalf of any such company except by resident agents, who shall be qualified, appointed, and licensed in the same manner as provided by law for the agents of foreign life insurance companies licensed to do business in this state, but shall not be required to pay license fees.

Agents to be residents.

SECT. 23. Nothing in this act shall be construed as authorizing the formation of voluntary corporations under the provisions of the Public Statutes of this state for the purpose of engaging in the life insurance business.

Voluntary corporations not authorized.

SECT. 24. This act shall be in force from and after its passage.

Takes effect on passage.

## CHAPTER 43.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF  
NEW HAMPSHIRE FOR THE YEAR ENDING AUGUST 31, 1915.

## SECTION

1. Appropriations for sundry purposes.

## SECTION

2. Takes effect June 1, 1913.

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

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the state, for the purposes specified, for the fiscal year ending on the thirty-first day of August, nineteen hundred and fifteen, to wit:—

Executive.

For the executive department, \$36,300, as follows: For salary of governor, \$3,000; for salary of governor's secretary, \$800; for honorable council per diem and expenses, \$5,000; for contingent fund, \$1,500; transportation, \$600; incidentals, \$150; printing blanks, \$250; emergency fund for protection of interests of state, \$25,000.

Secretary of state.

For the secretary of state department, \$29,100, as follows: For salary of the secretary, \$4,000; for salary of deputy secretary, \$1,500; for clerical expenses, \$800; for incidentals, \$400; for printing blanks, \$250; printing report, \$500; for express, \$650; for postage, \$350; for indexing Province Records, \$1,600; for Australian ballot, \$4,000; for direct primary, \$4,000; for purchase of N. H. Law Reports, \$1,050; automobile department expenses, \$10,000.

State treasury.

For treasury department, \$6,750, as follows: For salary of treasurer, \$2,500; for salary of deputy treasurer, \$1,500; clerical expenses, \$1,000; compiling statistics, \$200; incidentals, \$500; printing blanks, \$250; for treasurer's and deputy's bonds, \$350; for printing report, \$450.

Legacy tax  
department.

For treasury department, expenses legacy tax law, \$7,000, as follows: For salary of attorney in charge, \$2,500; salary of assistants, \$1,500; for copies of wills and records, \$1,450; office supplies and incidentals, \$500; for printing and stationery, \$200; travel and litigation, \$850.

State auditor.

Auditor's department, \$5,150, as follows: For salary of auditor, \$3,000; clerical expenses, \$1,350; incidentals, \$400; printing report and blanks, \$400.

Insurance  
commissioner.

For insurance department, \$6,800, as follows: For salary of commissioner, \$2,000; clerical expenses, \$1,600; for incidentals, \$1,000; printing blanks, \$700; for printing report, \$1,500.

Bank  
commissioners.

For bank commission, \$11,500, as follows: For salaries of commissioners, \$7,500; clerical expenses, \$1,000; for expenses of com-

missioners, \$1,200; incidentals, \$500; for printing report and blanks, \$1,300.

For public printing commission, \$2,750, as follows: For clerical expenses, \$600; incidentals, \$100; for printing blanks, \$50; purchase of paper stock, \$2,000. Printing  
commission

For department of indexing, for salaries, \$1,000.

For legislature, expenses, \$140,000. Indexing  
Legislative  
expenses.

For state house department, \$15,200, as follows: For salaries and pay-roll, \$6,500; for fuel, \$2,500; for light and power, \$2,500; for water, \$200; for miscellaneous, viz., repairs, furniture and incidentals, \$2,000; for telephone, switch-board and operator, \$1,500. State house

For supreme court department, \$24,430, as follows: For salaries of justices, \$20,200; for salary of clerk, \$500; salary of messenger, \$200; salary of state reporter, \$1,800; for justices' expenses, \$700; transportation, \$100; for examination of students, \$350; incidentals, \$550; for transportation of state reporter, \$30. Supreme court

For superior court department, \$22,850, as follows: For salaries of justices, \$20,200; justices' expenses, \$2,000; for incidentals, \$250; for transportation, \$400. Superior court

Attorney-general's department, \$8,050, as follows: For salary of attorney-general, \$3,000; clerical expenses, \$1,500; expenses of attorney-general, \$400; incidentals, \$1,500; printing blanks, \$100; enforcement of liquor laws, \$500; employment of counsel, \$850; printing report, \$200. Attorney-general

Probate court department, salaries of judges, \$9,900, as follows: Rockingham county, \$1,200; Strafford county, \$800; Belknap county, \$600; Carroll county, \$700; Merrimack county, \$1,200; Hillsborough county, \$2,000; Cheshire county, \$900; Sullivan county, \$600; Grafton county, \$1,000; Coos county, \$900. Probate judges

Salaries of registers of probate and deputies, \$11,100, as follows: Rockingham county, for register, \$1,200, for deputy, \$500; Strafford county, register, \$1,000; Belknap county, register, \$600; Carroll county, register, \$600; Merrimack county, for register, \$1,200, deputy register, \$600; Hillsborough county, register, \$1,500; deputy, \$800; Cheshire county, register, \$600; Sullivan county, register, \$600; Grafton county, register, \$1,000; Coos county, register, \$900. Registers of  
probate and  
deputies.

Public instruction department, \$14,900, as follows: Salary of superintendent, \$3,000, payable monthly; salaries of clerks, \$2,500; truant officer, attendance, \$1,000; incidentals, \$1,400; printing blanks, \$1,000; printing report, \$1,400; child labor act, salaries, \$2,400; travel and printing, \$2,200. Support and encouragement of common schools, \$95,100. (Unexpended balances of previous years to be brought forward.) Public  
instruction

Interest charges and maturing bonds.	Interest charges and maturing bonds, \$67,121.47, as follows: For Fiske legacy, \$1,055.14; for Kimball legacy, \$270.14; Agricultural College fund, \$4,800; Hamilton Smith fund, \$400; Teachers' Institute fund, \$2,383.92; Benjamin Thompson fund, \$31,887.27; temporary loans, \$2,500; State Hospital loan, \$12,075; maturing loan, hospital issue, \$10,000; sanatorium loan, \$1,750.
Deaf, dumb, and blind.	Deaf, dumb and blind department, \$16,150, as follows: For support and education, \$16,000; for Granite State Deaf Mute Mission, \$150.
State library.	State library department, \$18,140, as follows: For salaries, \$6,480; maintenance and operation, \$3,250; maintenance of library, \$2,260; books, periodicals and binding, \$6,000; expenses of trustees, \$150.
Soldiers' home.	Soldiers' home, for maintenance, \$15,000.
Prisoners' Aid association.	Prisoners' Aid association, \$25.
Public service commission.	For public service commission department, \$21,200, as follows: For salaries, \$9,700; clerks, experts and assistants, \$7,500; expenses of commissioners, \$1,000; incidentals and printing, \$3,000.
Tax commission.	For tax commission department, \$13,500, as follows: For salaries, \$8,000; clerical expenses, \$1,000; expenses of commissioners, \$1,000; incidentals and printing, \$3,000; printing report, \$500.
Normal schools.	For normal school, Plymouth, \$26,500, as follows: For salaries, \$20,250; maintenance and operation, \$5,000; incidentals, \$1,000; printing report, \$50; trustees' expenses, \$200. For normal school, Keene, \$21,000, as follows: For salaries, \$13,300; maintenance and operation, \$6,700; incidentals, \$800; printing report, \$50; trustees' expenses, \$150.
College of Agriculture.	For New Hampshire College of Agriculture, \$3,000, as follows: For free tuition to New Hampshire students, \$3,000.
Board of charities and correction.	For state board of charities and correction department, \$4,210, as follows: Salary of secretary, \$1,800; for clerical expenses, \$800; for incidentals, \$400; traveling expenses, \$700; printing blanks, \$60; printing report, \$450.
Lunacy commission.	For commissioners of lunacy department, \$1,150, as follows: For clerical expenses, \$500; incidentals, \$200; printing blanks, \$100; printing report, \$350.
State hospital.	For state hospital department, \$225,000, as follows: For the support of the indigent, convict, twenty-year patients and dependent insane, including salaries and wages of officers and employees, and library, \$225,000.
Industrial school.	For industrial school department, \$45,000, as follows: For salaries, \$17,000; clerical expenses, \$1,000; for maintenance, \$27,000.
State prison.	For state prison department, \$9,110, as follows: For salary of warden, \$2,000; salary of chaplain, \$1,000; salary of physician,

\$500; salary of parole officer, \$200; expenses of parole officer, \$100; for library, \$200; for special repairs, \$2,000; running expenses, \$3,000; for printing report, \$110.

For New Hampshire school of feeble-minded children, as follows: For maintenance, \$35,100, and for printing report, \$200. School for feeble-minded.

For New Hampshire State Sanatorium, \$22,000, as follows: For maintenance, \$22,000. State sanatorium.

For bureau of labor department, \$4,600, as follows: For salary of commissioner, \$1,600; salaries of clerks and assistants, \$1,000; expenses of arbitration, \$500; incidentals and travel, \$1,000; printing blanks, \$200; printing report, \$300. Bureau of labor.

Board of agriculture department, \$18,000, as follows: For salary of secretary, \$1,500; clerical expenses, \$1,000; for incidentals, \$250; for expenses of members, \$300; printing blanks, \$50; printing report, \$800; institutes and public meetings, \$2,000; for feeding stuffs inspection, \$3,500; for fertilizer inspection, \$2,500; nursery inspection, \$600; for seed inspection, \$500; for Summer Homes publication, \$3,000; Granite State Dairymen's Association, \$1,000; for Horticultural Society, expenses, \$1,000. Board of agriculture.

For cattle commission department, \$18,000, as follows: For animals destroyed, \$10,000; inspection, disinfection and appraisal, \$3,500; services and expenses of board, \$1,500; for possible expenses of epidemic, \$3,000. Cattle commission.

For board of health department, \$12,500, as follows: For salary of secretary, \$2,500; salary of clerk, \$500; for incidentals, \$450; for printing blanks, \$300; for printing report, \$1,250; for epidemic fund, \$5,000; for sanitary inspection, \$2,500. For laboratory of hygiene, \$6,400, as follows: For salaries of two chemists, \$3,000; salaries of two bacteriologists, \$1,800; incidentals, \$1,200; printing blanks and bulletins, \$400. For vital statistics department, \$2,800, as follows: For clerical expenses and incidentals, \$1,600; printing report, \$1,200. Board of health; laboratory of hygiene; vital statistics.

For commission of pharmacy department, \$1,440, as follows: For compensation, \$375; incidentals and running expenses, \$700; for printing blanks, \$35; printing report, \$30; for enforcement of law, \$300. Pharmacy commission.

For New Hampshire board of registration in dentistry, \$470, as follows: For compensation, \$220; transportation and expenses, \$125; incidentals, \$115; printing report, \$10. Dentistry board.

For optometry board department, \$275, as follows: For compensation and expenses, \$150; printing, \$100; for postage, \$25. Optometry board.

For steamboat inspection department, \$150 for steamboat inspection. Steamboat inspection.

For medical referees, printing, \$50. Medical referees.

For adjutant-general's department, \$67,725, as follows: For Adjutant-general.

salary of adjutant-general, \$1,500; clerical expenses, \$1,000; incidentals, \$900; printing blanks, \$700; printing report, \$400; rifle ranges, \$3,650; officers' uniforms, \$2,650; for state armories, Concord, Manchester and Nashua, \$7,000; for National Guard, \$49,925. So much of the appropriation as is necessary to pay the expenses of the annual encampment is available June 1, 1914.

Military organizations.

For military organizations, \$300, as follows: For Amoskeag Veterans, \$100; Manchester War Veterans, \$100; for Lafayette Artillery Company, \$100.

Bounty on hedgehogs,  
Bounty on bears and grasshoppers,  
Lights and buoys.

For bounty on hedgehogs, \$6,500.

For bounty on bears and grasshoppers, \$500.

For lights and buoys department, \$1,915, as follows: For Winnepesaukee lake, \$1,100; Sunapee lake, \$400; for Squam lake, \$300; Winnisquam lake, \$65; for Endicott Rock, \$50.

Firemen's relief fund,  
Fish and game commission.

Firemen's relief fund, \$2,000.

For fish and game commission department, \$18,450, as follows: For salaries of commissioners, \$2,600; general expenses, \$7,000; for personal expenses, \$1,200; for detectives, \$7,000; for incidentals, \$100; for transportation, \$250; printing, \$300.

Moth suppression.

For suppression of moths, \$12,500.

G. A. R.

For G. A. R. department, \$2,150, as follows: For printing, \$300; for burial of soldiers, \$1,800; incidentals, \$50.

Historical society.

For New Hampshire Historical society, \$500.

Forest protection.

For forest protection, \$27,600, as follows: For salary of forester, \$2,500; clerical expenses, \$900; traveling expenses, \$1,000; salaries and expenses, of four district chiefs, \$3,900; incidentals and commissioners' expenses, \$1,500; for printing blanks, \$800; printing report, \$500; for fire bills to towns, \$7,500; for nursery, \$500; for lookout stations,—establishment and maintenance, \$5,000; fire wardens' conference, \$1,000; for prevention of fires, \$2,500.

State highways.

For highway department, \$255,000, as follows: For permanent improvement (unexpended balances of previous years to be brought forward); for maintenance, automobile fees, estimated at \$130,000.

State historian.

For state historian, \$7,620, as follows: For salary of historian, \$2,500; clerical expenses, \$1,300; for incidentals, \$400; for printing and binding publications, \$3,000; printing blanks, \$20; copies of records in England, \$400.

Takes effect  
June 1, 1913.

SECT. 2. This act shall take effect on June 1, 1913.

[Approved March 19, 1913.]



## CHAPTER 44.

AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 27 OF THE PUBLIC STATUTES AS AMENDED BY CHAPTER 112 OF THE LAWS OF 1903, CHAPTER 22, LAWS OF 1907, CHAPTER 83, LAWS OF 1909, AND BY AN ACT PASSED AT THE PRESENT SESSION OF THE LEGISLATURE, KNOWN AS HOUSE BILL NO. 396, RELATING TO COUNTY COMMISSIONERS.

## SECTION

1. Salaries and expenses of county commissioners.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That section 20 of chapter 27 of the Public Statutes, <sup>Salaries and expenses of county commissioners.</sup> as amended by chapter 112 of the Laws of 1903, chapter 22 of the Laws of 1907, chapter 83 of the Laws of 1909, and by an act passed at the present session of the legislature, known as House Bill No. 396, [chapter 2, Laws 1913.] be and the same hereby is amended by striking out the words, "twelve hundred dollars" where they occur in said section 20, and inserting in place thereof the words fifteen hundred dollars, so that said section as amended shall read as follows: SECT. 20. Each county commissioner, except the commissioners of Hillsborough, Cheshire and Merrimack counties, shall be paid by the county treasurer for his services, when employed in business of the county and in inspecting the taxable property of towns, as provided in the preceding section, three dollars a day, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having been first audited by the court. Each commissioner of Hillsborough county shall be so paid the sum of fifteen hundred dollars per year, each commissioner of Cheshire county the sum of five hundred dollars per year, and each commissioner of Merrimack county the sum of one thousand dollars per year, payable in equal quarterly installments, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having first been audited by the court. The commissioners of Hillsborough county may expend not exceeding eight hundred dollars per year for such clerical, actuarial or stenographic assistance as may be necessary at the offices of the commission in Manchester and Nashua.

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

Takes effect on passage.

[Became a law without the governor's signature, March 22, 1913.]

CHAPTER 45.

AN ACT TO EXEMPT FROM TAXATION PROPERTY IN TAMWORTH TO BE HELD FOR THE PUBLIC GOOD BY THE SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS.

SECTION

1. Property exempted.

SECTION

2. Takes effect on passage.

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

Property exempted.

SECTION 1. That real estate in the town of Tamworth, located along the state highway and adjacent thereto that shall be held by the Society for the Protection of New Hampshire Forests, shall be exempt from taxation as long as maintained by said society open to the public.

Takes effect on passage.

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

[Approved March 26, 1913.]

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CHAPTER 46.

AN ACT TO PROVIDE FOR THE UNIFORMITY OF WRITS.

SECTION 1. Printed writs, justices of superior court to prescribe form.

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

Superior court to prescribe form of writs.

SECTION 1. That on and after January 1, 1914, all printed writs, including the common counts therein, returnable to the superior court, shall be in such form as the justices of said court shall prescribe, the same to be uniform in size, phraseology, and style of type.

[Approved March 26, 1913.]

## CHAPTER 47.

AN ACT TO PROVIDE FOR THE CONSTRUCTION OF DAMS OF A HEIGHT IN EXCESS OF TWENTY-FIVE FEET UNDER THE SUPERVISION OF A STATE INSPECTOR.

## SECTION

1. Plans to be approved by public service commission.
2. Commission to appoint inspector.
3. Compliance with plans, how enforced.

## SECTION

4. If owner or contractor aggrieved.
5. Right of appeal.
6. Penalty for disobedience of order.
7. Owner to bear expense of inspection.
8. Takes effect on passage.

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

SECTION 1. The construction of a dam of a height in excess of twenty-five feet shall not be commenced until plans and specifications therefor shall have been filed with and approved by the public service commission. Plans to be approved by public service commission.

SECT. 2. Said commission shall designate some suitable person to inspect the construction of such dam, under such regulations as to inspection as said commission shall prescribe, and such inspector shall report to said commission any failure to comply with the requirements of the plans and specifications. Appointment of inspector.

SECT. 3. Said commission is authorized to order the owner or contractor, while constructing any such dam, to remedy any defects of construction caused by failure to comply with the requirements of the plans and specifications, and may order such owner or contractor to do any thing necessary to make said construction comply with said plans and specifications, and on failure of such owner or contractor to comply with any such order of said commission, said commission may order all work of construction on such dam to cease. Compliance with plans, how enforced.

SECT. 4. Upon petition of such owner or contractor, complaining that any order made under the provisions of the preceding section is unjust or unreasonable, said commission shall appoint a time and place of hearing, giving notice thereof to the parties in interest, and shall hear the parties, and shall annul, modify or continue in force its previous order as the facts shall justify. If owner or contractor aggrieved.

SECT. 5. All orders issued by the commission under the provisions of this act shall be subject to the provisions for appeal as contained in section 17 of chapter 164 of the Laws of 1911, and amendments thereto. But all orders so issued shall remain in full force and effect unless and until modified or set aside on such appeal. Right of appeal.

Disobedience of orders, penalty.

SECT. 6. Any corporation or person disobeying any order of the commission made under the authority of this act, or aiding or abetting such disobedience, shall be liable to a fine of not exceeding one thousand dollars. On application of the commission, by petition in equity, the superior court or any justice thereof may enjoin any act alleged to be in violation of any such lawful order of the commission.

Owner to bear expense of inspection.

SECT. 7. The expense of any inspection authorized by this act shall be paid to the commission by the owners of the dam in connection with which it is incurred. All sums so received shall be paid into the state treasury, and shall be added to the appropriation available for the use of the commission in the employment of experts. If any owner shall not promptly pay the expense of such inspection when requested by the commission, it may be collected in an action of assumpsit to be brought by the attorney-general in the name of the state.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved March 26, 1913.]

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## CHAPTER 48.

### AN ACT IN RELATION TO THE DEPOSIT OF PUBLIC DOCUMENTS.

#### SECTION

1. Town officers may transfer to public libraries.

#### SECTION

2. Future publications, where sent.  
3. Takes effect on passage.

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

Transfer to public libraries.

SECTION 1. Any town clerk, board of selectmen, or others having at present custody of the books, pamphlets and public documents that have been sent to the towns by the departments of state government may, with consent of the librarian, transfer these publications to the public library, in such towns as have free public libraries, with the injunction that they be included in the catalogues of the library and be made accessible to the public.

Future publications.

SECT. 2. From the passage of this act such publications as may be sent out by the state shall be sent to the libraries of those towns that have free public libraries.

Takes effect on passage.

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

[Approved March 26, 1913.]

## CHAPTER 49.

## AN ACT IN AMENDMENT OF CHAPTER 158, SECTION 9, OF THE PUBLIC STATUTES, RELATING TO LAYING OUT RAILROADS.

## SECTION

1. Appraisal of damages for land taken for railroad.

## SECTION

2. Repealing clause: act takes effect on passage.

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

SECTION 1. Section 9 of chapter 158 of the Public Statutes is hereby amended by adding the following: The owner of any interest in any land over which the road is located, at any time after the return of the location is made as above provided, may apply in like manner by petition to the public service commission to appraise the damages occasioned to him by the railroad, and by striking out the words "railroad commissioners" in said section and inserting in place thereof the words public service commission, so that said section as amended shall read as follows: SECT. 9. If from any cause it does not obtain such deeds, it may apply by petition to the public service commission to appraise the damages occasioned to the owners of such lands by the railroad. The owner of any interest in any land over which the road is located, at any time after the return of the location is made as above provided, may apply in like manner by petition to the public service commission to appraise the damages occasioned to him by the railroad.

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

[Approved March 26, 1913.]

## CHAPTER 50.

## AN ACT IN AMENDMENT OF CHAPTER 264 OF THE PUBLIC STATUTES RELATING TO CRIMES AND OFFENSES.

## SECTION

1. Imprisonment in house of correction for minor offenses.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Chapter 264 of the Public Statutes is amended by adding the following section: SECT. 24. All persons imprisoned

for any violation of the provisions of this chapter shall be committed to the house of correction of the county in which the offense is committed.

Takes effect  
on passage.

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

[Approved March 31, 1913.]

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CHAPTER 51.

AN ACT IN AMENDMENT OF CHAPTER 55 OF THE SESSION LAWS OF 1907, ENTITLED "AN ACT TO EXEMPT CERTAIN BONDS FROM TAXATION."

SECTION

1. School district may exempt its bonds held by its citizens.

SECTION

2. Takes effect on passage.

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

School-district  
bonds, when  
exempt.

SECTION 1. That section 1 of chapter 55 of the Session Laws of 1907 be amended by adding after the word "precinct" in the first and also in the fourth line thereof the word school, so that the section as amended shall read as follows: SECTION 1. Any city, town, precinct, school or village district may exempt from taxation any future issue of its bonds, *provided* such exemption shall apply only to bonds owned and held by citizens of said city, town, precinct, school or village district.

Takes effect  
on passage.

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

[Approved March 31, 1913.]

CHAPTER 52.

AN ACT IN AMENDMENT OF CHAPTER 45 OF THE SESSION LAWS OF 1911, RELATING TO ATTACHMENTS OF REAL ESTATE.

SECTION

- 1. Discharge to be recorded.
- 2. Penalty for violation.

SECTION

- 3. Takes effect on passage.

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

SECTION 1. When an attachment upon real estate is dissolved, or the levy thereunder is defeated, the plaintiff or his attorney, upon request, shall give to the defendant or owner of the land a discharge thereof and the defendant or owner of the land, within thirty days after such attachment is dissolved or levy thereunder defeated, shall cause the discharge thereof to be recorded in the office of the register of deeds in which said attachment or levy is recorded and shall pay the register of deeds the sum of twenty cents in full for making such record.

Discharge to be recorded.

SECT. 2. Any person violating the provisions of the foregoing section shall be fined not exceeding ten dollars.

Penalty.

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

Takes effect on passage.

[Approved March 31, 1913.]

CHAPTER 53.

AN ACT REGULATING THE ISSUANCE OF BONDS AND INVESTMENT OF FUNDS BY SURETY COMPANIES.

SECTION

- 1. Liability on single bond limited.
- 2. Investments by domestic companies.

SECTION

- 3. Certain provisions applicable to domestic companies.
- 4. Takes effect on passage.

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

SECTION 1. No surety company, whether organized under the laws of this or any other state or territory, shall assume any liability as surety on any bond which shall in amount exceed ten per cent. of its net assets without reinsuring in some surety company authorized to do business in this state the amount by which any liability may exceed said ten per cent. of said net assets.

Liability on single bond limited.

Investments regulated.

SECT. 2. Surety companies organized under the laws of this state shall invest their funds in such securities as by law are legal investments for savings banks in this state, and in such other investments as may be approved by the insurance commissioner of this state.

Certain laws applicable.

SECT. 3. Sections 2, 3, 4 and 5 of chapter 172 of the Public Statutes shall apply to surety companies organized under the laws of this state.

Takes effect on passage.

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

[Approved March 31, 1913.]

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## CHAPTER 54.

AN ACT IN AMENDMENT OF CHAPTER 95 OF THE SESSION LAWS OF 1903 ENTITLED "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR," AS AMENDED BY CHAPTER 49 OF THE SESSION LAWS OF 1905, AND BY CHAPTER 157 OF THE SESSION LAWS OF 1911.

SECTION

1. Hours and days of sale regulated.

SECTION

2. Takes effect April 30, 1913; repealing clause.

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

Hours and days of sale regulated.

SECTION 1. Section 16 of chapter 95 of the session Laws of 1903, entitled "An Act to regulate Traffic in Intoxicating Liquor" as amended by chapter 49 of the session Laws of 1905, and further amended by chapter 157 of the session Laws of 1911 is hereby amended by striking out the word "or" in the first line of said amended section and by inserting after the word "seven" in the said line the words and the ninth class in the discretion of the commissioners and subject to such conditions as they may make, so that said section as amended shall read as follows: SECT. 16. No licensee, except the holder of a license of the first, seventh and ninth class, in the discretion of the commissioners and subject to such conditions as they may make, shall sell, furnish or expose for sale, or give away any liquor first, on Sunday; second, on any other day except between the hours of six in the morning and ten at night; unless the town or board of mayor and aldermen of the city where such licensee carries on business shall extend the hours not later than eleven o'clock at night, which such town or board of mayor and aldermen is hereby authorized to do; third, on the



day of any general or city election or town meeting; or on the day when a primary is held in accordance with the provisions of chapter 153 of the session Laws of 1909, or under the provisions of any city charter; fourth, on a state or national legal holiday.

SECT. 2. This act shall take effect April 30, 1913, and all acts and parts of acts inconsistent herewith are hereby repealed.

Takes effect April 30, 1913; repealing clause.

[Approved March 31, 1913.]

## CHAPTER 55.

AN ACT IN AMENDMENT OF CHAPTER 89 OF THE PUBLIC STATUTES OF NEW HAMPSHIRE, RELATING TO THE EXEMPTION OF MONEY AT INTEREST LOANED TO SCHOOL DISTRICTS.

SECTION

1. School districts may exempt certain loans.

SECTION

2. Takes effect on passage.

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

SECTION 1. That section 3 of chapter 89 of the Public Statutes of New Hampshire be amended by adding thereto the words School districts may at any legal meeting holden therein, by a majority of the legal voters present and voting at the meeting, authorize its school board to hire money for any of the purposes above mentioned of individuals living in the town in which such school district is located at a rate of interest not exceeding five per cent. per annum, and provide that all moneys thus loaned shall be exempt from taxation, so that said section as amended shall read as follows:

School districts may exempt certain loans.

SECT. 3. School districts may raise money to procure land for schoolhouse lots, and for the enlargement of existing lots; to build, purchase, rent, repair, or remove schoolhouses and outbuildings; to procure insurance; to plant and care for shade and ornamental trees upon schoolhouse lots; to provide suitable furniture, books, maps, charts, apparatus, and conveniences for schools; and to pay debts. School districts may at any legal meeting holden therein, by a majority of the legal voters present and voting at the meeting, authorize its school board to hire money for any of the purposes above mentioned of individuals living in the town in which such school district is located at a rate of interest not exceeding five per cent. per annum, and provide that all moneys thus loaned shall be exempt from taxation.

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

Takes effect on passage.

[Approved March 31, 1913.]

## CHAPTER 56.

AN ACT RELATING TO FISHING THROUGH THE ICE ON ISLAND POND.

## SECTION

1. Ice-fishing prohibited.

## SECTION

2. Penalty for violation.

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

Ice-fishing prohibited.

SECTION 1. It shall be unlawful for any person to fish through the ice on Island pond, so-called, situated in the towns of Atkinson, Derry and Hampstead.

Penalty.

SECT. 2. Any person violating this act shall be punished by a fine of ten dollars for each offense.

[Approved April 1, 1913.]

## CHAPTER 57.

AN ACT RELATING TO DESERTION OR ABANDONMENT OF WIFE OR MINOR CHILDREN.

## SECTION

1. Desertion or abandonment of wife or children, penalty.

## SECTION

2. Repealing clause; act takes effect on passage.

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

Desertion or abandonment, penalty.

SECTION 1. Any person who shall, without cause, desert or wilfully neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances, or any person who shall without lawful excuse desert or wilfully neglect or refuse to provide for the support and maintenance of his or her legitimate or illegitimate minor child or children under the age of sixteen years in destitute or necessitous circumstances shall be guilty of a crime and on conviction thereof shall be punished by fine not exceeding three hundred dollars (\$300) or imprisonment for a term not exceeding fifteen months, or both such fine and imprisonment in the discretion of the court.

Repealing clause; act takes effect on passage.

SECT. 2. Chapter 108 of the session Laws of 1905 is hereby repealed and this act shall take effect upon its passage.

[Approved April 1, 1913.]

## CHAPTER 58.

## AN ACT IN AMENDMENT OF CHAPTER 40, SECTION 4 OF THE PUBLIC STATUTES, RELATING TO THE POWERS AND DUTIES OF TOWNS.

## SECTION

1. Towns may appropriate money for certain purposes.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That section 4, chapter 40 of the Public Statutes be and hereby is amended by inserting after the word "hospitals" in the 7th line thereof the words to aid visiting or district nurse associations; by inserting after the words "Grand Army of the Republic" in the 16th line thereof the words, or by committees appointed by the Spanish War Veterans; and by inserting after the words "reading rooms" in the 28th line thereof the words or to assist in the maintenance of any library or reading room that is kept open, so that said section as amended shall read as follows:

SECT. 4. Towns may, at any legal meeting, grant and vote such sums of money as they shall judge necessary to support schools; to build and repair school houses; to maintain the poor; to lay out, build and repair highways and sidewalks; to build and repair bridges; to light streets; to repair meeting houses owned by the town so far as to render them useful for town purposes; to aid hospitals; to aid visiting or district nurse associations; to encourage volunteer enlistments in case of war or rebellion; to procure and erect a monument or memorial building to perpetuate the memory of such soldiers belonging thereto as may have sacrificed their lives in the service of their country, including a suitable lot therefor and fence for its protection; to defray the expense of decorating the graves of soldiers and sailors who have served in the army or navy of the United States in time of war, not exceeding three hundred dollars yearly, to be given to and expended by committees appointed by the Grand Army of the Republic or by committees appointed by the Spanish War Veterans, so long as they shall continue the services of Memorial Day as originally established and at present observed by that organization, and thereafter to such persons or organization as shall continue such services in the several towns; to provide and maintain armories for military organizations stationed therein which form part of the New Hampshire National Guard or reserved militia, not exceeding two hundred dollars yearly for each organization; to provide means for the extinguishment of fires; to establish and maintain public libraries and reading rooms or to assist in the maintenance of

Towns may appropriate money for certain purposes.

nance of any library or reading room that is kept open, for the free use of all the inhabitants of the town; to establish cemeteries, and parks or commons, and to improve the same; to provide and maintain receiving tombs; to set out and care for shade and ornamental trees in highways, cemeteries, commons and other public places; to provide and maintain suitable coasting and skating places, not exceeding five hundred dollars yearly; [to establish, equip, and maintain suitable places for playgrounds; to aid free public band concerts, not exceeding eight hundred dollars annually;] to procure the detection and apprehension of any person committing a felony therein; to prepare and publish the history of the town; to maintain and record weather observations; and for all necessary charges arising within the town; but no money shall be raised or appropriated at any special town meeting except by vote by ballot, nor unless the ballots cast at such meeting shall be equal in number to at least one half of the number of legal voters borne on the check-list of the town at the annual or biennial election next preceding such special meeting; and such check-list may be used at such meeting upon the request of ten legal voters of the town.

Takes effect  
on passage.

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

[Approved April 3, 1913.]

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CHAPTER 59.

AN ACT IN AMENDMENT OF SECTION 18, CHAPTER 286 OF THE PUBLIC STATUTES, AS AMENDED BY CHAPTER 8 OF THE SESSION LAWS OF 1907, RELATING TO THE SALARY OF THE SHERIFF OF COOS COUNTY.

SECTION

1. Annual salary of \$800.

SECTION

2. Takes effect on passage.

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

Annual salary  
of \$800.

SECTION 1. That section 18 of chapter 286 of the Public Statutes of New Hampshire as amended by chapter 8 of the session Laws of 1907 be amended by striking out the word, "four," in the 12th line of said section, and inserting in place thereof the word, eight, so that said line shall read, in Coos, eight hundred dollars.

Takes effect  
on passage.

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

[Became a law without the governor's signature, April 7, 1913.]

CHAPTER 60.

AN ACT FOR THE BETTER PROTECTION OF BLACK BASS.

SECTION

1. Taking prohibited during certain months; penalty.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. If any person shall take or kill any black bass in any of the waters of this state, except tide waters, during the months of April, May and June, of any year, he shall be fined ten dollars (\$10) for each fish so taken or killed. Protection during certain months.

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

[Approved April 8, 1913.]

CHAPTER 61.

AN ACT TO AMEND SECTION 1 OF CHAPTER 11 OF THE LAWS OF 1911, RELATING TO FISH AND GAME.

SECTION

1. Protection of muskellonge and pike in Connecticut river.

SECTION

2. Takes effect on passage.

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

SECTION 1. Section one of chapter eleven of the Laws of 1911 is hereby amended by inserting after the words "Lake Spofford or Chesterfield" the words and the Connecticut river in Cheshire county, so that said section as amended shall read: SECTION 1. [That section 59 of said chapter 79 be amended by inserting the word Massabesic between the word "Winnepesaukee" and the word "Winnisquam" so that said section as amended shall read as follows. SECT. 59.] If any person shall take or kill any muskellonge, [pickerel.] pike, or grayling in any of the waters of this state between the fifteenth day of January in any year and the first day of June next following, except that pickerel may be taken in Protection of pike, etc., in Connecticut river

January, February, and March, from the waters of Lake Winnepesaukee, Massabesic, Winnisquam, Asquam, and Wentworth, and that muskellonge and pike may be taken in January, February, and March, from the waters of Lake Spofford or Chesterfield, and the Connecticut river in Cheshire county, he shall be fined ten dollars (\$10) for each offense.

Takes effect  
on passage.

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

[Approved April 8, 1913.]

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## CHAPTER 62.

### AN ACT TO REGULATE COSTS IN TRUSTEE SUITS.

#### SECTION

1. Costs limited in certain cases.
2. Excessive costs, penalty for demanding or receiving.

#### SECTION

3. Repealing clause; act takes effect on passage.

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

Costs limited in  
certain cases.

SECTION 1. In all cases where suit is brought and the personal earnings of the defendant held under the trustee process, and a settlement of the action is made, or tendered, by the defendant, or by some other person in his behalf, prior to the return day of the writ, the following items of costs, and no more, shall be chargeable to the defendant: The fees of the officers serving the writ as fixed by law; for the writ, one dollar.

Penalty for excessive costs.

SECT. 2. If any person shall demand or receive from a defendant in connection with the settlement of any trustee suit any sum, or sums of money, or other thing of value whatever in excess of the provisions of this act, he shall be fined not less than ten dollars and not more than twenty dollars for each offense.

Repealing clause;  
act takes effect  
on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 8, 1913.]

## CHAPTER 63.

AN ACT IN AMENDMENT OF CHAPTER 105 OF THE LAWS OF 1909, ENTITLED "AN ACT IN AMENDMENT OF CHAPTER 79, SESSION LAWS OF 1901, AS AMENDED BY THE SESSION LAWS OF 1903, 1905, 1907, RELATING TO THE OPEN SEASON ON DEER."

## SECTION

1. Open season in Coos county.

## SECTION

2. Takes effect on passage: repealing clause.

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

SECTION 1. That [section 1.] chapter 105, session Laws of 1909, be amended as follows: Strike out in the sixth line of said section the words "during the months of October and November" and insert in place thereof the words from October fifteenth until December fifteenth at midnight so that said section, as amended, shall read: SECTION 1. That chapter 79, session Laws of 1901, as amended by the session Laws of 1903, 1905, 1907, be amended as follows: Strike out the whole of section 16 of said chapter 79, and substitute therefor the following: SECT. 16. No person shall hunt, catch, kill or destroy any deer within the limits of the county of Coos, except from October fifteenth until December fifteenth at midnight of each year, or within the limits of the counties of Grafton and Carroll, except during the month of November and the first fifteen days of December of each year, or within the limits of the counties of Sullivan, Cheshire, Hillsborough, Merrimack, Belknap, Strafford and Rockingham, except during the first fifteen days of December of each year, and then within the limits of the counties of Hillsborough, Merrimack, Belknap, Strafford and Rockingham with shotguns only, using a single ball or loose buckshot. Nothing in the foregoing shall be construed to deprive any person of his right at any time, to protect his property from the depredation of deer, but any person so killing them shall immediately notify the fish and game commissioners of that fact, and whenever the commissioners or their agents shall find the killing was warranted, the carcasses of animals so killed shall be awarded to the person whose property was being damaged. Nothing herein contained shall be construed to repeal or affect existing legislation relating to the Blue Mountain Forest Park Association. Nothing herein contained shall prevent the shooting of deer with a rifle in the following towns in Merrimack county: Andover, Wilmot, Danbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Henniker, Webster and Newbury.

Takes effect on passage; repealing clause.

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

[Approved April 8, 1913.]

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CHAPTER 64.

AN ACT IN AMENDMENT OF SECTION 5 OF CHAPTER 211 OF THE PUBLIC STATUTES, ENLARGING THE JURISDICTION OF POLICE COURTS IN CRIMINAL CASES.

SECTION

1. Criminal jurisdiction enlarged.
2. Repealing clause.

SECTION

3. Takes effect on passage.

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

Criminal jurisdiction enlarged.

SECTION 1. Section 5 of chapter 211 of the Public Statutes is hereby amended by striking out the words "and criminal cases" in the fourth line of said section and inserting in place thereof the following: And shall have jurisdiction to try and determine, subject to the respondent's right of appeal and trial by jury, all criminal causes wherein the offense charged is punishable by a fine not exceeding five hundred dollars (\$500), by imprisonment not exceeding one year in the house of correction or jail, or by both such fine and imprisonment, so that said section as amended shall read as follows: SECT. 5. Police courts shall have the jurisdiction and cognizance of all suits and proceedings which may be heard before a justice of the peace, shall have the powers of a justice of the peace and quorum throughout the state in civil cases, and shall have jurisdiction to try and determine, subject to the respondent's right of appeal and trial by jury, all criminal causes wherein the offense charged is punishable by a fine not exceeding five hundred dollars (\$500), by imprisonment not exceeding one year in the house of correction or jail, or both such fine and imprisonment, and may make suitable rules for regulating the business of the court.

Repealing clause.

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

Takes effect on passage.

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

[Approved April 10, 1913.]



## CHAPTER 65.

AN ACT IN ADDITION TO CHAPTER 173 OF THE PUBLIC STATUTES, RELATING TO THE DUTIES OF TOWN CLERKS REGARDING MARRIAGE RECORDS.

## SECTION

1. Marriage of non-resident, how certified.

## SECTION

2. Takes effect on passage.

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

SECTION 1. In addition to the duties required of the clerks of towns and cities by chapter 173 of the Public Statutes, it shall be the duty of such clerks, whenever a certificate is filed with them of the marriage of any person not a resident of the town or city where such marriage is solemnized, to forward, within ten days after such filing, an attested copy of such certificate to the clerk of the town or city where each of the persons so married shall reside, as such residence is stated in said certificate, whether in this state or any other state.

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

Takes effect on passage.

[Approved April 15, 1913.]

## CHAPTER 66.

AN ACT REGULATING THE LAPSING OF APPROPRIATIONS.

## SECTION

1. Unexpended portions to lapse after three years.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Unless otherwise specially provided all unexpended portions of appropriations, whether general or special, shall lapse at the expiration of three years from the date when the act creating the appropriation first took effect.

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

Takes effect on passage.

[Approved April 15, 1913.]

## CHAPTER 67.

AN ACT IN AMENDMENT OF SECTION 11, CHAPTER 59, PUBLIC STATUTES,  
RELATING TO ABATEMENT OF TAXES.

## SECTION

1. Abatement of tax by court.

## SECTION

2. Takes effect September 1, 1913.

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

Abatement of  
tax by court.

SECTION 1. That section 11, chapter 59, Public Statutes, be amended by striking out the words "nine months" in the third line of said section and inserting in place thereof the words six months, and by striking out the word "supreme" in the fourth line of said section and inserting in place thereof the word superior and also by striking out the words "at a trial term" in the fifth line of said section, so that said section as amended shall read as follows: [SECT. 11.] If they neglect or refuse so to abate, any person aggrieved, having complied with the requirements of chapter 57, may, within six months after notice of such tax and not afterward, apply by petition to the superior court in the county, which shall make such order thereon as justice requires.

Takes effect Sep-  
tember 1, 1913.

SECT. 2. This act shall take effect September 1, 1913.

[Approved April 15, 1913.]

## CHAPTER 68.

AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 252 OF THE PUBLIC  
STATUTES, RELATING TO EXAMINATIONS AND APPEALS.

## SECTION

1. Police court or justice may require bail of \$500 on appeal.

## SECTION

2. Repealing clause; act takes effect on passage.

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

Police court or  
justice may re-  
quire bail of \$500  
on appeal.

SECTION 1. Section 3 of chapter 252 of the Public Statutes is hereby amended by striking out the words "one hundred" in the third line of said section and inserting in place thereof the following: five hundred, so that said section as amended shall read as follows: SECT. 3. Before the appeal is allowed, the appellant shall enter into recognizance, with sufficient sureties, in such sum as the court shall order, not exceeding five hundred dollars, to appear at the court of appeal, to prosecute his appeal with effect, to abide

the order of the court thereon, and, if so required, to be of good behavior in the meantime.

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; act takes effect on passage.

[Approved April 15, 1913.]

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## CHAPTER 69.

AN ACT TO AMEND SECTION 1 OF CHAPTER 267 OF THE PUBLIC STATUTES AS AMENDED BY CHAPTER 8 OF THE SESSION LAWS OF 1909, RELATING TO CRUELTY TO ANIMALS.

SECTION 1. Purchase of unfit animal prohibited; penalty.

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

SECTION 1. Amend section 1 of chapter 267 of the Public Statutes by inserting after the word "use" in the second line thereof the word buy, so that said section as amended shall read as follows: SECTION 1. If any person shall overdrive, overwork, drive when overloaded, use, buy, sell or exchange when unfit for labor, torture, deprive of necessary sustenance or shelter, cruelly beat, mutilate, or kill, cruelly abandon, or transport in an unnecessarily cruel or inhuman manner, any animal, or shall aid therein, or shall knowingly and wilfully permit any animal in his care to be subjected to unnecessary torture, suffering, or cruelty of any kind, he shall be fined not exceeding two hundred dollars, or be imprisoned not exceeding one year or both, for each offense. Purchase of unfit animal prohibited; penalty.

[Approved April 15, 1913.]

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## CHAPTER 70.

AN ACT IN AMENDMENT OF CHAPTER 198 OF THE LAWS OF 1911 RELATING TO THE BUREAU OF LABOR.

SECTION 1. Salary of commissioner payable monthly.

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

SECTION 1. Chapter 198 of the Laws of 1911, section 1, is hereby amended by striking out the word "quarterly" and inserting in Salary of commissioner payable monthly.

place thereof the word monthly so that said section as amended shall read as follows: SECTION 1. The office of commissioner of labor is hereby abolished and a bureau of labor is established in place thereof in accordance with the provisions of this act. Said bureau of labor shall consist of a labor commissioner who shall be appointed by the governor with the advice and consent of the council, within thirty days after the passage of this act, and such clerks and assistants as shall be necessary for the performance of the duties of the bureau. The labor commissioner shall hold his office for three years from the date of his appointment and until his successor shall be appointed and qualified, and he may be removed at any time by the governor with the advice and consent of the council, for cause, and his successor shall be appointed in the same manner for the same term. Any vacancy existing in the office of labor commissioner shall be filled for the unexpired portion of the term by appointment by the governor with the advice and consent of the council. Said commissioner shall appoint a clerk of the bureau and such other clerical assistants as may be necessary and fix their compensation subject to the approval of the governor and council. The records of said bureau shall be public records open to the inspection of any person interested. The salary of said labor commissioner shall be one thousand six hundred dollars (\$1,600) a year, payable monthly by the state treasurer in full for his services, and his actual expenses incurred in the work of his office shall be paid by the state treasurer on duly detailed vouchers approved by the governor.

[Approved April 15, 1913.]

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## CHAPTER 71.

### AN ACT RELATIVE TO PROCURING BY FALSE REPRESENTATION SALES OR DELIVERY OF INTOXICATING LIQUORS BY MINORS.

#### SECTION

1. False statement as to age, penalty.

#### SECTION

2. Act limited; takes effect on passage.

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

False statement as to age, penalty.

SECTION 1. Whoever being a minor, makes a false statement as to his or her age, in order to procure a sale or delivery of intoxicating liquor, either for his or her own use, or for the use of another, and whoever knowingly makes a false statement as to the age of a minor in order to procure a sale or delivery of intoxicating liquor to such minor, either for the use of the minor or for

the use of some other person, or whoever induces a minor to make a false statement as to his or her age, in order to procure a sale or delivery of intoxicating liquor to such minor, shall be guilty of a misdemeanor and may be punishable by a fine of not more than twenty dollars, *provided, however*, that no person involved in any way, directly or indirectly, in an alleged violation of this act, shall be excused from testifying in any prosecution against any person for an alleged illegal sale of liquor, for the reason that such testimony might incriminate himself; but no testimony so given by him shall be used as evidence in any prosecution against him for any part he may have had in any alleged violation of this act, nor shall he thereafter be prosecuted for any offense so disclosed by him.

SECT. 2. Nothing in this act shall be construed to repeal or affect the provisions of chapter 95 of the Laws of 1903, being An act to regulate the traffic in intoxicating Liquors, or amendments thereto, and this act shall take effect upon its passage. Act limited; takes effect on passage.

[Approved April 15, 1913.]

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## CHAPTER 72.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION OF THREE PERSONS TO INVESTIGATE MATTERS RELATING TO THE WELFARE OF THE DEPENDENT, DEFECTIVE AND DELINQUENT CHILDREN OF THE STATE.

SECTION

1. Commission provided for.

SECTION

2. Takes effect on passage.

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

SECTION 1. That the governor and council be hereby authorized to appoint three suitable persons who shall investigate all matters relating to the welfare of the dependent, defective, and delinquent children of the state, especially the questions of orphanage, juvenile courts, detention homes, desertion, physical and mental degeneracy, infant mortality, accidents and diseases and make report, with recommendations concerning the above matters, to the legislature of 1915, said commission to serve without compensation except for necessary expenses, and the governor is hereby authorized to draw his warrant for such actual reasonable expenses of said commission. Commission provided for.

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

Takes effect on passage.

[Approved April 15, 1913.]

## CHAPTER 73.

AN ACT TO AMEND SECTION 8 OF CHAPTER 46 OF THE PUBLIC STATUTES  
IN RELATION TO THE HOUR OF OPENING THE POLLS IN CITIES.

## SECTION

1. Polls, when to be opened.

## SECTION

2. Takes effect on passage.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*Polls, when to  
be opened.

SECTION 1. Amend section 8 of chapter 46 of the Public Statutes by striking out the words "nine o'clock in the forenoon of the day of election" in the second [and third] line and insert in place thereof the following: any time between the hours of six and nine o'clock in the forenoon of the day of election as city councils in said city shall determine, so that said section as amended shall read as follows: SECT. 8. In all elections by the voters in their wards the polls shall be opened at any time between the hours of six and nine o'clock in the forenoon of the day of election, as city councils in said city shall determine, and shall be kept open until three o'clock, and not later than six o'clock in the afternoon, as the meeting shall direct; and but one balloting shall be had during the day for each officer to be voted for; but this section shall not apply to special elections called to fill vacancies in any ward office.

Takes effect  
on passage.

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

[Approved April 15, 1913.]

## CHAPTER 74.

AN ACT RESPECTING THE EXPENSES OF STATE OFFICIALS WHILE BEYOND  
THE STATE UPON OFFICIAL BUSINESS.

## SECTION

1. Advance authorization required.  
2. Duty of state auditor.

## SECTION

3. Application of act limited.  
4. Takes effect on passage.*Be it enacted by the Senate and House of Representatives in  
General Court convened:*Advance  
authorization.

SECTION 1. Expenses for out-of-the-state trips by state officials or employees shall not be a charge against the state treasury, unless advance authorization for said trips has been procured from the governor and council.

SECT. 2. The state auditor shall not give audit to bills for expenses referred to in section 1, unless the same are accompanied by evidence showing the required authorization.

Duty of state auditor.

SECT. 3. The provisions of this act shall not apply to expenses for such trips as may be specifically authorized by statute, nor to the expense of inter-state trips, incident to the regular conduct of state business, having their starting point and point of termination within the state.

Limitation.

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

Takes effect on passage.

[Approved April 15, 1913.]

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## CHAPTER 75.

### AN ACT IN AMENDMENT OF SECTION 19 OF CHAPTER 155 OF THE LAWS OF 1909, RELATING TO SALE OF STATE BONDS.

SECTION 1. Residents of New Hampshire not to be preferred in sale.

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

SECTION 1. Section 19 of chapter 155 [35] of the Laws of 1909 [1905] is hereby amended by striking out of said section the following words in the twenty-sixth, twenty-seventh and twenty-eighth lines: "Before said bonds are negotiated and sold they shall be offered for at least thirty days to residents of the State of New Hampshire at par value and" so that said section as amended shall read as follows: SECT. 19. The treasurer of the state is hereby authorized under the direction of the governor and council, to issue bonds or certificates of indebtedness in the name and on behalf of the state to an amount not exceeding one million dollars, payable in such sums and at such times, not exceeding thirty years, as the governor and council shall determine. They shall bear interest not to exceed 3½ per cent, per annum, payable semi-annually, and have interest coupons attached to each bond and said bonds and coupons shall be signed by the treasurer and be made payable at such place or places as the governor and council shall designate. Such bonds shall be called the highway bonds and shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds countersigned by the governor, showing the number and amount of each bond, the time of countersigning, the time when payable and the date of delivery to the treasurer. The treas-

Residents of New Hampshire not to be preferred.

urer shall keep an account of each bond, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable. The treasurer may negotiate and sell such bonds by direction of the governor and council in such manner as they may determine most advantageous to the state, but the amount to be issued in any one year shall not exceed one fourth of the total authorized issue, and no bond shall be sold for less than its par value nor shall such bonds be loaned, pledged, or hypothecated in any way whatever in behalf of the state. All bonds so disposed of shall not be taxable in this state, *provided* they are held by residents of this state, and shall bear interest at 3 per cent. The proceeds of the sale of said bonds shall be held by the treasurer, and paid by him upon warrants drawn by the governor for the purposes of this act, but no proceeds, however, shall be used for the maintenance of highways or for any purpose except permanent construction or improvement as herein provided, and for the necessary expenditures in the administration of this act.

[Approved April 15, 1913.]

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## CHAPTER 76.

### AN ACT RELATING TO THE OFFICE OF CLERK OF THE PUBLIC PRINTING COMMISSION.

#### SECTION

1. State indexer to perform duties.

#### SECTION

2. Takes effect July 1, 1913.

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

State indexer to  
perform duties.

SECTION 1. The duties of the clerk of the public printing commission shall be performed by the state indexer of records as a part of his official duties, and without further compensation therefor.

Takes effect  
July 1, 1913.

SECT. 2. This act shall take effect July 1, 1913.

[Approved April 15, 1913.]



## CHAPTER 77.

AN ACT IN AMENDMENT OF SECTION 8 OF CHAPTER 65 OF THE PUBLIC STATUTES RELATIVE TO THE TAXATION OF DOMESTIC INSURANCE COMPANIES.

SECTION 1. Sworn return of capital and shareholders.

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

SECTION 1. Amend section 8 of chapter 65 of the Public Statutes by striking out the word "fire" in the first line thereof, so that said section as amended shall read as follows: SECT. 8. The treasurer of every stock insurance company organized under the laws of and doing business in this state shall, on or before the first day of May, annually, transmit to the state treasurer a statement under oath of the amount of its paid-up capital, and the name, residence, and number of shares of each shareholder of the corporation on the first day of April next preceding.

Sworn return of capital and shareholders.

[Approved April 15, 1913.]

## CHAPTER 78.

AN ACT RELATING TO THE LICENSING OF INSURANCE AGENTS.

SECTION

1. Licenses, issuance and revocation of.
2. Transaction of business by unlicensed person, penalty.

SECTION

3. Repealing clause; act takes effect January 1, 1914; licenses then in force saved.

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

SECTION 1. Upon written notice by an insurance company authorized to transact business in this state of its appointment of a person to act as its agent herein, the insurance commissioner shall, if he is satisfied that the appointee is a suitable person and intends to hold himself out in good faith as an insurance agent, issue to him a license which shall state, in substance, that the company is authorized to do business in this state and that the person named therein is the constituted agent of the company in this state for the transaction of such business as it is authorized to transact herein. Such notice shall be upon a form furnished by the insurance commissioner and shall be accompanied by a statement

Licenses, issuance and revocation of.

under oath by the appointee which shall give his name, age, residence, present occupation, his occupation for the five years next preceding the date of the notice, and such other information, if any, as the insurance commissioner may require, upon a blank furnished by him. The insurance commissioner may at any time after the granting of such license, for cause shown, and after a hearing, determine any person so appointed, or any person theretofore appointed as agent, to be unsuitable to act as such agent, and shall thereupon revoke such license and notify both the company and the agent of such revocation. Unless revoked by the commissioner, or unless the company by written notice to the commissioner cancels the agent's authority to act for it, such license and any other license issued to an agent or any renewal thereof shall expire on the thirty-first day of March next after its issue. But any license issued and in force when this act takes effect or thereafter issued, may, in the discretion of the commissioner, be renewed for a succeeding year or years by a renewal certificate without the commissioner's requiring the detailed information required by this act. A foreign company shall pay a fee of two dollars for every such license and for each renewal thereof. While such license remains in force, a foreign company shall be bound by the acts of the person named therein within his apparent authority as its acknowledged agent.

Transaction of business by unlicensed person, penalty.

SECT. 2. If a person shall act or aid in any manner in the negotiation of insurance, or shall solicit or receive any risk or application for insurance, or, not being a salaried office employee, shall receive money or value therefor, for any insurance company or agent, without a license from the commissioner, or after the license granted to him or to the company for which he acts as agent, has been revoked, he shall be fined not exceeding two hundred dollars; but any policy issued on an application thus procured shall bind the company if otherwise valid. Nothing in this section is to be construed as relating to the penalty provided by section 7 of chapter 171 [of the Public Statutes.] for acting as an agent of a life insurance company without a license.

Repealing clause: act takes effect January 1, 1914: licenses then in force saved.

SECT. 3. Sections 9, 10, 11 and 12 of chapter 168 and sections 8 and 11 of chapter 169 of the Public Statutes and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect January 1, 1914. Licenses issued and in force at that time shall remain in force for the remainder of the term for which they were issued and the authority of the agents of domestic companies shall cease on March thirty-first, 1914.

[Approved April 15, 1913.]

## CHAPTER 79.

AN ACT IN AMENDMENT OF SECTION 78, CHAPTER 79 OF THE LAWS OF 1901, AS AMENDED BY SECTION 11, CHAPTER 84, SESSION LAWS OF 1905, RELATING TO THE CATCHING OF LOBSTERS.

## SECTION

1. Lobsters protected; penalty.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Amend section 78 of chapter 79 of the Laws of 1901, as amended by section 11, chapter 84, session Laws of 1905, [section 6, chapter 11, Laws of 1909.] by striking out the words "ten and one half inches" and insert in place thereof the words nine inches; and further amend said section by striking out all of said section following the words "he shall be," and inserting in place thereof the words [fined] five dollars for the first lobster, and one dollar for each additional lobster so caught, preserved, had in possession, sold or exposed for sale, for the first offense and for the second offense he shall be fined ten dollars for the first lobster and five dollars for each additional lobster so caught, preserved, had in possession, sold, or exposed for sale, so that said section as amended shall read: SECT. 78. If any person shall catch, preserve, have in possession, sell, or expose for sale, any lobster under nine inches in length, measuring from one extremity of the body to the other, or eight and three-quarters inches in length after being cooked in any manner, exclusive of claws and feelers, or shall kill or destroy any female lobster while carrying her spawn, he shall be fined five dollars for the first lobster and one dollar for each additional lobster so caught, preserved, had in possession, sold or exposed for sale, for the first offense; and for the second and subsequent offense he shall be fined ten dollars for the first lobster and five dollars for each additional lobster so caught, preserved, had in possession, sold, or exposed for sale.

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

Takes effect  
on passage.

[Approved April 15, 1913.]

## CHAPTER 80.

## AN ACT TO REGULATE THE BUSINESS OF ASSESSMENT CASUALTY INSURANCE.

## SECTION

1. Title of prior act amended.
2. Requirements for license.

## SECTION

3. Deposit with state treasurer.

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

Title of prior act amended.

SECTION 1. Amend chapter 81, Laws of 1895, entitled "An Act in Amendment of Chapter 56 of the Laws of 1891, entitled 'An Act Placing Certain Corporations, Associations, Societies, and Orders under the Jurisdiction of the Insurance Commissioner,'" as follows: Amend the title of said chapter by striking out the present title and by inserting in place thereof the following: An Act to regulate the Business of Assessment Casualty Insurance.

Requirements for license.

SECT. 2. Amend section 1 of said chapter by striking out the whole of said section and by inserting in place thereof the following: SECTION 1. Any corporation organized under the authority of any other state or country, and engaged in the business of casualty insurance upon the assessment plan, whether mutual or joint stock company, which does not contract to pay living policyholders or members any fixed benefit save for bodily injury or physical disability from any cause, shall, upon filing with the insurance commissioner copies, statements, and agreements required by chapter 169 of the Public Statutes, and upon payment of the same fees and taxes as are required of foreign insurance companies be licensed by the insurance commissioner to do business in this state, upon furnishing, in addition to other requirements, a certificate under oath of its president and secretary that it is paying and for the twelve months then next preceding has paid the maximum amount named in its policies or certificates in full and that an assessment upon its policyholders or members will produce a sum at least equal to the maximum policy or certificate written by the corporation, evidence that it has accumulated and maintains, as a trust for the benefit of policy or certificate-holders only, a fund equal at least to the amount which one assessment call upon said certificate or policyholders would produce, and, of not less than ten thousand dollars, invested as provided in section 2 of chapter 169 of the Public Statutes; and a certificate from the proper authority of its home state or country that corporations of this state, engaged in the business of casualty insurance on the assessment plan, are legally entitled to do business in such state or country. All companies, after they are licensed under the pro-

visions of this act, shall in all respects be subject to the provisions of chapter 169 of the Public Statutes.

SECT. 3. Amend section 2 of said chapter by striking out the words "or mortuary" so that said section as amended shall read as follows: SECT. 2. Of the trust fund or reserve required to be accumulated and maintained by the preceding section, such corporation shall deposit in trust with the treasurer of this state before being licensed as aforesaid, and shall keep on deposit with such treasurer, securities at least equal in value to the amount which one assessment call upon its certificate or policyholders would produce; but the corporation shall have at all times, on approval of the insurance commissioner, the right to exchange any part of said securities for others of like amount and character. This section shall not apply to any corporation which produces evidence satisfactory to the insurance commissioner that it is required by the law of its home state or country to keep on deposit, and that it has deposited, securities to a like amount with the treasurer or other public fiscal officer of such state or country.

[Approved April 15, 1913.]

CHAPTER 81.

AN ACT IN AMENDMENT OF CHAPTER 133 OF THE LAWS OF 1911, ENTITLED "AN ACT REPEALING CHAPTER 86 OF THE LAWS OF 1905, AND CHAPTER 154 OF THE LAWS OF 1909, AND ENACTING A MOTOR VEHICLE LAW."

SECTION	SECTION
1. Meaning of "motor cycle."	5. Operation in proximity to horses; use of horn, etc.
2. Operation and registration by non-residents.	6. Fees for registration, licenses, etc.
3. Brakes, mufflers, horns, and lights.	7. Act takes effect, when.
4. Operation without license, when.	

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

SECTION 1. That the definition of "motor cycle" in section 1 of said chapter 133 be amended by striking out the same and inserting in place thereof the following: Motor cycle shall apply only to motor vehicles having but two wheels in contact with the ground and with pedals and a saddle on which the driver sits astride, but a motor cycle may carry a one wheel attachment for the conveyance of a passenger.

Operation and  
registration by  
non-residents.

SECT. 2. That section 3 of said chapter be stricken out and the following be inserted in place thereof: SECT. 3. (a) A motor vehicle owned by a non-resident of this state, who has complied with the laws of his state, district or country, relating to registration and licensing of motor vehicles, may be operated on the ways of this state for a period not exceeding ten days in any one calendar year without registration, except as otherwise provided in section 9. In estimating the number of days of use by a non-resident under the foregoing privilege, any fractional part of a day's use within this state shall be held to be a day. Every such vehicle so operated shall have displayed upon it the distinguishing number or mark of the state, district or country in which the owner thereof resides, and none other, until the vehicle is registered in accordance with the provisions of this act. A motor vehicle so owned may be operated also in this state during the months of July, August, and September in any year if application for the registration thereof is made in accordance with the provisions of section 2 and the proper fee provided for in section 26 is paid, and the said vehicle is duly registered by the secretary or his authorized agent. The secretary shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid, two number plates of suitable design, and triangular in shape, each number plate to have displayed upon it the register number assigned to such vehicle, the letters N. H., and figures showing the year of the issue, but no such number plates shall be furnished by the secretary for motor cycles. Every such registration shall expire at midnight upon the thirtieth day of September in each year.

(b) A motor vehicle owned by a non-resident of this state who has complied with the laws of his state relating to registration and licensing of motor vehicles, who has a bona fide actual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may be operated upon any ways of this state distant not more than fifteen miles from the border line of his state, if application for the registration thereof is made in accordance with the provisions of section 2 and the proper fee provided for in section 26 is paid and the said motor vehicle is duly registered by the secretary or his authorized agent. The secretary shall furnish at his office, without charge, to every person whose automobile is registered as aforesaid, a metal tag of suitable design, and oval in shape, to have displayed upon it the register number assigned to such motor vehicle, the letters N. H., and figures showing the year of the issue, but no such tag shall be furnished by the secretary for motor cycles. Such tag shall at all times be conspicuously displayed on

the front of such motor vehicle. Every application filed under the provisions of (a) and (b) of this section shall be sworn to by the applicant before a justice of the peace or a notary public.

SECT. 3. Amend section 7 of said chapter by striking out the words "public highways" in the second line thereof, and by inserting in place thereof the word ways; by adding the words and suitable lamps, after the word "signaling" in the fifth line thereof; by striking out the words "and shall" in the fifth line thereof and substituting therefor the words, every automobile operated, so that said section as amended shall read as follows: SECT. 7. Every motor vehicle, operated or driven upon the ways of this state, shall be provided with adequate brakes in good working order and sufficient to control such vehicle at all times when the said vehicle is in use, a muffler, a suitable and adequate bell, horn or other device for signaling, and suitable lamps. Every automobile operated during the period from one half hour after sunset to one half hour before sunrise, shall display at least two lighted lamps on the front and one on the rear of such vehicle, which shall also display a red light visible from the rear. The rays of such rear lamp shall shine upon the number plate carried on the rear of such vehicle in such manner as to render the numerals thereon visible for at least fifty feet in the direction from which the motor vehicle is proceeding. The light on the front lamps shall be visible at least two hundred feet in the direction in which the motor vehicle is proceeding.

SECT. 4. Amend section 9 of said chapter by striking out the words, "During the period of ten days within which" in the fifteenth line thereof, and by inserting in place thereof the word whenever; by inserting the words without registration after the word "state" in the seventeenth line thereof; and by striking out the words "for a period of not more than ten days," in the twenty-third and twenty-fourth lines thereof, and by inserting in place thereof the words while operating a motor vehicle not subject to registration in accordance with the provisions of section 3, so that said section 9 as amended shall read as follows: SECT. 9. No person shall operate a motor vehicle upon any way in this state unless licensed under the provisions of this act, except as otherwise herein provided, but the provisions of this section shall not prevent the operation of motor vehicles by unlicensed persons, while being taught to operate, if riding with or accompanied by a licensed chauffeur or operator, excepting only persons who have been licensed and whose licenses are not in force because of revocation or suspension for cause and persons less than sixteen years of age, but said licensed chauffeur or operator shall be liable for the violation of any provision of this act or any regulation made in ac-

Brakes, mufflers,  
horns, and lights.

Operation without  
license, when.

cordance herewith committed by such unlicensed operator, *provided, however*, that the examiners of chauffeurs and operators in the employ of the secretary, when engaged in their official duties, shall not be liable for the acts of any person who is being examined. Whenever a motor vehicle of a non-resident may be operated on the ways of this state without registration in accordance with the provisions of section 3, such vehicle may be operated by its owner or by his chauffeur or employee, without a license from the secretary, if the operator or chauffeur is duly licensed under the laws of the state, district or country in which he resides or has complied fully with the laws of the state of his residence respecting the licensing of operators of motor vehicles. No person, except a non-resident, while operating a motor vehicle not subject to registration in accordance with the provisions of section 3, shall operate a motor vehicle as a chauffeur unless specially licensed by the secretary so to do, and while so operating every chauffeur shall display conspicuously the badge furnished to him by the secretary upon his cap, hat or the front of his outermost coat or garment, so that the distinguishing number or mark assigned to him by the secretary shall be plainly visible.

Operation in  
proximity to  
horses: use of  
horn, etc.

SECT. 5. Amend section 12 of said chapter by adding after the word "signaling" in the seventeenth line thereof, the words *provided* that in the thickly settled parts of a city or town no bell, horn or other device for signaling shall be sounded so as to make an unreasonable noise, except in the case of fire and police department vehicles; and *provided, further*, that no operator or chauffeur of any motor vehicle shall on any way permit any unreasonable amount of smoke to escape from said motor vehicle, nor shall said operator or chauffeur on any way permit said motor vehicle to make any unnecessary noise, by cutting out the muffler, or otherwise, so that said section 12 as amended shall read as follows: SECT. 12. Every person having control or charge of an automobile or motor cycle, shall, whenever upon any public street or way and approaching any vehicle drawn by a horse or horses or approaching any horse upon which any person is riding, operate, manage, and control such automobile or motor cycle in such a manner as to exercise every reasonable precaution to prevent the frightening of such horse or horses and to insure the safety and protection of any person riding or driving the same. And, if such horse or horses appear to be frightened, the person in control of such automobile or motor cycle shall reduce its speed, and if requested by the raising of a hand by the rider or driver of such horse or horses, shall not proceed further toward such animal, and, in cases of extreme fright, shall upon request reduce the motive power to a full stop. Upon approaching any intersecting way or a curve or corner in a



way every person operating a motor vehicle shall slow down and give timely signal with his bell, horn, or other device for signaling; *provided*, that in the thickly settled parts of a city or town no bell, horn or other device for signaling shall be sounded so as to make an unreasonable noise, except in the case of fire and police department vehicles; and *provided further*, that no operator or chauffeur of any motor vehicle shall on any way permit any unreasonable amount of smoke to escape from said motor vehicle, nor shall any operator or chauffeur on any way permit said motor vehicle to make any unnecessary noise, by cutting out the muffler, or otherwise. The driver of any motor vehicle on any highway, approaching a crossing of ways, shall slow down and keep to the right of the intersection of the centers of both ways when turning either to the right or to the left.

SECT. 6. That section 26 of said chapter be stricken out and the following substituted therefor: SECT. 26. The secretary or his authorized agents shall collect fees as follows: Fees for registration, licenses, etc.

For the registration of every motor cycle, three dollars.

For the registration of every non-passenger carrying commercial motor vehicle and every motor truck of not more than one ton capacity, ten dollars; of more than one ton and less than two tons capacity, twelve and one half dollars; of more than two tons and less than five tons capacity, fifteen dollars; and of more than five tons capacity, twenty dollars.

For the registration of every automobile used exclusively in carrying passengers for hire, the sum of ten dollars.

For the registration of every other automobile not exceeding fifteen horse power, ten dollars.

For the registration of every other automobile exceeding fifteen horse power and not exceeding thirty horse power, fifteen dollars.

For the registration of every other automobile exceeding thirty horse power and not exceeding forty horse power, twenty dollars.

For the registration of every other automobile exceeding forty and not exceeding fifty horse power, twenty-five dollars.

For the registration of every other automobile exceeding fifty horse power and not exceeding sixty horse power, thirty dollars.

For the registration of every other automobile exceeding sixty horse power, forty dollars.

For the substitution of the registration of a motor vehicle for that of a vehicle previously registered in accordance with the provisions of section 2 of this act, two dollars.

For the registration of every motor vehicle owned by a non-resident who applies for registration under the provisions of section 3 (a) of this act, and for the registration of every automobile during the period beginning with the first day of October and ending

on the thirty-first day of December, in any year, in accordance with the provisions of section 2 of this act, one half of the foregoing fees.

For the registration of every motor vehicle owned by a non-resident who applies for registration under the provisions of section 3 (b) of this act, two dollars.

For the registration of motor vehicles owned by or under the control of a manufacturer of or dealer in motor vehicles, twenty-five dollars, *provided, however*, that every dealer shall separately register and pay a further sum of ten dollars for each motor vehicle which he lets for hire.

For each operator's original license and examination, three dollars; for each chauffeur's original license, examination and badge, five dollars; for all subsequent operator's and chauffeur's licenses, one dollar.

For every additional copy of a certificate of registration or license, fifty cents.

For every additional number plate furnished to replace such as have been lost, mutilated or which are illegible, and for every additional number plate furnished to a manufacturer of or dealer in motor vehicles, whose business requires more than six pairs of such plates, one dollar.

*Provided, however*, that said secretary or his authorized agents may furnish without charge copies of certificates of registration and licenses to operate and copies of other documents relating thereto to officers of the state or of any court thereof or of a city or town therein, and said secretary may issue certificates of registration for motor vehicles and licenses to operate the same to any member of the foreign diplomatic corps without the payment of the fees therefor.

SECT. 7. Sections 1, 2, 3, 4 and 5 of this act shall take effect upon its passage, and section 6 shall take effect at midnight on the thirty-first day of December, 1913.

[Approved April 15, 1913.]

CHAPTER 82.

AN ACT FOR THE ASSESSMENT AND COLLECTION OF POLL TAXES, AND IN AMENDMENT OF CHAPTERS 55 AND 59 OF THE PUBLIC STATUTES.

SECTION	SECTION
1. Uniform poll tax of two dollars.	6. Powers and duties of collector.
2. Collection of tax.	7. Provision for estimating value of poll repealed.
3. Payable on demand without notice.	8. Repealing clause; act takes effect March 1, 1914.
4. Distress for non-payment.	
5. Arrest for non-payment.	

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

SECTION 1. That section 1 of chapter 55 of the Public Statutes be and the same is hereby repealed and the following section be substituted in place thereof: SECTION 1. A poll tax of two dollars shall be assessed on every male inhabitant of the state from twenty-one to seventy years of age, whether a citizen of the United States or an alien, except paupers, insane persons and others exempt by special provision of law.

SECT. 2. After the first day of April in each year, a list of all poll taxes, by them assessed against persons having no property to be assessed shall be made by the selectmen of towns and assessors of cities with warrants under their hands and seal, directed to the collector of taxes, requiring him to collect the same at once and pay the same to the town treasurer at such times as may be therein prescribed.

SECT. 3. Poll taxes shall be paid to the collector on demand, without previous notice.

SECT. 4. Upon neglect or refusal of any such person to pay the tax assessed upon him, the collector may distrain the goods and chattels of such person.

SECT. 5. For want of goods and chattels whereon to make distress, the collector may take the body, wherever in this state found, of any person neglecting or refusing to pay the tax assessed against him, and commit him to the common jail.

SECT. 6. The collector, in the collection of poll taxes, shall have the same powers and privileges and be subject to the same duties as in the collection of other taxes.

SECT. 7. That section 1 of chapter 59, Public Statutes, be hereby amended by repealing all of said section after the word "month" in the second line thereof, so that the section when amended will read: SECTION 1. All taxes for any year following the first day of April shall be assessed upon the invoice taken in that month.

Repealing clause;  
act takes effect  
March 1, 1914.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect on March first, 1914.

[Became a law without the governor's signature, April 21, 1913.]

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CHAPTER 83.

AN ACT RELATING TO MEDICAL INSPECTION OF SCHOOLS.

SECTION

1. Act in force where adopted.
2. School physicians provided for.
3. Examinations of pupils, etc.
4. Reference of illness to parents.
5. Notice of disease to parents.
6. Tests of sight, hearing, etc.

SECTION

7. Directions for tests; blanks, records, etc.
8. Exemption from examination.
9. Appropriation by district authorized.
10. Repealing clause; act takes effect on passage.

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

In force where  
adopted.

SECTION 1. Whenever any city, union, special, or town school district shall adopt the provisions of this act the said provisions shall be in force in such school district as hereinafter provided.

School physicians.

SECT. 2. The school board of the city or town, in which such school district is located, shall appoint one or more school physicians of not less than five years' experience, shall assign one to each public and each private school within such school district, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act.

Examinations of  
pupils, etc.

SECT. 3. Every school physician shall in the presence of the teacher at least once a year, previous notice having been given, make such an examination of every pupil, excepting such as are hereinafter exempted, and of every teacher, janitor, and other employees, of the schools committed to his charge, and of the school buildings, yards and surroundings thereof as the protection of the health of the pupils may require. He shall report the results of his examination to the school board, who shall record the same, and they shall forthwith take such action thereon as in their judgment the public health or the health of the pupils demands.

Reference of ill-  
ness to parents.

SECT. 4. Every child who shows signs of being in ill health or of suffering from a communicable disease, shall be referred by the teacher to the parents or guardian of such child for examination and diagnosis by some regularly registered physician and if said parents fail or neglect to have such child so examined, and produce

a certificate from such physician within two days, then such child shall be examined by said school physician.

SECT. 5. The school physician shall cause notice of the disease or defects, if any, from which any child is found to be suffering to be sent to his parent or guardian. Whenever a child shows symptoms of smallpox, tuberculosis, diphtheria, influenza, tonsilitis, whooping cough, mumps, scabies, or trachoma, or other communicable disease, he shall be sent home immediately, or as soon as safe and proper conveyance can be found.

Notice of disease to parents.

SECT. 6. The school physician shall cause every child in the public schools to be carefully tested and examined in the presence of the teacher at least once in every school year to ascertain whether he is suffering from defective sight or hearing or from any other disability or defect tending to prevent his receiving the full benefit of his school work, or requiring a modification of the school work in order to prevent injury to the child or to secure the best educational results. The tests of sight and hearing, shall be made by the teacher under the direction of the school physician. The physician shall cause notice of any defect or disability requiring treatment to be sent to the parent or guardian of the child and shall require a physical record of each child to be kept in such form as the state superintendent of public instruction shall prescribe.

Tests of sight, hearing, etc.

SECT. 7. The state board of health shall prescribe the directions for tests of sight and hearing, and the superintendent of public instruction shall, in co-operation with the state board of health, prescribe instruction, test cards, blanks, record books, and other useful appliances for carrying out the purposes of this act, and shall provide for students in the normal schools instruction and practice in the best methods of testing the sight and hearing of children.

Directions for tests; blanks, records, etc.

SECT. 8. Any parent or guardian may protest in writing to the teacher against the examination of his or her child or ward, and such pupil shall thereafter be exempt from any examination for or on account of any non-contagious disease or defect.

Exemption from examination.

SECT. 9. The district may raise money for carrying into effect the provisions of this act.

Appropriation authorized.

SECT. 10. All acts and parts of acts inconsistent with the foregoing are hereby repealed, and this act shall take effect upon its passage.

Repealing clause: act takes effect on passage.

[Approved April 22, 1913.]

CHAPTER 84.

AN ACT TO PROMOTE THE IMPROVEMENT AND COMPLETION OF TRUNK LINE ROADS.

SECTION

- 1. Expense of improvement, how borne.
- 2. Limitation of additional state tax.

SECTION

- 3. Repealing clause; act takes effect on passage.

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

Expense of improvement, how borne.

SECTION 1. The roads designated under sections 15 and 16 of chapter 155, [35] Laws of 1909, [1905] shall be improved by that city, town or place within which they are located, at the expense of such city, town or place and to the satisfaction of the governor and council; and such city, town or place, shall receive from the state one half the cost of such improvement, and such further sums in towns unable to pay that proportion, as in the opinion of the governor and council may be equitable. In case any city, town or place shall neglect to improve said roads, after being so requested by the governor and council such improvements shall be made under the discretion of the governor and council, at the expense of the state, and one half of the cost thereof, less such farther sums in towns unable to pay one half the cost thereof, as in the opinion of the governor and council may be equitable, shall be added to the state tax for such city or town.

Limitation of additional tax.

SECT. 2. For the purpose of carrying into effect the provisions of this act, the tax added in any city, town or place in any one year, shall not exceed one fourth of one per cent. of the valuation of the polls and ratable estate on which other taxes are assessed by such town.

Repealing clause; act takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act takes effect upon its passage.

[Approved April 22, 1913.]

## CHAPTER 85.

AN ACT PROVIDING FOR THE ERECTION OF A DAM AT THE OUTLET OF  
CHERRY POND.

## SECTION

1. Dam provided for.

## SECTION

2. Appropriation of \$100.

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

SECTION 1. That the fish and game commissioners shall cause a Dam provided for. dam to be built at the outlet of Cherry pond, a public water in the town of Jefferson, sufficiently high to raise the water in said pond to its natural level, *provided* that the water in said pond shall in no event be raised to such height that it shall cause any damage to the road-beds of the Boston & Maine and Maine Central railroads in times of high water.

SECT. 2. The sum of \$100 is hereby appropriated to carry out Appropriation of \$100. the provisions of this act.

[Approved April 22, 1913.]

## CHAPTER 86.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 51 OF THE LAWS OF  
1907 IN RELATION TO SQUARE-TAILED TROUT.

## SECTION

1. Protection in Success pond.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Section 1, chapter 51 of the session Laws of 1907 Protection in Success pond. is hereby amended by inserting after the word "Millsfield" in line four of said section the following: Success pond in Success, so that said section as amended shall read as follows: SECTION 1. It shall not be lawful for any person to kill, destroy or have in possession from the waters of the Greenough ponds in Wentworth's Location. Bear Brook pond in Errol, Big Millsfield pond and Bragg pond, so called, in Millsfield, Success pond in Success. any square-tailed trout of a length of less than seven inches.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

## CHAPTER 87.

AN ACT IN AMENDMENT OF SECTION 77, CHAPTER 79, LAWS OF 1901,  
RELATING TO THE TAKING OF OYSTERS FROM GREAT BAY AND OTHER  
SPECIFIED WATERS.

SECTION 1. Taking oysters in certain waters regulated.

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

Taking oysters in  
certain waters  
regulated.

SECTION 1. Amend section 77 of chapter 79, Laws of 1901, by striking out after the words "Great bay" the balance of said section and insert in place thereof the following: or its tributaries, Little bay or Durham river, during the months of June, July and August, or shall take oysters through holes in the ice or shall at any time take oysters in any other manner than by the use of hand tongs, excepting that part of Great bay or its tributaries, westerly of a line drawn from the easterly end of Concord bridge, so called, in a straight line to Adams point, so called, or shall sell, or offer for sale any such oysters or shall take more than one bushel in any one day, unless the oysters have been bedded in the aforesaid waters by the person taking the same he shall be fined not exceeding one hundred dollars (\$100) for each offense, so that said section as amended shall read: SECT. 77. If any person shall take oysters from Great bay or its tributaries, Little bay or Durham river, during the months of June, July and August, or shall take oysters through holes in the ice, or shall at any time take oysters in any other manner than by the use of hand tongs, excepting that part of Great bay or its tributaries westerly of a line drawn from the easterly end of Concord bridge, so called, in a straight line to Adams point, so called, or shall sell, or offer for sale any such oysters, or shall take more than one bushel on any one day, unless the oysters have been bedded in the aforesaid waters by the person taking the same, he shall be fined not exceeding one hundred dollars (\$100) for each offense.

[Approved April 22, 1913.]



## CHAPTER 88.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 87 OF THE LAWS OF  
1911, RELATING TO INVESTMENTS BY INSURANCE COMPANIES.

## SECTION 1. Certain loans and investments prohibited.

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

SECTION 1. Section 1 of chapter 87 of the Laws of 1911 is here-  
by amended by inserting a period after the word "stock" in the  
second line of said section and by striking out the rest of said  
section and inserting in place thereof the following words: No  
such company shall invest or loan any portion of its capital stock  
or more than thirty per cent. of its surplus, in or upon the security  
of the stock of any other company carrying on the same kind of  
insurance business. No such company shall invest or loan any  
portion of its capital stock in or upon the security of the stock  
of any other company owning or holding the stock of any insurance  
company or companies carrying on the same kind of insurance busi-  
ness to an amount in excess of ten per cent. of its outstanding  
capital stock; so that said section as amended shall read as follows:  
SECTION 1. No insurance company organized under the laws of  
this state shall invest its funds in or loan them on its own stock.  
No such company shall invest or loan any portion of its capital  
stock or more than thirty per cent. of its surplus, in or upon the  
security of the stock of any other company carrying on the same  
kind of insurance business. No such company shall invest or loan  
any portion of its capital stock in or upon the security of the  
stock of any other company owning or holding the stock of any  
insurance company or companies carrying on the same kind of  
insurance business to an amount in excess of ten per cent. of its  
outstanding capital stock.

[Approved April 22, 1913.]

## CHAPTER 89.

## AN ACT RELATIVE TO THE CANCELLATION OF FIRE INSURANCE POLICIES.

## SECTION

1. Cancellation without return of premium, when.

## SECTION

2. Takes effect on passage.

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

Cancellation without return of premium, when.

SECTION 1. An insurance company issuing fire insurance policies on property in this state under the standard form required by law may cancel any such policy after giving written notice to the assured and to any mortgagee to whom such policy is made payable, without tendering to the assured a ratable proportion of the premium: such cancellation to take effect as to all risks subsequent to the expiration of ten days from such notice, and neither the assured nor mortgagee shall then have the right to recover as to such risks; *provided*, the premium has not been paid to the company or its agent or to a duly licensed insurance broker through whom the contract of insurance was negotiated.

Takes effect on passage.

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

[Approved April 22, 1913.]

## CHAPTER 90.

## AN ACT RELATING TO FOREIGN MUTUAL INSURANCE COMPANIES INSURING FACTORY OR MILL PROPERTY IN THIS STATE.

SECTION 1. Factory insurance companies, terms of admission to this state; how taxed.

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

Factory insurance companies, admission of; how taxed.

SECTION 1. Mutual fire or mutual employers' liability insurance companies incorporated under the laws of other states which insure only factories or mills or property connected with such factories or mills may be admitted to this state upon complying with the conditions set forth in the Public Statutes of this state and amendments thereto and shall comply with all the requirements of said statutes except that in lieu of all other taxation upon premiums in this state, such companies shall annually pay a tax at the rate

of two per cent. on gross premiums in force on risks in this state after deducting the unabsorbed portion of such premium computed at the rate of return actually made on annual policies expiring during the year by said insurance companies. Such companies shall, on or before the 31st day of each January, make a return, under oath, to the insurance commissioner, showing the gross premiums in force on risks in this state on the 31st day of December previous and the unabsorbed portion of such premiums computed at the rate of return actually made on annual policies expiring during the year by said insurance companies.

[Approved April 22, 1913.]

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CHAPTER 91.

AN ACT RELATING TO ELECTRIC RAILWAYS.

SECTION

1. Use of high-power lights regulated.

SECTION

2. Takes effect on passage.

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

SECTION 1. It is hereby made the duty of every motorman upon street railway to extinguish any searchlight or high powered electric or other light carried upon the electric car he may be driving on any highway when approaching any team or motor vehicle traveling upon said highway in the direction opposite to that of said electric car, and to keep said light extinguished until said team or motor vehicle shall have passed said electric car. But this act shall not apply to arc or incandescent electric lights such as are commonly used as head lights on street railway cars.

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

Takes effect  
on passage

[Approved April 22, 1913.]

CHAPTER 92.

AN ACT IN AMENDMENT OF CHAPTER 107, SESSION LAWS OF 1909, ENTITLED, "AN ACT IN RELATION TO MILEAGE BOOKS."

SECTION		SECTION
1. To be issued for five hundred miles.		2. Takes effect July 1, 1913.

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

To be issued for five hundred miles.

SECTION 1. That chapter 107 of session Laws of 1909, be amended by striking out section one and inserting in place thereof the following: SECTION 1. All steam railroads operating a passenger service in this state shall hereafter issue five hundred mile mileage books at the rate of two cents a mile, good for the transportation of the bearer over all their steam railroad lines in this state, and keep them on sale at its ticket offices in this state. *Provided*, that nothing in this act contained shall compel the issuance of such mileage books for transportation over the Mount Washington Railway, or between Bethlehem Junction and Bethlehem, Bethlehem Junction and the Profile House or between Fabyans and the base of Mount Washington.

Takes effect July 1, 1913.

SECT. 2. This act shall take effect July 1, 1913.

[Approved April 22, 1913.]

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CHAPTER 93.

AN ACT AMENDING SECTION 10 OF CHAPTER 141 OF THE PUBLIC STATUTES AS AMENDED BY SECTION 1 OF CHAPTER 41 OF THE LAWS OF 1905, RELATING TO LIENS OF MECHANICS AND OTHERS.

SECTION		SECTION
1. Laborer's lien extended to dams, bridges, etc.		2. Takes effect on passage.

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

Extension of laborer's lien.

SECTION 1. Amend section 10 of chapter 141 of the Public Statutes as amended by section 1 of chapter 41 of the Laws of 1905, by striking out all of said section 10 and inserting in place thereof the following: SECT. 10. If any person shall, by himself or others, perform labor or furnish materials to the amount of fifteen dollars

or more for erecting or repairing a house or other building or appurtenances, or for building any dam, canal, sluiceway or bridge, other than for a municipality, by virtue of a contract with the owner thereof, he shall have a lien on any materials so furnished, and on said house or other building or appurtenances, or dam, canal, sluiceway or bridge, and on any right of the owner of the lot of land on which the house, building or appurtenances, or dam, canal, sluiceway or bridge stands.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

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CHAPTER 94.

AN ACT IN AMENDMENT OF SECTION 17, CHAPTER 286 OF THE PUBLIC STATUTES AS AMENDED BY CHAPTER 11, LAWS OF 1901, RELATING TO THE SALARY OF THE SOLICITOR OF CARROLL COUNTY.

SECTION

1. Annual salary of \$600.

SECTION

2. Takes effect on passage.

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

SECTION 1. Amend line 7, section 17, chapter 286 of the Public Statutes as amended by chapter 11, Laws of 1901, by striking out the whole of said line and inserting in place thereof the following: In Carroll, six hundred dollars. Annual salary of \$600.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

CHAPTER 95.

AN ACT REGULATING THE FORM OF LIABILITY INSURANCE POLICIES IN CERTAIN PARTICULARS.

SECTION

- 1. Policy to bind insurer to satisfy judgment against insured.
- 2. Form of policy to be filed.

SECTION

- 3. Forfeiture of license for violation.
- 4. Takes effect July 1, 1913.

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

Policy to bind insurer to satisfy judgment against insured.

SECTION 1. No corporation, association, company or other insurer shall issue or deliver any policy of insurance against loss or expense by reason of claims made upon the assured for damages on account of bodily injuries suffered by an employee or employees of the assured, or by any person or persons not employed by the assured, or on account of damage to or the destruction of property, which shall contain any provision making, or purporting to make, the pre-payment of any judgment that may be recovered against the assured upon any claim covered by the policy, a condition precedent to any right of action against the insurer upon said policy; but every such policy shall contain an agreement in clear and explicit terms binding the insurer, to the extent of the liability assumed by the policy, to pay and satisfy any such judgment, and to protect the assured against the levy of any execution issued upon the same.

Form of policy to be filed with commissioner.

SECT. 2. No policy covered by section one of this act shall be issued or delivered until a copy of the form thereof has been filed with the insurance commissioner; nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed unless the insurance commissioner sooner gives his written approval thereto. If the commissioner shall notify in writing the corporation, association, company or other insurer, which has filed such form that it does not comply with the requirements of this act it shall be unlawful thereafter for any such insurer to issue any policy in such form.

Forfeiture of license for violation.

SECT. 3. If any corporation, association, company or other insurer shall issue any policy in violation of the provisions of this act, or any policy which it has been forbidden to issue by the insurance commissioner under the provisions hereof, it shall forfeit its license to do business in New Hampshire, and shall not be again licensed for the term of three years.

Takes effect July 1, 1913.

SECT. 4. This act shall take effect July 1, 1913.

[Approved April 22, 1913.]

CHAPTER 96.

AN ACT TO PROVIDE FOR A MEMORIAL TO FRANKLIN PIERCE.

SECTION

1. Mount Clinton to be known as Mount Pierce.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. The mountain in the White Mountain range in this state commonly known as "Mount Clinton" shall be hereafter known as Mount Pierce, in honor of Franklin Pierce, fourteenth president of the United States and the only citizen or resident of New Hampshire who has been the incumbent of that exalted office.

Mount Clinton to be known as Mount Pierce.

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; act takes effect on passage.

[Approved April 22, 1913.]

CHAPTER 97.

AN ACT PROVIDING FOR THE NOMINATION AND ELECTION OF UNITED STATES SENATORS BY THE PEOPLE.

SECTION

- 1. Meetings for choice of senators.
- 2. Primary law extended.
- 3. Law for election of congressmen extended.

SECTION

- 4. Names of candidates, where printed.
- 5. Repealing clause; act takes effect when.

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

SECTION 1. Meetings for the choice of United States senators shall be holden in the several towns, wards and places in this state on the Tuesday following the first Monday in November of every sixth year, dating from the year nineteen hundred and eight, and on the Tuesday after the first Monday in November of every sixth year, dating from the year nineteen hundred and twelve.

Meetings for choice of senators.

SECT. 2. All the provisions of existing law, relating to the nomination of candidates for governor by direct primary and by nomination papers, and the filing of accounts of campaign expenditures, are hereby extended to, and shall apply to, the nomination of candidates for United States senator.

Primary law extended.

Law for election of congressmen extended.

SECT. 3. All the provisions of existing law, relating to the election of representatives in the congress of the United States, are hereby extended to the election of United States senators, except when inconsistent with the laws of the United States.

Names of candidates, where printed.

SECT. 4. The names of candidates for United States senator of the several political parties shall immediately follow on the ballot the names of candidates of the several parties for nomination and election as governor at primaries and elections.

Repealing clause; act takes effect, when.

SECT. 5. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect whenever an amendment to the constitution of the United States providing for the choice of United States senators by the people shall have taken effect.

[Approved April 22, 1913.]

CHAPTER 98.

AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER 164 OF THE LAWS OF 1911, ENTITLED "AN ACT TO ESTABLISH A PUBLIC SERVICE COMMISSION."

SECTION

1. System of accounts and records, essentials of.

SECTION

2. Takes effect on passage.

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

System of accounts and records, essentials of.

SECTION 1. Section 6 of chapter 164 of the Laws of 1911 is amended to read as follows: SECT. 6. (a) The commission may, whenever it deems advisable, establish a system of accounts and records to be used by railroad corporations and by public utilities for their business within this state and may classify the said railroad corporations and public utilities and prescribe a system of accounts for each class, and may prescribe the manner in which said accounts shall be kept; *provided, however,* that railroad corporations and public utilities shall not be required to keep any system of accounts and records which would conflict with any requirements made of them by the interstate commerce commission. (b) Every public utility shall carry a proper and adequate depreciation account whenever the commission shall determine that such depreciation account can reasonably be required, and shall so order. (c) Every public utility shall conform its depreciation



account to such rules, regulations and forms as may be prescribed by the commission. The depreciation fund may be expended in new construction, extensions or additions to the property of the public utility, or invested, and if invested, the income from the investment shall be added to the depreciation fund. Such fund may be used only for new construction, extensions, or additions to physical property or for renewing, restoring, replacing or substituting depreciated property in order to keep its plant and system in a state of repair and efficiency. (d) No public utility shall declare or pay any dividend except out of net corporate income, and except after setting aside such depreciation reserve if any as it may carry in compliance with the provisions of paragraph (b); *provided, however*, that this paragraph shall not be construed to prevent the payment of dividends in any year out of any undistributed balance of such net corporate income previously accumulated. (e) When the commission has prescribed the form of accounts and records to be kept by railroad corporations and public utilities of any class each railroad corporation and public utility of that class shall thereafter keep the accounts and records so prescribed accurately and honestly and in the manner prescribed, and it shall be unlawful for any such railroad corporation or public utility to keep any other accounts or records covering the matters included in the accounts and records prescribed, except those which it may be required to keep by the authority of the United States or of any other state. (f) Any person who wilfully makes any false entry in the accounts or records of any railroad corporation or public utility, or who wilfully destroys, mutilates, or by any other means falsifies such accounts or records, or who wilfully neglects or fails to make full, true or correct entries of all facts and transactions appertaining to the business of any railroad corporation or public utility, which it is his duty to make, shall be guilty of a violation of this act; *provided, however*, that the commission may at its discretion issue orders specifying such operating, accounting or financial accounts, records, memoranda, books or papers of public utilities which may after a reasonable time be destroyed and the commission may prescribe the length of time such accounts, records, memoranda, books and papers shall be preserved.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

## CHAPTER 99.

AN ACT IN AMENDMENT OF SECTION 7 OF CHAPTER 164 OF THE LAWS OF 1911, ENTITLED "AN ACT TO ESTABLISH A PUBLIC SERVICE COMMISSION."

SECTION	SECTION
1. Free transportation regulated.	3. Repealing clause; act takes effect July 1, 1913.
2. Free service or reduced rates; rebates; advertising contracts; lists of free passes.	

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

Free transportation regulated.

SECTION 1. Paragraph (e) of section 7 of chapter 164 of the Laws of 1911 is amended to read as follows: (e) No railroad corporation or public utility acting as a common carrier of passengers or freight shall, directly or indirectly, issue or give any free ticket, pass or free transportation for passengers between points within this state, except to its officers and employees and their families, to its surgeons, physicians, and attorneys-at-law, to ministers of religion, traveling secretaries of Railroad Young Men's Christian Associations, inmates of hospitals and charitable and eleemosynary institutions, and persons exclusively engaged in charitable and eleemosynary work; to indigent, destitute and homeless persons; and to such persons when transported by charitable societies or hospitals, and the necessary agents employed in such transportation; to inmates of the national homes or state homes for disabled volunteer soldiers, and of soldiers' and sailors' homes, including those about to enter and those returning home after discharge; to the officers and executive board of the New Hampshire Veteran Association for the exclusive purpose of arranging for its annual reunions; to necessary caretakers of live stock, poultry, fruit, milk, and other perishable property; to employees on parlor, sleeping, dining and express cars, and to linemen and other employees of telegraph and telephone companies and of electric power companies furnishing motive power to the common carrier; to railway mail service employees, post-office inspectors, customs inspectors and immigration inspectors; to policemen and firemen in uniform or while in discharge of their duties; to newsboys and vendors on trains, baggage agents, witnesses attending any legal investigation in which the carrier is interested, persons injured in wrecks and physicians and nurses attending such persons; *provided, however,* that nothing in this act shall be construed to prohibit the issue or giving of passes to the officers and employees of any railroad corporation owning or operating a steam railroad or of any public

utility acting as common carriers as aforesaid, or to the families of such officers and employees; nor to prohibit any carrier from carrying passengers free with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation.

SECT. 2. Said section 7 of said act is further amended by adding thereto the following paragraphs: (f) No public utility shall grant any free service nor charge or receive a greater or less or different compensation for any service rendered to any person, firm or corporation than the compensation fixed for such service by the schedules on file with the commission and in effect at the time such service is rendered. *provided, however*, that nothing in this act shall be taken to prevent any public utility from granting free or reduced rate service to its officers and employees, nor any telephone or telegraph utility from granting franks for free service to the officials of other utilities engaged in the operation of telephone or telegraph properties, nor to prevent any public utility from granting free or reduced rate service to charitable organizations or to municipalities, and *provided, further*, that statements shall be filed with the commission in such form as the commission shall require showing all service of any kind granted at less than the regular schedule rates. In any case where the commission shall investigate the rates, charges or prices of any public utility in any town or city, if it shall be of the opinion that the furnishing of free or reduced rate service under the authority of this paragraph operates unreasonably to increase the rates, charges and prices to the public, it may, to such extent as in its opinion justice may require, order a discontinuance of such free service, or an increase in the rates, charges or prices collected for such service, or any part thereof. Nothing in this act shall prevent a public utility from making a contract for service at rates other than those fixed by its schedules of general application, if special circumstances exist which render such departure from the general schedules just and consistent with the public interest, and the commission shall by order allow such contract to take effect. Such contract, however, shall be filed and shall be made public in such manner as the commission shall require, and shall constitute a part of the published schedules of the public utility making the same. The furnishing by any public utility of any product or service at the rates and upon the terms provided for in any existing contract, executed prior to the passage of this act, shall not be construed as constituting a discrimination, or undue or unreasonable preference, or advantage within the meaning specified; *provided, however*, that when any such contract or contracts are or become terminable by notice, the commission shall have power, in its discretion, to direct by order, that such contract or contracts shall be

Free service or reduced rates; rebates; advertising contracts; lists of free passes.

terminated as and when directed by such order. (g) No railroad corporation or public utility shall directly or indirectly or by any special rate, rebate, drawback or other device or method, make any deviation from the rates, fares, charges or prices for any service rendered by it specified in its schedules on file and in effect at the time such service was rendered. (h) No railroad or public utility shall demand or receive from any person, firm or corporation less compensation for any service rendered or to be rendered by such railroad corporation or public utility in consideration of the furnishing by said person, firm or corporation of any part of the facilities incident thereto, *provided, however*, that nothing herein shall be construed as prohibiting any railroad corporation or public utility from renting any facilities incident to its service and paying a reasonable rental therefor, or as requiring any railroad corporation or public utility to furnish any part of such appliances which are situated in and upon the premises of any consumer, except telephone station equipment upon the premises of subscribers, and, unless otherwise ordered by the commission, meters and appliances for measurement of any service. (i) All contracts for advertising between newspaper publishers and railroad corporations and public utilities shall be made at not exceeding regular advertising rates, and such contracts shall be open to inspection by the commission at all times. (j) Every railroad corporation and public utility acting as a common carrier shall keep a correct list of all passes by it issued, except those issued to its officers and employees and their families and exchange interstate passes issued under the laws of the United States. Such list shall contain the name of each person to whom a pass is issued and a general description of said pass. A copy of such list for the preceding year, in such form as the commission may prescribe, shall be filed with the commission under such regulations as the commission may prescribe. Such list together with the books, records and papers of the carrier so far as relevant, shall be open at all times to the inspection of the commission who shall examine the same whenever they deem it necessary to the due enforcement of this act.

Repealing clause;  
act takes effect  
July 1, 1913.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect July 1, 1913.

[Approved April 22, 1913.]

CHAPTER 100.

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

SECTION

1. New apportionment established.

SECTION

2. To continue until another apportionment.

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

SECTION 1. That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

Rockingham County, \$120.42.

Atkinson, eighty-eight cents.....	\$0.88
Auburn, one dollar and seventy-three cents.....	1.73
Brentwood, one dollar and eighteen cents.....	1.18
Candia, one dollar and fifty-seven cents.....	1.57
Chester, one dollar and eighty-six cents.....	1.86
Danville, seventy-seven cents.....	.77
Deerfield, one dollar and eighty-two cents.....	1.82
Derry, nine dollars and seventy-five cents.....	9.75
East Kingston, seventy-five cents.....	.75
Epping, two dollars and twenty cents.....	2.20
Exeter, ten dollars and thirty-three cents.....	10.33
Fremont, one dollar and twenty cents.....	1.20
Greenland, one dollar and thirty cents.....	1.30
Hampstead, one dollar and twenty-five cents.....	1.25
Hampton, four dollars and two cents.....	4.02
Hampton Falls, one dollar and twenty-two cents.....	1.22
Kensington, seventy-seven cents.....	.77
Kingston, one dollar and fifty cents.....	1.50
Londonderry, two dollars and seventy-two cents.....	2.72
Newcastle, one dollar and twenty-one cents.....	1.21
Newfields, seventy-two cents.....	.72
Newington, ninety-seven cents.....	.97
Newmarket, four dollars and thirty-one cents.....	4.31
Newton, one dollar and eight cents.....	1.08
North Hampton, three dollars and one cent.....	3.01
Northwood, one dollar and seventy-six cents.....	1.76
Nottingham, one dollar and fifty-eight cents.....	1.58
Plaistow, one dollar and forty-two cents.....	1.42

Portsmouth, thirty dollars and forty-six cents.....	\$30.46
Raymond, two dollars and thirteen cents.....	2.13
Rye, three dollars and ninety-three cents.....	3.93
Salem, three dollars and eighty-two cents.....	3.82
Sandown, fifty-four cents.....	.54
Seabrook, ninety-five cents.....	.95
South Hampton, forty-five cents.....	.45
Stratham, one dollar and twenty-six cents.....	1.26
Windham, fourteen dollars.....	14.00

Strafford County, \$80.84.

Barrington, one dollar and eighty-eight cents.....	\$1.88
Dover, thirty dollars and seventy cents.....	30.70
Durham, one dollar and seventy-four cents.....	1.74
Farmington, four dollars and fourteen cents.....	4.14
Lee, one dollar and fourteen cents.....	1.14
Madbury, ninety cents.....	.90
Middleton, thirty-eight cents.....	.38
Milton, three dollars and thirty-five cents.....	3.35
New Durham, ninety-six cents.....	.96
Rochester, seventeen dollars and eighteen cents.....	17.18
Rollinsford, three dollars and ninety-five cents.....	3.95
Somersworth, twelve dollars and eighty-four cents.....	12.84
Strafford, one dollar and sixty-eight cents.....	1.68

Belknap County, \$49.12.

Alton, three dollars and thirty-four cents.....	\$3.34
Barnstead, two dollars and fifteen cents.....	2.15
Belmont, two dollars and thirty-eight cents.....	2.38
Center Harbor, one dollar and fifty-five cents.....	1.55
Gilford, two dollars and one cent.....	2.01
Gilmanton, one dollar and sixty-one cents.....	1.61
Laconia, twenty-two dollars and forty cents.....	22.40
Meredith, four dollars and thirty-three cents.....	4.33
New Hampton, one dollar and forty-nine cents.....	1.49
Sanbornton, one dollar and ninety-two cents.....	1.92
Tilton, five dollars and ninety-four cents.....	5.94

Carroll County, \$36.00.

Albany, eighty-nine cents.....	\$0.89
Bartlett, one dollar and seventy-two cents.....	1.72
Brookfield, fifty-three cents.....	.53
Chatham, fifty cents.....	.50
Conway, seven dollars and thirteen cents.....	7.13

Eaton, forty-five cents.....	\$0.45
Effingham, one dollar.....	1.00
Freedom, eighty-eight cents.....	.88
Hart's Location, thirty-one cents.....	.31
Jackson, one dollar and eighteen cents.....	1.18
Madison, one dollar and one cent.....	1.01
Moultonborough, two dollars and seventy-three cents....	2.73
Ossipee, two dollars and fifty-two cents.....	2.52
Sandwich, two dollars and sixty-five cents.....	2.65
Tamworth, two dollars and forty-three cents.....	2.43
Tuftonboro, one dollar and forty-nine cents.....	1.49
Wakefield, three dollars and fourteen cents.....	3.14
Wolfeboro, five dollars and forty-two cents.....	5.42
Hale's Location, two cents.....	.02

Merrimack County, \$135.15.

Allenstown, two dollars and forty-three cents.....	\$2.43
Andover, two dollars and forty-eight cents.....	2.48
Boscawen, two dollars and thirty-two cents.....	2.32
Bow, four dollars and sixty-six cents.....	4.66
Bradford, one dollar and ninety-five cents.....	1.95
Canterbury, two dollars and ten cents.....	2.10
Chichester, one dollar and sixty-seven cents.....	1.67
Concord, fifty-nine dollars and ninety-nine cents.....	59.99
Danbury, one dollar and twenty-four cents.....	1.24
Dunbarton, one dollar and thirty cents.....	1.30
Epsom, one dollar and eighty-six cents.....	1.86
Franklin, thirteen dollars and twenty-seven cents.....	13.27
Henniker, three dollars and forty-nine cents.....	3.49
Hill, one dollar and seven cents.....	1.07
Hooksett, three dollars and forty cents.....	3.40
Hopkinton, three dollars and eighty-four cents.....	3.84
Loudon, two dollars and forty-seven cents.....	2.47
Newbury, one dollar and ninety-six cents.....	1.96
New London, two dollars and seventy-six cents.....	2.76
Northfield, three dollars and five cents.....	3.05
Pembroke, four dollars and ninety-five cents.....	4.95
Pittsfield, four dollars and fifty-two cents.....	4.52
Salisbury, one dollar and six cents.....	1.06
Sutton, one dollar and sixty-two cents.....	1.62
Warner, three dollars and twenty-eight cents.....	3.28
Webster, one dollar and fifty-four cents.....	1.54
Wilmot, eighty-seven cents.....	.87

## Hillsborough County, \$296.05.

Amherst, three dollars and thirteen cents.....	\$3.13
Antrim, two dollars and fifty-six cents.....	2.56
Bedford, two dollars and seventy-five cents.....	2.75
Bennington, one dollar and seventy-six cents.....	1.76
Brookline, one dollar and twenty-two cents.....	1.22
Deering, eighty-six cents.....	.86
Francestown, one dollar and twenty-eight cents.....	1.28
Goffstown, five dollars and fifty-three cents.....	5.53
Greenfield, one dollar and one cent.....	1.01
Greenville, two dollars and twenty-five cents.....	2.25
Hancock, one dollar and sixty-six cents.....	1.66
Hillsborough, four dollars and fifty-six cents.....	4.56
Hollis, one dollar and ninety-six cents.....	1.96
Hudson, two dollars and eighty-one cents.....	2.81
Litchfield, one dollar and three cents.....	1.03
Lyndeborough, one dollar and fourteen cents.....	1.14
Manchester, one hundred and seventy-four dollars and sixty-nine cents.....	174.69
Mason, seventy-one cents.....	.71
Merrimack, three dollars and four cents.....	3.04
Milford, seven dollars and forty-nine cents.....	7.49
Mont Vernon, one dollar and twenty-eight cents.....	1.28
Nashua, fifty-three dollars and five cents.....	53.05
New Boston, two dollars and ninety cents.....	2.90
New Ipswich, one dollar and ninety-four cents.....	1.94
Pelham, one dollar and fifty-three cents.....	1.53
Peterborough, five dollars and ninety-three cents.....	5.93
Sharon, twenty-three cents.....	.23
Temple, sixty-one cents.....	.61
Weare, three dollars and twenty-four cents.....	3.24
Wilton, three dollars and eighty cents.....	3.80
Windsor, ten cents.....	.10

## Cheshire County, \$69.79.

Alstead, one dollar and fifty cents.....	\$1.50
Chesterfield, one dollar and ninety-six cents.....	1.96
Dublin, three dollars and forty-three cents.....	3.43
Fitzwilliam, one dollar and eighty-two cents.....	1.82
Gilsum, fifty-six cents.....	.56
Harrisville, one dollar and thirty-nine cents.....	1.39
Hinsdale, four dollars and ninety-two cents.....	4.92
Jaffrey, three dollars and eighty-two cents.....	3.82
Keene, twenty-three dollars and forty cents.....	23.40



Marlborough, two dollars and four cents.....	\$2.04
Marlow, sixty-seven cents.....	.67
Nelson, fifty-four cents.....	.54
Richmond, one dollar and thirty-one cents.....	1.31
Rindge, two dollars and fifteen cents.....	2.15
Roxbury, twenty-nine cents.....	.29
Stoddard, sixty-eight cents.....	.68
Sullivan, fifty-three cents.....	.53
Surry, fifty-six cents.....	.56
Swanzey, three dollars and ten cents.....	3.10
Troy, two dollars and eleven cents.....	2.11
Walpole, seven dollars and twenty-two cents.....	7.22
Westmoreland, one dollar and thirty-six cents.....	1.36
Winchester, four dollars and forty-three cents.....	4.43

## Sullivan County, \$39.70.

Acworth, eighty-nine cents.....	\$0.89
Charlestown, three dollars and forty cents.....	3.40
Claremont, fifteen dollars and forty-seven cents.....	15.47
Cornish, one dollar and ninety-one cents.....	1.91
Croydon, sixty-eight cents.....	.68
Goshen, forty-seven cents.....	.47
Grantham, fifty-nine cents.....	.59
Langdon, fifty-one cents.....	.51
Lempster, fifty-five cents.....	.55
Newport, seven dollars and eighty-eight cents.....	7.88
Plainfield, one dollar and seventy-eight cents.....	1.78
Springfield, ninety-three cents.....	.93
Sunapee, three dollars and seventeen cents.....	3.17
Unity, seventy-three cents.....	.73
Washington, seventy-four cents.....	.74

## Grafton County, \$96.56.

Alexandria, eighty-nine cents.....	\$0.89
Ashland, two dollars and ninety-eight cents.....	2.98
Bath, one dollar and seventy-six cents.....	1.76
Benton, fifty-eight cents.....	.58
Bethlehem, three dollars and seventy-two cents.....	3.72
Bridgewater, sixty-eight cents.....	.68
Bristol, three dollars and forty-one cents.....	3.41
Campton, one dollar and eighty-nine cents.....	1.89
Canaan, two dollars and eighty-three cents.....	2.83
Dorchester, forty-three cents.....	.43
Easton, forty-five cents.....	.45

Ellsworth, eleven cents.....	\$0.11
Enfield, two dollars and seventy-six cents.....	2.76
Franconia, one dollar and eighty-four cents.....	1.84
Grafton, one dollar and forty-three cents.....	1.43
Groton, thirty-eight cents.....	.38
Hanover, six dollars and eighty-two cents.....	6.82
Haverhill, six dollars and ninety-two cents.....	6.92
Hebron, fifty-four cents.....	.54
Holderness, two dollars and fifty-nine cents.....	2.59
Landaff, one dollar and seven cents.....	1.07
Lebanon, ten dollars and eighty cents.....	10.80
Lincoln, eight dollars and fifty-one cents.....	8.51
Lisbon, five dollars and twelve cents.....	5.12
Littleton, eight dollars and one cent.....	8.01
Livermore, seventy-three cents.....	.73
Lyman, sixty-eight cents.....	.68
Lyme, two dollars and nine cents.....	2.09
Monroe, eighty-three cents.....	.83
Orange, thirty-nine cents.....	.39
Orford, one dollar and forty-four cents.....	1.44
Piermont, one dollar and twenty-four cents.....	1.24
Plymouth, five dollars and fourteen cents.....	5.14
Rumney, one dollar and sixty cents.....	1.60
Thornton, seventy-seven cents.....	.77
Warren, one dollar and twenty-two cents.....	1.22
Waterville, one dollar and eleven cents.....	1.11
Wentworth, one dollar and six cents.....	1.06
Woodstock, one dollar and seventy-four cents.....	1.74

## Coos County, \$68.56.

Berlin, eighteen dollars and forty-eight cents.....	\$18.48
Carroll, three dollars and eighty-two cents.....	3.82
Clarksville, one dollar and twenty-two cents.....	1.22
Colebrook, four dollars and eighteen cents.....	4.18
Columbia, one dollar and thirty-six cents.....	1.36
Dalton, sixty-three cents.....	.63
Dummer, seventy-nine cents.....	.79
Erroll, one dollar and ninety-four cents.....	1.94
Gorham, four dollars and five cents.....	4.05
Jefferson, two dollars and seven cents.....	2.07
Lancaster, six dollars and eighty-eight cents.....	6.88
Milan, one dollar and sixty-nine cents.....	1.69
Northumberland, two dollars and seventy-eight cents....	2.78
Pittsburg, seven dollars and eighty-nine cents.....	7.89

Randolph, fifty-six cents.....	\$0.56
Shelburne, one dollar and sixteen cents.....	1.16
Stark, ninety-three cents.....	.93
Stewartstown, one dollar and fifty-eight cents.....	1.58
Stratford, two dollars and fifty-six cents.....	2.56
Wentworth's Location, fifty cents.....	.50
Whitefield, three dollars and forty-nine cents.....	3.49

Unincorporated Places in Coos County, \$7.81.

Bean's Grant, twenty-six cents.....	\$0.26
Bean's Purchase, three cents.....	.03
Cambridge, one dollar and thirty-nine cents.....	1.39
Chandler's Purchase, twelve cents.....	.12
Crawford's Purchase, eighteen cents.....	.18
Cutt's Grant, eight cents.....	.08
Dixville, one dollar and seventeen cents.....	1.17
Dix Grant, twenty-six cents.....	.26
Erving's Grant, eleven cents.....	.11
Green's Grant, four cents.....	.04
Gilmanton and Atkinson Academy Grant, thirty-three cents.....	.33
Hadley's Purchase, thirteen cents.....	.13
Kilkenny, seven cents.....	.07
Martin's Location, four cents.....	.04
Millsfield, sixty-four cents.....	.64
Odell, thirty-seven cents.....	.37
Pinkham's Grant, two cents.....	.02
Sargent's Purchase, seventy-nine cents.....	.79
Second College Grant, forty-one cents.....	.41
Success, ninety-six cents.....	.96
Thompson and Meserve's Purchase, forty-one cents.....	.41

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

[Approved April 22, 1913.]

CHAPTER 101.

AN ACT IN RELATION TO THE INDUSTRIAL SCHOOL.

SECTION

- 1. Name continued.
- 2. Trustees, number and appointment of.
- 3. Trustees have corporate powers.
- 4. Approval of bills.
- 5. Adoption of by-laws.
- 6. Scholars to be instructed, etc.
- 7. Trustees' visits and examinations.
- 8. Trustees to receive no pay.
- 9. Choice of president and clerk; appointment of superintendent, etc.
- 10. Duties of superintendent.
- 11. Contracts of superintendent, when binding.
- 12. Government and instruction.
- 13. Register of scholars to be kept.
- 14. Treasurer, duties of.
- 15. Committal after conviction of crime.
- 16. Committal of truants, etc.
- 17. Transfer to school of minors erroneously committed.
- 18. Scholars subject to control during minority.

SECTION

- 19. Minors sentenced by federal courts may be received.
- 20. Minors committed under certain acts, status of.
- 21. Conditional release during minority.
- 22. Trustees may pay board of released scholar.
- 23. Scholars bound out as apprentices.
- 24. Character of custodian to be regarded.
- 25. Release or binding out not discharge.
- 26. Parole officer, appointment and duties.
- 27. Reports of parole officer and action thereon.
- 28. Rights of board of charities and correction.
- 29. Provisions for parole and binding out, to whom applicable.
- 30. Incurrigibles, transfer of.
- 31. Discharge for good conduct.
- 32. Repealing clause.
- 33. Takes effect on passage.

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

Name continued.

SECTION 1. The Industrial School, established at Manchester and now used for juvenile offenders, shall be continued under the same name.

Trustees, number and appointment of.

SECT. 2. The school shall be under the charge of a board of seven trustees. The members of the present board shall continue as trustees until the expiration of the terms for which they were severally appointed. Thereafter the governor, with the advice and consent of the council, shall appoint a trustee for the term of three years whenever the term of office of a trustee expires. All vacancies occurring in the board before the expiration of the term of office of a trustee shall be filled for the unexpired term in like manner.

To have corporate powers.

SECT. 3. The board shall be known as the Trustees of the Industrial School, and shall be a corporation for the purpose of taking, holding and managing, in trust for the state, lands, money, or other property granted, devised, or bequeathed for the use of the school, and of selling and conveying the same and of investing the proceeds thereof. The right of conveying and selling lands or other property held in trust by the Trustees of the Industrial School for the state and the right to invest the proceeds thereof in lands or other

property to be held in trust by the Trustees of the Industrial School for the state is hereby granted to said board of trustees with full power to execute valid conveyances therefor without further legislative authority. But the said trustees shall not sell or convey any lands or other property under authority of this section, nor shall they reinvest the proceeds of such lands or property, without first obtaining the consent and the approval of the governor and council to such sale, conveyance or reinvestment and to the terms thereof.

SECT. 4. All bills against the school shall be approved by at least two of the trustees before the same are forwarded to the state auditor for allowance. All books and documents relating to the institution shall at all times be open to examination of the state auditor, the governor and council, or of a committee of the legislature, or either branch thereof. Approval of bills.

SECT. 5. They shall adopt, and may from time to time alter and amend, by-laws for the government of the institution and for the management of its concerns, and shall prescribe therein the powers and duties of the superintendent and other officers and persons connected with the institution. Adoption of by-laws.

SECT. 6. They shall see that the scholars sent to the school are properly instructed, employed, and cared for; and that the affairs of the institution are conducted according to law and the by-laws thereof, and that strict discipline is maintained therein. Instruction of scholars, etc.

SECT. 7. One or more of the trustees shall visit the institution once in every two weeks. Once in every three months the institution shall be examined by a majority of the trustees. Visits and examinations.

SECT. 8. The trustees shall receive no compensation for service; but they shall be allowed the expenses incurred by them in the discharge of their duties. To receive no pay.

SECT. 9. The trustees shall annually choose a president and clerk, and from time to time appoint a superintendent, treasurer, teachers, and other necessary officers and agents, and may remove them at pleasure, and they shall fix the compensation of such appointees. The superintendent and treasurer, before entering upon their duties, shall each give bond to the state in the sum and with sureties satisfactory to the governor and council, conditioned faithfully to perform their respective duties, and to account for all moneys and property received by them in their respective offices, which bonds shall be deposited in the office of the secretary of state. Choice of president and clerk; appointment of superintendent.

SECT. 10. The superintendent, subject to the control of the trustees, shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and other property of the institution. He shall keep in suitable books, regular and complete accounts of Duties of superintendent.

all his receipts and expenditures, and of the debts, credits, contracts, and property of the institution, showing its income and expenses, and shall account to the trustees annually, and at such other times as they may require, for all moneys received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity, and price of every article purchased or procured.

Contracts of  
superintendent.

SECT. 11. Contracts made by the superintendent on account of the institution, being in writing and approved by the trustees when the by-laws require it, shall be binding on the corporation, and proper actions may be maintained thereon in favor of or against the corporation.

Government and  
instruction.

SECT. 12. The superintendent shall be a constant resident at the institution, and he and such subordinate officers as the trustees may appoint, under his direction, shall have the custody and charge of the scholars therein, shall discipline, govern, instruct, and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious, and industrious habits.

Register of  
scholars.

SECT. 13. The superintendent shall keep a register containing the name, residence, and age of each scholar, with the date and term of his commitment, and the time and manner of his discharge, to which shall be added such facts relative to his deportment at the school and his personal and family history as may be of importance.

Duties of  
treasurer.

SECT. 14. The treasurer shall receive all moneys belonging to the institution, and shall pay them out as authorized by law. He shall keep, in suitable books, regular and complete accounts of all moneys received and all moneys disbursed by him, and shall render accounts thereof to the trustees at such times as they may require.

Committal after  
conviction of  
crime.

SECT. 15. Whenever a minor under the age of seventeen years shall be convicted of an offense punishable otherwise than by imprisonment for life, he shall be sentenced to the industrial school for the term of his minority. *Provided*, that nothing in this act shall be deemed to prevent such sentence being suspended under the provisions of any other law.

Committal of  
truant, &c.

SECT. 16. Whenever a minor under the age of seventeen is a truant, or incorrigible, or knowingly associates with vicious or immoral persons, or is growing up in idleness or crime, or knowingly patronizes any place where gambling is carried on, or frequents a house of illfame and such minor is brought before a court or justice, such court of justice may, upon such fact being shown, order the minor to be committed to the industrial school for the term of his minority.

SECT. 17. If any minor under the age of seventeen shall be committed by error of any court of this state or any political subdivision thereof to any penal institution other than the industrial school, the Trustees of the Industrial School, the state board of charities and correction, the state's attorney, the minor or any person interested in the minor may, upon bringing the matter to the attention of a justice of the superior court, obtain an order from such justice that the order by which such erroneous commitment was made shall be modified so as to provide for the commitment of such minor to the industrial school for the term of minority, and the justice shall issue a new mittimus accordingly.

Transfer to school of minors erroneously committed.

SECT. 18. All minors committed to the industrial school under the terms of the preceding three sections shall be under the care and subject to the control of the trustees of the school until such minors attain the age of twenty-one years. Nothing done under the provisions of the sections hereinafter authorizing the trustees to release or bind out such minors shall be construed as an unconditional release from such care and control; but such minors shall always, until they attain the age of twenty-one years, be subject to be returned to the full care and control of the trustees, except as hereinafter provided.

Scholars subject to control during minority.

SECT. 19. The trustees may receive, clothe, and discipline juvenile offenders sent to the institution by virtue of any act of the congress of the United States, for such reasonable compensation as may be agreed upon between them and the United States authorities; and the superintendent of the institution shall receive and detain such offenders as if they had been sentenced by a state court. *Provided*, that such offenders shall be received at the said school only upon condition that they have the same rights as to release, indenture and discharge hereinafter provided for children committed to the school.

Minors sentenced by federal courts may be received.

SECT. 20. Minors under the age of seventeen may be committed to the school under the provisions of chapter 110, Laws of 1901, and of sections 15 and 16, chapter 125, Laws of 1907, but such minors shall not be subject to the provisions of this act relative to release, indenture and discharge, though they shall be subject to the treatment hereinafter provided for incorrigibles until such time as their cases are disposed of by the superior court.

Status of certain inmates.

SECT. 21. Whenever the Trustees of the Industrial School shall deem it proper and for the best interests of any child under their charge that such child shall be released from the school before attaining the age of twenty-one years, they may release him upon such conditions as they may in their discretion fix. No release shall be effective until provisions have been made for the proper care of the released person elsewhere than at the school.

Conditional release.

Trustees may pay board of released scholar.

SECT. 22. The trustees of the school may contract to pay the board of a released child when such child, because of age or other conditions, is unable to earn his board and no proper place can be found for such child without payment of board. Payments so made shall be charged to the expenses of the school in the same manner as if they were payments for boarding, instructing and disciplining the child at the school.

Scholars bound out as apprentices.

SECT. 23. The trustees may bind out as an apprentice or servant to an inhabitant of this state any child committed to their charge. To this end they may make indentures for such binding out for any time not exceeding the minority of the child as seems to them proper. But in every such indenture the trustees shall reserve the right, by giving notice in writing to that effect, to cancel the indenture and remove the child from the master, whenever it shall appear to the trustees that the further continuance of the child with the master will be prejudicial to the best interests of the child. No indenture shall be assignable without written consent of the trustees given at the time or [of] assignment and after full investigation.

Character of custodian.

SECT. 24. In all questions of release and binding out the trustees shall have scrupulous regard to the religious and moral character of those under whose custody a released or indentured child is placed.

Release or binding out not discharge.

SECT. 25. No release or binding out of a child shall operate as a discharge of the child from the school. The trustees shall be deemed to have the care and control of children released or bound out until they attain the age of twenty-one years, and such care and control as are meanwhile conferred by the trustees upon others shall be construed to be conferred as upon agents of the trustees. The trustees shall have full power at any time to modify or cancel any arrangement for the release or binding out of a child, to return the child to the school, or to make new arrangements for the custody of the child elsewhere, such power to continue until the child attains the age of twenty-one years.

Parole officer, appointment and duties.

SECT. 26. The trustees shall annually appoint a parole officer for the school, who shall have the duty, under their direction and subject to regulations prescribed by them, of seeking out proper places for children fitted to be released or bound out and of keeping in touch with children after they are released or bound out, by visitation, obtaining reports as to their conduct, surroundings and associations, or in such other manner as the trustees may prescribe. The trustees shall fix the salary of the parole officer, and his salary and expenses shall be paid out of the current expense funds of the school.



SECT. 27. The parole officer shall report his doings to the trustees as often as required by them. Whenever he deems it best that any child released or bound out shall be placed under different conditions, he shall report the case fully to the trustees or to any committee of the trustees to which such matters may be delegated by the full board, and the trustees, or such committee, if one be authorized, shall make or cause to be made such changes in the placing of the child or the conditions of his release as they deem for the best interest of the child; or they may order the parole officer to remand the child to school for further observation and treatment, or pending the making of new arrangements for the placing out of the child. Any order in writing given to the parole officer by the trustees or by a committee of the board authorized to attend to such matters, shall confer upon the parole officer full power and authority to take the person of the child and remove him as directed.

Reports of parole officer and action thereon.

SECT. 28. The state board of charities and correction shall have the right to visit and privately interview all released and indentured children, and may at all times require of the trustees of the school, the superintendent or the parole officer full information as to the location and conditions of release or terms of indenture of any children placed out by the school.

Rights of board of charities and correction.

SECT. 29. The provisions of this act relative to placing out children shall be applicable to all children heretofore committed to the industrial school and now confined there until such time as their sentences shall expire. All children who have heretofore been released from the school without formal and final discharge and whose sentences have not yet expired shall come under the provisions of this act and so remain until the expiration of their sentences.

Parole and binding out, who affected.

SECT. 30. If any child committed to the school shall be found by the trustees to be incorrigible, and dangerous to the discipline of the school, the trustees may order such child to be transferred and committed to some other state institution for such time as they see fit, but not exceeding the time when his sentence to the industrial school expires. Or such child may be transferred and committed to any county institution upon payment thereto by the school of such sum as may be reasonable for his care and maintenance, and for such term, not exceeding his term at the school, as the trustees may determine. This disposition of the child may be at any time modified in the discretion of the trustees, as in the case of released children. A written order of the trustees shall authorize the keeper of such state or county institution to receive and keep or to discharge into the keeping of the parole officer any such child.

Incorrigibles, transfer of.

Discharge for good  
conduct.

SECT. 31. Any scholar distinguishing himself by obedience, diligence, and good conduct may be discharged by the trustees, whenever they shall deem such discharge for his best interest and that of the state. Every such discharge shall be in writing, and shall be a full release from all the penalties and disabilities created by the sentence, and may be in such terms of commendation as the scholar deserves.

Repealing clause.

SECT. 32. Chapter 284 of the Public Statutes, chapter 45 of the Laws of 1899, chapter 15 of the Laws of 1901, chapter 133 of the Laws of 1907, chapters 34 and 151 of the Laws of 1909, chapter 155 of the Laws of 1911, and all other acts and parts of acts inconsistent with this act are hereby repealed. But this act shall not be deemed to repeal the provisions of chapter 110, Laws of 1901.

Takes effect  
on passage.

SECT. 33. This act shall take effect on its passage.

[Approved April 24, 1913.]

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## CHAPTER 102.

AN ACT IN AMENDMENT OF SECTION 8 OF CHAPTER 95 OF THE LAWS OF 1903 AS AMENDED BY CHAPTER 49 OF THE LAWS OF 1905 AND CHAPTER 118 OF THE LAWS OF 1909 AND CHAPTER 115 OF THE LAWS OF 1911 RELATING TO THE REGULATION OF THE TRAFFIC IN INTOXICATING LIQUOR.

SECTION

1. Druggist's liquor license, who may have.

SECTION

2. Repealing clause; act takes effect on passage.

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

Druggist's liquor  
license, who  
may have.

SECTION 1. Amend section 8 of chapter 95 of the Laws of 1903 as amended by chapter 49 of the Laws of 1905 and chapter 118 of the Laws of 1909 and chapter 115 of the Laws of 1911 by adding at the end of sub-division 3 of said section the following: and the license commissioners may, in their discretion, grant licenses of the 5th class to any person, otherwise qualified, who has been a registered pharmacist of New Hampshire and an actual resident thereof for one year prior to the date of his application, so that said sub-division 3 as amended shall read as follows: 3. Who is not a citizen of the United States, and a resident of the state of New Hampshire and of the town or city within which he desires to carry on the liquor business, for one year last prior to the filing

of his application: except that this provision shall not apply to a *bona-fide* purchaser or lessee of hotel property situate in any town, and the license commissioners may, in their discretion, grant licenses of the 5th class to any person, otherwise qualified, who has been a registered pharmacist of New Hampshire and an actual resident thereof for one year prior to the date of his application.

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; act takes effect on passage.

[Approved April 29, 1913.]

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CHAPTER 103.

AN ACT RELATING TO THE SALARY OF THE TREASURER OF THE COUNTY OF STRAFFORD.

SECTION

1. Annual salary of \$400; repealing clause.

SECTION

2. Takes effect on passage.

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

SECTION 1. That the salary of the treasurer of the county of Strafford shall hereafter be four hundred dollars per annum, payable as now provided by law: and so much of section 19, chapter 286 of the Public Statutes, as is inconsistent with this act is hereby repealed. Annual salary of \$400; repealing clause.

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

[Approved April 29, 1913.]

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CHAPTER 104.

AN ACT TO DEFINE THE DUTIES OF THE TREASURER OF STRAFFORD COUNTY IN RESPECT TO DEPOSITING COUNTY FUNDS.

SECTION

1. Where funds to be deposited.

SECTION

2. Takes effect on passage.

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

SECTION 1. It shall be the duty of the treasurer of Strafford county in this state to deposit all the money belonging to the county Where deposited.

in his possession in such banks and trust companies in this state as shall from time to time be approved by the county commissioners, but the amount that may be deposited in any bank or trust company at any one time shall not exceed twenty per cent. of its paid up capital and surplus. Other things being equal, the bank or banks shall be preferred which will pay the highest rate of interest on daily balances. The interest secured shall belong to the county.

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

[Approved April 29, 1913.]

Takes effect  
on passage.

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## CHAPTER 105.

### AN ACT PROVIDING FOR LIGHTS ON CERTAIN VEHICLES ON PUBLIC HIGHWAYS.

#### SECTION

1. Lights to be displayed, when; certain vehicles excepted.
2. Exemptions by selectmen.
3. Refusal of offender to give name, penalty.

#### SECTION

4. Motor vehicle law not affected.
5. Driver or custodian liable to penalty.
6. Penalty for violation.
7. Takes effect July 1, 1914.

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

Lights to be displayed, when; certain vehicles excepted.

SECTION 1. Every vehicle, excepting as herein otherwise provided, whether stationary or in motion, on any public highway or bridge, shall have attached to it a light or lights, which shall be so displayed as to be visible from the front and the rear, during the period of one hour after sunset to one hour before sunrise; *provided, however,* that this act shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery, or other heavy freight, nor shall it apply to any form of vehicle whatsoever, while upon any bridge or highway where street lights are maintained at a distance of five hundred feet apart or less.

Exemptions by selectmen.

SECT. 2. Upon the written application and presentation of reasons therefor, by the owner of a vehicle, to the board of selectmen of the town where the applicant resides, such board may exempt said vehicle from the provisions of this act for such period of time as said board may elect; and shall give to such owner written exemption, describing the vehicle, which exemption shall apply to such vehicle upon any highway or bridge within the state. *Provided*

*further* that in any prosecution under the provisions of this act, if the defendant plead that the vehicle for the unlighted condition of which the prosecution was instituted, was theretofore exempted by the board of selectmen of the town wherein the defendant resides, the burden of proving such exemption shall be upon the defendant, who shall produce the order of said board whereby such exemption was created.

SECT. 3. Any person who while driving or in charge of a vehicle, unlighted as required by section 1 of this act, during the period from one hour after sunset to one hour before sunrise, shall refuse, when requested by a police officer, to correctly give his name and address, shall be punished as provided by section 6 of this act. Refusal to give name, penalty.

SECT. 4. Nothing contained in this act shall be construed to affect the provisions of any existing statute, rule or regulation requiring lighted lamps on motor vehicles, nor the legal obligation of operators, or occupants thereof. Limitation.

SECT. 5. The driver or custodian of a vehicle shall be deemed the responsible party, liable to the penalty by this act provided for a violation thereof. Driver or custodian liable.

SECT. 6. Any person violating the provisions of this act shall be subject to a fine not exceeding five dollars. Penalty.

SECT. 7. This act shall take effect July first, A. D. 1914. Takes effect July 1, 1914.

[Approved April 29, 1913.]

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CHAPTER 106.

AN ACT TO PROVIDE A METHOD FOR ADJUSTING THE MAXIMUM RATES FOR FARES AND FREIGHTS ON STEAM RAILROADS.

SECTION	SECTION
1. Railroads filing agreement may collect existing excess rates.	5. Form of agreement for substitution.
2. Form of agreement.	6. New rates to be in force until modified by legislature.
3. Preparation of maximum schedules.	7. Application of act defined.
4. Substitution for existing rates.	8. Takes effect on passage.

WHEREAS in pursuance of chapter 196 of the Laws of 1911, the public service commission has investigated fully the subject of steam railroad rates for fares and freights upon the railroads designated in said chapter 196 and has made its reports to the governor upon the general situation in respect to such rates and other related matters, together with its recommendations with reference to the subject-matter, and in particular with reference to the existing Preamble.

maximum rates for fares and freights upon those railroads leased or united under the authority of chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889, and chapter 156 of the Public Statutes; and

WHEREAS in pursuance of the reports and recommendations of said commission, it appears that the public good requires that rational, fair and scientific maximum schedules of rates be substituted for the existing legal maximum rates upon the Boston & Maine Railroad and all the lines operated by it under ownership, lease, contract, or otherwise, and likewise upon the lines operated by the Maine Central Railroad Company covering traffic between points, in New Hampshire and other points in said state and between points in New Hampshire and points on such railroads outside said state; and

WHEREAS the existing legal limitations upon railroad rates rest upon a basis of contract between the state and the railroad corporations affected, and may properly be modified by the consent of the contracting parties:

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

Railroads filing agreement may collect existing excess rates.

SECTION 1. Upon the filing with the public service commission by any railroad corporation doing business in this state, on or before July 1, 1913, of a stipulation and agreement duly executed by officers of such corporation duly authorized thereto, in the form set forth in section 2 of this act, such railroad corporation shall have authority until October 1, 1914, or until such earlier date as new maximum schedules for fares and freights shall become substituted for the existing legal maximum rates as provided in section 4 of this act, to demand and collect rates for fares and freights now in force in excess of the maximum prescribed by statute, upon condition that none of the rates for fares and freights now in force upon any railroad operated by such railroad corporation between points in New Hampshire and other points in said state, or between points in New Hampshire and points on such railroad outside said state, shall until said date be raised without the consent of said commission.

Form of agreement.

SECT. 2. The stipulation and agreement to be filed, as provided in the preceding section, shall be in substantially the following form: The \_\_\_\_\_ railroad (company) doing business in the state of New Hampshire and owning the following railroads, namely, \_\_\_\_\_, and operating the following railroads, namely, \_\_\_\_\_, hereby accepts the provisions of an act entitled "An Act to provide a Method for

adjusting the Maximum Rates for Fares and Freights on Steam Railroads," as passed by the general court and approved ———, 1913, and agrees that nothing in said act and nothing done in pursuance thereof shall be construed as repealing, suspending, or modifying chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889, or chapter 156 of the Public Statutes, except so far as the operation of said statutes may be affected under the authority specifically conferred by said act; and said railroad (company) further agrees that it will not until October 1, 1914, voluntarily raise, or endeavor to raise, any of its rates for fares and freights now in force between points in the state of New Hampshire and other points in said state, or between points in New Hampshire and points on said railroad outside said state, without the consent and approval of the public service commission of New Hampshire. This agreement shall not be construed as prohibiting changes in classification made by the official classification committee, subject, however, to the right of the public service commission, upon notice and hearing, as provided in chapter 164 of the Laws of 1911, to require in any case the retention of the existing classification. Said railroad (company) requests the public service commission to prepare rational, fair and scientific maximum schedules of rates for fares and freights covering traffic upon all the lines owned or operated under lease, contract, or otherwise, by said railroad (company) between all points in the state of New Hampshire and other points in said state and between points in New Hampshire and points on such railroad (company) outside said state; and in consideration of the compliance by said commission with this request, said railroad (company) hereby agrees that it will pay into the treasury of the state of New Hampshire such sum as will reimburse said state for the expense of preparing such new schedules of maximum rates, including such clerical, stenographic, expert, and legal assistance as the commission may consider proper in connection therewith, such payment to be made when new schedules shall be prepared and presented to such railroad (company) as provided in section 3 of this act. If the Boston & Maine Railroad shall file a request to have such new maximum schedules for fares and freights upon its lines prepared, it shall, at the time of filing such request pay to the state treasurer the cost to the state of the investigation authorized by chapter 196 of the Laws of 1911 as certified by the public service commission.

SECT. 3. Upon the filing by any railroad corporation of the stipulation and agreement in the form set forth in section 2 of this act, it shall be the duty of the public service commission to proceed forthwith to prepare, or cause to be prepared, and to deliver to such railroad corporation as soon as practicable, in any event prior to January 1, 1914, complete maximum schedules of rates for fares

Public service  
commission to  
prepare maximum  
schedules.

and freights covering traffic between all points in New Hampshire upon the lines owned or operated by such railroad corporation and all other points in New Hampshire on said lines and between all points in New Hampshire on said lines and all other points on the system of such corporation outside of New Hampshire. In fixing such maximum schedules the commission shall consider all the facts and conclusions set forth in its reports to the governor dated November 30, 1912, and January 9, 1913, and such further facts and evidence as it may deem material; and it shall observe the following general principles:

(a) As to commodity rates, so called, the commission may fix new maximum schedules above or below the present legal maximum; and as to any commodity rates which it shall not fix by schedule and as to rates for switching and other special service, the commission may by general orders define a maximum standard.

(b) As to class rates, so called, the commission shall have authority to make an increase in individual rates above the existing legal maximum whenever in its judgment necessary in order to equalize rates which it may reduce below the present legal maximum; but the commission shall not fix such class rates at a point which in the aggregate shall in its judgment be a greater charge upon the traffic moving at such class rates than the class rates now in force on such railroad system as shown by the schedules now on file with the public service commission, unless the commission shall be convinced, upon consideration of all the facts before it, that the interests of the state require that such class rates be fixed above the rates now in force as aforesaid; *provided, however*, that nothing herein contained shall be construed as an expression of opinion by the legislature that the interests of the state require any such increase.

(c) As to passenger fares the commission may fix maximum schedules in any or all cases or may by general orders define the standard of maximum rates applicable thereto.

(d) As to any rates for fares and freights which shall not be fixed by new maximum schedules or by general orders, the existing legal limitations shall remain in full force and effect.

(e) All general orders made by the commission under authority of this section shall be of the same validity and effect as specific maximum schedules fixed by it, and shall be deemed to be included within the meaning of the term "maximum schedules" wherever that term is or may be used in this act or any request, stipulation or agreement filed under this act.

SECT. 4. Whenever the maximum schedules of rates for fares and freights provided for by section 3 shall be filed as provided therein, or whenever any of them shall be so filed, tariffs conforming thereto may be immediately filed and put into effect by the



railroad and continued in force until October 1, 1914. If prior to said date the railroad corporation to which maximum schedules shall have been delivered as provided in said section 3 shall file with the commission a request and agreement in the form and executed as provided in section 5 of this act, thereupon the commission shall make an order that the new maximum schedules prepared by it as aforesaid shall upon a date to be determined by it, not later than October 1, 1914, become substituted for the existing legal maximum rates for fares and freights; and said new maximum schedules of rates for fares and freights shall, from and after the date so fixed by the commission, be the legal maximum for fares and freights for such railroad corporation upon traffic and between points above defined, and the rates for fares and freights upon and over a railroad leased or united under the provisions of chapter 156 of the Public Statutes, after the date of the substitution of said new maximum schedules as above provided, or upon and over a railroad passing into the possession of a new corporation formed by a union of two or more corporations after such date, shall not be increased above the rates thus fixed as the legal maximum. If such request and agreement shall not be filed the maximum rates for fares and freights prescribed by chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889 and chapter 156 of the Public Statutes shall after said October 1, 1914, be in force and effect upon the lines of railroad affected thereby as if any departure therefrom had never been authorized. At any time before such railroad corporation shall have filed the request and agreement as provided in this section, the commission may correct or amend any of the rates fixed in such new maximum schedules and any such correction or amendment when delivered to such railroad corporation shall become a part of the new maximum schedules in all respects as if included therein before delivery.

SECT. 5. The request and agreement as provided in section 4 of this act shall be in the following form: The \_\_\_\_\_ railroad (company) doing business in the state of New Hampshire, and owning the following railroads, \_\_\_\_\_, and operating the following railroads, \_\_\_\_\_ hereby accepts the provisions of an act entitled "An Act to provide a Method of adjusting the Maximum Rates for Fares and Freights on Steam Railroads," passed by the general court of New Hampshire and approved \_\_\_\_\_, 1913, and agrees that nothing in said act shall be construed as repealing, suspending or modifying chapter 100 of the Laws of 1883, chapter 5 of the Laws of 1889, or chapter 156 of the Public Statutes, except so far as the operation thereof shall be affected by the authority specifically conferred by said act; and said railroad (company) hereby requests the public service commission to fix a date not later than October

Form of agreement for substitution.

1, 1914, upon which date the new maximum schedules for fares and freights covering traffic upon the lines of said railroad (company) between all points in New Hampshire and other points in said state and between all points in New Hampshire and other points on such railroad outside said state, shall become substituted for the existing legal maximum rates for fares and freights upon said lines between the points aforesaid; and upon the substitution of said new maximum schedules for fares and freights said railroad (company) hereby covenants and agrees with the state of New Hampshire that said new schedules of maximum rates for fares and freights shall be substituted for the rates for fares and freights existing August 1, 1883, under the operation of section 17 of chapter 100 of the Laws of 1883, the rates for fares and freights existing July 24, 1889, under the operation of the Laws of 1889, chapter 5, section 17, and under the operation of the Public Statutes, chapter 156, section 42; and hereby covenants and agrees in consideration of the substitution of said new maximum schedules for fares and freights for the rates for fares and freights existing on August 1, 1883, and on July 24, 1889, that the rates for fares and freights charged by said railroad (company) upon lines owned or operated by it under lease, contract, or otherwise, between points within the state of New Hampshire and other points within said state, or between points within said state and other points on said railroad outside of said state, shall not be increased as to any single rate beyond the maximum rate fixed therefor by such new schedules of maximum rates for fares and freights. Said agreement shall be executed by the president or other officer of such corporation who may be designated in the resolution authorizing the execution and filing of such request and agreement, and shall be authorized by vote of such corporation.

New rates in  
force until modi-  
fied by legislature.

SECT. 6. If a railroad corporation enters into the stipulation under section 5, the new maximum schedules for fares and freights so prepared by the public service commission and substituted for the existing maximum rates for fares and freights shall be and continue in force as the maximum schedules for fares and freights until modified by authority of the legislature; and it shall be unlawful for any railroad corporation to impose or collect from any passenger or shipper any rates for fares and freights in excess of the maximum schedules so fixed. Any passenger or shipper who may be required to pay to any such railroad any rates for fares or freights in excess of the maximum fixed by said new maximum schedules, shall be entitled to recover the amount of such excess in an action of debt, brought at any time within six years after such excess rate for fares or freights shall be paid by such shipper; and the superior court is hereby authorized to restrain any such railroad corporation from collecting fares or freights in excess of such

maximum schedules, upon petition by the attorney-general or any party aggrieved.

SECT. 7. Nothing in this act shall be construed as repealing, suspending or modifying any of the provisions of chapter 100 of the Laws of 1883, of chapter 5 of the Laws of 1889, or of chapter 156 of the Public Statutes, except to the extent of authorizing, until October 1, 1914, or such earlier date as new maximum schedules shall be substituted for the existing maximum, the collection of rates for fares and freights now in force in excess of the maximum prescribed by statute, if and as requested by any railroad corporation which may comply with the provisions of section 1 and section 2 of this act, and to the extent of authorizing the substitution, if and as requested by any railroad corporation which may comply with the provisions of section 4 and section 5, of new maximum schedules for fares and freights in place of the existing legal maximum rates for fares and freights under the operation of section 17 of said chapter 100 of the Laws of 1883, section 17 of chapter 5 of the Laws of 1889, and of section 42 of chapter 156 of the Public Statutes; and nothing in this act shall affect the legal maximum rates for fares and freights upon any railroad which is now operated under lease or contract, except for such time as said lease or contract or a renewal thereof shall be in effect.

SECT. 8. This act shall take effect upon its passage.

Takes effect  
on passage.

[Approved April 29, 1913.]

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## CHAPTER 107.

AN ACT TO EXEMPT FROM TAXATION PROPERTY IN WOODSTOCK HELD FOR PUBLIC USE BY THE SOCIETY FOR THE PROTECTION OF NEW HAMPSHIRE FORESTS.

SECTION

1. Property exempted.
2. Legacy exempted.

SECTION

3. Takes effect on passage.

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

SECTION 1. That real estate in the town of Woodstock known as the Lost River reservation held by the Society for the Protection of New Hampshire Forests shall be exempt from taxation as long as maintained by said society free and open to public use.

SECT. 2. That the legacy of \$5,000 bequeathed to said Society for the Protection of New Hampshire Forests by Caroline Martin,

be and the same is hereby exempt from the provisions of chapter 40, of the Laws of 1905, and amendments thereto relating to a tax on collateral legacies and successions.

Takes effect  
on passage.

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

[Approved April 30, 1913.]

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## CHAPTER 108.

AN ACT IN AMENDMENT OF SECTION 9, CHAPTER 95, LAWS OF 1903,  
AS AMENDED BY SECTION 6, CHAPTER 49, LAWS OF 1905, RELATING TO  
THE TRAFFIC IN INTOXICATING LIQUORS.

SECTION

1. Licenses not granted for certain lo-  
cations.

SECTION

2. Takes effect on passage; repealing  
clause.

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

Licenses not  
granted for cer-  
tain locations.

SECTION 1. Section 9, chapter 95, Laws of 1903, as amended by section 6, chapter 49, Laws of 1905, is hereby amended by striking out the words "and shall be continuously thereafter exercised" in the 4th and 5th lines from the end of said section, so that said section 9 as amended shall read as follows: SECT. 9. No license shall be granted for the traffic in liquor in any building or room which does not have its entrance for customers and patrons upon a public highway or which shall be on the same street or avenue within two hundred feet of a building occupied exclusively as a church or schoolhouse, the measurements to be taken in a straight line from the center of the nearest entrance to the building used for such church or school to the center of the nearest entrance to the place in which the traffic in liquor is desired to be carried on; *provided, however*, that a license of the third class may, in the discretion of the board of license commissioners, be granted where the entrance to said building or room (said building or room not being within two hundred feet of a church or schoolhouse) is upon a private way or private property, and *provided, further*, that the restrictions contained in this section shall not apply to any hotel or drug store used as such prior to January 1, 1903, nor to any building owned, occupied and used solely by any incorporated club prior to January 1, 1903, and continuously thereafter; and *provided, further*, that the restrictions contained in this section shall not apply to any building or room where any license has been exercised prior to January 1, 1905; and no license shall be granted

for traffic in liquor in any location where it shall be deemed by said board of license commissioners to be detrimental to public welfare.

SECT. 2. This act shall take effect upon its passage, and all acts, or parts of acts, inconsistent with this act, are hereby repealed. Takes effect on passage, repealing clause.

[Approved April 30, 1913.]

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## CHAPTER 109.

AN ACT IN AMENDMENT OF SECTIONS 9 AND 10 OF CHAPTER 205 OF THE PUBLIC STATUTES RELATING TO ATTACHMENTS IN BILLS IN EQUITY AND FOR OTHER PURPOSES.

SECTION

1. Lien, how created as to personal property.

SECTION

2. How created as to realty.  
3. Takes effect on passage.

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

SECTION 1. Amend section 9 of said chapter by striking out of the seventh line thereof the words "real estate" and inserting in place thereof the words bulky articles, so that said section as amended shall read: SECT. 9. When a bill is filed under the provisions of section 7, the plaintiff may cause a certified copy thereof and of the order issued thereon, to be filed in the office of the clerk of the town in which any defendant resides; and the names of the parties, the time of filing, and the court in which the bill is pending shall be entered by the clerk upon the index of attachments, as in case of an attachment of bulky articles; and such filing and the service of the bill upon such defendant shall constitute a lien, as against him and others having after-acquired rights, upon the personal estate, property, interest, right or credit to which the bill relates, or which may be discovered by the proceedings, for the performance of any decree or order relative thereto, in favor of the plaintiff against the defendant.

SECT. 2. Amend section 10 of said chapter by striking out the entire section, and inserting in place thereof the following: SECT. 10. In the case of real estate, the lien shall be created by filing the certified copy in the office of the register of deeds of the county in which the real estate is situate.

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

Takes effect on passage

[Approved April 30, 1913.]

CHAPTER 110.

AN ACT PROVIDING THAT ALL CHARTERS FOR WATER POWER DEVELOPMENT SHALL BE FORFEITED UNDER CERTAIN CONDITIONS.

SECTION

- 1. When work to begin under existing and future charters.

SECTION

- 2. Enforcement of act.
- 3. Takes effect on passage.

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

When work to begin under existing and future charters.

SECTION 1. All rights, powers, privileges and franchises conferred upon any corporation enabling such corporation to construct and maintain mill dams upon the streams of this state and to flow lands or do any other act necessary to the development of hydroelectric energy shall terminate and be forfeited on the first day of September, 1919, unless the actual work of constructing such dams or power plants shall be commenced on or before said date and be prosecuted with reasonable diligence thereafter until said dams and plants are completed and in operation: and any charter hereafter granted, unless otherwise specified therein, to any such corporation, shall terminate and be forfeited at the end of six years from the date on which the act of incorporation took effect, unless the actual work of constructing such dams or power plants shall be commenced during such six years, and be prosecuted with reasonable diligence thereafter until such dams and plants are completed and in operation.

Enforcement of act.

SECT. 2. Upon the written complaint of any citizen filed with the attorney-general setting forth that any corporation has failed to commence the actual work of constructing its dam or plant during the time limited by section 1, or has failed to prosecute the same with reasonable diligence thereafter until such dam or plant has been completed and in operation, it shall be the duty of the attorney-general to enforce by an appropriate proceeding a forfeiture of the rights, powers, privileges and franchises under which the corporation might have erected its dam or plant.

Takes effect on passage.

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

[Approved April 30, 1913.]

## CHAPTER 111.

AN ACT IN AMENDMENT OF CHAPTER 98, LAWS OF 1901, RELATING TO  
THE PRESERVATION OF SHADE TREES ALONG THE HIGHWAYS.

## SECTION

1. Cultivation of trees for roadside  
planting.

## SECTION

2. Roadside growth, removal of.  
3. Takes effect on passage.

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

SECTION 1. Section 4 of chapter 98, Laws of 1901, is hereby amended by adding at the end of said section the following: and the forestry commission is hereby authorized to grow shade trees for roadside planting and to distribute said trees free of charge at the point where grown to towns for planting along roadsides, such trees to be planted under the supervision of the state highway department or the town tree warden. The state highway department may provide for the planting of such trees along any of the so-called trunk lines and pay the costs thereof from the maintenance funds available to the department under the motor vehicle law, and may plant such trees along any state roads and pay the costs of the same from any appropriation available for such roads, so that said section as amended shall read: SECT. 4. Towns and cities may annually appropriate money, not exceeding in the aggregate fifty cents for each of their ratable polls in the preceding year, to be used by the tree warden in planting, pruning, protecting, and, whenever necessary, acquiring shade and ornamental trees within the limits of their public ways and grounds; and the forestry commission is hereby authorized to grow shade trees for roadside planting and to distribute said trees free of charge at the point where grown to towns for planting along roadsides, such trees to be planted under the supervision of the state highway department or the town tree warden. The state highway department may provide for the planting of such trees along any of the so-called trunk lines and pay the cost thereof from the maintenance funds available to the department under the motor vehicle law, and may plant such trees along any state roads and pay the costs of the same from any appropriation available for such roads.

SECT. 2. Section 7 of chapter 98, Laws of 1901, is hereby amended by striking out the said section and inserting therefor the following: SECT. 7. Mayors of cities, selectmen of towns, and county commissioners for unincorporated places shall annually during the months of August and September, and at other times when advisable, cause to be cut from within the limits of the highway all trees and bushes that cause damage to the highway.

that endanger the safety of the traveling public, or that are objectionable from the material or artistic standpoint, shade and fruit trees that have been set out or marked by the abutting land owners or by the town tree warden, and young trees standing at a proper distance from the highway and from each other, shall be preserved, as well as banks and hedges of bushes that serve as a protection of the highway, or that add to the beauty of the roadside and it shall be unlawful for any one to deposit rubbish within the limits of any highway. On all state roads the plan of carrying out the provisions of this act shall be under the supervision of the state highway department. Said department shall make such rules and regulations for the purpose of carrying out the provisions of this act as shall, in its judgment, seem for the best interests of the state. Whenever any trees or brush cut along the highway is disposed of by burning, the cut trees or brush shall be removed a safe distance from any adjoining woodland or from any tree or hedge designated or desirable for preservation, and such burning shall be done with the permission of the forest fire warden.

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

[Approved April 30, 1913.]

Takes effect  
on passage.

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## CHAPTER 112.

### AN ACT EXEMPTING FROM TAXATION MUNICIPAL INDEBTEDNESS.

#### SECTION

1. State, county, and municipal bonds exempted.

#### SECTION

2. Repealing clause; act takes effect on passage.

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

Bonds exempted.

SECTION 1. The bonds or notes of this state and of any of the counties, municipalities, school districts and village precincts of this state, bearing interest at a rate not exceeding five per cent., are hereby exempted from taxation.

Repealing clause:  
act takes effect  
on passage.

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

[Approved May 7, 1913.]



## CHAPTER 113.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF A STATE  
TAX FOR THE YEAR 1913.

## SECTION

1. Tax of \$800,000 for 1913.

## SECTION

2. Repealing clause: act takes effect on  
passage.

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

SECTION 1. The sum of eight hundred thousand dollars shall be raised for the use of the state for the year 1913, 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 the state, according to the apportionment of the public taxes made at the January session of the legislature in 1911, and the selectmen of such towns and places, and the assessors of such cities are hereby directed 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, 1913; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the date last above mentioned.

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

[Approved May 7, 1913.]

## CHAPTER 114.

AN ACT TO AMEND SECTION 10, CHAPTER 35, LAWS OF 1905, ENTITLED,  
"AN ACT TO PROVIDE FOR STATE AID AND FOR THE EXPENDITURES OF  
OTHER PUBLIC MONEYS IN THE PERMANENT IMPROVEMENT OF MAIN  
HIGHWAYS THROUGHOUT THE STATE, AS AMENDED BY CHAPTER 155,  
LAWS 1909."

SECTION 1. Annual appropriation of \$125,000, for what purposes available.

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

SECTION 1. Amend section 10, chapter 35 of the Laws of 1905, as amended by chapter 155, Laws of 1909, by striking out in line 2 after the word "interest" the words "and annual instalments of

the principal." Also after the "." [period] in line 9, [8] strike out all words to the end of the section, and insert in place thereof the words, Such appropriation shall be available for the purpose of paying the expenses of the administration of this act, the payment of all sums due under section 5 of this act and in the construction, care and maintenance of state roads, so that as amended, said section shall read: SECT. 10. The sum of \$125,000 annually is hereby appropriated for the purpose of paying the interest of the bonds hereinafter authorized and for the purpose of securing the permanent improvements of main highways in accordance with the provisions of this act, and for the maintenance of state highways. Any unexpended balance of any annual appropriation shall be applied to, and be made additional to the appropriation for the succeeding year. Such appropriation shall be available for the purpose of paying the expenses of the administration of this act, the payment of all sums due under section 5 of this act, and the construction, care and maintenance of state roads.

[Approved May 7, 1913.]

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## CHAPTER 115.

AN ACT TO EXEMPT PROPERTY OF EDUCATIONAL, CHARITABLE AND RELIGIOUS INSTITUTIONS AND OF TEMPERANCE SOCIETIES FROM TAXATION.

SECTION

1. Exempt to value of \$150,000; municipalities may increase amount.

SECTION

2. Repealing clause; act takes effect on passage.

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

Exempt to value of \$150,000; municipalities may increase amount.

SECTION 1. The personal property of institutions devoted to educational purposes, charitable and religious societies and of temperance societies, incorporated within this state, and the real estate owned and occupied by them, their officers or their students for the purposes for which they are incorporated shall be exempt from taxation, *provided* none of the income or profits of the business of such corporations or institutions is divided among the stockholders or members, or is used or appropriated for other than educational, charitable or religious purposes, and *provided further*, that in each case such exemption is limited to \$150,000. Towns are hereby authorized to increase such exemption to such an amount as they may

vote, by a majority of those present at any regular town meeting, acting under an article duly incorporated in the warrant for said meeting; and cities are authorized to increase such exemptions to such an amount as the city government may vote and the mayor approve.

SECT. 2. All special acts exempting property of any such corporation or institution from taxation, unless such property is used as specified in section 1 of this act, and all acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved May 7, 1913.]

CHAPTER 116.

AN ACT RELATING TO CABOOSE CARS.

SECTION

- 1. Application of act.
- 2. To have two four-wheeled trucks.

SECTION

- 3. Penalty for violation.

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

SECTION 1. That the provisions of this act shall apply to any corporation or to any person or persons while engaged as common carriers in the transportation by railroad of passengers or property within this state to which the regulative power of this state extends. Application of act.

SECT. 2. That from and after the first day of April, 1913, it shall be unlawful for any such common carrier by railroad to build, construct, purchase or operate within this state any caboose car or other car used for like purposes unless such caboose or other car shall be equipped with two four-wheeled trucks; *provided, however,* it shall not be unlawful for said common carrier to operate within this state such caboose cars or cars used for like purposes as were in use and operation on its system by said common carrier on April 1, 1913. Cars to have two four-wheeled trucks.

SECT. 3. Any common carrier as provided in section 1 of this act violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars for each offense. Penalty.

[Approved May 7, 1913.]

CHAPTER 117.

AN ACT TO PROVIDE FOR THE BLIND OF THE STATE OF NEW HAMPSHIRE.

SECTION

- 1. Register of the blind.
- 2. State aid and assistance.
- 3. Aid to blind receiving instruction outside state.

SECTION

- 4. Officers and agents: authorized expenditure.
- 5. Takes effect September 1, 1913.

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

Register of the blind.

SECTION 1. The state board of charities and correction are hereby authorized to prepare and maintain a register of the blind in the state which shall describe their condition, cause of blindness, capacity for education and industrial training and such other data as said board may deem advisable.

State aid and assistance.

SECT. 2. The state board may act as a bureau of information and industrial aid for the blind and for this purpose in their discretion may furnish materials and tools to any blind person and may assist such blind persons as are engaged in home industries in marketing their products and may assist the blind in finding employment and in developing home industries for them, and may ameliorate the condition of the blind by devising means to facilitate the circulation of books, by promoting visits among the aged or helpless blind in their homes, and by such other methods as it may deem expedient; *provided*, that the said board shall not undertake the permanent support or maintenance of any blind person.

Aid to those outside state.

SECT. 3. The state board of charities may in their discretion contribute to the support of the blind persons from New Hampshire receiving instruction in industrial institutions outside of the state.

Officers and agents: authorized expenditure.

SECT. 4. Said board may appoint such officers and agents as may be necessary to assist in carrying into effect the purposes of this act and fix the compensation of such persons within the limits of the annual appropriation but any person employed by the board shall not be a member of the board, and there may be expended during the next two years a sum not exceeding five thousand dollars per year in carrying into effect the provisions of this act.

Takes effect September 1, 1913.

SECT. 5. This act shall take effect from and after the first day of September, 1913.

[Approved May 7, 1913.]

## CHAPTER 118.

## AN ACT TO REQUIRE THE REPORTING OF CERTAIN OCCUPATIONAL DISEASES, AND TO PROVIDE FOR ITS ENFORCEMENT.

## SECTION

1. Physicians to report cases.
2. Blanks to be furnished.
3. Reports not evidence.

## SECTION

4. Penalty for neglect.
5. Transmission of reports.
6. Takes effect July 1, 1913.

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

SECTION 1. *Report of Occupational Diseases.* Every physician in this state attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, wood-alcohol, mercury or their compounds, or from anthrax, or from compressed-air illness, or any other ailment or disease, contracted as a result of the nature of the patient's employment, shall within 48 hours send to the state board of health a report stating: <sup>Physicians to report cases.</sup>

(a) Name, address and occupation of patient.

(b) Name, address and business of employer.

(c) Nature of disease.

(d) Such other information as may be reasonably required by the state board of health. The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for. The posting of the report, within the time required, in a stamped envelope addressed to the office of the state board of health, shall be a compliance with this section.

SECT. 2. *Blanks for Reports.* The state board of health shall prepare and furnish, free of cost, to the physicians included in section 1, standard schedule blanks for the reports required under this act. The form and contents of such blanks shall be determined by the state board of health. <sup>Blanks to be furnished.</sup>

SECT. 3. *Reports not Evidence.* Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported. <sup>Reports not evidence.</sup>

SECT. 4. *Penalty.* Any physician who neglects or refuses to send the report or reports as herein required shall be liable to the state for a penalty of five dollars for each offense, recoverable by civil action by the state board of health. <sup>Penalty.</sup>

SECT. 5. *Transmission of Reports.* It shall furthermore be the duty of the state board of health to transmit a copy of all such reports of occupational disease to the commissioner of labor. <sup>Transmission of reports.</sup>

Takes effect  
July 1, 1913.

SECT. 6. *Time of Taking Effect.* This act shall take effect on the first day of July, 1913.

[Approved May 7, 1913.]

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CHAPTER 119.

AN ACT TO AMEND CHAPTER 192, OF THE LAWS OF 1911, ENTITLED, "AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 35 OF THE LAWS OF 1905, [AND OF SECTION 20 OF CHAPTER 155 OF LAWS OF 1909] RELATING TO MAINTENANCE OF HIGHWAYS."

SECTION 1. Automobile revenue, what percentage for repair of non-trunk line roads.

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

Automobile revenue, what percentage for repair of non-trunk line roads.

SECTION 1. Amend section 8 of chapter 35 of the Laws of 1905, as amended by chapter 192 of the Laws of 1911, as follows: In line 13 after the words "roads of" insert the words not more than, so that, as amended, said section shall read: SECT. 8. All highways within any city, town or place improved by the expenditure of said joint fund shall thereafter be maintained by the city, town or place within which they are located at the expense of such city, town or place, and to the satisfaction of the governor and council; and in case any city, town or place shall neglect to make repairs ordered by the governor and council, such repairs shall be made under the direction of the governor and council, at the expense of the state, and the cost thereof shall be added to the state tax for such city, town or place for the next year; except that assistance shall be rendered by the governor and council to such cities, towns or places by the application therefor on non-trunk line roads of not more than thirty-five per cent. of the net revenue from automobile fees and fines, to be withdrawn from the treasury on the warrant of the governor.

[Approved May 7, 1913.]

CHAPTER 120.

AN ACT TO REGULATE THE PASSENGER FARES ON STREET RAILWAYS IN CITIES OF 35,000 OR MORE POPULATION.

SECTION

- 1. Public service commission to investigate.
- 2. Tickets at reduced rates to scholars.
- 3. To general public at certain hours.
- 4. Penalty; right of appeal.

SECTION

- 5. Orders subject to change.
- 6. Expense of investigation borne by railway.
- 7. Repealing clause; act takes effect on passage.

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

SECTION 1. The public service commission shall investigate the value of the property of the Manchester Street Railway devoted to public use, the cost of operating the same, and the revenue derived therefrom, and any other matters which it may judge necessary in order to arrive at a just conclusion as to whether said corporation can reasonably be required to reduce its fares to any class of passengers.

Public service commission to investigate.

SECT. 2. After said investigation, and a full hearing, said commission shall make an order requiring said corporation to offer for sale to school children in such manner as said commission shall prescribe, tickets good to the purchaser only for one ride each with the same transfer privileges as are accorded to passengers paying the regular cash fare, said tickets to be sold at the rate of six tickets for twenty-five cents and twenty-five tickets for one dollar, unless it shall appear that the putting into effect of such rate to school children would so reduce the net revenue of said corporation that it would not receive a reasonable return upon the value of its property devoted to public use. The term "school children" as herein used shall be construed to include all persons under twenty-one years of age attending public schools, including high schools, and private schools of like grade, on their way to and from such schools.

Tickets at reduced rates to scholars.

SECT. 3. Said commission shall also have power to order said corporation in like manner to sell tickets at the same rate, good only to purchaser for use as aforesaid, available to the general public as well as to school children, such tickets to be good for use, however, only during such hours on week days as the commission shall specify; but no such order shall be made which it shall appear will prevent the earning by said corporation of a reasonable return upon the value of its property devoted to public use.

To general public at certain hours.

SECT. 4. Said corporation and every officer and agent of the same shall comply with every order of the commission made under the authority of this act, and for any violation thereof shall be

Penalty for non-compliance; right of appeal.

subject to the penalties prescribed by section 18 of chapter 164 of the Laws of 1911. Appeal, however, may be taken from any such order as from orders of the commission generally.

Orders subject to change.

SECT. 5. Said commission may alter, amend, modify, suspend or set aside any order made under the provisions of this act.

Expense of investigation.

SECT. 6. The expense of the investigation required by this act, not including any portion of the salaries of the commissioners shall be assessed upon said corporation and paid by it.

Repealing clause; act takes effect on passage.

SECT. 7. All acts and parts of acts inconsistent herewith are hereby repealed so far as they are inconsistent, and this act shall take effect upon its passage.

[Approved May 7, 1913.]

CHAPTER 121.

AN ACT RELATING TO DEDICATED AND UNUSED STREETS.

SECTION

- 1. Discharged of servitude after twenty years' disuse.

SECTION

- 2. Discharge by municipal officers.
- 3. Takes effect on passage.

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

Discharged after twenty years' disuse.

SECTION 1. That any street, lane or alley within this state which has been heretofore or shall hereafter be dedicated to public use by being drawn or shown upon a plan of lands platted by the owner, and the sale of lots in accordance with such plan, be and hereby is released and discharged from all public servitude unless such street, lane or alley has been or shall be opened, built or used for public travel within twenty years from such dedication.

Discharge by municipal officers.

SECT. 2. The board of mayor and aldermen of any city or the selectmen of any town is hereby authorized to release and discharge any such street, lane or alley, dedicated as aforesaid, from all public servitude at any time after such dedication, upon petition by any interested party and notice and hearing thereon, whenever in their opinion such street, lane or alley shall not be needed for the accommodation of public travel. All proceedings shall be conducted in the manner now provided for the laying out of highways, and any interested party may appeal to the superior court from the decision, as in the case of petitions for laying out highways.

Takes effect on passage.

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

[Approved May 7, 1913.]



## CHAPTER 122.

## AN ACT TO REGULATE AND CONTROL FRATERNAL BENEFIT SOCIETIES.

SECTION	SECTION
1. "Fraternal benefit society" defined.	21. Benefits not subject to attachment.
2. "Lodge system" defined.	22. Amendments of laws, etc., to insurance commissioner.
3. "Representative form of government" defined.	23. Statements of condition, what to contain.
4. Exemption from insurance laws.	23. a. Provisions to insure future security.
5. What benefits may be paid.	23. b. Valuation of certificates on accumulation basis, etc.
6. Beneficiaries, who may be.	24. Examination of domestic societies; proceedings for dissolution.
7. Qualifications for membership.	25. Application for receiver, etc., how made.
8. Certificate, what to contain.	26. Examination of foreign societies.
9. Emergency or surplus fund.	27. Publication of adverse reports, etc.
10. Investment of funds.	28. Revocation of license.
11. Distribution of funds.	29. Sundry provisions as to government and conduct of business.
12. Organization, requisites of.	30. Exemption from taxation.
13. Rights of existing societies.	31. Penalties for sundry violations.
14. Mergers and transfers.	32. Repealing clause; act takes effect January 1, 1914.
15. Annual license and fee therefor.	
16. Foreign society, how admitted.	
17. Service of process on foreign society.	
18. Governing body, where to meet; office to be in this state.	
19. Officers and members not personally liable.	
20. Waiver of society's laws.	

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

SECTION 1. (Fraternal Benefit Societies Defined.) Any corporation, society, order or voluntary association, without capital stock, organized and carried on solely for the mutual benefit of its members and their beneficiaries, and not for profit, and having a lodge system with ritualistic form of work and representative form of government, or without a lodge system under the direct control of the members, and which shall make provision for the payment of benefits in accordance with section 5 hereof, is hereby declared to be a fraternal benefit society.

SECT. 2. (Lodge System Defined.) Any society having a supreme governing or legislative body and subordinate lodges or branches by whatever name known, into which members shall be elected, initiated and admitted in accordance with its constitution, laws, rules, regulations and prescribed ritualistic ceremonies, which subordinate lodges or branches shall be required by the laws of such society to hold regular or stated meetings at least once in each month, shall be deemed to be operating on the lodge system.

SECT. 3. (Representative Form of Government Defined.) Any such society shall be deemed to have a representative form of government when it shall provide in its constitution and laws for a

supreme legislative or governing body, composed of representatives elected either by the members or by delegates elected directly or indirectly by the members, together with such other members as may be prescribed by its constitution and laws; *provided*, that the elective members shall constitute a majority in number and have not less than two thirds of the votes, nor less than the votes required to amend its constitution and laws; and *provided further*, that the meetings of the supreme or governing body, and the election of officers, representatives or delegates shall be held as often as once in four years. The members, officers, representatives or delegates of a fraternal benefit society shall not vote by proxy.

Exemption from insurance laws.

SECT. 4. (Exemptions.) Except as herein provided, such societies shall be governed by this act, and shall be exempt from all provisions of the insurance laws of this state, not only in governmental relations with the state, but for every other purpose, and no law hereafter enacted shall apply to them, unless they be expressly designated therein.

What benefits may be paid.

SECT. 5. (Benefits.) Subsection 1. Every society transacting business under this act shall provide for the payment of death benefits, and may provide for the payment of benefits in case of temporary or permanent physical disability, either as the result of disease, accident or old age; *provided*, the period of life at which the payment of benefits for disability on account of old age shall commence, shall not be under seventy years, and may provide for monuments or tombstones to the memory of its deceased members, and for the payment of funeral benefits of not more than one hundred dollars. Such society shall have the power to give a member, when permanently disabled or on attaining the age of seventy, all, or such portion of the face value of his certificate as the laws of the society may provide; *provided*, that nothing in this act contained shall be so construed as to prevent the issuing of benefit certificates for a term of years less than the whole of life which are payable upon the death or permanent disability of the member occurring within the term for which the benefit certificate may be issued. Such society shall, upon written application of the member, have the power to accept a part of the periodical contributions for mortuary purposes in cash, and charge the remainder, not exceeding one half of the periodical contribution, against the certificate with interest payable or compounded annually at a rate not lower than four per cent. per annum; *provided*, that this privilege shall not be granted except to societies which have readjusted or may hereafter readjust their rates of contributions, and to contracts affected by such readjustment. Subsection 2. Any society which shall show by the annual valuation hereinafter provided for that it is accumulating and maintaining the reserve not lower than the

usual reserve computed by the American Experience Table and four per cent. interest, may grant to its members extended and paid-up protection, or such withdrawal equities as its constitution and laws may provide; *provided*, that such grants shall in no case exceed in value the portion of the reserve to the credit of such members to whom they are made.

SECT. 6. (Beneficiaries.) The payment of death benefits shall be confined to wife, husband, relative by blood to the fourth degree, father-in-law, mother-in-law, son-in-law, daughter-in-law, step-father, stepmother, stepchildren, betrothed, children by legal adoption, or to a person, or persons dependent upon the member; *provided*, that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution, he shall have the privilege with the consent of the society, to make such institution his beneficiary. Within the above restrictions each member shall have the right to designate his beneficiary, and, from time to time, have the same changed in accordance with the laws, rules or regulations of the society, and no beneficiary shall have or obtain any vested interest in the said benefit until the same has become due and payable upon the death of the said member; *provided*, that any society may, by its laws, limit the scope of beneficiaries within the above classes.

Beneficiaries,  
who may be.

SECT. 7. (Qualifications for Membership.) Any society may admit to beneficial membership any person not less than sixteen and not more than sixty years of age, who has been examined by a legally qualified physician, and whose examination has been supervised and approved in accordance with the laws of the society; *provided*, that any beneficiary member of such society who shall apply for a certificate providing for disability benefits, need not be required to pass an additional medical examination therefor. Nothing herein contained shall prevent such society from accepting general or social members.

Qualifications for  
membership.

SECT. 8. (Certificate.) Every certificate issued by any such society shall specify the amount of benefit provided thereby, and shall provide that the certificate, the charter or articles of incorporation, or, (if a voluntary association, the articles of association,) the constitution and laws of the society and the application for membership and medical examination, signed by the applicant, and all amendments to each thereof, shall constitute the agreement between the society and the member, and copies of the same certified by the secretary of the society, or corresponding officer, shall be received in evidence of the terms and conditions thereof, and any changes, additions or amendments to said charter or articles of incorporation, or (articles of association if a voluntary association,) constitution or laws duly made or enacted subsequent to the issu-

Certificate, what  
to contain.

ance of the benefit certificate shall bind the member and his beneficiaries, and shall govern and control the agreement in all respects the same as though such changes, additions or amendments had been made prior to and were in force at the time of the application for membership.

Emergency or surplus fund.

SECT. 9. (Funds.) Subsection 1. Any society may create, maintain, invest, disburse and apply an emergency, surplus or other similar fund in accordance with its laws. Unless otherwise provided in the contract, such funds shall be held, invested, and disbursed for the use and benefit of the society, and no member or beneficiary shall have or acquire individual rights therein or become entitled to any apportionment or the surrender of any part thereof, except as provided in subsection 2 of section 5 of this act. The funds from which benefits shall be paid and the funds from which the expenses of the society shall be defrayed, shall be derived from periodical or other payments by the members of the society and accretions of said funds. *Provided*, that no society shall hereafter be incorporated which does not provide for stated periodical contributions sufficient to provide for meeting the mortuary obligations contracted, when valued upon the basis of the National Fraternal Congress Table of Mortality as adopted by the National Fraternal Congress August 23, 1899, or any higher standard with interest assumption not more than four per cent. per annum, nor shall any such society be admitted to transact business in this state which does not provide for stated periodical contributions sufficient to provide for meeting the mortuary obligations contracted when valued upon one of the bases named in section 23 of this bill and applicable thereunder to such society. No society, domestic or foreign, shall hereafter be incorporated or admitted to write or accept members for permanent disability benefits except upon tables based upon reliable experience with an interest assumption not higher than four per cent. This subsection shall not apply to societies providing benefits for disability or death by accident only. Subsection 2. Deferred payments of instalment of claims shall be considered as fixed liabilities on the happening of the contingency upon which such payments or instalments are thereafter to be paid. Such liability shall be the present value of such future payments or instalments upon the rate of interest and mortality assumed by the society for valuation, and every society shall maintain a fund sufficient to meet such liability regardless of proposed future collections to meet any such liabilities.

Investment of funds.

SECT. 10. (Investments.) Every society shall invest its funds only in securities permitted by the laws of this state for the investment of the assets of life insurance companies; *provided*, that any foreign society permitted or seeking to do business in this state,

which invests its funds in accordance with the laws of the state in which it is incorporated, shall be held to meet the requirements of this act for the investment of funds.

SECT. 11. (Distribution of Funds.) Every provision of the laws of the society for payment by members of such society, in whatever form made, shall distinctly state the purpose of the same and the proportion thereof which may be used for expenses, and no part of the money collected for mortuary or disability purposes or the net accretions of either or any of said funds shall be used for expenses. Distribution of funds.

SECT. 12. (Organization.) Seven or more persons, citizens of the United States, and a majority of whom are citizens of this state, who desire to form a fraternal benefit society, as defined by this act, may form a corporation under the provisions of chapter 147 of the Public Statutes. The articles of association shall state 1st: The proposed corporate name of the society, which shall not so closely resemble the name of any society or insurance company already transacting business in this state as to mislead the public or to lead to confusion; 2d. The purpose for which it is formed—which shall not include more liberal powers than are granted by this act, *provided* that any lawful social, intellectual, educational, charitable, benevolent, moral or religious advantages may be set forth among the purposes of the society—and the mode in which its corporate powers are to be exercised; 3d. The names, residences and official titles of all the officers, trustees, directors or other persons who are to have and exercise the general control and management of the affairs and funds of the society for the first year or until the ensuing election at which all such officers shall be elected by the supreme legislative or governing body, which election shall be held not later than one year from the date of the issuance of the permanent certificate. A copy of such articles of association duly certified by the secretary of state and duly certified copies of the constitution and laws, rules, and regulations, and copies of all proposed forms of benefit certificates, applications therefor and circulars to be issued by such society, and a bond in the sum of five thousand dollars, with sureties approved by the insurance commissioner conditioned upon the return of the advance payments, as provided in this section, to applicants, if the organization is not completed within one year, shall be filed with the insurance commissioner, who may require such further information as he deems necessary, and if the purposes of the society conform to the requirements of this act, and all provisions of law have been complied with, the insurance commissioner shall so certify and retain and file said articles and furnish the society a preliminary certificate authorizing said society to solicit members as hereinafter provided. Upon receipt of said certificate from the insurance commissioner said society may solicit members for the purpose of completing its Organization, requisites of.

organization and shall collect from each applicant the amount of not less than one regular monthly payment, in accordance with its table of rates as provided by its constitution and laws and shall issue to each such applicant a receipt for the amount so collected. But no such society shall incur any liability other than for such advanced payments, nor issue any benefit certificate nor pay or allow, or offer or promise to pay or allow, to any person any death or disability benefit until actual bona fide applications for death benefit certificates have been secured upon at least five hundred lives for at least one thousand dollars each, and all such applicants for death benefits shall have been regularly examined by legally qualified practicing physicians, and certificates of such examinations have been duly filed and approved by the chief medical examiner of such society; nor until there shall be established ten subordinate lodges or branches into which said five hundred applicants have been initiated; nor until there has been submitted to the insurance commissioner under oath of the president and secretary, or corresponding officers of such society, a list of such applicants, giving their names, addresses, date examined, date approved, date initiated, name and number of the subordinate branch of which each applicant is a member, amount of benefits to be granted, rate of stated periodical contributions, which shall be sufficient to provide for meeting the mortuary obligation, contracted, when valued for death benefits upon the basis of the National Fraternal Congress Table of Mortality, as adopted by the National Fraternal Congress August 23, 1899, or any higher standard at the option of the society, and for disability benefits by tables based upon reliable experience, and for combined death and permanent total disability benefits by tables based upon reliable experience, with an interest assumption not higher than four per cent. per annum; nor until it shall be shown to the insurance commissioner by the sworn statement of the treasurer, or corresponding officer of such society, that at least five hundred applicants have each paid in cash at least one regular monthly payment as herein provided per one thousand dollars of indemnity to be effected, which payments in the aggregate shall amount to at least twenty-five hundred dollars; all of which shall be credited to the mortuary or disability fund on account of such applicants, and no part of which may be used for expenses. Said advance payments shall, during the period of organization, be held in trust, and, if the organization is not completed within one year as hereinafter provided, returned to said applicants. The insurance commissioner may make such examination and require such further information as he deems advisable, and, upon presentation of satisfactory evidence that the society has complied with all the provisions of law, he shall issue to such society a certificate to that effect.

Such certificate shall be prima facie evidence of the existence of such society at the date of such certificate. The insurance commissioner shall cause a record of such certificate to be made and a certified copy of such record may be given in evidence with like effect as the original certificate. No preliminary certificate granted under the provisions of this section shall be valid after one year from its date, or after such further period, not exceeding one year, as may be authorized by the insurance commissioner, upon cause shown; unless the five hundred applicants herein required have been secured and the organization has been completed as herein provided; and the articles of incorporation and all proceedings thereunder shall become null and void in one year from the date of said preliminary certificate, or at the expiration of said extended period, unless such society shall have completed its organization and commenced business as herein provided. When any domestic society organized under this act shall have discontinued business for more than one year, or at the expiration of two years from the time this act is in effect shall have less than 400 members, the charter may be annulled on the complaint of the insurance commissioner to the attorney-general and his action thereon as provided in section 24. Every such society shall have the power to make a constitution and by-laws for the government of the society, the admission of its members, the management of its affairs and the fixing and readjusting of the rates of contribution of its members from time to time; and it shall have the power to change, alter, add to or amend such constitution and by-laws and shall have such other powers as are necessary and incidental to carrying into effect the objects and purposes of the society.

SECT. 13. (Powers Retained—Reincorporation—Amendments.) Rights of existing societies. Any society now engaged in transacting business in this state may exercise, after the passage of this act, all of the rights conferred hereby, and all of the rights, powers and privileges now exercised or possessed by it under its charter or articles of incorporation not inconsistent with this act, if incorporated; or, if it be a voluntary association, it may incorporate hereunder. But no society already organized shall be required to reincorporate hereunder, and any such society may amend its articles of incorporation from time to time in the manner provided by law and all such amendments shall be filed with the insurance commissioner and shall become operative upon such filing, unless a later time be provided in such amendments.

SECT. 14. (Mergers and Transfers.) Mergers and transfers. No domestic society shall merge with or accept the transfer of the membership or funds of any other society unless such merger or transfer is evidenced by a contract in writing, setting out in full the terms and conditions of

such merger or transfer, and filed with the insurance commissioner, together with a sworn statement of the financial condition of each of said societies, by its president and secretary, or corresponding officers, and a certificate of such officers, duly verified under oath of said officers of each of the contracting societies, that such merger or transfer has been approved by a vote of two thirds of the members of the supreme legislative or governing body of each of said societies. Upon the submission of said contract, financial statements and certificates, the insurance commissioner shall examine the same, and if he shall find such financial statements to be correct and the said contract to be in conformity with the provisions of this section, and that such merger or transfer is just and equitable to the members of each of said societies, he shall approve said merger or transfer, issue his certificate to that effect and thereupon the said contract of merger or transfer shall be of full force and effect and the consolidated society so created shall be admitted to do business in this state. In case such contract is not approved, the fact of its submission and its contents shall not be disclosed by the insurance commissioner.

Annual license  
and fee therefor.

SECT. 15. (Annual License.) Societies which are now authorized to transact business in this state may continue such business until the first day of April next succeeding the passage of this act, and the authority of such societies may thereafter be renewed annually, but in all cases to terminate on the first day of the succeeding April; *provided, however*, the license shall continue in full force and effect until the new license be issued or specifically refused. For each such license or renewal the society shall pay the insurance commissioner five dollars. A duly certified copy or duplicate of such license shall be prima facie evidence that the licensee is a fraternal benefit society within the meaning of this act.

Foreign society,  
how admitted.

SECT. 16. (Admission of Foreign Society.) No foreign society which is not now authorized to transact business in this state, shall transact any business herein without a license from the insurance commissioner. Any such society shall be entitled to a license to transact business within this state upon filing with the insurance commissioner a duly certified copy of its charter or articles of association; a copy of its constitution and laws, certified by its secretary or corresponding officer; a power of attorney to the insurance commissioner as hereinafter provided; a statement of its business under oath of its president and secretary, or corresponding officers, in the form required by the insurance commissioner, duly verified by an examination made by the supervising insurance official of its home state or other state satisfactory to the insurance commissioner of this state; a certificate from the proper official in its home state, province or country, that the society is legally organized;



a copy of its contracts, which must show that benefits are provided for by periodical, or other payments by persons holding similar contracts; and upon furnishing the insurance commissioner such other information as he may deem necessary to a proper exhibit of its business and plan of working, and upon showing that its assets are invested in accordance with the laws of the state, territory, district, province or country where it is organized, he shall issue a license to such society to do business in this state, until the first day of the succeeding April, and such license shall, upon compliance with the provisions of this act, be renewed annually, but in all cases to terminate on the first day of the succeeding April. Any foreign society desiring admission to this state, shall have the qualifications required of domestic societies organized under this act upon a valuation by any one of the standards authorized in section 23 and have its assets invested as required by the laws of the state, territory, district, country, or province where it is organized. For each such license or renewal the society shall pay the insurance commissioner five dollars. When the insurance commissioner refuses to license any society, or revokes its authority to do business in this state, he shall reduce his ruling, order or decision to writing and file the same in his office and shall furnish a copy thereof, together with a statement of his reasons, to the officers of the society upon request: *provided, however*, that nothing contained in this or the preceding section shall be taken or construed as preventing any such society from continuing in good faith all contracts made in this state during the time such society was legally authorized to transact business herein.

SECT. 17. (Power of Attorney and Service of Process.) Every foreign society shall appoint in writing the insurance commissioner or his successor in office to be its true and lawful attorney, upon whom all lawful process in any action or proceeding against it may be served, and in such writing shall agree that any lawful process against it which is served on said attorney shall be of the same legal force and validity as if served upon the society, and that the authority shall continue in force so long as any liability remains outstanding in this state. Copies of such certificate, certified by said insurance commissioner, shall be deemed sufficient evidence thereof, and shall be admitted in evidence with the same force and effect as the original thereof might be admitted. Service upon such attorney shall be deemed sufficient service upon such society. When legal process against any such society is served upon said insurance commissioner, he shall immediately notify the society of such service by letter, prepaid and directed to its secretary or corresponding officer, and shall within two days after such service forward in the same manner a copy of the process served on him to such officer.

The plaintiff in such process so served shall pay to the insurance commissioner at the time of such service a fee of three dollars, which shall be recovered by him as part of the taxable costs if he prevails in the suit. The insurance commissioner shall keep a record of all processes served upon him, which record shall show the day and hour when such service was made. Legal process shall not be served upon any such society except in the manner and upon the attorney provided for herein.

Governing body, where to meet; office to be in this state.

SECT. 18. (Place of Meeting—Location of Office.) Any domestic society may provide that the meetings of its legislative or governing body may be held in any state, district, province or territory wherein such society has subordinate branches, and all business transacted at such meetings shall be as valid in all respects as if such meetings were held in this state; but its principal office shall be located in this state.

Officers and members not personally liable.

SECT. 19. (No Personal Liability.) Officers and members of the supreme, grand or any subordinate body of any such incorporated society shall not be individually liable for the payment of any disability or death benefit provided for in the laws and agreements of such society; but the same shall be payable only out of the funds of such society and in the manner provided by its laws.

Waiver of society's laws.

SECT. 20. (Waiver of the Provisions of the Laws.) The constitution and laws of the society may provide that no subordinate body, nor any of its subordinate officers or members shall have the power or authority to waive any of the provisions of the laws and constitution of the society, and the same shall be binding on the society and each and every member thereof and on all beneficiaries of members.

Benefits not subject to attachment.

SECT. 21. (Benefits not Attachable.) No money or other benefit, charity or relief or aid to be paid, provided or rendered by any such society shall be liable to attachment, trustee or other process, or be seized, taken, appropriated or applied by any legal or equitable process or operation of law to pay any debt or liability of a member or beneficiary, or of any other person who may have a right thereunder, either before or after payment.

Amendments of laws, etc., to insurance commissioner.

SECT. 22. (Constitution and Laws—Amendment.) Every society transacting business under this act shall file with the insurance commissioner a duly certified copy of all amendments of or additions to its constitution and laws within ninety days after the enactment of the same. Printed copies of the constitution and laws as amended, changed or added to, certified by the secretary or corresponding officer of the society, shall be *prima facie* evidence of the legal adoption thereof.

Statements of condition, what to contain.

SECT. 23. (Annual Reports.) Every society transacting business in this state shall annually, on or before the first day of March,

file with the insurance commissioner, in such form as he may require, a statement under oath of its president and secretary or corresponding officers, of its condition and standing on the thirty-first day of December next preceding, and of its transactions for the year ending on that date, and also shall furnish such other information as the insurance commissioner may deem necessary to a proper exhibit of its business and plan of working. The insurance commissioner may at other times require any further statement he may deem necessary to be made relating to such society. In addition to the annual report herein required, each society on the lodge system and authorized to pay benefits in this state upon the death of its members, except those societies which do not pay benefits for death from natural causes, shall annually report to the insurance commissioner a valuation of its certificates in force on December 31st, last preceding; excluding those issued within the year for which the report is filed, in cases where the contributions for the first year in whole or in part are used for current mortality and expenses; *provided*, the first report of valuation shall be made as of December 31st, 1913. Such report of valuation shall show, as contingent liabilities, the present mid-year value of the promised benefits provided in the constitution and laws of such society under certificates then subject to valuation; and, as contingent assets, the present midyear value of the future net contributions provided in the constitution and laws as the same are in practice actually collected. At the option of any society, in lieu of the above, the valuation may show the net value of the certificates subject to valuation hereinbefore provided, and said net value, when computed in case of monthly contributions, may be the mean of the terminal values for the end of the preceding and of the current insurance years. Such valuation shall be certified by a competent accountant or actuary, or, at the request and expense of the society, verified by the actuary of the department of insurance of the home state of the society, and shall be filed with the insurance commissioner within ninety days after the submission of the last preceding annual report. The legal minimum standard of valuation for all certificates, except for disability benefits, shall be the National Fraternal Congress Table of Mortality as adopted by the National Fraternal Congress August 23, 1899, or, at the option of the society, any higher table; or, at its option, it may use a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives with interest assumption not more than four per centum per annum. Each such valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation. Any society providing for disability benefits shall keep the net contributions for such benefits in a fund separate

and apart from all other benefit and expense funds and the valuation of all other business of the society; *provided*, that where a combined contribution table is used by a society for both death and permanent total disability benefits, the valuation shall be according to tables of reliable experience and in such case a separation of the funds shall not be required. The valuation herein provided for shall not be considered or regarded as a test of the financial solvency of the society, but each society shall be held to be legally solvent so long as the funds in its possession are equal to or in excess of its matured liabilities. Beginning with the year 1914 a report of such valuation and an explanation of the facts concerning the condition of the society thereby disclosed shall be printed and mailed to each beneficiary member of the society not later than June 1st of each year; or, in lieu thereof, such report of valuation and showing of the society's condition as thereby disclosed may be published in the society's official paper and the issue containing the same mailed to each beneficiary member of the society. The laws of such society shall provide that if the stated periodical contributions of the members are insufficient to pay all matured death and disability claims in full, and to provide for the creation and maintenance of the funds required by its laws, additional, increased or extra rates of contribution shall be collected from the members to meet such deficiency; and such laws may provide that, upon the written application or consent of the member, his certificate may be charged with its proportion of any deficiency disclosed by valuation, with interest not exceeding five per centum per annum.

Provisions to insure future security.

SECT. 23. a. (Provisions to Insure Future Security.) If the valuation of the certificates, as hereinbefore provided, on December 31, 1917, shall show that the present value of future net contributions, together with the admitted assets, is less than the present value of the promised benefits and accrued liabilities, such society shall thereafter maintain said financial condition at each succeeding triennial valuation in respect of the degree of deficiency as shown in the valuation as of December 31, 1917. If at any succeeding triennial valuation such society does not show at least the same condition, the insurance commissioner shall direct that it thereafter comply with the requirements herein specified. If the next succeeding triennial valuation after the receipt of such notice shall show that the society has failed to maintain the condition required herein, the insurance commissioner may, in the absence of good cause shown for such failure, institute proceedings for the dissolution of such society, in accordance with the provision of section 24 of this act, or in the case of a foreign society, its license may be cancelled in the manner provided in this act. Any such society, shown by any triennial valuation, subsequent to December 31, 1917,

not to have maintained the condition herein required, shall, within two years thereafter, make such improvement as to show a percentage of deficiency not greater than as of December 31, 1917, or thereafter, as to all new members admitted, be subject, so far as stated rates of contributions are concerned, to the provisions of section 12 of this act, applicable in the organization of new societies; *provided* that the net mortuary or beneficiary contributions and funds of such new members shall be kept separate and apart from the other funds of the society. If such required improvement is not shown by the succeeding triennial valuation, then the said new members may be placed in a separate class and their certificates valued as an independent society in respect of contributions and funds.

SECT. 23. b. In lieu of the requirements of section 23 and 23 a, any society accepting in its laws the provision of this section may value its certificates on a basis, herein designated "accumulation basis," by crediting each member with the net amount contributed for each year and with interest at approximately the net rate earned and by charging him with his share of the losses for each year, herein designated "cost of insurance" and carrying the balance, if any, to his credit. The charge for the cost of insurance may be according to the actual experience of the society applied to a table of mortality recognized by the law of this state, and shall take into consideration the amount at risk during each year, which shall be the amount payable at death less the credit to the member. Except as specifically provided in its articles or laws or contracts no charge shall be carried forward from the first valuation hereunder against any member for any past share of losses exceeding the contributions and credit. If, after the first valuation, any member's share of losses for any year exceeds his credit including the contribution for the year, the contribution shall be increased to cover his share of the losses. Any such excess share of losses chargeable to any member may be paid out of a fund or contributions especially created or required for such purpose. Any member may transfer to any plan adopted by the society with net rates on which tabular reserves are maintained and on such transfer shall be entitled to make such application of his credit as provided in the laws of the society. Certificates issued, rerated or readjusted on a basis providing for adequate rates with adequate reserves to mature such certificates upon assumptions for mortality and interest recognized by the law of this state shall be valued on such basis, herein designated the "tabular basis"; *provided* that if on the first valuation under this section a deficiency in reserve shall be shown for any such certificate, the same shall be valued on the accumulation basis. Whenever in any society having members upon the tabular basis and upon the accumulation basis, the total of all costs of insurance pro-

Valuation of certificates on accumulation basis, etc.

vided for any year shall be insufficient to meet the actual death and disability losses for the year, the deficiency shall be met for the year from the available funds after setting aside all credits in the reserve; or from increased contributions or by an increase in the number of assessments applied to the society as a whole or to classes of members as may be specified in its laws. Savings from a lower amount of death losses may be returned in like manner as may be specified in its laws. If the laws of the society so provide, the assets representing the reserves of any separate class of members may be carried separately for such class as if in an independent society, and the required reserve accumulation of such class so set apart shall not thereafter be mingled with the assets of other classes of the society. A table showing the credits to individual members for each age and year of entry and showing opposite each credit the tabular reserve required on the whole life or other plan of insurance specified in the contract, according to assumptions for mortality and interest recognized by the law of this state and adopted by the society, shall be filed by the society with each annual report and also be furnished to each member before July 1st of each year. In lieu of the aforesaid statement there may be furnished to each member within the same time a statement giving the credit for such member and giving the tabular reserve and level rate required for a transfer carrying out the plan of insurance specified in the contract. No table or statement need be made or furnished where the reserves are maintained on the tabular basis. For this purpose, individual book-keeping accounts for each member shall not be required and all calculations may be made by actuarial methods. Nothing herein contained shall prevent the maintenance of such surplus over and above the credits on the accumulation basis and the reserves on the tabular basis as any society may provide by or pursuant to its laws; nor be construed as giving to the individual member any right or claim to any such reserve or credit other than in manner as expressed in the contract and its laws; nor as making any such reserve or credits a liability in determining the legal solvency of the society.

Examination of  
domestic societies;  
proceedings for  
dissolution.

SECT. 24. (Examination of Domestic Societies.) The insurance commissioner, or any person he may appoint, shall have the power of visitation and examination into the affairs of any domestic society. He may employ assistants for the purpose of such examination, and he, or any person he may appoint, shall have free access to all the books, papers and documents that relate to the business of the society and may summon and qualify as witness under oath and examine its officers, agents and employees or other persons in relation to the affairs, transactions and condition of the society. The expense of such examination shall be paid by the society examined, upon statement furnished by the insurance commissioner, and the

examination shall be made at least once in three years. Whenever after examination the insurance commissioner is satisfied that any domestic society has failed to comply with any provisions of this act, or is exceeding its powers, or is not carrying out its contracts in good faith, or is transacting business fraudulently; or whenever any domestic society, after the existence of two years or more from the time this act shall be in force, shall have a membership of less than 400 (or shall determine to discontinue business), the insurance commissioner may present the facts relating thereto to the attorney-general, who shall, if he deem the circumstances warrant, commence an action *in quo warranto* in a court of competent jurisdiction, and such court shall thereupon notify the officers of such society of a hearing, and if it shall then appear that such society should be closed, said society shall be enjoined from carrying on any further business and some person shall be appointed receiver of such society, and shall proceed at once to take possession of the books, papers, moneys and other assets of the society and shall forthwith, under the direction of the court, proceed to close the affairs of the society and to distribute its funds to those entitled thereto. No such proceedings shall be commenced by the attorney-general against any such society until after notice has been duly served on the chief executive officers of the society and a reasonable opportunity given to it, on a date to be named in said notice, to show cause why such proceedings should not be commenced.

SECT. 25. (Application for Receiver, etc.) No application for injunction against or proceedings for the dissolution of or the appointment of a receiver for any such domestic society or branch thereof shall be entertained by any court in this state unless the same is made by the attorney-general.

Application for receiver, etc., how made.

SECT. 26. (Examination of Foreign Societies.) The insurance commissioner, or any person whom he may appoint, may examine any foreign society transacting or applying for admission to transact business in this state. He may employ assistants and he, or any person he may appoint shall have free access to all the books, papers and documents that relate to the business of the society, and may summon and qualify as witness under oath and examine its officers, agents and employees and other persons in relation to the affairs, transactions and conditions of the society. He may, in his discretion, accept in lieu of such examination the examination of the insurance department of the state, territory, district, province or country where such society is organized. The actual expenses of examiners making any such examination shall be paid by the society upon the statement furnished by the insurance commissioner. If any such society or its officers refuse to submit to such examination or to comply with the provisions of the section relative thereto, the

Examination of foreign societies.

authority of such society to write new business in this state shall be suspended or license refused until satisfactory evidence is furnished the insurance commissioner relating to the condition and affairs of the society, and during such suspension the society shall not write new business in this state.

Publication of adverse reports, etc.

SECT. 27. (No Adverse Publications.) Pending, during or after an examination or investigation of any such society, either domestic or foreign, the insurance commissioner shall make public no financial statement, report or finding, nor shall he permit to become public any financial statement, report or finding affecting the status, standing or rights of any such society, until a copy thereof shall have been served upon such society, at its home office, nor until such society shall have been afforded a reasonable opportunity to answer any such financial statement, report or finding, and to make such showing in connection therewith as it may desire.

Revocation of license.

SECT. 28. (Revocation of License.) When the insurance commissioner on investigation is satisfied that any foreign society transacting business under this act has exceeded its powers, or has failed to comply with any provisions of this act, or is conducting business fraudulently, or is not carrying out its contracts in good faith, he shall notify the society of his findings, and state in writing the grounds of his dissatisfaction, and after reasonable notice require said society, on a date named, to show cause why its license should not be revoked. If on the date named in said notice such objections have not been removed to the satisfaction of the said insurance commissioner, or the society does not present good and sufficient reasons why its authority to transact business in this state should not at that time be revoked, he may revoke the authority of the society to continue business in this state.

Sundry provisions as to government and conduct of business.

SECT. 29. Domestic corporations as described in section one of this act, governed by direct vote of their members, now doing business may continue to transact business in this state. Such corporations and like societies incorporated under the provisions of this act shall be governed by sections four, six, eleven, twelve so far as the same are applicable, thirteen, nineteen and twenty-one, twenty-three, twenty-four, twenty-five, twenty-seven, thirty, thirty-one and thirty-two, of this act, and in addition by the following provisions: The officers of such corporations shall be elected by ballot by the members as often as once in two years. Proxies shall not be used in voting. No person under sixteen years of age shall be admitted to membership. The recording officer of such a corporation shall file with the insurance commissioner amendments to its by-laws within thirty days after their adoption. Such equitable assessments, either periodical or otherwise, shall be made upon the members as shall be necessary to carry out the purposes of the or-



ganization. Paid agents shall not be employed in soliciting or procuring members, except in the organizing or building up the organization or granting members inducements to procure new members; but any such corporation hereafter formed, unless it confines its membership to that of a particular fraternity in any one county or to a lodge of some fraternity, shall not contract to pay benefits to its members until it shall satisfy the insurance commissioner that it has received at least five hundred bona fide applications for membership. With the approval of the insurance commissioner in writing, and the consent of each corporation expressed by vote at a duly called meeting, any such corporation may transfer its membership and funds to any authorized similar corporation. Nothing contained in this act shall be construed to affect or apply to secret orders or fraternities operating on the lodge system with a representative form of government and granting insurance benefits as incidental only to the work of the order or fraternity, or societies which limit their membership to any one hazardous occupation, nor to similar societies which do not issue insurance certificates, nor to an association of local lodges of a society now doing business in this state which provides death benefits not exceeding five hundred dollars to any one person, or disability benefits not exceeding three hundred dollars in any one year to any one person, or both, nor to any contracts of reinsurance business on such plan in this state, nor to domestic societies which limit their membership to the employees of a particular city or town, designated firm, business house or corporation, nor to domestic lodges, orders or associations which do not provide for a death benefit of more than one hundred dollars, or for disability benefits of more than one hundred and fifty dollars to any one person in any one year. The insurance commissioner may require from any society such information as will enable him to determine whether such society is exempt from the provisions of this act. Any fraternal benefit society, heretofore organized, and incorporated and operating within the definition set forth in sections 1, 2 and 3 of this act, providing for benefits in case of death or disability resulting solely from accidents, but which does not obligate itself to pay death or sick benefits, may be licensed under the provisions of this act, and shall have all the privileges and shall be subject to all the provisions and regulations of this act, except that the provisions of this act requiring medical examinations, valuations of benefit certificates, and that the certificate shall specify the amount of benefits, shall not apply to such society.

SECT. 30. (Taxation.) Every fraternal benefit society organized or licensed under this act is hereby declared to be a charitable and benevolent institution, and all of its funds shall be exempt from all and every state, county, district, municipal and school tax, other than taxes on real estate and office equipment. Exemption from taxation.

Penalties.

SECT. 31. (Penalties.) Any person, officer, member or examining physician of any society authorized to do business under this act who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for membership, or for the purpose of obtaining money from or benefit in any society transacting business under this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail for not more than one year, or both, in the discretion of the court; and any person who shall wilfully make a false statement of any material fact or thing in a sworn statement as to the death or disability of a certificate holder in any such society for the purpose of procuring payment of a benefit named in the certificate of such holder, and any person who shall wilfully make any false statement in any verified report or declaration under oath required or authorized by this act, shall be guilty of perjury, and shall be proceeded against and punished as provided by the statutes of this state in relation to the crime of perjury. Any person who shall solicit membership for, or in any manner assist in procuring membership in any fraternal benefit society not licensed to do business in this state, or who shall solicit membership for, or in any manner assist in procuring membership in any such society not authorized as herein provided, to do business as herein defined in this state, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty nor more than two hundred dollars. Any society, or any officer, agent or employee thereof neglecting or refusing to comply with or violating any of the provisions of this act, the penalty for which neglect, refusal or violation is not specified in this section, shall be fined not exceeding two hundred dollars upon conviction thereof.

Repealing clause:  
act takes effect  
January 1, 1914.

SECT. 32. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect January 1, 1914.

[Approved May 7, 1913.]

CHAPTER 123.

AN ACT MAKING PROVISION FOR THE RELIEF OF DESTITUTE MOTHERS AND THEIR CHILDREN.

SECTION

- 1. County commissioners to provide funds.
- 2. Amount of allowance.

SECTION

- 3. Conditions precedent to allowance.
- 4. Discontinuance of allowance.
- 5. Limitation of act.

*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 provide out of the moneys in the county treasury not otherwise appropriated an amount sufficient to meet the purposes of this law for the partial support of women, when such women are of good repute but poor and dependent on their own efforts for support and are mothers of children under the age of sixteen years.

SECT. 2. The allowance to each of such women shall not exceed ten dollars (\$10) a month when she has but one child under the age of sixteen years, and if she has more than one child under the age of sixteen years, it shall not exceed the sum of ten dollars (\$10) a month for the first child and five dollars (\$5) a month for each of the other children under the age of sixteen years.

SECT. 3. Such allowance shall be made by the county commissioners upon the recommendation of the school board for the district in which such mother resides and only upon the following conditions: (1) the child or children for whose benefit the allowance is made must be living with the mother of such child or children; (2) the allowance shall be made only when in the absence of such allowance the mother would be required to work regularly away from her home and children, and when by means of such allowance she will be able to remain at home with her children; (3) the mother must, in the judgment of the school board, be a proper person, morally, physically and mentally, for the bringing up of her children; (4) such allowance shall in the judgment of the school board be necessary to save the child or children from neglect; (5) no person shall receive the benefit of this act who shall not have been a resident of the county in which such application is made for at least two years next before the making of such application for such allowance.

SECT. 4. Whenever any child shall reach the age of sixteen years an allowance made to the mother of such child shall cease. The school board for the district in which the mother resides may recommend at any time before such child reaches the age of sixteen years

that the allowance to any mother and for any child be discontinued or modified and the county commissioners, in their discretion, may thereupon discontinue or modify the same.

Limitation of act. SECT. 5. The provisions of this law shall not apply to any woman who is not dependent on her own efforts for the support of herself and family and at the time of receiving such aid is not of good repute and making an earnest effort for self support.

[Approved May 7, 1913.]

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## CHAPTER 124.

### AN ACT PROVIDING FOR THE INSPECTION OF THE SERVICE EQUIPMENT OF PUBLIC UTILITIES BY THE PUBLIC SERVICE COMMISSION.

#### SECTION

1. Commission empowered to establish standards, to make reasonable rules, and to provide for necessary tests and inspections.

#### SECTION

2. Fees for tests and inspections.
3. Takes effect on passage.

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

Commission empowered to establish standards, to make reasonable rules, and to provide for necessary tests and inspections.

SECTION 1. (a) The public service commission may ascertain, determine and fix for each kind of public utility suitable and convenient standard commercial units of service, product or commodity, which units shall be lawful units for the purposes of this act.

(b) The commission may ascertain, determine and fix adequate and serviceable standards for the measurement of quality, pressure, initial voltage or other condition pertaining to the performing of its service or to the furnishing of its product or commodity by any public utility, and prescribe reasonable regulations for examination and testing of such service, product or commodity, and for the measurement thereof.

(c) The commission may ascertain, determine and fix reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for measurement, and every public utility is required to carry into effect all orders issued by the commission relative thereto.

(d) The commission may provide for the inspection of the manner in which every public utility conforms to the reasonable regulations prescribed by the commission for examination and testing of its service, product or commodity, and for the measurement thereof, and the commission may supplement such inspections by

examinations and testing of the service, product or commodity of any public utility, and by the measurement thereof.

(e) The commission may provide for the inspection of the manner in which every public utility has carried into effect the reasonable rules, regulations, specifications and standards fixed by orders of the commission relative thereto, and the commission may examine and test any and all meters and appliances for measurements under such reasonable rules and regulations as it may prescribe.

(f) The commission may provide for the examination and testing of any and all appliances used for the measuring of any service, product or commodity of a public utility. Any consumer or user may have any such appliance tested by the commission. The commission may declare and establish reasonable fees to be paid for examining and testing such appliances on the request of consumers or users, the fee to be paid by the consumer or user at the time of his request, but, if the measuring appliance be found unreasonably defective or incorrect to the disadvantage of the consumer or user, the commission shall repay such fee to the consumer or user and collect the same from the public utility.

(g) The commission may purchase such materials, apparatus and standard measuring instruments for such examinations and tests and for the calibration and standardization of the measuring instruments used by any public utility as it may deem necessary.

SECT. 2. The commission shall fix and collect reasonable fees for examining and testing meters and other measuring apparatus and appliances and the product of any public utility offered to the public for use or consumption, and such fees shall be paid by such public utility owning the same, or offering the same to the public, except in the cases provided for in paragraph (f) of section 1. All fees so collected shall be paid at least once each month into the state treasury, with an itemized statement of the same, and shall, without further legislative act, stand appropriated for use by the commission for the payment of experts, clerks and assistants.

Fees for tests and inspections.

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

Takes effect on passage.

[Approved May 7, 1913.]

## CHAPTER 125.

AN ACT TO PROVIDE FOR THE PROTECTION OF HIGHWAY GRADE CROSSINGS  
UPON RAILROADS AND FOR OTHER PURPOSES.

## SECTION

1. Public service commission may order protection.
2. May grant railroad right to clear land, etc.

## SECTION

3. Record of petition, effect of.
4. Right of appeal.
5. Repealing clause; act takes effect on passage.

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

Public service  
commission may  
order protection.

SECTION 1. Whenever after a hearing upon petition or upon its own motion the public service commission shall be of the opinion that the public safety demands that any highway grade crossing over any railroad shall be protected by gates, by a flagman, by automatic gong or otherwise, or that the land adjacent to said crossing shall be cleared and kept clear of buildings, trees, brush or other obstructions, it may make such order as in its opinion the public good may reasonably require, and it shall be the duty of the railroad corporation affected by said order in all respects to comply therewith.

May grant rail-  
road right to  
clear land.

SECT. 2. Whenever any railroad corporation shall deem it necessary for the public safety, or to prevent the kindling and spread of fire from its locomotives, that the land at or near any highway or farm crossing at grade, or upon the inside of any curve, be cleared and kept clear of buildings, trees, brush or other obstructions, or that a strip of land alongside its right of way be cleared and kept clear of trees, brush or other vegetation as a fire strip, or whenever to comply with any order made under the first section of this act it shall be necessary for any railroad corporation to remove buildings, trees, brush or other obstructions from land not owned by it, any such railroad corporation may apply by petition to the public service commission for permission to take such land, or such rights and easements in land as may be needed for such purposes. Such petition shall set forth the title of the land involved, a description of the land, or of the rights and easements, and the purpose for which required. The commission, after notice and hearing, shall determine what land, or what rights and easements it is necessary for said railroad corporation to take for the purpose specified, and shall make an order granting the same to said railroad corporation and fixing the compensation to be paid therefor. Upon the recording of a certified copy of said order in the registry of deeds in the county where the land affected lies, and payment or tender of payment of the compensation awarded, title to the land

or to the rights and easements granted therein shall vest in said railroad corporation.

SECT. 3. At any time after the filing of a petition under section 2 of this act, the petitioner may record in the registry of deeds where the land affected lies a certified copy of said petition, and no sale, lease or other transfer of said land made after such record shall affect the proceedings, nor the title of said petitioner to any land, rights or easements which may be granted therein, but any person acquiring the title of any landowner may on his motion be substituted in place of said landowner as a party to said proceedings whenever the same may be pending. Record of petition, effect of.

SECT. 4. Any person aggrieved by any order awarding compensation for land or for rights and easements taken may appeal from said assessment by petition to the superior court setting forth the order appealed from, and said compensation shall be determined in the superior court, by a jury, if either party shall claim a jury trial. Such petition shall be filed in the superior court within fourteen days of the date of the order appealed from, exclusive of the day of the date of said order. Right of appeal.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved May 7, 1913.]

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CHAPTER 126.

AN ACT ABOLISHING THE POLICE COURT OF NASHUA AS CREATED BY THE LAWS OF 1853, CHAPTER 1404, AND SUBSEQUENT AMENDMENTS, AND ESTABLISHING A NEW POLICE COURT IN NASHUA.

SECTION

1. Police court abolished; pending actions transferred.
2. Police court created; criminal jurisdiction.
3. Original civil jurisdiction.
4. Return of warrants.
5. Sessions, when to be held.
6. Associate justice.

SECTION

7. Fees, fines, etc., accruing to city, how paid.
8. How paid in other cases.
9. Clerk of court.
10. Quarterly account to city treasurer.
11. Salaries.
12. Fines for use of city.
13. Repealing and saving clause.

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

SECTION 1. The existing police court of the city of Nashua in this state is hereby abolished, and a police court to be known as the police court of Nashua is hereby established in place of said Police court abolished; pending actions saved.

former police court. All precepts, civil and criminal, which by law are made returnable to and which may be instituted and be pending before said former police court when this act shall take effect, shall be heard and determined before the police court hereby established, and any money or moneys payable by said former police court, or payable by any officer thereof, to any party whatsoever, or to said city of Nashua or the county of Hillsborough, shall be payable to the same party, city or county. The records of the police court of Nashua as formerly established shall be deposited and kept with the records of the police court hereby established.

Police court created; criminal jurisdiction.

SECT. 2. There hereby is established within the city of Nashua a police court, to consist of one learned, able and discreet person, to be appointed and commissioned by the governor, pursuant to the constitution and to be qualified in the same manner as justices of the peace: to take cognizance of all crimes, offenses and misdemeanors committed within the city of Nashua, whereof justices of the peace now have or may hereafter have jurisdiction.

Original civil jurisdiction.

SECT. 3. And the said police court shall also have original jurisdiction and cognizance of all suits and actions which may now or at any time hereafter be heard, tried and determined before any justice of the peace in the county of Hillsborough, and no writ in any suit or action shall be made returnable before any justice of the peace within said city of Nashua, but to said police court only; and an appeal shall be allowed from all judgments of said police court in like manner and to the same extent that appeals are now allowed by law from judgments of justices of the peace; and the justice of said police court shall not be of counsel or attorney to any party in any manner or thing whatsoever which may be or has been pending in said court.

Return of warrants.

SECT. 4. All warrants issued by said court or by any justice of the peace within said city shall be made returnable and shall be returned before said court; and if any warrant shall be issued by any justice of the peace returnable before said court, the lawful fees payable therefor shall not be paid or allowed unless on examination in hearing before said court it shall appear to said court that there was just and reasonable cause for issuing said warrant: in which case such fees, costs and charges shall be allowed and taxed in like manner as though said warrant had been issued by a justice of the peace according to the law now in force.

Sessions, when to be held.

SECT. 5. A police court shall be holden by said justice in said city of Nashua at a suitable and convenient place to be provided at the expense of said city, on one day in each week, at nine o'clock in the forenoon, and as much oftener as may be necessary, to take cognizance of crimes, offenses and misdemeanors, and on the last Saturday of every month, at ten o'clock in the forenoon: and may



be adjourned from day to day by the justice thereof, and at such other times as may be necessary for the trial of civil suits and actions. And the justice of said court shall, from time to time, establish all necessary rules for the orderly and uniform conducting of the business thereof.

SECT. 6. An associate justice of said court shall be appointed Associate justice. and qualified in the same way and manner as said justice; and whenever it shall happen that the principal justice of said court shall be interested in any suit or prosecution cognizant within said court, or shall from any cause be unable to attend, hear and determine any matter or thing pending therein, the court shall be holden by said associate justice, and its jurisdiction by him exercised. Said associate justice shall account for and pay over all moneys received by him, in the same manner as is required of the principal justice.

SECT. 7. All fees, fines and forfeitures imposed, ordered or decreed by the police court of said city or accruing or belonging to said city in any action or process heard in said police court, shall be paid to the clerk thereof in the same manner as they are now by law required to be paid to the marshal of said city; and the said clerk shall pay over such moneys so received by him to such person or persons as said court may order, and at the end of each quarter pay the remainder to the treasurer of said city; and the said clerk at the end of each year shall make report of his receipts and disbursements for the year. Fees, fines, etc., accruing to city, how paid.

SECT. 8. All fees, fines, forfeitures or moneys received by said justice or by any other person in or upon any such civil or criminal cause or process, and the payment of which is not herein otherwise provided for, shall be paid by said justice or persons receiving same—first to the party or persons entitled thereto by law—and the remainder to the treasurer of said city. How paid in other cases.

SECT. 9. The police court, as heretofore constituted, shall be a court of record, and the justice thereof shall, from and after the passage of this act, appoint some suitable person to be clerk thereof, who shall perform all duties pertaining to the office of clerk of the court. He shall hold his office during the pleasure of the justice of said court, and until some other person shall be appointed and qualified in his stead. He shall give a bond for the faithful performance of the duties of his office, to the satisfaction of the board of mayor and aldermen. Clerk of court.

SECT. 10. The justice and clerk of said court shall, once in three months, render to the city treasurer an account, under oath, of all fees and costs by them received or receivable, and shall, at the time aforesaid, pay over to said treasurer all such fees and costs. Quarterly account to city treasurer.

SECT. 11. The salary of the justice of the police court of said Salaries.

city shall be one thousand dollars per annum; the salary of the associate police justice of said city shall be three hundred dollars per annum, and the salary of the clerk of said court shall be six hundred dollars per annum, which salaries shall be paid in quarterly payments out of the city treasury; and the salaries so received shall be in full for all services of every kind rendered by them in the discharge of all the duties pertaining to their office. During such time as there may be a vacancy in the position of justice of the police court of the city of Nashua, and while the associate justice shall discharge and perform the duties of said position, said city shall pay to said associate the salary of said justice as now fixed by law, in lieu of the salary as associate justice as now provided for.

Fines for use of city.

SECT. 12. All fines and forfeitures imposed by said police court shall be for the use of the said city of Nashua.

Repealing and saving clause.

SECT. 13. All acts and parts of acts inconsistent herewith and for which this is intended as a substitute are hereby repealed, and all other acts relating to the police court of Nashua as formerly established, are continued in force and shall apply to the police court hereby established.

[Approved May 7, 1913.]

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CHAPTER 127.

AN ACT CONCERNING INSURANCE COMPANIES AND THEIR AGENTS, PROHIBITING REBATING, MISREPRESENTATION, AND TWISTING.

SECTION

1. Rebating prohibited.
2. Certain misrepresentations prohibited.
3. Incriminating testimony.

SECTION

4. Penalties for violations.
5. Repealing clause.

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

Rebating prohibited.

SECTION 1. *Rebating Prohibited.* No insurance company, association or society, by itself or any other party, and no insurance agent, solicitor or broker personally, or by any other party, shall offer, promise, allow, give, set off or pay, directly or indirectly, as inducement to insurance, on any risk in this state now or hereafter to be written, any rebate of or part of the premium payable on the policy or on any policy or of the agent's commission thereon; nor shall any such company, association or society, agent, collector, or broker, personally or otherwise, offer, promise,

allow, give, set off or pay, directly or indirectly, as inducement to such insurance, any earnings, profits, dividends or other benefit, founded, arising, accruing or to accrue on such insurance or therefrom, or any other valuable consideration, which is not specified, promised or provided for in the policy contract of insurance; nor shall any such company, association or society, agent, collector or broker, personally or otherwise, offer, promise, give, sell or purchase, as inducement to insurance or in connection therewith, any stocks, bonds, securities or property, nor except as promised or provided for in the policy contract, offer, promise or give any other thing of value whatsoever, as an inducement to insurance. No insured person or party shall receive or accept, directly or indirectly, any rebate of premium or part thereof, or agent's, solicitor's, or broker's commission thereon, payable on the policy, or on any policy of insurance, or any favor or advantage in the dividend or other benefit to accrue thereon, or any valuable consideration or inducement, not promised or provided for in the policy contract of insurance. This section shall not be construed so as to prevent any company from paying to another insurance company or to any person who is a duly authorized agent or broker, or to prevent an insurance company or such a person from receiving a commission in respect to any policy under which it itself or he himself is insured. Nothing in this section shall be so construed as to prohibit any company issuing non-participating life insurance from paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from non-participating insurance; nor to prohibit any company transacting industrial insurance on the weekly payment plan from returning to policy-holders who have made premium payments for a period of at least one year directly to the company at its home or district offices, a percentage of the premium which the company would have paid for the weekly collection of such premiums; nor to prohibit any life insurance company doing business in this state from issuing policies of life or endowment insurance with or without annuities at rates less than the usual rates of premiums for such policies insuring members of organizations or employees of any employer who through their secretary or employer may take out insurance in an aggregate of not less than fifty members and pay their premiums through such secretary or employer.

SECT. 2. *Misrepresentation and Twisting.* No insurance company, association or society, or any officer, director, agent, broker or solicitor thereof shall issue, circulate or use or cause or permit to be issued, circulated or used, any statement, estimate, illustration, or circular misrepresenting the terms of any policy issued or to be issued by such company, or the benefits or privileges promised

Certain misrepresentations prohibited.

under any such policy, or the future dividends payable under any such policy. No insurance company, association or society, officer, director, agent, solicitor or broker, or any person, firm, association or corporation shall make any misrepresentation, oral, written or otherwise, to any person insured in any company for the purpose of inducing or tending to induce such person to take out a policy of insurance, or for the purpose of inducing or tending to induce a policyholder in any company to lapse, forfeit or surrender his insurance therein, and to take out a policy of insurance in another like company.

Incriminating  
testimony.

SECT. 3. *Testimony.* No person shall be excused from testifying or from producing any books, papers, contracts, agreements or documents at the trial or hearing of any person or company, association or society charged with violating any provisions of sections 1 and 2 of this act, on the ground that such testimony or evidence may tend to incriminate himself, but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

Penalties.

SECT. 4. Any insurance company, association or society, agent, solicitor or broker, or any person, firm, association or corporation, violating the provisions of this act shall upon conviction be sentenced to pay a fine of not more than \$100 for each and every violation, or in the discretion of the court, to an imprisonment for a period of not more than six months. The insurance commissioner shall have authority, in his discretion, to revoke or suspend a license theretofore issued to any company, association or society, agent, or broker, for a period not exceeding three years, on its being proven to him after a hearing that such company, association or society, agent or broker, has knowingly or wilfully violated any of the provisions of this act.

Repealing clause.

SECT. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

[Approved May 7, 1913.]

## CHAPTER 128.

AN ACT TO REGULATE THE TRANSPORTATION OF DYNAMITE, GUNPOWDER  
AND OTHER EXPLOSIVES.

## SECTION

1. Dynamite, etc., not to be carried on passenger vessel or vehicle; exceptions.
2. Public service commission to make regulations.
3. Transportation of liquid nitroglycerine, etc.

## SECTION

4. Packages for shipment, how to be marked; penalty.
5. Death or bodily injury caused by violation, penalty.
6. Repealing clause; act takes effect June 1, 1913.

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

SECTION 1. It shall be unlawful to transport, carry, or convey, Dynamite, etc., from one place in this state to another place in this state, any dynamite, gunpowder, or other explosive on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire: *Provided*, that it shall be lawful not to be carried on passenger vessel or vehicle; exceptions. to transport on any such vessel or vehicle small arms ammunition in any quantity, and such fuses, torpedoes, rockets, or other signal devices, as may be essential to promote safety in operation; and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for transportation of passengers for hire: *Provided further*, that nothing in this section shall be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles.

SECT. 2. The public service commission shall formulate regulations for the safe transportation of explosives, which shall be binding upon all common carriers engaged in intrastate commerce which transport explosives by land. Said commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Such regulations shall be in accord with the best known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, as well as all changes or modifications thereof, shall take effect ninety days after their formulation and publication by said commission and shall be in effect until reversed, set aside, or modified. Public service commission to make regulations.

Transportation of liquid nitroglycerine, etc.

SECT. 3. It shall be unlawful to transport, carry, or convey, from one place in this state to another place in this state, liquid nitroglycerine, fulminate in bulk in dry condition, or other like explosive, on any vessel or vehicle of any description operated by a common carrier in the transportation of passengers or articles of commerce by land or water.

Packages for shipment, how to be marked; penalty.

SECT. 4. Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside thereof the contents thereof; and it shall be unlawful for any person to deliver, or cause to be delivered, to any common carrier any explosive, or other dangerous article, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier of the true character thereof, at or before the time such delivery or carriage is made. Whoever shall knowingly violate, or cause to be violated, any provision of this act, or any regulation made by the public service commission in pursuance thereof, shall be fined not more than two thousand dollars, or imprisoned not more than eighteen months or both.

Death or bodily injury caused by violation, penalty.

SECT. 5. When the death or bodily injury of any person is caused by the explosion of any article named in this act, while the same is being placed upon any vessel or vehicle to be transported in violation hereof, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, the person knowingly placing, or aiding or permitting the placing, of such articles upon any such vessel or vehicle, to be so transported, shall be imprisoned not more than ten years.

Repealing clause: act takes effect June 1, 1913.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on the first day of June, 1913.

[Approved May 8, 1913.]

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## CHAPTER 129.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 95, OF THE SESSION LAWS OF 1903, RELATING TO REVOCATION OF LICENSES.

SECTION 1. Liquor license may be suspended for first violation.

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

Liquor license may be suspended for first violation.

SECTION 1. Amend section 14 of chapter 95 of the session Laws of 1903, by inserting after the word "board" in the third line there-

of, the following: or said board may suspend said license for the first violation in their discretion for such period of time as they may deem proper, and by inserting after the word "cancelled" in the eighth line thereof, the following: or suspended, and further amend by striking out after the word "writing" in the ninth line of said section the words "except licenses of the first class may be revoked at any time, by said board, with or without notice, in their discretion," and by adding at the end of such section the following: No action shall be taken on the bond filed in connection with any license, by reason of any order of said board suspending said license under the provisions of this section, so that said section as amended shall read as follows: SECT. 14. At any time after a license has been issued to any person, the same may be revoked and cancelled by said board, or said board may suspend said license for the first violation in their discretion for such period of time as they may deem proper, if any material statement in the application of the holder of the same was false, or if any provision of this act is violated at the place designated in the license by the holder of the same, or by his agents, servants, or any person whomsoever in charge of said premises, *provided* that the testimony makes it manifest that the violation was unintentional and accidental. But before any license is revoked or cancelled or suspended, the holder shall be entitled to a hearing by said board, and to five days' previous notice thereof in writing. No action shall be taken on the bond filed in connection with any license, by reason of any order of said board suspending said license under the provisions of this section.

[Approved May 8, 1913.]

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## CHAPTER 130.

### AN ACT IN RELATION TO THE APPOINTMENT OF COUNTY AUDITORS, AND FILLING OF VACANCIES IN COUNTY OFFICES.

#### SECTION

1. Superior court to appoint.
2. To fill vacancies in county offices.

#### SECTION

3. Repealing clause; act takes effect on passage.

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

SECTION 1. The duties imposed by chapter 87 of the Laws of 1897 upon the supreme court, with referenee to county auditors, shall hereafter be performed by the superior court acting as a body. <sup>Superior court to appoint.</sup>

To fill vacancies  
in county offices.

SECT. 2. In case of any vacancy in any county office, the superior court as a body, shall select and appoint a commissioner to perform the duties of the office, who shall be subject to the requirements and liabilities, and entitled to the privileges and emoluments, of such office during the vacancy.

Repealing clause;  
act takes effect  
on passage.

SECT. 3. Section 8 of chapter 25 of the Public Statutes is hereby repealed, and this act shall take effect on its passage.

[Approved May 13, 1913.]

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CHAPTER 131.

AN ACT TO REGULATE THE PRINTING OF DEPARTMENTAL AND INSTITUTIONAL STATE REPORTS.

SECTION

1. Governor and council to be censors.

SECTION

2. Takes effect on passage.

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

Censorship es-  
tablished.

SECTION 1. All departmental and institutional reports of the state shall be submitted to the governor and council before they are printed, and only such parts thereof shall be printed as the governor and council indicate, and they are further empowered to order any two or more reports dealing with related subjects to be bound together. No departmental or institutional report shall contain statements in detail of expenses or receipts, but the same shall be stated only by properly classified totals; *provided, however*, that all detailed statements of such expenses shall be stated in the report of the state auditor; and all detailed statements of receipts shall be stated in the report of the state treasurer; and these two reports shall be bound together.

Takes effect  
on passage.

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

[Approved May 13, 1913.]



## CHAPTER 132.

AN ACT IN AMENDMENT OF CHAPTER 84, LAWS OF 1901, RELATING TO  
PUBLIC PRINTING.

## SECTION

1. Printing commission provided for.  
2. Contracts with non-residents.

## SECTION

3. Repealing clause; act takes effect on passage.

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

SECTION 1. Chapter 84, Laws of 1901, entitled, "An Act in Relation to the Public Printing," is hereby amended by striking out section one of said chapter, and inserting in place thereof, the following section: SECTION 1. The governor, with the advice of the council, shall biennially designate five state officers who shall constitute a board to be known as the public printing commission. No state printing shall be awarded to any printing establishment in which any member of said commission shall be pecuniarily interested.

SECT. 2. Said chapter is further amended by changing the numbers of sections five, six and seven, so as to read six, seven and eight; and by inserting the following section to be known as section five: SECT. 5. Whenever upon any portion of the public printing, the public printing commission is unable to secure competitive bids from parties within the state, said commission may upon such portion invite competitive bids from, and contract with, parties outside the state.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved May 13, 1913.]

## CHAPTER 133.

## AN ACT TO AMEND AN AMENDMENT TO AN ACT, CHAPTER 145, SESSION LAWS OF 1909, ENTITLED "AN ACT TO AMEND CHAPTER 78, SESSION LAWS OF 1903, ENTITLED 'AN ACT FOR THE PROMOTION OF AGRICULTURE.' [HORTICULTURE]"

SECTION 1. Annual appropriation of \$1,000 for New Hampshire Horticultural Society.

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

SECTION 1. That section 1 of chapter 145, session Laws of 1909, be amended by striking out \$500, and inserting \$1,000, so that

the section shall read, [SECTION 1.] The sum of \$1,000 is hereby annually appropriated for the use of the New Hampshire Horticultural Society, to be expended under the direction of the state board of agriculture in promoting the horticultural interests of the state for the years ending August 31, 1914, and August 31, 1915.

[Approved May 13, 1913.]

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### CHAPTER 134.

AN ACT TO FIX THE SALARY OF THE SHERIFF OF SULLIVAN COUNTY.

## SECTION

1. Annual salary of \$300; repealing clause.

## SECTION

2. Takes effect on passage.

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

Annual salary of \$300; repealing clause.

SECTION 1. The salary of the sheriff of Sullivan county shall hereafter be three hundred dollars per annum payable as now provided by law, and all acts and parts of acts inconsistent with this act are hereby repealed.

Takes effect on passage.

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

[Approved May 13, 1913.]

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### CHAPTER 135.

AN ACT RELATIVE TO THE SALARY OF THE TREASURER OF ROCKINGHAM COUNTY.

## SECTION

1. Annual salary of \$500.

## SECTION

2. Repealing clause; act takes effect on passage.

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

Annual salary of \$500.

SECTION 1. That the annual salary of the treasurer of the county of Rockingham shall hereafter be five hundred dollars payable as now provided by law.

Repealing clause; act takes effect on passage.

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

[Approved May 13, 1913.]

## CHAPTER 136.

AN ACT IN AMENDMENT OF AN ACT PASSED AT THE PRESENT SESSION OF THE GENERAL COURT, ENTITLED "AN ACT IN AMENDMENT OF SECTION 20 OF CHAPTER 27 OF THE PUBLIC STATUTES, AS AMENDED BY CHAPTER 112 OF LAWS OF 1903, CHAPTER 22, LAWS OF 1907, AND CHAPTER 83, LAWS OF 1909, RELATING TO COUNTY COMMISSIONERS."

## SECTION

1. Salaries and expenses of county commissioners.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That section 1 of an act passed at the present session of the General Court, entitled "An Act in Amendment of Section 20 of Chapter 27 of the Public Statutes, as amended by Chapter 112 of Laws of 1903, Chapter 22, Laws of 1907, and Chapter 83, Laws of 1909, relating to County Commissioners," [chapter 2, Laws of 1913,] be and the same hereby is amended by striking out the words "eight hundred" in the last paragraph [sentence] of said section and inserting in place thereof the words one thousand, so that said section 1 as amended shall read as follows: SECTION 1. That section 20 of chapter 27 of the Public Statutes, as amended by chapter 112 of the Laws of 1903, chapter 22 of the Laws of 1907 and chapter 83 of the Laws of 1909, be and the same hereby is amended by striking out the whole thereof and inserting in place thereof the following: SECT. 20. Each county commissioner, except the commissioners of Hillsborough, Cheshire and Merrimack counties, shall be paid by the county treasurer for his services, when employed in business of the county and in inspecting the taxable property of towns, as provided in the preceding section, three dollars a day, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having been first audited by the court. Each commissioner of Hillsborough county shall be so paid the sum of fifteen hundred dollars per year, each commissioner of Cheshire county the sum of five hundred dollars per year, and each commissioner of Merrimack county the sum of one thousand dollars per year, payable in equal quarterly installments, and a reasonable sum for all necessary expenses, upon order of the superior court, his accounts having first been audited by the court. The commissioners of Hillsborough county may expend not exceeding one thousand dollars per year for such clerical, Salaries and expenses of county commissioners

actuarial or stenographic assistance as may be necessary at the offices of the commission in Manchester and Nashua.

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

[Approved May 13, 1913.]

Takes effect  
on passage.

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## CHAPTER 137.

### AN ACT TO PROVIDE FOR COPYING AND INDEXING THE ANCIENT RECORDS OF TOWNS, PARISHES AND OTHER DIVISIONS OF THE STATE.

#### SECTION

1. Records, etc., in custody of towns.
2. Documents in private custody.

#### SECTION

3. Certified copies as evidence.
4. Takes effect June 1, 1913.

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

Records, etc., in  
custody of towns.

SECTION 1. The secretary of state is authorized and directed to require town clerks or other town officials having the custody of town or parish records, plans, documents or public papers, prior to the year 1825, to deposit the same in his office in the state house at Concord, for the purpose of being copied and indexed. Such records shall be known as Ancient Records of Towns, Parishes and other Divisions of the State of New Hampshire. The expense of transportation thereof to and from the secretary's office, and the expense of copying and indexing the same shall be borne by the state, and paid upon the warrant of the governor, from any moneys in the treasury not otherwise appropriated. After the same have been copied, they shall be returned to the officials of the towns from which they were received.

Documents in pri-  
vate custody.

SECT. 2. Any person having an unrecorded document pertaining to the affairs of public importance of any town, parish or division of the state, prior to the year 1825, may submit the same to the secretary of state, with his affidavit of the source from which it was received, and if it be found to come within such classification, the secretary of state may cause the same to be recorded and indexed with the Ancient Records of Towns, Parishes and other Divisions of the State of New Hampshire, pertaining to such subdivision of the state, and shall record said affidavit therewith, and file the original affidavit in his office.

Use of copies as  
evidence.

SECT. 3. Copies of such records, duly attested and certified by the secretary of state over the state's seal, shall be as competent

evidence in any court within this state, as the original record would be if produced by the legal custodian thereof.

SECT. 4. This act shall take effect June first, A. D. 1913.

Takes effect  
June 1, 1913.

[Approved May 13, 1913.]

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CHAPTER 138.

AN ACT IN AMENDMENT OF SECTION 1 OF AN ACT OF THE SESSION LAWS OF 1913, APPROVED APRIL 8, 1913, ENTITLED "AN ACT TO AMEND SECTION 1 OF CHAPTER 11 OF THE LAWS OF 1911, RELATING TO FISH AND GAME."

SECTION

1. Omission in earlier act supplied.

SECTION

2. Takes effect on passage.

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

SECTION 1. Section 1 of said act [chapter 61, Laws of 1913,] is hereby amended by adding after the word "muskellonge" in the second line thereof the word pickerel, so that said section as amended shall read as follows: SECTION 1. [Section one of chapter eleven of the Laws of 1911 is hereby amended by inserting after the words "Lake Spofford or Chesterfield" the words and the Connecticut river in Cheshire county so that said section shall read: SECTION 1. That section 59 of said chapter 79 be amended by inserting the word Massabesic between the word "Winnepesaukee" and the word "Winnisquam" so that said section as amended shall read as follows: SECT. 59.] If any person shall take or kill any muskellonge, pickerel, pike, or grayling in any of the waters of this state between the fifteenth day of January in any year and the first day of June next following except that pickerel may be taken in January, February and March from the waters of Lakes Winnepesaukee, Massabesic, Winnisquam, Asquam and Wentworth, and that muskellonge and pike may be taken in January, February and March from the waters of Lake Spofford, or Chesterfield and the Connecticut river in Cheshire county, he shall be fined ten dollars for each offense.

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

Takes effect on  
passage.

[Approved May 13, 1913.]

CHAPTER 139.

AN ACT TO PROVIDE A WAY TO FREE TOLL BRIDGES.

SECTION	SECTION
1. Toll bridge may be taken by county.	5. Action with Maine commissioners authorized.
2. Collection of tolls by county.	6. Not applicable to Hampton bridge.
3. Apportionment of expense.	7. Repealing clause: act takes effect on passage.
4. Procedure if bridge is in two counties.	

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

May be taken by county: Procedure.

SECTION 1. The county commissioners of any county, in which a toll bridge exists or may hereafter be located, are hereby authorized to lay out a county road across any toll bridge and approaches thereto, in their county, upon petition therefor, after notice and hearing in the manner required by the general laws of the state, regulating the laying out of highways. Such petition shall bear the signatures of not less than twenty taxpayers, qualified voters of said county, representing that the said bridge is necessary to the accommodation of public travel and that the payment of tolls over said bridge is burdensome to the traveling public, and praying that the same shall be taken as a county bridge. The damages for laying out said highway shall be ascertained, determined and paid in the same manner as in taking lands for highways, and persons and corporations aggrieved shall have the same rights of appeal to be enforced in the same manner as in the case of highways.

County may collect tolls for six years.

SECT. 2. In the event that the county commissioners shall decide to make said bridge a county bridge, said commissioners may, for the purpose of defraying the cost or damage for the taking and repairs of said bridge, maintain the same for a period not exceeding six years, as a toll bridge, if, in their opinion, such is necessary and for the best interests of the county. All money received for tolls after such taking shall be set aside as fast as accumulated, together with interest and accretions and shall constitute a sinking fund for the payment of any bonds issued or other indebtedness incurred by the county for damages or expenses in taking said bridge.

Apportionment of expense.

SECT. 3. For the foregoing purposes, as soon as the county commissioners shall have laid out a public way across said toll bridge and paid the damages therefor as in the case of highways and abolished the tolls thereof, they may apportion not exceeding one-third of the sum expended for damages aside from tolls received

among the several towns benefitted, having regard also for their valuation and circumstances, whether such bridge shall be within or partly within the boundaries of such town or not, and thereafter such bridge and its approaches shall be public highway, and shall be kept safe and convenient for public travel by said commissioners, and maintained by the county free of toll.

SECT. 4. When a petition is presented respecting a toll bridge in two counties, the same shall have the signatures of at least twenty qualified persons in each county. The commissioners receiving the petition may call a meeting of the commissioners of both counties, and they shall proceed in the manner provided in the case of ways in two or more counties. Damages shall be apportioned between the two counties in proportion to their last state valuation prior to such location, and among the several towns in the manner provided by the preceding section.

If bridge in two counties.

SECT. 5. The county commissioners of Rockingham and Strafford counties are empowered and authorized to act under this act in conjunction with the county commissioners of York county, in the state of Maine, to make all toll bridges now or hereafter located on the Piscataqua river and its branches between the states of Maine and New Hampshire free, when the county commissioners of said York county are empowered to take action by the legislature of the state of Maine.

Action with Maine commissioners authorized.

SECT. 6. This act shall not apply to any bridge already constructed, or that may be hereafter constructed across Hampton river, under the provisions of chapter 251, session Laws of 1901, entitled "An Act to authorize the Granite State Land Company to construct and maintain a Bridge across Hampton River, and for other Purposes."

Not applicable to Hampton bridge.

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.

Repealing clause; act takes effect on passage.

[Approved May 13, 1913.]

CHAPTER 140.

AN ACT PROVIDING FOR A BOARD OF CONTROL; AND FOR A PURCHASING AGENT.

SECTION	SECTION
1. Certain boards of trustees abolished.	9. Requisitions upon agent.
2. Board of control created.	10. Purchases on competitive bids.
3. Composition of board; general powers and duties.	11. Written contracts in triplicate.
4. Offices; clerical expenses; compensation.	12. Samples may be required.
5. Purchasing agent; appointment and tenure of office.	13. Uniform system of accounts.
6. Compensation of agent.	14. Board of control to advise agent.
7. Substitute in case of disability.	15. Inventories of required supplies.
8. General duties of agent.	16. Biennial report of agent.
	17. Biennial report of board.
	18. Payment of expenses.
	19. Takes effect, when.

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

Certain boards abolished.

SECTION 1. The tenure of office of the boards of trustees for the New Hampshire state hospital, the state industrial school, the New Hampshire school for feeble-minded, and the state sanatorium for consumptives, is hereby terminated, and said boards are severally abolished.

Board of control created.

SECT. 2. There is hereby created a department to be known as the board of control, for the supervision of the administration of the aforesaid state institutions, and the economical purchase of supplies for all state institutions and departments.

Composition of board; general powers and duties.

SECT. 3. The governor, with the advice and approval of the council, shall appoint and commission two capable persons, residents of the state, as members of said board. They shall be appointed and commissioned one for four years, and one for two years, and all subsequent appointments shall be for four years, excepting only for appointments for unexpired portions of a term. Such persons together with the governor, the secretary of the state board of charities, and the purchasing agent, whose office is hereinafter created, shall constitute such board of control, and they shall have all the powers and perform all the duties which by the laws in force next prior to the passage of this act, were vested in and imposed upon said boards of trustees hereinbefore mentioned, together with such further powers as may be essential to the full and complete supervision of the said state institutions. In case of the inability of the governor to attend any meeting of such board, he may designate some member of his council to attend in his place, and who shall have all the powers as a member of such board, while so acting during the governor's absence, which the governor might have if personally present.



SECT. 4. Said board shall be provided with suitable offices in the state house, and there is hereby appropriated from any money in the treasury not otherwise appropriated, a sum not exceeding nine hundred dollars annually for clerical expenses of said office. The two members thus appointed shall receive eight dollars per day for their actual time spent in the performance of official duties, as directed by vote of the board, and all the members of said board shall be reimbursed for their actual and necessary expenses when performing official duty, to be audited and approved by the state auditor.

Offices; clerical expenses; compensation.

SECT. 5. The governor, by and with the advice and approval of the council, shall appoint some capable person, resident within this state, as a purchasing agent for state departments and institutions. He shall hold office for three years and until his successor is appointed and qualified, *provided, however*, that he may be removed at any time for just and sufficient cause. Before entering upon the duties of his office, he shall give a bond to the state with surety or sureties approved by the governor and council, in the sum of ten thousand dollars, conditioned upon the faithful performance of the duties of his office and for the proper accounting of any and all moneys or other property of the state coming into his hands. He shall have an office with the board of control, and the clerical force in said office shall be available to him as fully as the needs of his office may require.

Purchasing agent; appointment and tenure of office.

SECT. 6. He shall receive an annual salary of three thousand dollars, payable in equal monthly payments, and the actual and necessary expenses of his office, including his traveling expenses, to be verified by proper vouchers, and audited and approved by the state auditor.

Salary of agent.

SECT. 7. In case of the temporary inability of such purchasing agent, the governor may direct the state auditor or some member of the board of control to perform the duties during such disability.

Substitute in case of disability.

SECT. 8. The purchasing agent shall contract for and purchase all fuel, light, water, equipment, provisions, supplies, and materials, necessary for the use, management and maintenance of the state hospital, the home for feeble-minded, the industrial school, the state sanatorium for consumptives, the normal schools, the state prison, and all state departments quartered in the state house, including the equipment of any new buildings at any state institution, and also all the clothing and wearing apparel or materials therefor, in such institutions wherein the state provides the same for the inmates. The board of control shall superintend the construction of new or the repairs of existing buildings.

General duties of agent.

SECT. 9. When any of the said institutions or departments are in need of material or supplies, requisition therefor shall be made

Requisition.

upon such agent, by the proper official of such institution or department.

*Competitive bids.* SECT. 10. Whenever the amount of a purchase to be made by such agent exceeds the sum of two hundred dollars, he may be directed by the board of control to submit the same to competitive bids, under such regulations as said board may prescribe, in order to secure a fair, open competition, giving to each bidder an equal opportunity therein. Any or all such bids may be rejected, and new bids invited, if, in the opinion of said board of control, the interests of the state demand; or the board of control may direct the agent to procure and purchase such supplies, in such other manner as the interests of the state demand. If any bid be accepted, all the bids submitted therewith shall be filed and kept by said agent for the space of at least one year.

*Written contracts.* SECT. 11. Any accepted bid shall be reduced to contract, specifically stating the quantity, kind, quality, and price, and the manner of delivery; and the same shall be executed in triplicate upon uniform blanks furnished by such agent, one of which shall be for the seller, one for the purchasing agent and board of control, and the other shall be forthwith filed in the office of the state auditor; and payment therefor may be made from any moneys in the state treasury not otherwise appropriated, without further legislative act, upon the warrant of the governor.

*Samples.* SECT. 12. The agent shall have authority to require bidders to submit samples of the supplies desired, to secure analyses of samples, and to require, with the approval of the board of control, the seller to give a bond to the state, approved by such board, conditioned upon the complete fulfillment of the contract of such seller.

*Uniform system of accounts.* SECT. 13. The purchasing agent in conjunction with the state auditor, is empowered to require state institutions to adopt a uniform system in matters of account as to supplies furnished and on hand, and in matters of making requisition therefor, and as to such other details as may insure the speedy and economical purchase, delivery of, and accounting for all supplies and materials.

*Advice of board.* SECT. 14. The purchasing agent shall at all times be entitled to ask for the advice of the board of control upon any question arising in the conduct of the business of his office.

*Inventories.* SECT. 15. All institutions and departments receiving supplies furnished under this act, shall annually, during the first fifteen days of September, render to the purchasing agent an inventory, in duplicate, of all materials and supplies on hand as of August 31, with the date when received and their cost, and he, or said board of control may require such other inventories as the interests of the state may demand. All such inventories shall be filed and retained,

one in the office of the state auditor and one with the board of control.

SECT. 16. The purchasing agent shall certify, in writing, upon Report of agent. all requisitions, the extent to which they are filled and the date when, and file a certified copy of the same in the office of the state auditor. He shall render to the governor and council biennially, during the months of October or November, a report, giving a summarized account for the two preceding fiscal years of all purchases made, by classified statements, and of the manner of purchase, whether by competitive bid or otherwise, and of the extent of supplies, materials or equipment, properly classified, furnished to each institution or department; together with an inventory of the balance on hand in such institutions and departments as shown by the inventories therefrom. Such report shall also contain a general statement of the work of the department, and the observation of the agent as to the systems in force in the various state institutions, and his recommendations thereunto pertaining, with such suggestions as to legislation as may, in his judgment be needed for the more complete performance of the duties of his office. Such portions thereof shall be printed as the governor and council may indicate.

SECT. 17. Said board of control shall biennially publish a re- Report of board. port, embodying such parts of the reports of the heads of state institutions as the governor and council may order printed; and also containing such observations and suggestions as to the state institutions as their experience may dictate for the best interests of the institutions and the state.

SECT. 18. The governor is hereby authorized to draw his war- Payment of expenses. rant against any money in the state treasury, not otherwise appropriated, for the purpose of paying any expenses incurred under the authorization of this act.

SECT. 19. This act shall take effect June 1, 1913, as to all parts Takes effect, when. except such as require the purchase of supplies and requisitions therefor, which shall take effect September 1, 1913.

[Approved May 15, 1913.]

CHAPTER 141.

AN ACT IN AMENDMENT OF SECTION 7 OF CHAPTER 78 OF THE LAWS OF 1901 AND IN AMENDMENT OF CHAPTER 107 OF THE LAWS OF 1905, RELATING TO THE COURTS.

SECTION

1. Supreme court justices may serve in superior court.

SECTION

2. Salaries of judges.  
3. Takes effect on passage.

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

Supreme court justices may serve in superior court.

SECTION 1. Section 7 of chapter 78 of the Laws of 1901 is hereby amended by adding thereto, the following: And, also, when the business of the superior court requires it, and upon request of the chief or senior associate justice of that court, the chief justice of the supreme court, or the senior associate justice of that court, may, if not inconsistent with the proper advancement of the business of the supreme court, assign a member of the supreme court to preside and serve in the superior court: and while thus presiding and serving, in the superior court, such supreme court justice shall have all the authority of a superior court justice in the performance of the same duties as defined by said chapter 78, Laws of 1901, or any other law of the state. The chief justice of the supreme court may himself do such part of such superior court work as he may desire, as well as assign an associate justice therefor. But neither the chief justice nor an associate justice of the supreme court thus presiding or acting in the superior court shall sit in the supreme court in cases transferred thereto by him except cases transferred upon agreed statements of facts, or upon referees', auditors', or commissioners' reports on which he made no ruling, unless it shall be necessary for him to sit in order that the cases may be decided. The expenses of a justice of the supreme court while acting as a superior court justice shall be paid from the appropriation for the expenses of the justices of the superior court.

Salaries of judges.

SECT. 2. Section 1 of chapter 107 of the Laws of 1905 is hereby amended by striking out the whole of said section and substituting the following: [SECTION 1.] The annual salary of the chief justice and the associate justices of the supreme court shall be forty-five hundred dollars each, and the annual salary of the chief justice and the associate justices of the superior court shall be forty-five hundred dollars each. Actual expenses shall be allowed to the justices of the courts, as now provided.

Takes effect on passage.

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

[Approved May 19, 1913.]

CHAPTER 142.

AN ACT TO PROTECT THE FISHING IN LONG POND, OR LAKE WINNEPAUKET, IN THE TOWN OF WEBSTER.

SECTION

- 1. Closed during certain months.
- 2. Penalty for violation.

SECTION

- 3. Takes effect on passage.

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

SECTION 1. Long pond or Lake Winnepauket, situated in the town of Webster, is hereby closed against all fishing during the months of December, January, February, March, April and May of each year. Closed during certain months.

SECT. 2. Any person violating the provisions of this act shall be punished by a fine of ten dollars (\$10) for each offense. Penalty.

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

[Approved May 19, 1913.]

CHAPTER 143.

AN ACT FOR THE BETTER PROTECTION OF SHEEP AND GAME BIRDS AND ANIMALS.

SECTION

- 1. Self-hunting dogs not to run at large, when.

SECTION

- 2. Penalty for violation.
- 3. Takes effect on passage.

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

SECTION 1. It shall be unlawful for the owner or custodian of any self-hunting dog to permit such a dog to run at large in the woods or fields inhabited by game birds or quadrupeds or on lands where sheep are pastured between April first and October first of any year. Control of self-hunting dogs.

SECT. 2. Whoever violates the provisions of this act shall be punished by a fine of not exceeding twenty dollars. Penalty.

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

[Approved May 19, 1913.]

CHAPTER 144.

AN ACT TO REGULATE THE PRACTICE OF DENTISTRY.

SECTION

- 1. State Dental Board; qualifications for membership.
- 2. Officers and meetings.
- 3. Licenses to practice, to whom issued.
- 4. Standard of educational requirements.
- 5. Practitioners of dentistry, who are.
- 6. Licenses to be registered.
- 7. Revocation of licenses.
- 8. Unregistered license forfeited; right of appeal.
- 9. Fees for examination and license; compensation of board.

SECTION

- 10. Use of false or forged diploma, etc., penalty.
- 11. Dentists from other states, how licensed.
- 12. Certificate on removal from state.
- 13. Fees to persons removing to or from state.
- 14. Unlicensed practitioner, how punished.
- 15. Licenses, how signed.
- 16. Corporations, etc., engaging in practice, regulations for.
- 17. Repealing clause; act takes effect July 1, 1913.

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

State Dental Board; qualifications for membership.

SECTION 1. The name of the State Board of Registration in Dentistry is hereby changed to the New Hampshire State Dental Board, and said board is hereby continued, and its duties shall be to carry out the purposes and enforce the provisions of this act as herein-after specified. No person shall be appointed to succeed the present members of said board unless at the time of his appointment he shall be an actual resident of this state and shall have been for a period of five years or more legally engaged in the practice of dentistry in this state; and no person shall be eligible to such appointment to said board who is not a graduate from some reputable dental college or who is in any way connected with or interested in any dental college or dental department of any institution of learning.

Officers and meetings.

SECT. 2. Said dental board shall choose one of its members president and one secretary-treasurer thereof, and it shall meet at least once in each year, and oftener if necessary, in the discretion of the board, and at such times and places as it may deem proper. A majority of the members of said board shall, at all times, constitute a quorum for the transaction of the business of the board, and the proceedings thereof shall, at all reasonable times, be open to public inspection.

Licenses to practice, to whom issued.

SECT. 3. No person, unless he shall be legally engaged in the practice of dentistry in this state at the time this act shall take effect, or shall hold a certificate from the board of registration in dentistry for this state signed by all the members of said board at the time said certificate was issued, shall begin the practice of dentistry, or any branches thereof, without first applying for and

obtaining a license for such purpose from the New Hampshire State Dental Board. Application shall be made to said board in writing, and shall in every instance be accompanied by a fee of twenty dollars (\$20.00). The applicant must be of good moral character and twenty-one years of age or over at the time of making application. Application from a candidate who desires to secure a license from said board to practice dentistry in this state shall be accompanied by satisfactory proof that the applicant so applying for a license has been engaged in the actual, legal and lawful practice of dentistry in some other state or country for five consecutive years just prior to application, or is otherwise qualified in the opinion of said state dental board; or is a graduate of and has a diploma from the faculty of a reputable dental college or school, or of the dental department of a reputable university. Every applicant shall be subjected to examination by said board, and the examinations shall be made in whole or in part orally or in writing at the discretion of the board, and shall be of such character as to test the qualifications of the applicant to practice dentistry, and no license shall be granted to any applicant who shall not pass such examination satisfactorily to said board. Persons legally engaged in the practice of dentistry in this state at the time this act shall take effect, or holding a certificate from the board of registration in dentistry as aforesaid, shall be granted licenses by said board upon proof that they were so engaged or certificated, and without an examination or other requirement, and without expense for such license except for registering the same as hereinafter required.

SECT. 4. Said dental board shall make rules or regulations to establish a uniform and reasonable standard of educational requirements to be observed by dental schools, colleges, or the dental departments of universities, and said board may determine the reputability of those by reference to their compliance with said rules and regulations. Standard of requirements.

SECT. 5. Any person shall be regarded as practicing dentistry within the meaning of this act who shall treat or profess to treat any of the diseases or lesions of human teeth or jaws, or extract human teeth, or shall prepare or fill cavities in human teeth, or correct the malposition of human teeth, or supply artificial teeth as substitutes for natural human teeth, or administer anesthetics or use or prescribe drugs and other remedies in connection with any such work: *Provided* that nothing in this act shall be so construed as to prevent regularly licensed physicians or surgeons from extracting human teeth or administering anesthetics or using or prescribing drugs and other remedies: *Further*, this act shall not prevent students from performing dental operations under the supervision of competent instructors within a dental school, college, Practitioners of dentistry, who are.

or dental department of a university recognized by the New Hampshire State Dental Board, or to prevent the employment by a licensed dentist of dental nurses who, under the immediate supervision of the dentist, may be permitted to cleanse teeth or change dressings or apply simple remedies for toothache: *And, further*, this act shall not apply to persons who for a period of at least one year prior to the time when this act shall take effect shall have been dental students in the office of some legal practitioner of dentistry in this state, but such persons may be examined by said dental board without being graduates of or holding a diploma from any dental college or department, *provided* such persons shall, within ninety days after this act shall take effect, file with the secretary-treasurer declarations under oath that they have been students and desire to take the examination.

Registry of  
licenses.

SECT. 6. Any person licensed to practice dentistry in this state by the New Hampshire State Dental Board as hereinbefore provided shall within ninety days from the date of issue cause such license to be registered with the secretary of state, who shall receive for registering such license a fee of twenty-five cents for each registration, to be paid by the licensee. And it is hereby provided further that every person, unless legally engaged in the practice of dentistry in this state at the time when this act shall take effect, or holding a certificate as provided by section 3, who engages in the practice of dentistry in this state shall cause his or her license to be registered with the secretary of state before beginning the practice of dentistry in this state, and to be at all times displayed in a conspicuous place in the office wherein he or she shall practice such profession, and shall further, whenever requested, exhibit such license to any of the members of said board or its authorized agent.

Revocation of  
licenses.

SECT. 7. The board may refuse to issue the license provided for in this act, or may revoke any license that shall be hereafter given, if issued to individuals who have, by false or fraudulent representations, obtained or sought to obtain practice, or by false or fraudulent representations obtained or sought to obtain money or any other thing of value, or have practiced under names other than their own, or for any other dishonorable conduct. The board, when written charges against any person have been filed with its secretary-treasurer, and seem substantiated by affidavit, shall fix a time and place for the hearing of such charges, and shall give written notice to the said person against whom charges shall be made of the time and place for said hearing, and furnish him with a copy of the charges at least twenty days prior to the date fixed for the hearing. At such hearing said board shall have the power to compel the attendance of and swear witnesses. Such revocation shall take from



the person named in the license all rights and privileges acquired thereby.

SECT. 8. Any failure, neglect or refusal on the part of any person obtaining a license to practice dentistry from the said board to register such license with the secretary of state as above directed, within ninety days from the date of the issue of the same, shall work a forfeiture of such license, and no license when once forfeited shall be restored except upon payment to said board of a fee of ten dollars (\$10) for the renewal of such license. Every dentist aggrieved by the action of said board in the revocation of his license or prohibition from his practice may apply to the superior court in the county in which he resides for a writ of mandamus requiring said board to revoke its decision if the same be found on hearing to have been erroneous. Such application for mandamus may be served on said board by leaving with the secretary-treasurer thereof, or at his usual place of abode, an attested copy thereof within twelve days after said board shall have notified such dentist of its decision.

Unregistered  
license forfeited;  
right of appeal.

SECT. 9. In order to provide the means for carrying out and enforcing the provisions of this act, the said board shall charge each person applying to it for examination for a license to practice dentistry in this state an examination fee of twenty dollars (\$20), and in addition thereto shall charge a license fee of five dollars (\$5) for every license or duplicate license to take the place of one lost or destroyed issued by said board, except to persons legally engaged in the practice of dentistry at the time when this act shall take effect or holding a certificate as provided in section 3. Any person failing to pass a satisfactory examination at the first trial shall be entitled to be once re-examined at a future meeting of the board without additional payment. The board shall make an annual report of its proceedings to the governor by the 31st day of December in each year, and all fees and fines received by the board shall be paid monthly by the secretary-treasurer into the treasury of the state. The compensation and all necessary expenses of the board shall be paid from the treasury of the state, and shall be approved by the board and sent to the state auditor, who shall certify to the governor and council the amounts due and the same shall be paid upon the warrant of the governor with the advice and consent of the council, and so much of said receipts as may be necessary is hereby appropriated for the compensation and expenses aforesaid. The members of the board shall each receive as compensation the sum of five dollars (\$5) for each day actually engaged in the duties of the office, and all legitimate and necessary expenses incurred in attending the meetings of said board; *provided* that the secretary-treasurer of the board may receive a salary

Fees for examination  
and license;  
compensation of  
board.

to be fixed by the board instead of the per diem of five dollars. Said board shall receive compensation only as the fees received shall allow, and shall be of no expense to the state beyond the amount of such fees.

Use of forged diploma, etc., penalty.

SECT. 10. Any person filing or attempting to file as his own the diploma or license of another, or a forged affidavit of identification or qualification, shall be deemed guilty of forgery, and upon conviction thereof shall be subject to such fine and imprisonment as is made and provided by the statutes of this state for the crime of forgery.

Dentists from other states, how licensed.

SECT. 11. The dental board may, in its discretion, issue a license to practice dentistry without examination to a legal practitioner of dentistry who removes to New Hampshire from another state or territory of the United States, or from a foreign country, in which he or she conducted a legal practice of dentistry for at least five years immediately preceding his or her removal: *Provided* such applicant present a certificate from the dental board, or a like board, of the state, territory, or country from which he or she removes, certifying that he or she is a legal, reputable and competent dentist and of good moral character, and *provided, further*, that such certificate is presented to the New Hampshire State Dental Board within six months from the date of its issue, and that the board of such other state, territory or country shall in like manner recognize licenses issued by the dental board of the state of New Hampshire presented to such other board by legal practitioners of dentistry from this state, who may wish to remove to or practice in such other state, territory or country.

Certificate on removal from state.

SECT. 12. Any one who is a legal and competent practitioner of dentistry in the state of New Hampshire, and of good moral character, and known to the dental board of this state as such, who desires to change his or her residence to another state, territory or foreign country, shall, upon application to the dental board, receive a special certificate over the signature of the president and secretary-treasurer of said board, which shall attest the facts above mentioned, and give the date upon which he or she was registered and licensed.

Fees in certain cases.

SECT. 13. The fee for issuing a license to a legal practitioner from another state, territory or foreign country to practice dentistry in this state under section 11 of this act shall be twenty-five dollars (\$25), and the fee for issuing a certificate to a legal practitioner of this state under section 12 of this act shall be five dollars (\$5), and in each case the fee shall be paid in cash before the license or certificate respectively shall be issued.

Unlicensed practitioner, how punished.

SECT. 14. Any person who shall practice or attempt to practice dentistry in this state without being registered or without a license

for that purpose, or violates any of the provisions of this act, shall be subject to prosecution before any court of competent jurisdiction upon complaint, information or indictment, and shall upon conviction be fined for each offense in any sum not less than fifty dollars (\$50) or more than two hundred dollars (\$200), or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines imposed and collected under this act shall be paid by the clerk of the superior court to the secretary-treasurer of the New Hampshire State Dental Board. All complaints of criminal violations of this act received by the board shall be by it referred to the county solicitor of the county in which the accused person may reside, and it shall be the duty of the county solicitor to prosecute the same.

SECT. 15. All licenses issued by the said board shall be signed by all of the members thereof and attested by its president and secretary-treasurer.

Licenses, how signed.

SECT. 16. Any association or company of persons, whether incorporated or not, who shall engage in the practice of dentistry under the name of company, association or any other title, shall cause to be displayed and kept in a conspicuous place at the entrance of its place of business, the name of each and every person employed in said company or association in the practice of dentistry at such place of business, and any one so employed by said company or association whose name shall not be so displayed as above provided, and the said association or company, if incorporated, or the persons comprising the same if not incorporated, shall, for the failure to display the aforesaid names, be deemed guilty of a misdemeanor, and upon conviction thereof, each shall be punished as for a violation of the provisions of this act, as provided in section 14. Any manager, proprietor, partnership, association, or incorporation owning, running, operating or controlling any room or rooms, office or dental parlors, whose dental work is done, provided or contracted for, who shall employ, keep or retain any unlicensed person or dentist as an operator, or who shall fail, within ten days after demand made by the secretary-treasurer of the New Hampshire State Dental Board in writing sent by registered mail, addressed to any such manager, proprietor, partnership, association, or incorporation at said room, office or dental parlor, to furnish to said secretary-treasurer the names and addresses of all persons practicing or assisting in the practice of dentistry in his place of business or under his control, together with a sworn statement showing by what license or authority said persons are practicing dentistry, shall be guilty of a misdemeanor and subject to the penalties provided for in this act for a violation of the provisions thereof: *Provided, however,* that such sworn statement shall not be used as evidence in any subsequent court proceedings.

Corporations, etc. engaging in practice, regulations for.

Repealing clause: **SECT. 17.** So much of chapter 134 of the Public Statutes as is act takes effect July 1, 1913. inconsistent with the provisions of this act, and all other acts or 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 July 1, 1913.

[Approved May 19, 1913.]

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CHAPTER 145.

AN ACT IN AMENDMENT OF CHAPTER 164 OF THE LAWS OF 1911 ENTITLED "AN ACT TO ESTABLISH A PUBLIC SERVICE COMMISSION."

SECTION

1. Meaning of terms used.
2. Salaries of commissioners increased.
3. Authority to expend money.
4. Hearings, how conducted.
5. Compulsory attendance of witnesses.
6. Assistant clerk; independent investigations.
7. Change in rate, notice of.
8. Compulsory production of books.
9. Right to inspect; complaints by municipal officers or citizens.
10. Fixing railroad rates.
11. Reconstruction of railroads, etc.
12. Order for reparation; joint service and rates; interstate rates; emergency rates.
13. Approval of public utilities; approval of leases, etc.; acquisition of securities of other companies; foreign utility not to be approved, etc.; land for new construction, how secured.

SECTION

14. Stock and bond issues regulated; offer of new stock to stockholders.
15. Sale of new stock by auction; stock and bonds for purchase of like companies; individual liability; increase of capital beyond amount fixed by law; mortgage of property and franchises.
16. Investigation of railroad accidents; accidents to be reported.
17. Transmission of electrical energy outside state.
18. Failure to make reparation, procedure; steamboat inspection, etc.; reports of commission; fees and costs, disposition of; rehearings, when granted and procedure upon; prior provisions repealed.
19. Sections renumbered.
20. Repealing clause: act takes effect on passage.

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

SECTION 1. Section 1 of chapter 164 of the Laws of 1911 entitled, "An Act to Establish a Public Service Commission," is amended to read as follows:

SECTION 1. (a) The term "commission" as used in this act, shall mean the public service commission hereby created.

(b) The term "railroad corporation" shall include every corporation, company, association, joint stock association, partnership

Meaning of terms used.

and person, their lessees, trustees or receivers, appointed by any court whatsoever, owning, operating or managing any railroad or street railway or any cars or equipment used thereon or in connection therewith, or engaged in carrying on a public express business over the line of any railroad.

(c) The term "public utility" shall include every corporation and every company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, except municipal corporations, owning, operating or managing any plant or equipment or any part of the same for the conveyance of telephone or telegraph messages or for the manufacture or furnishing of light, heat, power or water for the public, or in the generation, transmission or sale of electricity ultimately sold to the public, or owning or operating any ferry or toll bridge, or owning or operating any steam or other power boat engaged in the common carriage of passengers or freight, *provided, however,* that no such corporation, company, association, joint stock association, partnership or person shall be deemed to be a public utility by reason of the ownership or operation of any water system or part thereof, if the whole of such water system shall supply a less number of consumers than ten, each family, tenement, store or other establishment being considered a single consumer; nor shall any corporation, company, association, joint stock association, partnership or person engaged in manufacturing and carrying on in this state a manufacturing establishment, the product of which is something besides power, and producing electricity primarily for the operation of such establishment, be deemed a public utility by reason of the sale of electricity to a public utility at times when there may be a surplus of electricity beyond the needs of such manufacturing establishment, or when such manufacturing establishment may not be in operation.

(d) The term "railroad" shall include every railroad and street railway by whatever power operated which is open to public use in the conveyance of persons or property, for a compensation, also all bridges, grade crossings, under passes, switches, spurs, tracks, equipment, stations and terminals and other facilities and property of every kind whatever, used, operated or owned by or in connection with any such railroad or railway.

(e) The term "service" shall be taken in its broadest and most inclusive sense.

SECT. 2. Paragraph (e) section 2 of said act is amended to read Salaries increase 1. as follows:

(e) The chairman of said commission shall receive a salary of thirty-seven hundred dollars, and each of the other members shall receive thirty-five hundred dollars, per year, to be paid quarterly

from the state treasury, and his reasonable expenses, including transportation, subject to the approval of the governor and council.

Expenditure of  
money.

SECT. 3. Paragraph (f) of said section 2 of said act is amended to read as follows:

(f) In the exercise of the authority and the performance of the duties prescribed by this act, the commission may expend such sums as may be appropriated for its use by the legislature, and with the authority of the governor and council such further sums as may in any emergency be necessary, such further sums to be paid out of any money in the treasury not otherwise appropriated.

Hearings before  
one or two com-  
missioners.

SECT. 4. Paragraph (h) of said section 2 of said act is amended to read as follows:

(h) No commissioner shall sit upon the hearing of any question which the commission is to decide in a judicial capacity who would be disqualified for any cause, except exemption from service, to act as a juror upon the trial of the same question between the same parties in an action at law. This shall not be construed to apply to inquests in accident cases. A majority of the commission shall constitute a quorum to transact business, and any hearing or investigation may be held or conducted by two commissioners or by a single commissioner, but no order, rule or regulation shall be made and promulgated except by the full commission or a majority thereof; *provided, however*, that no hearing or investigation, except in accident cases, shall be held or conducted by a single commissioner if any party whose interests may be affected shall five days before the date of hearing file a request in writing that the same be held or conducted by the full commission, or a majority thereof.

Compulsory at-  
tendance of  
witnesses.

SECT. 5. Paragraph (l) of said section 2 of said act is amended to read as follows:

(l) The commission shall have power to subpoena witnesses and administer oaths to witnesses in any proceeding or examination instituted before it or conducted by it, and to compel by subpoena *duces tecum* the production of any accounts, books, contracts, records, documents, memoranda and papers of any kind whatever. Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before the superior court. When any such summons shall be endorsed by the clerk of the commission, or by the assistant clerk, or by a commissioner, as follows, "Legal fees of witnesses guaranteed by the State," advance payment of fees shall not be required, but any witness served with such summons shall appear as directed therein as a witness for the state, and his legal fees therefor shall be paid out of any appropriation for the use of the commission available for the purpose. In lieu of requiring production of originals by subpoena *duces*

*tecum* it may require sworn copies of any such books, records, contracts, documents and papers or parts thereof to be filed with it. The commission may also require any railroad corporation or public utility to make specific answers to questions upon which the commission may need information. Witnesses who refuse or neglect to appear, or who refuse to testify, may be compelled to do so, and for that purpose the commission may apply to any justice of the superior court, upon proof by affidavit of the facts, for an order returnable in not more than five days, directing any person so refusing to show cause before the justice making the order, or any other justice of the superior court, why he should not be committed as for contempt. Upon the return of such order, the justice before whom the matter shall come for hearing shall determine whether such respondent has refused without reasonable cause or legal excuse to be examined or to answer a legal and pertinent question, or to produce a book or paper which he was ordered to bring, and if the respondent be found guilty, the court may commit him as for contempt, so to remain until he submits to do the act which he was so required to do or is discharged according to law.

SECT. 6. Said section 2 of said act is further amended by adding thereto the following paragraphs: Assistant clerk; independent investigations.

(o) The commission may employ an assistant clerk, and any record, order, certificate or other process, document or paper issued or made by said commission may be signed by the clerk, or by said assistant clerk, or by any commissioner.

(p) In any case in which, under this or any other act, the commission may hold a hearing, it may, before or after such hearing, make such independent investigation as in its judgment the public good may require: *provided, however*, that whenever such investigation shall disclose any facts which the commission shall intend to consider in the making of any decision or order, such facts shall be stated and made a part of the record, and any party whose rights may be affected shall be afforded a reasonable opportunity to be heard with reference thereto or in denial thereof.

SECT. 7. Paragraph (b) of section 7 of said act is amended to read as follows: Change in rate, etc., notice of.

(b) Unless the commission otherwise orders, no change shall be made in any rate, fare, charge or price, which shall have been filed or published by a railroad corporation or public utility in compliance with the requirements of this section except after thirty days' notice to the commission and such notice to the public as the commission within ten days after receipt of the notice aforesaid shall direct. The commission may approve a general retroactive reduction in rates by any public utility covering service for which payment has not been made when no discrimination will be caused thereby. In the case of railroad corporations and public utilities

subject to regulation by the interstate commerce commission, the requirements relative to the filing of schedules with the commission and to the publication thereof shall conform as nearly as may be to the requirements of the interstate commerce commission under the provisions of the act of congress entitled "An Act to Regulate Commerce," and the acts amendatory thereof and supplementary thereto.

Compulsory production of books, etc.; wilfully false statements, etc., prohibited.

SECT. 8. Section 8 of said act is amended by adding thereto the following paragraphs:

(c) The commission by order may require any railroad corporation or public utility to produce within the state at such time and place as it may designate, any accounts, records, memoranda, books or papers kept in any office or place without the state, or verified copies thereof, in order that an examination thereof may be made by the commission or under its direction.

(d) No railroad corporation or public utility shall wilfully make any false statement or false entry in any report to the commission, or in any answer to any question lawfully asked by the commission.

Right to inspect and investigate.

SECT. 9. Paragraphs (b) and (c) of section 10 of said act are amended to read as follows:

(b) The commission may, of its own motion, investigate or make inquiry, in a manner to be determined by it, as to any act or thing done or omitted to be done by any railroad corporation or public utility, and the commission shall make such inquiry in regard to any act or thing done or omitted to be done by any such railroad corporation or public utility in violation of any provision of law or order of the commission. It may at any time personally, or by its experts or agents, inspect the property, works, system, plant, devices, appliances and methods used by any railroad corporation or public utility, or the books, papers and records of any such railroad corporation or public utility. Any expert or agent of the commission, however, who shall make a demand on behalf of the commission to be allowed to inspect as aforesaid, shall produce written authority to make such inspection signed by the clerk or assistant clerk or by some member of the commission.

(c) Upon complaint made by the city council or city councils of any city, or by the mayor of any city, or by the selectmen of any town in which a public utility is authorized to manufacture, sell or supply gas or electricity for heat, light or power, or to supply water, or to transmit telephone or telegraph messages, or upon the complaint in writing of not less than one hundred customers or subscribers of such public utility in cities of thirty thousand or more inhabitants, or of not less than fifty in cities of twenty thousand or more inhabitants, or of not less than twenty-five in any other city or town, or upon petition of a public utility as to the quality of the service



furnished by such public utility, or that the charges made therefor are excessive or insufficient, the commission shall investigate as to the cause for such complaint, and, after notice and hearing, may make such order, if any, as may in its opinion be necessary to establish just and reasonable rates or charges or as in its opinion may be necessary to require the making of any reasonable and just improvements in service or methods.

SECT. 10. Paragraph (a) of section 11 of said act is amended Fixing railroad rates. to read as follows:

SECT. 11. (a) Whenever the commission shall be of opinion, after a hearing had upon its own motion or upon complaint, that the rates, fares or charges demanded or collected or proposed to be demanded or collected by any railroad corporation or public utility for the transportation of persons or property within the state are unjust or unreasonable or that the regulations or practices of such railroad corporation or public utility affecting such rates are unjust or unreasonable, or in any wise in violation of any provision of law, or that the maximum rates, fares or charges, chargeable by any such railroad corporation or public utility are insufficient, the commission shall determine the just and reasonable or lawful rates, fares and charges to be thereafter observed and in force as the maximum to be charged for the service to be performed, and shall fix the same by order to be served upon all railroad corporations or public utilities by which such rates, fares and charges are thereafter to be observed; *provided, however*, that when any railroad corporation or such public utility shall seek the benefit of any order of the commission allowing said railroad corporation or such public utility to charge and collect rates higher than charged at the time said order is asked for, the burden of proving the necessity of the increase shall be upon said railroad corporation or such public utility and *provided, further*, that the commission shall not allow an increase above any rate prescribed or limited by statute.

SECT. 11. Paragraph (b) of section 11 of said act is amended Reconstruction of railroads, etc. to read as follows:

(b) Whenever the commission shall be of the opinion, after a hearing had upon its own motion or upon complaint, that any part of any railroad within the state reasonably requires alteration or reconstruction, or that the regulations, practices, equipment, appliances, or service of any railroad corporation or public utility operating as a common carrier of passengers or freight in respect to transportation of persons or property within the state are unjust, unreasonable, unsafe, improper or inadequate, the commission shall determine the reconstruction or alteration reasonably required, or the just, reasonable, safe, adequate and proper regulations, practices, equipment, appliances and service thereafter to be in force, or to be provided, and shall fix and prescribe the same

by order to be served upon every railroad corporation or such public utility to be bound thereby; and thereafter it shall be the duty of every such railroad corporation or such public utility to observe and obey each and every requirement of every such order so served upon it, and to do everything necessary or proper in order to secure absolute compliance with, and observance of, every such order by all of its officers, agents and employees.

Order for reparation; joint service and rates; interstate rates; emergency rates.

SECT. 12. Said section 11 of said act is further amended by adding thereto the following paragraphs:

(c) Whenever complaint has been made to the commission covering any rate, fare, charge or price demanded and collected by any railroad corporation, and the commission has found after hearing and investigation that an unjustly discriminatory rate, fare, charge or price has been collected for any service, the commission may order the railroad corporation which has collected the same to make due reparation to the person who has paid the same, with interest from the date of the payment of such unjustly discriminatory amount, *provided, however*, that such order of reparation shall cover only payments made within two years before the date of filing the petition asking to have reparation ordered. Such order may be made without formal hearing whenever the railroad corporation affected shall assent in writing thereto, or file or join in a petition therefor, but in no case shall any such order be made until the commission shall be satisfied by such investigation as may be necessary that the rate, fare, charge or price collected was in fact unjustly discriminatory.

(f) After a hearing and investigation, either upon complaint or on its own motion, the commission may establish joint services to be participated in by two or more railroad corporations, and may ascertain, determine and fix just and reasonable rates, fares, charges, prices, classifications and rules and regulations relating thereto, which shall thereafter be demanded, collected, enforced and observed by such railroad corporations. The commission may prescribe the division of such joint rates, fares, charges, prices and classifications between railroad corporations joining in such services whenever such division shall not be made by agreement: and any division agreed upon shall be subject to revision by the commission if found to be inconsistent with the public interest, *provided*, that in establishing such through route, the commission shall not require any railroad corporation, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith which lies between the termini of such proposed through route, unless to do so would make such through route unreasonably long as compared

with another practicable through route which could otherwise be established.

(g) Whenever, after hearing and investigation, the commission shall find any joint rate, fare, charge or price demanded and collected for any existing joint service participated in by two or more railroad corporations or public utilities to be unjust, unreasonable or discriminatory, it shall fix the same upon a just, reasonable and non-discriminatory basis, and if the railroad corporations or public utilities affected thereby shall fail to agree upon the division or apportionment thereof, the commission may prescribe the division of such joint rates, fares, charges and classifications between such railroad corporations or public utilities; and the commission may revise any division agreed upon which shall be found inconsistent with the public interest. Whenever joint service has been established by two or more public utilities, the commission shall have authority to prevent any unjust or unreasonable termination of the same, or to order the re-establishment of such service if so terminated.

(h) The commission may upon complaint investigate all existing or proposed interstate rates, fares, charges, classifications, and rules and regulations relating thereto, where any act thereunder may take place within this state, and when the same are found to be, in the opinion of the commission, unjust, unreasonable, unjustly discriminatory or otherwise in any respect in violation of the provisions of the act to regulate commerce, or of any other act of congress, or in conflict with the rules and orders of the interstate commerce commission, or of any other department of the federal government, the commission may apply for relief by petition or otherwise to the interstate commerce commission, or to any other department of the federal government, or to any court of competent jurisdiction.

(i) Whenever the commission shall be of the opinion that an emergency exists it may authorize any railroad corporation or public utility temporarily to alter, amend or suspend any existing rate, fare, charge, price, classification, or rule or regulation relating thereto.

SECT. 13. Section 13 of said act is amended to read as follows:

SECT. 13. (a) No public utility shall commence within this state the business of transmission of telephone or telegraph messages or of supplying the public with gas, electricity or water, or shall engage in such business or begin the construction of a plant, line, main or other apparatus or appliance intended to be used therein in any city or town in which at the time it shall not already be engaged in such business, or shall exercise any right or privilege under any franchise hereafter granted (or any franchise heretofore granted but not heretofore actually exercised) in such town, without first

Approval of public utilities; approval of leases, etc.; acquisition of securities of other companies; foreign utilities not to be approved, etc.; land for new construction, how secured.

having obtained the permission and approval of the commission. The commission shall grant such permission whenever it shall, after due hearing, determine and find that such engaging in business, such construction or such exercise of the right, privilege or franchise would be for the public good and not otherwise; and may prescribe such terms and conditions upon the exercise of the privilege granted under such permission as it shall consider for the public interest. Authority granted under the provisions of this section may only be exercised within two years after the same shall be granted and shall not be exercised thereafter.

(b) Any public utility may transfer or lease its franchise, works or system, or any part of such franchise, works or system, exercised or located in this state, or contract for the operation of its works and system located in this state when the commission shall make an order assenting thereto, but not otherwise. The commission shall make such order in any case where it shall appear that the proposed transfer, lease or contract would be for the public good and not otherwise. Any such attempted transfer, lease, or contract shall be void unless the same shall have been approved by the commission.

(c) No public utility shall directly or indirectly acquire the stocks or bonds of any other corporation incorporated in or doing business in this state and engaged or preparing to engage in the same or a similar business unless authorized to do so by order of the commission; *provided, however*, that nothing in this act shall in any manner prevent a public utility being in fact the owner at the time of the passage of this act of the majority of the capital stock of any other public utility or leasing or operating such other public utility, from acquiring the balance or all of the outstanding capital stock of such other public utility a majority of which stock is so owned or which is so leased or operated. Every contract, assignment, transfer, or agreement for transfer of any stock by or through any person or corporation to any corporation in violation of any provision of this section shall be void and of no effect, and no such transfer or assignment shall be made upon the books of any public utility, or shall be recognized as effective for any purpose.

(d) No permission under paragraph (a) of this section shall be granted to any corporation not organized under the laws of the state of New Hampshire, and no authority to transfer or lease the franchises, works or system, or any part of the franchises, works or system of any public utility in this state to any such corporation shall be granted under paragraph (b) of this section, *provided, however*, that the provisions of this paragraph shall not apply to any corporation now operating a public utility plant in this state, or doing or desiring to do an interstate business.

(e) Whenever it is necessary, in order to meet the reasonable requirements of service to the public that any railroad corporation or public utility subject to supervision under this act should construct a line, branch line, extension or a pipe-line, conduit, line of poles, towers or wires across the land of any other person or corporation, or should acquire land for necessary extension of any plant or works operated by such railroad corporation or public utility, and such railroad corporation or public utility cannot agree with the owner or owners of such land as to the necessity or the price to be paid therefor, such railroad corporation or public utility may petition the commission for such rights and easements or for permission to take such lands as may be needed for said purposes. Said commission shall, upon due notice to all parties in interest, hear and determine the necessity for the right prayed for and the compensation to be paid therefor, and shall render judgment accordingly. In the case of railroad corporations, the proceedings in said matters shall be as is provided in chapter 158 of the Public Statutes relating to taking for railroad purposes; and any party aggrieved shall have the same rights of appeal as are therein provided. In the case of a public utility, the petition shall set out the title and the description of the land involved, the rights to be taken therein and the public use for which the same are desired, and a certified copy of the petition and final decree thereon shall be recorded, if said petition shall be granted, in the registry of deeds in the county or counties in which the real estate affected thereby is located. Any party aggrieved by the order of the commission awarding damages may, within sixty days after the entry of the order and not afterwards, file in the superior court of the county in which the land is located a petition to have the damages assessed by a jury, upon which petition order of notice shall issue, and after the order of notice has been complied with the court shall assess such damages by jury.

SECT. 14. Paragraphs (a) and (c) of section 14 of said act are amended to read as follows:

SECT. 14. (a) No railroad corporation or public utility shall issue any stock, bonds, notes or other evidence of indebtedness payable more than twelve months after the date thereof, without first procuring an order of the commission authorizing the same. Upon petition of a railroad corporation or public utility the commission shall, after public notice and hearing, determine the amount of stock or bonds which in its opinion is reasonably requisite for the purposes for which the issue is to be made, and shall within thirty days after final hearing upon such petition file in the office of the secretary of state a certificate setting out the amount of the increase which it has authorized, and the purposes for which the proceeds

Stock and bond  
issues regulated;  
offer of new stock  
to stockholders.

of such new stock or bonds may be used. No railroad corporation or public utility shall apply the proceeds of any stock, bonds or notes to any other purpose than those specified in the order of the commission authorizing the issue of the same. Every railroad corporation and public utility issuing stock, bonds or other evidence of indebtedness subject to the provisions of this section shall file with the commission an account showing in such detail as the commission shall require the disposition of the proceeds of such issue: *provided, however*, that no public utility or railroad corporation subject to the provisions of this act shall be required to apply to the commission for authority to issue stock, bonds, notes or other evidence of indebtedness except for the acquisition of property, the construction, completion, extension or improvement of its facilities or the improvement or maintenance of its service within this state, or the discharge or refunding of its obligations or reimbursement of moneys actually expended for such purposes; and *provided, further*, that no unincorporated person or partnership, being a public utility through the ownership, operation or management of property devoted to public use but owned by an unincorporated person or partnership, shall be required to apply to the commission for authority to issue notes unless the same are to be secured by mortgage of the property so devoted to public use.

(c) Whenever a railroad corporation or public utility shall increase its capital stock it shall, except as hereinafter provided, offer the new shares proportionately to its stockholders at such price not less than the par value thereof as shall have been determined by its stockholders in their vote for the issue of the same. The directors shall cause written notice of the increase in capital stock to be given to each stockholder of record upon the books of the corporation at the date designated by the directors at a meeting following the order of the commission authorizing the issue, which notice shall state the amount of the increase, the number of shares or fractions of shares to which the stockholder is entitled, the price at which he is entitled to take them, and shall fix a time not less than fifteen days after the date so designated by the directors within which he may subscribe therefor. Each stockholder may within the time so limited subscribe for his proportion of the new stock which shall be paid for in cash before the issue of a certificate. The determination by the commission of the amount of stock reasonably requisite for the purpose for which the issue is made shall be based upon the price at which such stock is to be offered to stockholders as fixed by the vote of the stockholders, *provided, however*, that the commission shall refuse to authorize any particular issue of stock by a railroad corporation incorporated in New Hampshire whose road is leased to or operated by another railroad corporation, if in its

opinion the price fixed by the stockholders is so low as to be inconsistent with the public interests.

SECT. 15. Paragraphs (d) and (e) of said section 14 of said act are amended and three new paragraphs, (f), (g) and (h), are added, said paragraphs amended and added to read as follows:

(d) When an increase in capital stock does not exceed four per cent. of the existing capital stock of the corporation the directors may, without first offering the same to the stockholders, sell the new shares by public auction to the highest bidder at not less than par value to be actually paid in cash. If after the expiration of the notice to stockholders hereinbefore provided any shares of the new issue of stock remain unsubscribed by stockholders entitled to take them, the directors shall sell the same by public auction to the highest bidder at not less than par value to be actually paid in cash. All shares of stock to be disposed of by public auction to the highest bidder under the provisions of this act shall be offered for sale in such city or town as may be prescribed by the commission, and the notice of the time and place of sale shall be published at least five times immediately preceding the time fixed for the sale, in such newspapers, not less than three in number, as may be prescribed by the commission, unless the commission shall allow publication in a less number of papers or a less number of times.

Sale of new stock by auction; stock and bonds for purchase of like companies; individual liability; increase of capital beyond amount fixed by law; mortgage of franchises and property.

(e) The commission may authorize a public utility to issue its stocks or bonds in payment for property or stock, bonds or other securities of like corporations which it may lawfully acquire, upon such terms as the commission may approve, having due regard to the public good. The commission in any case when the stockholders of a public utility, by unanimous vote of the stockholders present and voting at any regularly called meeting, have voted not to offer a proposed new issue of stock proportionately to stockholders, or in any case when, after such offer, stock remains unsubscribed for, may authorize said proposed new issue, or said stock remaining unsubscribed for, to be disposed of otherwise than to stockholders or by auction, but at not less than par, to be actually paid in cash.

(f) Whenever a public utility incorporated under the laws of this state shall apply to the commission for authority to issue any stock for the issuing whereof the approval of the commission is required by the provisions of this or any other act, the stockholders in such public utility shall not become individually liable for debts and contract of the corporation under section 8 of chapter 150 of the Public Statutes if the amount of stock which the commission authorizes the corporation to issue upon any such application is paid in and a certificate of the treasurer and a majority of the directors to that effect is executed, filed and recorded in the manner provided by said section 8 within ninety days after the filing

in the office of the secretary of state of the order of the commission authorizing the issue of such stock; *provided*, in cases where such stock is an increase of prior capital, that the whole amount of the prior capital as theretofore fixed and limited by the corporation, or so much thereof as the stockholders have voted to issue or as the commission has authorized to be issued, has also been paid in and that the certificate so filed by the treasurer and directors shows that fact.

(g) A railroad corporation or public utility for the purpose of supplying itself with working capital, may, when the public good will be thereby promoted, and with the authority of the commission as herein provided, increase its capital stock or bonds beyond the amount fixed by its charter or by any act of the general court, *provided* that such increase of capital stock or issue of bonds shall first be authorized by the vote of a majority of the stockholders present at any meeting of the corporation duly called for that purpose, and *further provided* that an increase of capital stock or an issue of bonds for the purpose of supplying such corporation with working capital as aforesaid shall not be to an amount exceeding five per cent. of the par value of its capital stock then outstanding.

(h) A railroad corporation or public utility may mortgage its property and franchises, present and future, to secure the payment of its bonds, including any bonds to be thereafter issued under the provisions of such mortgage.

Investigation of  
railroad accidents;  
accidents to be  
reported.

SECT. 16. Section 15 of said act is amended to read as follows:

SECT. 15. (a) The commission shall investigate the causes of all accidents happening upon the railroads of the state resulting in the loss of life, and of all other accidents happening upon said railroads or in connection with the operation of public utilities in the state, which, in the opinion of the commission, ought to be investigated. Any such investigation may be made by the full commission, or by a single commissioner, or by an agent of the commission, in such manner as the commission may determine.

(b) Every railroad corporation and public utility shall report to the commission accidents occurring in connection with the operation of its business wherein loss of life occurs or any person is injured, or of such a nature as to endanger the safety, health or property of its consumers or the public, as and whenever directed by such rules and regulations as the commission may prescribe.

(c) Reports of accidents filed under the preceding paragraph shall not be made public otherwise than in the published reports of the commission.

Transmission of  
electrical energy  
outside state.

SECT. 17. Said act is further amended by inserting after section 16 a new section as follows:

SECT. 17. No corporation engaged in the generation of electrical



energy by water power shall engage in the business of transmitting or conveying the same beyond the confines of the state unless it shall first file notice of its intention so to do with the public service commission and obtain an order of said commission permitting it to engage in such business. The commission may of its own motion or on application of any person, investigate or make inquiry, in a manner to be determined by it, as to the existence of an available market at fair rates within the state; and if it shall find that such a market does not exist within a reasonable distance of the power development, it may make an order granting such permission and may impose the condition that consumers within the state shall be furnished service by said corporation upon terms as favorable as shall be granted to consumers outside the state, having due regard to all facts and conditions which may affect said subject: *provided, however*, that nothing in this paragraph shall apply to corporations now engaged in the business of transmitting such electrical energy to any place outside the state, but any addition to such energy generated from any water power except such as it may be using in connection with such business at the date of the passage of this act, shall come under the provisions of this paragraph. *Provided, further*, that the provisions of this paragraph shall not apply to the transmitting of electrical energy generated from water powers upon the Connecticut river: nor shall they prevent any railroad corporation doing business in this state from transmitting electrical energy beyond the confines of the state for the purpose of operating its road between some point in this state and any point or points outside the state.

SECT. 18. Said act is further amended by inserting after said section 17, so inserted, five new sections as follows:

SECT. 18. Any railroad or public utility ordered to make reparation under the provisions of paragraph (e) of section 11, as amended, shall conform to said order and make payment as required therein. Upon failure to make such payment upon demand, the amount ordered paid may be recovered with interest in an action of debt brought by the person to whom payment was ordered, except that in the case of costs ordered paid to the commission, suit shall be brought in the name of the state of New Hampshire. Like action may also be brought to recover fees due the commission. In any such action brought to recover costs, fees or reparation ordered, the plaintiff shall be entitled to tax as costs all of his necessary expenses in the action, including reasonable attorneys' fees.

SECT. 19. Sections 1 and 2 of chapter 50 of the Laws of 1905, entitled, "An Act Relating to the Inspection and Licensing of Boats, and the Examination and Licensing of their Captains, Masters, Engineers and Pilots," are hereby repealed. Until other-

Failure to make reparation, procedure. Steamboat inspection, etc.; reports of commission; fees and costs, disposition of; rehearings, when granted and procedure thereon; prior provisions repealed.

Steamboat inspection, etc.

wise provided by law the powers and duties imposed by that act upon inspectors appointed thereunder, and upon the board of railroad commissioners, shall be exercised and performed by the public service commission, and said commission, subject to the same supervision by the governor and council as shall be provided by law with reference to its other employees, may employ such inspectors and assistants as it may require for the proper performance of said duties. All fees collected under the provisions of said act shall be paid into the state treasury as provided by chapter 164 of the Laws of 1911, as amended by this act.

Prior provision repealed.

SECT. 20. (a) Section 17 of said act in its original form is repealed, but said repeal shall not affect the rights of any party to any proceeding pending in the superior court at the time of the passage of this act. Sections 18 and 19 of said act are amended by renumbering the same as sections 23 and 24 respectively.

(b) Section 20 of said act is amended and renumbered to read as follows:

Reports of commission.

SECT. 25. (a) The commission shall biennially publish and file with the secretary of state a report to the governor and the legislature not later than December first in the year preceding the biennial session of the legislature. Such report shall contain such account of its proceedings for the two years last preceding and such suggestions and recommendations as to needed legislation or as to other matters affecting railroad corporations and public utilities as the commission may desire to submit.

(b) The commission may, from time to time, subject to the approval of the governor and council, publish such of its reports and orders and such statistics and other information concerning railroad corporations and public utilities doing business in this state as the commission may deem to be of public interest.

(c) Section 21 of said act is amended and renumbered to read as follows:

Prior provisions repealed.

SECT. 26. Sections 5 and 6 of chapter 155 of the Public Statutes, sections 18, 19, and 20 of chapter 156 of the Public Statutes, and chapter 19 of the Laws of 1897, chapter 42 of the Laws of 1901, chapter 60 of the Laws of 1909, and chapter 100 of the Laws of 1907 are expressly repealed: *provided, however*, that such repeal shall not affect the rights of either party in any proceeding now pending. All acts and parts of acts which in any way conflict with the provisions of this act are repealed so far as they do so conflict.

(d) All acts and parts of acts in any way in conflict with this act are hereby repealed so far as they do so conflict, and this act shall take effect upon its passage, *provided* that nothing in this act shall be so construed as to amend or repeal "An Act to provide a Method for adjusting the Maximum Rates for Fares and Freights on Steam Railroads," approved April 29, 1913.

SECT. 21. All sums collected in fees by the commission or paid to it as costs shall be turned into the state treasury at least once each month with an itemized statement of the same, and without further legislative act shall stand appropriated for the support of the commission, and shall be available for expenditure by the commission in the performance of its duties under this or any other act; and such appropriation shall not lapse at the end of any fiscal year, but shall continue to be held subject to expenditure for the purposes aforesaid unless otherwise provided by subsequent legislative act.

Fees and costs,  
disposition of.

SECT. 22. (a) Within twenty days after any order or decision has been made by the commission, any party to the action or proceeding, or any stockholder or bondholder or other person pecuniarily interested in the railroad corporation or public utility affected, may apply for a rehearing in respect to any matter determined in said action or proceeding, or covered or included in said order, specifying in the motion for rehearing the ground therefor, and the commission may grant such rehearing, if in its opinion good reason therefor is stated in said motion.

Rehearings, when  
granted and pro-  
cedure thereon

(b) Such motion shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable. No appeal from any order or decision of the commission shall be taken by any corporation or person unless such corporation or person shall have made application for rehearing as herein provided, and when such application shall have been made, no ground not set forth therein shall be urged, or relied on, or given any consideration by the court, unless the court for good cause shown shall allow the appellant to specify additional grounds.

(c) Upon the filing of such motion for rehearing, the commission shall within ten days of such filing either grant or deny the same, or suspend the order or decision complained of pending further consideration, and any order of suspension may be upon such terms and conditions as the commission may prescribe.

(d) Within thirty days after the application for a rehearing is denied, or if the application is granted, then within thirty days after the decision on such rehearing, the applicant may appeal by petition to the supreme court. Such petition shall state briefly the nature of the proceeding before the commission, and shall set forth the order or decision complained of, and the grounds upon which the same is claimed to be unlawful or unreasonable upon which the petitioner will rely in the supreme court. Any person or corporation whose rights may be directly affected by said appeal may appear and become a party, or the court may order such persons and corporations to be joined as parties as justice may require. Upon the filing of an appeal petition the clerk of the court shall

issue an order of notice requiring the commission to file with the court a certified copy of the record in the proceeding, together with such of the evidence introduced before or considered by the commission as may be specified by any party in interest, as well as such other evidence, so introduced and considered, as the commission may deem proper to certify, together with the originals or copies of all exhibits introduced in evidence before the commission. Such notice as the court may order shall also be given to persons and corporations who were parties to the proceeding before the commission or who may be ordered joined by the court.

(e) Upon the filing of said certified copy of said record, and evidence and exhibits, the case shall be in order for argument at the next regular session of the court unless the same be postponed for good cause shown. Upon the hearing the burden of proof shall be upon the party seeking to set aside any order or decision of the commission to show that the same is clearly unreasonable or unlawful, and all findings of the commission upon all questions of fact properly before it shall be deemed to be *prima facie* lawful and reasonable, and the order or decision appealed from shall not be set aside or vacated except for errors of law unless the court is satisfied by a clear preponderance of the evidence before it that such order is unjust or unreasonable.

(f) No new or additional evidence shall be introduced in the supreme court, but the case shall be determined upon the record, and evidence transferred, except that, in any case, if it shall be necessary in order that no party shall be deprived of any constitutional right, or if the court shall be of the opinion that justice requires the reception of evidence of facts which have occurred since the hearing, or which by reason of accident, mistake or misfortune could not have been offered before the commission, it may receive and consider additional evidence. Such additional evidence may be taken before a single justice or otherwise as the court may order. All evidence transferred by the commission shall be and all additional evidence received may be, considered by the court regardless of any technical rule which might have rendered the same inadmissible if originally offered in the trial of an action at law.

(g) If the court in any case shall hear new evidence, such new evidence shall, upon the motion of any party, be transmitted by copy to the commission, and all proceedings shall be stayed for twenty days from the date of such transmission. Upon receipt of such evidence, the commission shall consider the same and may alter, modify, amend or rescind the order or decision appealed from, and shall report its action thereon to the court within said twenty days. If the commission shall rescind the order appealed from, the appeal shall be dismissed; if it shall alter, modify or

amend the same, such altered, modified or amended order shall take the place of the original order complained of, and the court shall render judgment with reference thereto in said appeal as though said order had been made by the commission in the first instance, after allowing any amendments of the pleadings or other incidental proceedings desired by the parties which the changed situation may require.

(h) No proceeding other than the appeal herein provided for shall be maintained in any court of this state to set aside, enjoin the enforcement of, or otherwise review or impeach any order of the commission. The final judgment upon every appeal shall be a decree dismissing the appeal, or vacating the order complained of in whole or in part, as the case may be; but in case such order is wholly or partly vacated the court may also, in its discretion, remand the matter to the commission for such further proceedings, not inconsistent with the decree, as in the opinion of the commission justice may require.

(i) No appeal or other proceedings taken from an order of the commission shall suspend the operation of such order; *provided, however,* that the supreme court may order a suspension of such order pending the determination of such appeal or other proceeding whenever, in the opinion of the court, justice may require such suspension: but no order providing for a reduction of rates, fares or charges shall be suspended except upon conditions to be imposed by the court providing a means for securing the prompt repayment of all excess rates, fares and charges over and above the rates, fares and charges which shall be finally determined to be reasonable and just. Any order of the court suspending an order of the commission fixing rates, fares, charges or prices, shall, among other things, provide that the railroad corporation or public utility affected by the order suspended shall keep such accounts as shall suffice to show the amount being collected by such railroad corporation or public utility, pending the appeal, in excess of the amounts which it would have collected if the order or decree of the commission had not been suspended, and that any such excess shall be impounded within the state or paid into court. Whenever there is occasion after final decision for the distribution of said excess, any violation on the part of any railroad corporation or public utility, or of the officers or members thereof, of the order of the court providing for the repayment of said excess may be punishable as a contempt of court.

(j) The provisions of this section shall not apply to appeals from the assessment of damages in eminent domain proceedings, but such appeals shall be taken and prosecuted as provided in section 13 of this act, or as may be otherwise provided by law.

Sections renum-  
bered.

SECT. 19. Section 17 of said act in its original form is repealed, and sections 18, 19, 20 and 21 are amended by renumbering the same as sections 23, 24, 25 and 26 respectively, but the repeal of said section 17 shall not affect the rights of any party to any proceeding pending in the superior court at the time of the passage of this act.

Repealing clause;  
act takes effect  
on passage.

SECT. 20. Chapter 50 of the Laws of 1905, sections 5 and 6 of chapter 155 of the Public Statutes, and all other acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[Approved May 19, 1913.]

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## CHAPTER 146.

### AN ACT ABOLISHING THE BOARD OF BANK COMMISSIONERS AND CREATING THE OFFICE OF BANK COMMISSIONER.

#### SECTION

1. Board of commissioners abolished.
2. Bank commissioner and deputy.
3. Salaries.
4. Duties and powers of commissioner.

#### SECTION

5. Fees for examinations.
6. Application of appropriations.
7. Takes effect September 1, 1913.

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

Board abolished.

SECTION 1. The tenure of office of the present board of bank commissioners is hereby terminated, and said board of three bank commissioners is hereby abolished, and in place thereof, there is hereby created the office of bank commissioner.

Bank commissioner  
and deputy.

SECT. 2. The governor, by and with the advice and approval of the council, shall appoint and commission a competent bank commissioner, having the qualifications prescribed by section two of chapter 162 of the Public Statutes, and whose term of office shall be for five years from the date of his commission; and shall also appoint and commission a deputy bank commissioner having like qualifications, and for a like term.

Salaries.

SECT. 3. The annual salary of said bank commissioner shall be three thousand dollars, and of said deputy, sixteen hundred dollars, payable in equal monthly payments.

Duties and powers  
of commissioner.

SECT. 4. Said bank commissioner shall perform the duties imposed by the laws of this state in force next prior to the passage of this act, upon the board of bank commissioners, and shall have all the powers thereby created; and all state banks, savings banks or institutions for savings, private banks, loan fund associations, trust

companies, loan and trust companies, loan and banking companies, and loan and building associations, and all other corporations, subject to examination or control by the board of bank commissioners, by virtue of the laws of this state, in force next prior to the passage of this act, shall be and are hereby made subject in like manner to the bank commissioner whose office is hereby created.

SECT. 5. Banks, companies, associations, or other corporations, subject to examination by the bank commissioner, shall pay to the treasurer of the state of New Hampshire, for each examination made by the bank commissioner, a fee based upon the following table: Such as have total assets amounting to less than one million dollars, \$25; those whose total assets are between one and five million dollars, \$50; those whose total assets are between five and ten million dollars, \$75; all having total assets in excess of ten million dollars, \$100, payment thereof to be forthwith upon request of the state treasurer, which shall be made within thirty days after the bank commissioner shall have given the state treasurer his certificate of the fact that such examination has been completed. The funds thus derived shall be applied to the appropriations for the office of bank commissioner.

Fees for examinations.

SECT. 6. The provision in the budget bills so far as appropriations are made for the board of bank commissioners, shall apply to the office of bank commissioner, and the amounts thereby appropriated are hereby reduced as to the appropriation for salaries, to the amount herein provided for salaries; and in all other respects to stand as now existing, including \$1,000 for clerical expenses.

Application of appropriations.

SECT. 7. This act shall take effect September 1, 1913.

Takes effect September 1, 1913.

[Approved May 21, 1913.]

CHAPTER 147.

AN ACT RELATING TO THE COMPENSATION OF THE EMPLOYEES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

SECTION

1. Compensation fixed.

SECTION

2. Takes effect September 1, 1913.

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

SECTION 1. The compensation of the attaches of the Senate and House of Representatives shall hereafter be as follows: Sergeant-at-arms and stenographers, \$4.00 per day; messengers, assistant

Compensation fixed.

messengers, door-keepers, telephone messengers, custodian of mail and supplies, wardens and assistant wardens, library messengers and chaplain, \$3.50 per day; pages, \$2.00 per day; each and all for six days per week.

Takes effect September 1, 1913.

SECT. 2. This act shall take effect September 1, 1913.

[Approved May 21, 1913.]

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CHAPTER 148.

AN ACT TO UNIFY THE LAWS RELATING TO THE ESTABLISHMENT OF POLICE COMMISSIONS.

SECTION

1. Application of act.
2. Appointment of commissioners.
3. Removal of commissioners.
4. Duties of commissioners.
5. Compensation of commissioners.

SECTION

6. Removal of police officers.
7. Rules for police government.
8. Repealing clause; act takes effect August 1, 1913.

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

Application of act.

SECTION 1. The provisions of this act shall apply to the cities of Manchester, Nashua, Portsmouth, Laconia, Somersworth, Dover and Berlin, and to the town of Exeter.

Appointment of commissioners.

SECT. 2. On or before September 1, 1913, the governor shall with the advice and approval of the council, appoint and commission for each of said cities and said town a police commission consisting of three persons; one of whom shall hold office for one year, one for two years and one for three years from September 1, 1913, or until their successors are duly appointed and qualified. Said commissioners shall have been residents of the city or town where appointed at least five years immediately preceding the date of their appointment. Not more than two of each of said commissioners shall be of the same political party. The governor shall, annually on or before the first day of August thereafter, with the advice and approval of the council, appoint and commission one commissioner, who shall succeed the one whose term expires and who shall serve for three years from September first unless sooner removed as hereinafter provided, and any vacancy in said board shall be filled in the same manner.

How removed.

SECT. 3. The governor with the advice and approval of the council shall have full power to remove any commissioner at any time.



SECT. 4. It shall be the duties of said police commissioners to <sup>Duties.</sup> appoint such police officers, constables and superior officers, as they may in their judgment deem necessary, and to fix their compensation.

SECT. 5. The compensation of the police commissioners shall <sup>Compensation.</sup> be fixed by the respective city councils or the board of selectmen.

SECT. 6. The police commissioners shall have authority to re- <sup>Removal of police.</sup> move any officer at any time for just cause and after due hearing, which cause shall be specified in the order of removal.

SECT. 7. The police commissioners shall have full power to <sup>Police rules.</sup> make all rules for the government of the police force and to enforce said rules.

SECT. 8. All acts or parts of acts inconsistent with this act <sup>Repealing clause; act takes effect August 1, 1913.</sup> are hereby repealed and this act shall take effect August 1, 1913.

[Approved May 21, 1913.]

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## CHAPTER 149.

AN ACT PROVIDING FOR THE ESTABLISHMENT IN THE PUBLIC SCHOOLS OF COURSES IN AGRICULTURE AND THE DOMESTIC AND MECHANIC ARTS AND FOR OTHER EDUCATIONAL PURPOSES.

SECTION

1. Superintendent of public instruction, appointment and salary of.
2. Deputies provided for.

SECTION

3. Duties of deputies.
4. Repealing clause; act takes effect on passage.

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

SECTION 1. Section 1 of chapter 94 of the Public Statutes is <sup>Superintendent of public instruction.</sup> hereby repealed. There shall be a superintendent of public instruction who shall have general supervision and control of the educational interests of the state and who shall be appointed and may be removed by the governor, with the advice of the council. He shall be paid such salary as the governor and council may determine, not exceeding four thousand dollars annually.

SECT. 2. The superintendent of public instruction may on or <sup>Deputies.</sup> before the fifteenth day of July, 1913, appoint three deputies, at least one of whom shall be a woman. Each deputy shall be paid such salary as the governor and council shall determine, not exceeding twenty-five hundred dollars annually and necessary traveling expenses.

*Duties of deputies.* SECT. 3. The deputies aforesaid shall be under the direction of the superintendent of public instruction and shall assist school boards and superintendents in the introduction and development of courses in agriculture and the domestic and mechanic arts and other vocational branches, in the improvement of school buildings and equipment, the transportation of pupils, and other matters relating to the promotion of popular education in the state.

Repealing clause;  
act takes effect on  
passage.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved May 21, 1913.]

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### CHAPTER 150.

AN ACT FIXING THE TIME FOR THE TAKING EFFECT OF ACTS PASSED BY  
THE PRESENT SESSION OF THE GENERAL COURT.

SECTION 1. Acts take effect, when.

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

When to take  
effect.

SECTION 1. Every act passed at this session of the general court prior to the fifteenth day of May, 1913, shall take effect from said fifteenth day of May, unless a different time is therein limited, and every such act passed on or after said fifteenth day of May shall take effect upon its passage unless a different time is therein limited.

[Approved May 21, 1913.]

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### CHAPTER 151.

AN ACT TO PROVIDE FOR LEGISLATIVE EXPENSES FOR THE FISCAL YEAR  
ENDING AUGUST 31, 1913.

SECTION

1. Additional appropriation of \$18,000.

SECTION

2. Takes effect on passage.

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

Appropriation of  
\$18,000.

SECTION 1. The sum of eighteen thousand (\$18,000) is hereby appropriated for the fiscal year ending August 31, 1913, for legis-

lative expenses for said year; this being in addition to the amount appropriated for said purpose by chapter 197, session Laws of 1911.

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

Takes effect  
on passage.

[Approved May 21, 1913.]

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CHAPTER 152.

AN ACT IN AMENDMENT OF CHAPTER 22 OF THE PUBLIC STATUTES RELATING TO COUNCILOR DISTRICTS.

SECTION

1. New districts created.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Chapter 22 of the Public Statutes is hereby amended by striking out sections 2, 3, 4, 5, and 6, in said chapter, and inserting in place thereof the following:

1. Councilor district number one contains the counties of Coos No. 1. and Grafton and the county of Carroll, except the towns of Brookfield and Wakefield.

2. Councilor district number two contains the towns of Brook- No. 2. field and Wakefield, the county of Strafford, the county of Rockingham, except the towns of Auburn, Candia, Chester, Derry, Londonderry, Raymond, Salem, and Windham, and contains the following towns in the county of Belknap: Alton, Barnstead, Belmont, Gilford and Gilmanton.

3. Councilor district number three contains the towns of No. 3. Auburn, Candia, Chester, Derry, Hooksett, Londonderry, Raymond, Salem, Windham, and the city of Manchester.

4. Councilor district number four contains the county of No. 4. Cheshire, and the county of Hillsborough, except the city of Manchester.

5. Councilor district number five contains the county of Sul- No. 5. livan, and the county of Merrimack, except Hooksett, and the following towns: Center Harbor, Meredith, New Hampton, Sanbornton, Tilton and the city of Laconia.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage: *provided, however,* that nothing in this act shall be construed to affect the present incumbents in office.

[Approved May 21, 1913.]

CHAPTER 153.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE YEARS ENDING AUGUST 31, 1914, AND AUGUST 31, 1915.

SECTION

1. Additional appropriations for sundry purposes.

SECTION

2. Takes effect on passage.

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

Additional appropriations for sundry purposes.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the state, for the purposes specified, for the fiscal years ending August 31, 1914, and August 31, 1915, in addition to the amounts appropriated in house bills 544 and 545, already enacted at this session of the legislature. For supreme court department, as follows: For year ending August 31, 1914, \$2,300, for salaries of justices. For year ending August 31, 1915, \$2,300, for salaries of justices. For superior court department, as follows: For salaries of justices, for year ending August 31, 1914, \$2,300. For salaries of justices, for year ending August 31, 1915, \$2,300. New Hampshire state sanatorium, as follows: For maintenance for year ending August 31, 1914, \$8,000. For maintenance for year ending August 31, 1915, \$8,000. Public instruction department, as follows: Salaries as required under house bill 263: Salary of superintendent for year ending August 31, 1914, \$1,000. Salary of superintendent for year ending August 31, 1915, \$1,000. Salaries of deputies for year ending August 31, 1914, \$6,500. Salaries of deputies for year ending August 31, 1915, \$6,500. Traveling expenses for year ending August 31, 1914, \$1,400. Traveling expenses for year ending August 31, 1915, \$1,400. Probate court department, as follows: Salary of judge of probate court for Coos county for year ending August 31, 1914, \$300. Salary of judge of probate court for Coos county for year ending August 31, 1915, \$300. Deaf, dumb and blind departments: For support and education for each year ending August 31, 1914, and 1915, the sum of \$2,000.

Takes effect on passage.

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

[Approved May 21, 1913.]

CHAPTER 154.

AN ACT REQUIRING THE PAYMENT OF CERTAIN MONEYS INTO THE STATE TREASURY.

SECTION

1. Certain moneys to be paid into state treasury.

SECTION

2. For what purposes available.  
3. Takes effect September 1, 1913.

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

SECTION 1. All departments of state or state institutions receiving money for the state, from sources outside of the state treasury, shall pay the same into the state treasury monthly, with a full and detailed statement thereof, including the date of and source from which the same was received, and the consideration therefor. Such accounts shall be stated in detail in the report of the state treasurer; but shall be stated only by properly classified totals, in departmental reports.

SECT. 2. Moneys received by the state treasurer as provided in section 1 shall be available for the general revenue of the state, and the full amount allowed for maintenance of each such institution and department shall be appropriated by each legislature for the biennial period next following: *Provided* that, to obviate any deficiency which would otherwise accrue to institutions because of the application of this statute during the biennial period from September 1, 1913, to September 1, 1915, all moneys received by the state treasurer during said biennial period, from the New Hampshire School for Feeble Minded, State Sanatorium, Keene Normal School, and Plymouth Normal School, shall be available, in so far as they may be needed, for the use of the institution from which they were received, in addition to the general appropriation already authorized, to be paid out upon the warrant of the governor.

SECT. 3. This act shall take effect September first, 1913.

Takes effect September 1, 1913.

[Approved May 21, 1913.]

CHAPTER 155.

AN ACT FOR THE PROTECTION OF FOREST PROPERTY FROM FIRE ORIGINATING ALONG RAILROADS AND HIGHWAYS.

SECTION

- 1. Spark arresters, etc., on locomotives.
- 2. Railroad employees may be deputy fire wardens.
- 3. Railroads to promulgate instructions.
- 4. Railroads may clear brush, etc., on adjoining land; procedure.

SECTION

- 5. Forestry commission has right of entry.
- 6. Disposal of slash by lumber operators.
- 7. Takes effect on passage.

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

Spark arresters, etc., on locomotives.

SECTION 1. Every railroad company or corporation operating locomotives within the state shall, subject to the approval of the public service commission, equip and maintain in good condition a spark arrester and a suitable ash pan on every engine, except such engines as are operated by oil or electricity; and shall require its employees operating such engines to exercise due care to keep such devices in good order and to prevent the escape of live coals or sparks which may cause fires along the right of way; and shall subject to the approval of the public service commission, make and enforce regulations for the giving of fire signals and notifications of the existence and location of fires along the right of way to its employees. In carrying out this section, the public service commission may serve orders and enforce compliance with such orders as provided in chapter 164, Laws of 1911, and amendments thereto.

Railroad employees may be deputy fire wardens.

SECT. 2. The state forester is hereby authorized to appoint as deputy forest fire wardens the section foremen or such other railroad employees as the authorized officials of the railroad may recommend. Such deputies when so appointed shall be vested with the powers and duties of deputy forest fire wardens as provided in chapter 128, Laws of 1909, and amendments thereto, except as such powers and duties are limited or extended by this act. Railroad deputies thus appointed shall extinguish and supervise the fighting of forest and brush fires originating along the railroad right of way, but shall not be required to supervise the fighting of fires which do not originate along the right of way. The forestry commission shall instruct all wardens and other employees of the forestry department to co-operate with the railroad deputies in the prevention and extinguishment of railroad fires, to immediately notify the nearest station agent or railroad deputy upon the discovery of a fire along the right of way, and to combat such fire until the railroad deputy or other

railroad official shall assume charge. A railroad deputy who receives notice of the existence of a fire adjacent to the right of way shall proceed forthwith to extinguish it. All just and proper expenses incurred in extinguishing forest or brush fires caused by the railroad company or its employees shall be paid by such railroad company; but the fact that such payment has been made shall not be admissible as evidence that such fire was so caused.

SECT. 3. Railroad companies shall promulgate among their employees instructions for the prevention and extinguishment of fires along the right of way; and shall, through the railroad deputies or other officials, organize and maintain a system of patrol during dry weather along the sections of its right of way where there is danger of fire. The fact that a section of the right of way was not patrolled shall not be admissible as evidence of negligence to debar such railroad from insurance on property, as provided in chapter 159 of the Public Statutes.

SECT. 4. Railroad companies shall have the right, subject to the provisions of this section, to enter upon forest or brush land adjacent to the right of way, without liability for trespass, for the purpose of clearing brush, grass and inflammable material from such land for a distance of twenty-five feet from the railroad right of way, but shall not remove valuable timber growth without recompense to the owner. Prior to making such a clearing, the railroad company shall give the owner thereof notice of its intention by letter deposited in the United States mail to his last known address, and thereafter by publishing said notice at least once in two papers of general circulation in the county. Said notice shall quote section 4 of this act. If the owner shall not file an objection to such clearing with the public service commission within fifteen days from the date of such publication, he shall be deemed to have given consent. Upon the filing of such an objection by an owner, the public service commission shall notify the owner the time and place when he may appear to show cause why such clearing should not be done. After a hearing, the public service commission may sustain the objection or permit the clearing to be done and may prescribe the extent and methods of any and all such clearings. The public service commission may require the assistance of the forestry commission and the state forester in furnishing information pertinent to the carrying out of this section.

SECT. 5. The forestry commission or its authorized agents shall have the right to enter upon railroad or other property to ascertain facts in regard to the carrying out of this act, and from time to time shall report such facts to the public service commission.

Disposal of slash by lumber operators.

SECT. 6. On and after July first, 1913, any person, firm or corporation cutting wood or lumber on property adjacent to the right of way of any railroad within the state shall dispose of the slash caused by such cutting in such a manner that the inflammable material shall not remain on the ground within twenty-five feet of any railroad right of way. Any operator of wood or timber on such land, or any owner of such land where cutting is done may be fined not more than ten dollars for each acre of such land or fraction thereof from which the inflammable material is not properly disposed of within sixty days from the cutting of the trees thereon; provided that any owner or operator who cuts wood or timber, during the winter, after November first, shall have until May first in Grafton, Carroll, and Coos counties and until April first in other counties to remove the slash in accordance with the provisions of this section. If such slash is destroyed by burning, such burning shall be done with permission of the town forest fire warden. The forestry commission is hereby charged with the execution of this section, and all owners or operators shall be required to use due care in clearing such land and shall not be relieved of liability of damage imposed by chapter 128, Laws of 1909, and amendments thereto. But no owner of such land shall be liable for damages resulting from fires not set by himself or his agents.

Takes effect on passage.

SECT. 7. This act shall take effect upon its passage.

[Approved May 21, 1913.]

CHAPTER 156.

AN ACT RELATING TO THE HOURS OF LABOR FOR WOMEN.

SECTION

- 1. Maximum periods of employment for certain industries.
- 2. Employers to post notices.

SECTION

- 3. Evidence of violation.
- 4. Penalty for violation.
- 5. Takes effect January 1, 1914.

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

Maximum periods of employment for certain industries.

SECTION 1. No female and no minor shall be employed or be permitted to work in any manufacturing, mechanical or mercantile establishment, laundry or restaurant, or confectionery store, or by any express or transportation company, in this state, more than ten and one quarter hours during any one day or more than fifty-five hours in any one week. The hours may be so ar-



ranged as to permit the employment of females at any time, but they shall not work more than ten and one quarter hours during the twenty-four hours of any one day, nor more than fifty-five hours during one week. If, however, any part of a female's daily employment is performed between the hours of eight o'clock p. m. and six o'clock a. m. of the following day, all the employment shall be considered night work, and no such female so employed at night work shall be employed or permitted to work thereat more than eight hours in any twenty-four hours nor more than forty-eight hours during the week. If any such female is employed not more than one night in the week (after eight o'clock as herein provided) then such female may be permitted to work fifty-five hours in any such week. *Provided that* at least one hour for dinner be allowed each female during her working period, but no part of such hour shall be considered as a part of the permitted period of daily employment.

SECT. 2. Every employer shall post in a conspicuous place in every room, where such females are employed, a printed notice stating the hours of commencing and stopping such work, the time allowed for dinner or other meals, and the maximum number of hours any female employee is permitted to work in any one day. Employers to post notices.

SECT. 3. The employment of any female in any such place or establishment, as defined in sub-section 1, of this section, at any time other than those of the posted hours of labor, as hereinbefore provided for, shall be *prima facie* evidence of a violation of this act. Evidence of violation.

SECT. 4. Any person or corporation violating any provision of this act shall be deemed guilty of a misdemeanor, and upon a conviction thereof shall be punished by a fine of not less than fifty nor more than one hundred dollars. Penalty.

SECT 5. This act shall take effect January 1, 1914.

Takes effect  
January 1, 1914.

[Approved May 21, 1913.]

## CHAPTER 157.

## AN ACT IN AMENDMENT OF CHAPTER 23 OF THE PUBLIC STATUTES, RELATING TO SENATORIAL DISTRICTS.

## SECTION

1. New senatorial districts created.

## SECTION

2. Repealing clause; act takes effect on passage.

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

New districts  
created.

SECTION 1. Chapter 23 of the Public Statutes is hereby amended by striking out all after section 1 in said chapter, and inserting in place thereof the following:

No. 1.

SECT. 2. Senatorial district number one contains Berlin, Clarksville, Colebrook, Dummer, Errol, Milan, Pittsburg, Stewartstown, and Wentworth's Location.

No. 2.

SECT. 3. Senatorial district number two contains Bethlehem, Carroll, Columbia, Dalton, Jefferson, Lancaster, Lisbon, Littleton, Northumberland, Stark, Stratford, and Whitefield.

No. 3.

SECT. 4. Senatorial district number three contains Bath, Benton, Campton, Easton, Ellsworth, Franconia, Groton, Haverhill, Holderness, Landaff, Lincoln, Livermore, Lyman, Monroe, Plymouth, Rumney, Thornton, Warren, Waterville, Wentworth, and Woodstock.

No. 4.

SECT. 5. Senatorial district number four contains Albany, Bartlett, Brookfield, Chatham, Conway, Eaton, Effingham, Freedom, Gorham, Hart's Location, Jackson, Madison, Moultonborough, Ossipee, Randolph, Sandwich, Shelburne, Tamworth, Tiltonboro, Wakefield, and Wolfeboro.

No. 5.

SECT. 6. Senatorial district number five contains Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grantham, Hanover, Hebron, Lebanon, Lyme, New Hampton, Orange, Orford, Piermont, Plainfield.

No. 6.

SECT. 7. Senatorial district number six contains Alton, Barnstead, Belmont, Center Harbor, Gilford, Gilmanton, Laconia, Meredith, and Sanbornton.

No. 7.

SECT. 8. Senatorial district number seven contains Andover, Boscawen, Wards one and two of Concord, Canterbury, Danbury, Franklin, Grafton, Hill, Northfield, Tilton, and Wilmot.

No. 8.

SECT. 9. Senatorial district number eight contains Aeworth, Charlestown, Claremont, Cornish, Croydon, Goshen, Langdon, Lempster, Newbury, New London, Newport, Springfield, Sunapee, and Unity.

No. 9.

SECT. 10. Senatorial district number nine contains Antrim, Bradford, Wards three and seven of Concord, Deering, Frances-

town, Henniker, Hillsborough, Hopkinton, Salisbury, Sutton, Warner, Webster, and Windsor.

SECT. 11. Senatorial district number ten contains Alstead, No. 10. Chesterfield, Gilsum, Keene, Marlow, Nelson, Roxbury, Stoddard, Sullivan, Surry, Walpole, Washington, and Westmoreland.

SECT. 12. Senatorial district number eleven contains Benning- No. 11 ton, Dublin, Fitzwilliam, Hancock, Harrisville, Hinsdale, Jaffrey, Marlborough, Peterborough, Richmond, Rindge, Sharon, Swanzey, Troy, and Winehester.

SECT. 13. Senatorial district number twelve contains Amherst, No. 12 Brookline, Greenfield, Greenville, Hollis, Lyndeborough, Mason, Merrimack, Milford, Mont Vernon, Wards one and two of Nashua, New Ipswich, Temple, and Wilton.

SECT. 14. Senatorial district number thirteen contains Wards No. 13. three, four, five, six, seven, eight and nine of Nashua.

SECT. 15. Senatorial district number fourteen contains Allens- No. 14 town, Bedford, Bow, Chichester, Dunbarton, Epsom, Goffstown, Hooksett, Loudon, New Boston, Pembroke, Pittsfield, and Weare.

SECT. 16. Senatorial district number fifteen contains Wards No. 15. four, five, six, eight and nine of Concord.

SECT. 17. Senatorial district numbered sixteen contains Wards No. 16. one, two and three of Manchester.

SECT. 18. Senatorial district number seventeen contains Wards No. 17. four and five of Manchester.

SECT. 19. Senatorial district number eighteen contains Wards No. 18. six and seven of Manchester.

SECT. 20. Senatorial district number nineteen contains Wards No. 19. eight and nine of Manchester.

SECT. 21. Senatorial district number twenty contains Farming- No. 20. ton, Middleton, Milton, New Durham, Rochester, Somersworth, and Strafford.

SECT. 22. Senatorial district number twenty-one contains Bar- No. 21. rington, Dover, Durham, Lee, Madbury and Rollinsford.

SECT. 23. Senatorial district number twenty-two contains Au- No. 22. burn, Candia, Chester, Deerfield, Derry, Epping, Hudson, Litchfield, Londonderry, Northwood, Nottingham, Pelham, Raymond, and Windham.

SECT. 24. Senatorial district number twenty-three contains At- No. 23. kinson, Brentwood, Danville, East Kingston, Exeter, Fremont, Hampstead, Hampton, Hampton Falls, Kensington, Kingston, Newfields, Newton, North Hampton, Plaistow, Rye, Salem, Sandown, Seabrook, and South Hampton.

SECT. 25. Senatorial district number twenty-four contains No. 24. Greenland, Newcastle, Newington, Newmarket, Portsmouth, and Stratham.

Repealing clause;  
act takes effect on  
passage.

SECT. 2. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage; *provided, however*, that nothing in this act shall be construed to affect the present incumbents in office.

[Approved May 21, 1913.]

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CHAPTER 158.

AN ACT TO PROVIDE FOR THE ISSUANCE OF BONDS TO COMPLETE THE BUILDING OF THE TRUNK LINE HIGHWAYS, AS PROVIDED BY CHAPTER 35, LAWS OF 1905, ENTITLED "AN ACT TO PROVIDE FOR STATE AID AND FOR THE EXPENDITURE OF OTHER PUBLIC MONEYS IN THE PERMANENT IMPROVEMENTS OF MAIN HIGHWAYS THROUGHOUT THE STATE," AND TO PROVIDE FOR THE CONSTRUCTION OF THE SOUTH SIDE ROAD.

## SECTION

1. South Side road authorized.
2. Route, how determined.
3. Limitation of state aid to towns.
4. Reimbursement of cities and towns.
5. Apportionment of funds.
6. Maintenance.

## SECTION

7. Official powers and duties.
8. Bond issue authorized; proceeds, how expended.
9. Disbursement of funds; repealing clause; act takes effect on passage.

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

South Side road  
authorized.

SECTION 1. The governor and council shall forthwith designate for improvement, by suitable description, a continuous highway from a point on the Connecticut river, at Tucker's Bridge in the town of Walpole, thence through the town of Acworth, thence through the city of Keene to a point on the Merrimack Valley road in the city of Nashua; thence over the Merrimack Valley road to a point in the city of Manchester; thence to a point on the East Side road in the city of Portsmouth, and file the same with the secretary of state, which highway shall be known as the South Side road.

Route, how de-  
termined.

SECT. 2. The route of such highway may be changed from existing highways by the governor and council to such extent as in their opinion the public good may require, and for that purpose, they are authorized to designate such changes, to take and purchase land and have damages assessed therefor in accordance with the provisions of chapter 35 of the session Laws of 1905.

Limitation of state  
aid.

SECT. 3. No city or town through which such highway is des-

igned to pass shall receive any state aid for highway improvements except on such highway until said improvements shall have been completed within such city or town. No part of the funds hereby provided shall be used within the compact part of any city or town having a population of two thousand five hundred or more, such compact part to be determined by the governor and council.

SECT. 4. Cities and towns through which such highway shall pass, shall receive from the funds hereby provided one-half the cost of such improvements within their limits; and such further sums may be paid to towns unable to pay that proportion as in the opinion of the governor and council may be equitable. Reimbursement of cities and towns.

SECT. 5. The governor and council shall apportion the fund hereby provided to the several towns through which such highway shall pass. In making such apportionment preference shall be given to such parts heretofore under state aid, and to such parts as shall be in such condition as to require immediate improvement. Apportionment of funds.

SECT. 6. Said highway, after improvements are made as herein provided, shall be maintained in the manner provided by chapter 35, Laws of 1905, for the maintenance of trunk lines. Maintenance.

SECT. 7. In carrying out the provisions of this act, all state, city, and town officers shall have all the powers and duties conferred upon them by chapter 25 [35], Laws of 1905, and in their judicial and administrative acts be governed by the provisions of said chapter, except as otherwise provided herein. Official powers and duties.

SECT. 8. The treasurer of the state is hereby authorized, under the direction of the governor and council, to issue bonds or certificates of indebtedness in the name and on behalf of the state to an amount not exceeding three hundred thousand dollars, payable in such sums and at such times, not exceeding thirty years from their date, as the governor and council shall determine. They shall bear interest not to exceed three and one half (3½%) per cent. per annum, payable semi-annually, and have interest coupons attached to each bond, and shall not be taxable when held by residents of this state. Said bonds and coupons shall be signed by the treasurer, and be made payable at such place or places as the governor and council shall designate. Such bonds shall be called highway bonds and shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds countersigned by the governor, showing the number and amount of each bond, the time of countersigning, the time when payable, and the date of delivery to the treasurer. The treasurer shall keep an account of each bond, showing the Bond issue authorized: proceeds, how expended.

number thereof, the name of the person to whom sold, the amount received for the same, the date of sale, and the time when payable. The treasurer may negotiate and sell such bonds by direction of the governor and council in such manner as they may determine most advantageous to the state, but no bond shall be sold for less than its par value, nor shall such bond be loaned, pledged or hypothecated in any way whatever in behalf of the state. One hundred thousand dollars of the proceeds of the sale of said bonds shall be available for the construction of the highway to be designated under the provisions of this act, and the balance of said proceeds shall be available for the completion of the three continuous highways from the Massachusetts state line northerly, known as trunk lines. The proceeds of the sale of said bonds shall be held by the treasurer, and paid by him upon warrant drawn by the governor for the purposes of this act, but no proceeds shall be used for the maintenance of highways or for any purpose except permanent construction or improvement and necessary expenditures in the administration of this act.

Disbursement of funds; repealing clause: act takes effect on passage.

SECT. 9. The governor is hereby authorized to draw his warrant for the payment of any sum or sums of money provided for by this act out of any money in the treasury. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved May 21, 1913.]

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CHAPTER 159.

AN ACT IN AMENDMENT OF SECTIONS 2 AND 6 OF CHAPTER 128 OF THE LAWS OF 1909, AS AMENDED BY CHAPTER 166 OF THE LAWS OF 1911, RELATING TO FOREST PROTECTION.

SECTION

1. State forester may employ assistants, etc.

SECTION

2. Fire districts and district chiefs.

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

State forester may employ assistants, etc.

SECTION 1. Section 2 of section 1 of chapter 166, Laws of 1911, [section 2, chapter 128, Laws 1909, as amended by chapter 166, Laws 1911,] is hereby amended by adding after the words, "performance of his official duties" in line 7, the following: and within the limits of the appropriation, may hire such field and

office assistants as in the judgment of the commission is necessary for the proper execution of his duties; and upon terms approved by the forestry commission, may enter into co-operation with departments of the federal government for the promotion of forestry work within the state, so that said section 2 as amended shall read: SECT. 2. The forestry commission shall appoint a state forester to serve at the will of the commission at a salary to be fixed by them, not exceeding \$2,500 a year. The state forester shall, under the supervision of the forestry commission, execute all matters pertaining to forestry within the jurisdiction of the state, and shall be allowed reasonable traveling field expenses and office expenses in the necessary performance of his official duties and within the limits of the appropriation, may hire such field and office assistants as in the judgment of the commission is necessary for the proper execution of his duties, and upon terms approved by the forestry commission, may enter into co-operation with departments of the federal government for the promotion of forestry work within the state. It shall be the duty of the state forester to direct, aid and co-operate with all district chiefs, forest fire wardens and other employees of the state as provided for in this act, and see that they take such action as is authorized by law to prevent and extinguish forest fires and do other work which the forestry commission may undertake for the protection, improvement and extension of forests. He shall, as far as his other duties may permit, carry on an educational course of lectures within the state, and may conduct exhibits on forestry at fairs within the state. He may, under the direction of the forestry commission, conduct investigations within the state on forestry matters and publish for distribution literature of scientific or general interest pertaining thereto. He shall, under the direction of the forestry commission, prepare biennially a report to the governor on the progress and condition of state forest work and recommend therein plans for improving the state system of forest protection, management, replacement and extension. Such report shall contain an itemized statement of all expenses incurred or authorized by the state forester or by the forestry commission.

SECT. 2. Section 6 of section 1 of chapter 166, Laws of 1911, [section 6, chapter 128, Laws 1909, as amended by chapter 166, Laws 1911,] is hereby amended by striking out the said section 6 and inserting therefor the following: SECT. 6. The state forester shall, under the direction of the forestry commission, divide the state into not more than four fire districts, fixing the boundaries of such districts according to efficiency of supervision, and may appoint a district chief in each district. Said district chief shall serve at the will of the state forester and shall be

Fire districts and district chiefs.

allowed such wages and expenses as may be fixed by the forestry commission within the limits of the appropriation. It shall be the duty of the district chief to assist the state forester in directing and aiding all forest fire wardens and deputy forest fire warden in his district in the performance of their duties and to perform such duties as the state forester and forestry commission may direct in the protection, improvement, and extension of forests.

[Approved May 21, 1913.]

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CHAPTER 160.

AN ACT TO PROVIDE FOR THE LAYING OUT AND CONSTRUCTION OF A HIGHWAY TO CHRISTINE LAKE OR NORTH POND IN THE TOWN OF STARK.

SECTION

1. Commission to lay out highway.
2. General law applicable.
3. Public landing for boats.
4. Appropriation of \$500.

SECTION

5. Act void in certain contingency.
6. Subject to repeal; takes effect on passage.

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

Commission to lay out highway.

SECTION 1. The governor, with advice of his council, shall appoint a commission of three persons to lay out a highway beginning at a point in the public highway known as the Hill road, leading from Groveton in the town of Northumberland, past the house of Alvin F. Wentworth in Stark; said highway to begin on said Hill road at a point near the house of said Wentworth and to extend from said point along the course of a winter road, as now used, to the waters of Christine lake or North pond in said town of Stark.

General law applicable.

SECT. 2. Said highway shall be laid out in accordance with the provisions of chapter 70 of the Public Statutes of the State of New Hampshire.

Public landing for boats.

SECT. 3. A suitable landing for the purpose of launching boats and mooring the same to said landing, shall be constructed on the shore and waters of Christine lake or North pond at the terminus of said highway to be laid out as aforesaid, and all persons desiring to fish in said lake may fasten their boats to said landing.

Appropriation of \$500.

SECT. 4. The sum of five hundred dollars (\$500), or so much thereof as may be necessary, is hereby appropriated for the ex-



pense of laying out and building said highway, and constructing said landing.

SECT. 5. This act shall become null and void providing that the Percy Summer Club shall, on, or before June 1, 1913, convey to the State of New Hampshire the most easterly of the old highways leading from Percy to Christine lake, with the right to build a suitable landing for the purpose of launching and mooring boats to the same on the shore and waters of Christine lake at the terminus of said highway, and southwesterly of the boat house as now located. Act void in certain contingency.

SECT. 6. This act may be repealed, amended, or altered whenever the public good may require, and this act shall take effect upon its passage. Subject to repeal; takes effect on passage.

[Approved May 21, 1913.]

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CHAPTER 161.

AN ACT TO REGULATE THE PRINTING AND DISTRIBUTION OF THE GENERAL AND PUBLIC LAWS.

SECTION

1. Under control of governor and council.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. The manner of printing and distributing the general and public acts of the legislature, is hereby vested in the governor and council. How controlled.

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

[Approved May 21, 1913.]

## CHAPTER 162.

AN ACT TO ESTABLISH A STATE HIGHWAY CONNECTING THE MERRIMACK VALLEY ROAD WITH THE MASSACHUSETTS HIGHWAY AT THE MASSACHUSETTS STATE LINE AT SALEM, NEW HAMPSHIRE.

## SECTION

1. Rockingham road authorized.
2. Route, how determined.
3. Limitation of state aid.
4. Reimbursement of cities and towns.
5. Apportionment of funds.
6. Immediate improvement.

## SECTION

7. Taxation of town refusing to pay share.
8. Maintenance after improvement.
9. Powers of governor and council.
10. Appropriation of \$20,000.
11. Takes effect on passage.

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

Rockingham road authorized.

SECTION 1. The governor and council shall forthwith designate for improvement by suitable description a continuous highway from a point in Manchester to a point on the Massachusetts state line at Salem, and file the same with the secretary of state. Starting from the Merrimack Valley road at Manchester, going through Derry Depot, so-called, in the town of Derry and through Salem Depot, so-called, in the town of Salem to the Massachusetts state line. Said highway shall be known as Rockingham road.

Route, how determined.

SECT. 2. The route of such highway may be changed from existing highways by the governor and council to such extent as in their opinion the public good may require, and for that purpose they are authorized to designate such changes, to take or purchase land and have damages assessed therefor in accordance with the provisions of chapter 35 of the session Laws of 1905.

Limitation of state aid.

SECT. 3. No city or town through which said highway is designated to pass shall receive any state aid for highway improvements except on such highway until said improvements thereon shall have been completed within such city or town. No part of the funds hereby provided shall be used within the compact part of any city or town having a population of twenty-five hundred or more, such compact part to be determined by the governor and council.

Reimbursement of cities and towns.

SECT. 4. Cities and towns through which such highway shall pass shall receive from funds herein provided one half of the cost of such improvements within their limits.

Apportionment of funds.

SECT. 5. The governor and council shall apportion the fund hereby to the several towns through which said highway shall pass. In making such apportionment preference shall be given to such parts of said highway as have not heretofore been improved under state aid, and to such portions as shall be in such condition as to require immediate improvement.

SECT. 6. If, in the opinion of the governor and council, any part or parts of said highway shall be in such condition as to require immediate improvement, the money hereby appropriated may be used wholly or in part in improving such part or parts, and the governor and council shall have authority to make all contracts necessary for such immediate improvement.

Immediate im-  
provement.

SECT. 7. If any town or city neglects or refuses to pay one half the cost of such improvements on said highway within its limits, one half the cost thereof may be added to the state tax of that town for the next year. In such case said one half shall not exceed an average of twenty-five hundred dollars per mile of road improved.

Taxation of town  
refusing to pay.

SECT. 8. Said highway, after improvements are made as herein provided for, shall be maintained in the same manner provided by chapter 35 of the Laws of 1905 for the maintenance of highways improved by the expenditures of joint funds.

Maintenance.

SECT. 9. In carrying out the provisions of this act the governor and council and the officers of towns and cities shall have all the powers and duties conferred on them by chapter 35 of the Laws of 1905. All improvements shall be made in accordance with said chapter, except as otherwise provided herein.

Powers of gover-  
nor and council.

SECT. 10. The sum of twenty thousand dollars is hereby appropriated to carry out the provisions of this act.

Appropriation of  
\$20,000.

SECT. 11. This act shall take effect on its passage.

Takes effect  
on passage.

[Approved May 21, 1913.]

CHAPTER 163.

AN ACT CREATING A DEPARTMENT OF AGRICULTURE, AND ABOLISHING CERTAIN BOARDS.

SECTION

1. Department of agriculture created.
2. Commissioner of agriculture.
3. Districts and district boards.
4. Duties of commissioner.
5. Certain boards and offices abolished: deputy commissioners provided for.

SECTION

6. Enforcement of laws; annual report of commissioner.
7. Disposition of moneys received.
8. Transfer of appropriations.
9. Repealing clause: act takes effect September 1, 1913.

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

SECTION 1. There is hereby created a department for promoting the agriculture of the state in all its varied branches, and which shall be known as the department of agriculture.

Department of  
agriculture.

Commissioner of  
agriculture; ap-  
pointment and  
salary.

SECT. 2. There shall be appointed by the governor, by and with the advice and approval of the council, a state commissioner of agriculture, whose official title shall be commissioner of agriculture, and who shall give bond to the state, with surety or sureties approved by the governor and council, in the sum of ten thousand dollars, and who shall qualify by taking the oath of office before the secretary of state within ten days after his appointment. He shall hold office for three years, and until his successor is appointed and qualified. His salary shall be thirty-five hundred dollars per annum, payable in monthly installments; and he shall be allowed his actual expenses when on official duty elsewhere than in the office of the department, the same to be verified by proper vouchers and audited by the state auditor. He may, subject to the approval of the governor and council, employ office assistants for said department, at an expense not to exceed eighteen hundred dollars annually.

Agricultural dis-  
tricts and district  
boards.

SECT. 3. The state shall be divided into three agricultural districts as follows: The counties of Coos, Grafton, Carroll and Belknap shall comprise district number one; the counties of Strafford, Rockingham and so much of Merrimack and Hillsborough as lie on the easterly side of the Merrimack river shall comprise district number two; the counties of Sullivan, Cheshire and the remaining portions of Hillsborough and Merrimack, including the town of Hill, shall comprise district number three. The governor, by and with the advice and approval of the council, shall appoint six practical agriculturalists, two of whom shall reside in each of the foregoing districts, who shall constitute an advisory board of the department of agriculture. They shall be appointed and commissioned for one and three years respectively, and shall hold office for the period specified in their commission and until their successors are appointed and qualified. All appointments after the expiration of those whose terms are limited for one year, shall be for two years. They shall receive four dollars per day for such time as they are actually engaged in the performance of their duties, and their actual and necessary expenses while performing official duty, to be verified by proper vouchers, and to be audited and approved by the state auditor. They shall attend institute meetings held within their district and render to the commissioner of agriculture, such aid as he may deem suitable. They shall meet at the office of the commissioner of agriculture as often as once in two months, and shall advise with the commissioner of agriculture as to the work of said department. In case of inability of any deputy commissioner of agriculture to perform his official duties, the commissioner of agriculture may direct some member of the advisory board to temporarily perform the duties, and for such service he shall be allowed

four dollars per day and his actual expenses, subject to the approval of the state auditor.

SECT. 4. It shall be the duty of the commissioner of agriculture Duties of commissioner. to devote his entire time to the duties of his office, in the promotion of every agricultural interest of public importance. To this end, he shall hold one or more farmers' institute meetings in each county annually and at least one state meeting. All such meetings shall be open to all citizens of the state and interests related to the department, and the co-operation of all other farm or kindred organizations seeking the development of agriculture in any of its branches shall be encouraged. He shall co-operate, so far as may be practicable, with the extension work of the New Hampshire College of Agriculture and the Mechanic Arts, and shall provide courses of study of one week or more to be pursued in connection with the county institute meetings of those counties offering satisfactory co-operation. These courses shall be accompanied by demonstration, whenever practicable, and shall cover the fundamental principles underlying one or more departments of farming, including domestic science and art, dairy science and practice, horticulture, pomology, vegetable gardening, floriculture, poultry farming, apiculture, forestry, the combatting of insects and other foes to agriculture, soil testing, animal and plant nutrition, tillage, the philosophy of crop rotation and kindred subjects. For the purpose of teaching such branches, at institute meetings, the commissioner of agriculture shall appoint capable teachers of the science of agriculture in its practical application to the various departments of the farm and its allied work. Said department shall be open to all who are engaged within this state in any form of agriculture or forestry in any of their branches, or any allied vocation, for advice, either in person or through correspondence, as to any matter involving such interests, and to that end, he shall gather, tabulate, index and keep on file, statistics giving information of public interest, upon the subject-matters of his department. The commissioner of agriculture shall, in co-operation with the state superintendent of public instruction, prepare an elementary course in agriculture for use by such pupils in approved secondary schools as may elect to pursue the same; and also such courses of elementary work for the lower grades as may properly prepare pupils for the course pursued in approved secondary schools; and he shall, in co-operation with the state superintendent of public instruction and the principals of the normal schools within the state, prepare a suitable course which shall be open to normal school students.

SECT. 5. The official duties existing next prior to the passage of this act, upon the part of the cattle commission; the state agent for the suppression of gypsy and brown-tail moths; and the state Certain boards and offices abolished; deputy commissioners.

board of agriculture and of its secretary, are hereby made a part of the duties of the office of the commissioner of agriculture; and the tenure of office of said board of agriculture; the cattle commission; and the state agent for the suppression of gypsy and brown-tail moths is hereby terminated and the office of said board, commissions and agent is hereby abolished. The commissioner of agriculture, shall, with the approval of the governor and council, appoint a deputy commissioner who shall have the powers and perform the duties heretofore required of the cattle commission; and a like deputy who shall have the powers and perform the duties heretofore required of the agent for the suppression of gypsy and brown-tail moths; and their compensation shall be fixed by the governor and council; and they shall be allowed their actual expenses when on official duties elsewhere than in the office of the department, to be verified by proper vouchers and audited by the state auditor. In all matters pertaining to the suppression of gypsy and brown-tail moths, the department shall co-operate, so far as may be practicable, with the New Hampshire College of Agriculture and the Mechanic Arts.

Enforcement of laws; report of commissioner.

SECT. 6. The commissioner of agriculture shall co-operate with the attorney-general and county solicitors in enforcing the laws relating to farm-foods adulteration, the pure-seed laws, the fertilizer laws and such other laws as relate to the subject-matter of this department. He shall collect and publish information relative to the agricultural resources of the state, and disseminate such information throughout the country in such ways as may be approved by the governor and council. He shall, annually, between September first and October thirty-first, submit a report to the governor and council, which shall include an account of the general work of the department, the institute work, the special teaching, and that of the heads of the various departments under his jurisdiction, and such other information pertaining to the department as may be of public and general interest. He shall include such recommendations for legislative action as the premises may demand. He shall also include in his report a statement of the total amounts of all expenditures, so classified as to show the amount expended in support of the several departments of work covered, and he shall also include therein an account stating by properly classified totals, all moneys received from sources other than the state treasury. The report shall be distributed to the town and public libraries of the state and to farmers, agriculturalists, and others desiring it.

Disposition of moneys received.

SECT. 7. All moneys received officially by the commissioner of agriculture, from sources outside the state treasury, shall be turned over to the state treasury in monthly payments, with an account

showing the date when and the source from which the same was received, and the consideration therefor.

SECT. 8. The provisions of the budget bills, so far as appropriations are thereby made for the board of agriculture, the cattle commission, and the department for the suppression of the gypsy and brown-tail moths, are hereby made applicable to the department of agriculture hereby created, and to the sub-division thereof, excepting in so far as they conflict with the salaries and clerical expenses hereby fixed, as to which the provisions hereof shall prevail, and such shall be paid out of the treasury on the warrant of the governor, and any unexpended balance thereof shall lapse at the end of three years from the passage hereof. The books of the office shall be at all times open to inspection by the governor and council, the state auditor, and state treasurer.

SECT. 9. All acts or parts of acts inconsistent with this act, are hereby repealed, and this act shall take effect September first, nineteen hundred and thirteen.

[Approved May 21, 1913.]

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## CHAPTER 164.

### AN ACT TO AMEND SECTION 1 OF CHAPTER 29, SESSION LAWS OF 1905, RELATING TO THE LICENSING OF FIRE INSURANCE BROKERS.

#### SECTION

1. Fire insurance brokers, licenses to, how granted and revoked.
2. Prior act repealed.

#### SECTION

3. Repealing clause; act takes effect January 1, 1914.

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

SECTION 1. Amend section 1 of chapter 29 of the Laws of 1905 by striking out the whole of said section and by inserting in place thereof the following: SECTION 1. The insurance commissioner may upon the payment of ten dollars issue to any suitable person resident in this state, or resident in any other state granting fire insurance brokers' licenses to residents of this state, a license to act as a fire insurance broker to negotiate contracts of fire insurance or reinsurance or place risks or effect fire insurance or reinsurance with any qualified domestic fire insurance company or its agent, or with the authorized agent in this state of any foreign fire insurance company duly admitted to do business in this state upon the fol-

Transfer of appropriations.

Repealing clause; act takes effect on passage.

Fire insurance brokers, licenses to, how granted and revoked.

lowing conditions: the applicant for such a license shall file with the insurance commissioner an application which shall be in writing upon a form to be provided by the commissioner, and shall be executed by the applicant under oath and kept on file by the insurance commissioner. Such application shall state the name, age, residence and occupation of the applicant at the time of making application, his occupation for the five years next preceding the date of filing the application, and shall state that the applicant intends to hold himself out and carry on business in good faith as a fire insurance broker, and shall give such other information as the commissioner may require. The application shall be accompanied by a statement upon a blank furnished by the insurance commissioner as to the trustworthiness and competency of the applicant, signed by at least three reputable citizens of this state. If the insurance commissioner is satisfied that the applicant is trustworthy and competent and intends to hold himself out and carry on business in good faith as a fire insurance broker, he shall issue to him the license applied for. The commissioner may at any time after the granting of a broker's license, for cause shown, and after a hearing, determine that the licensee has not complied with the insurance laws or is not trustworthy or competent, or is not holding himself out and actually carrying on business as a fire insurance broker, or is not a suitable person to act as such broker, and he shall thereupon revoke the license of such broker and notify him that his license has been revoked. A broker's license shall remain in force until the first day of the next April after its issue, unless sooner revoked by the insurance commissioner for cause. The commissioner shall publish a notice of the revocation of a broker's license in such manner as he deems proper for the protection of the public. No fee for the license aforesaid shall be required of any agent of a foreign fire insurance company whose license fees as such agent amount to ten dollars, and in case his license fees as such agent are less than ten dollars, then he shall be required to pay such amount as with such fees shall amount to ten dollars. Brokers' licenses issued on applications as herein provided may, in the discretion of the insurance commissioner, be renewed upon the payment of the proper fees without his requiring anew the details required in the original application.

Prior act repealed. SECT. 2. Chapter 61 of the Laws of 1911 is hereby repealed.  
 Repealing clause; SECT. 3. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect  
 act takes effect January 1, 1914. January 1, 1914.

[Approved May 21, 1913.]



CHAPTER 165.

AN ACT ABOLISHING THE BOARD OF FISH AND GAME COMMISSIONERS, AND CREATING THE OFFICE OF FISH AND GAME COMMISSIONER.

SECTION

- 1. Existing board abolished; new office created.
- 2. Fish and game commissioner, appointment of.
- 3. Salary of commissioner.
- 4. Duties of commissioner.
- 5. Deputies, duties and compensation of.

SECTION

- 6. Prosecution of offenders.
- 7. Hunters' licenses, how issued.
- 8. Expenses to be paid from receipts; surplus, how expended.
- 9. Transfer of appropriations.
- 10. Takes effect June 1, 1913; repealing clause.

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

SECTION 1. The tenure of office of the present board of fish and game commissioners is hereby terminated, and said board of three commissioners is hereby abolished, and in place thereof is hereby created the office of fish and game commissioner. Existing board abolished; new office created.

SECT. 2. The governor, by and with the advice and approval of the council, shall appoint and commission a competent fish and game commissioner, whose term of office shall be for three years from the date of his commission, and who shall serve until his successor is appointed and qualified. He shall give bond to the State of New Hampshire in the sum of five thousand dollars, for the faithful performance of the duties of his office. Fish and game commissioner, appointment of.

SECT. 3. The annual salary of said fish and game commissioner shall be eighteen hundred dollars, payable in equal monthly payments. There shall be, and hereby is appropriated annually nine hundred dollars for clerical expenses in said office. Salary.

SECT. 4. Said commissioner shall have all the powers and perform all the duties imposed by the laws of this state in force next prior to the passage of this act, upon the fish and game commissioners, unless herein otherwise specifically provided. Duties.

SECT. 5. Said commissioner shall, with the advice and approval of the governor and council, biennially appoint one deputy in each county, who shall, under the direction of the commissioner, perform the duties heretofore imposed upon the detectives of the fish and game department, and who shall, in the enforcement of all fish and game laws of the state, have the powers of deputy sheriffs. Such deputies may be removed by the commissioner on the approval of the governor and council. The commissioner and deputies shall cooperate with county solicitors and sheriffs or deputies in the prosecution of violators of the fish and game laws; and said deputies shall perform such duties with reference to the department as may Deputy in each county; duties and compensation.

be required by the commissioner, whether in their own or in another county. Such deputies shall give bond to the state in the sum of one thousand dollars for the faithful performance of their duties, and shall keep and return once each month to the commissioner, in such form as shall be prescribed by the state auditor, a true and accurate statement of their time spent in the performance of their official duties, and of the work done and locality where performed; and of all prosecutions conducted and cases investigated, with a detailed statement of expenses paid, showing the person to whom and the date when paid, and the consideration therefor, and verified by proper vouchers. They shall be paid for each day of actual service, three dollars, and their actual expenses, subject to the audit and approval of the state auditor. They may, with the approval of the commissioner, employ assistance in the detection of violations of the fish and game laws, upon a price fixed in advance.

Prosecutions.

SECT. 6. All prosecutions conducted by or with the co-operation of this department, excepting when begun in the superior court, shall be begun in some regularly constituted police court or commissioned trial justice within the county wherein the offense was committed.

Hunters' licenses,  
how issued.

SECT. 7. All non-resident hunters' licenses, and all resident hunters' permits, within the city of Concord and adjacent towns, shall be issued from the office of said fish and game commissioner; and all other resident hunters' permits may be issued by town clerks, to residents of their towns, or to others who may be personally known to the town clerk, to be a resident of the state of New Hampshire, and if any town clerk shall issue a permit to any person not personally known to him to be a resident of the state of New Hampshire, he shall be fined not exceeding ten dollars (\$10); each town clerk shall retain ten cents for each permit so issued by him, and remit the balance to the fish and game commissioner, in monthly installments, with a complete list of the persons to whom, and the date when issued, as hereinafter provided. For the purpose of this section, the commissioner shall supply town clerks with books containing consecutively numbered permits, and having duplicate stubs upon which shall be recorded the number of the permit and the date issued, and upon which the person to whom the permit is issued, shall sign his name and state his address, for a failure to truthfully do which, the person to whom the permit is issued shall be liable to a fine not exceeding ten dollars. *Provided*, that no hunter's permit shall be issued to minors under eighteen years of age, excepting upon the written permission of a parent or guardian, signed in the presence of the town clerk issuing the permit, and by him to be attached to the stub of the permit and returned therewith to the commissioner.

SECT. 8. The expenses of this department shall be paid from the proceeds derived from fines paid for violations of any of the fish and game laws of the state, and the balance from non-resident hunters' licenses and resident hunters' permits, and any surplus remaining from such receipts, shall be devoted, first, to the special appropriations for screening ponds; and secondly, to such further screening as is authorized by the governor and council, under existing laws, and thereafter to the appropriations for the forestry work of the state, under the direction of the governor and council.

Expenses to be paid from receipts; surplus, how expended.

SECT. 9. The provisions in the budget bills, so far as appropriations are made for the fish and game commissioners, and their department, shall apply to the office of fish and game commissioner, and the amounts thereby appropriated are hereby reduced as to the appropriation for salaries, to the amount herein provided for salaries; and in all other respects, to stand as now existing, with the addition for clerical expenses, herein provided.

Transfer of appropriations.

SECT. 10. This act shall take effect June 1st, 1913, and all acts and parts of acts inconsistent herewith are hereby repealed.

Takes effect June 1, 1913; repealing clause.

[Approved May 21, 1913.]

CHAPTER 166.

AN ACT RELATIVE TO THE NORMAL SCHOOL AT PLYMOUTH, N. H.

SECTION

- 1. Appropriation for dormitory.
- 2. Bond issue authorized.
- 3. Designation and form of bonds.
- 4. Exemption from taxation.

SECTION

- 5. Disbursement of funds.
- 6. Temporary loan authorized.
- 7. Use of certain building discontinued.
- 8. Takes effect on passage.

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

SECTION 1. That the sum of forty thousand (\$40,000) be, and hereby is, raised and appropriated, for providing additional, adequate and safe accommodations for the Plymouth Normal School, said accommodations to consist of a dormitory, including a gymnasium, together with the necessary heating and lighting equipment and furnishings; said sum to be expended upon the order and under the direction of the governor and council.

Appropriation of \$40,000 for dormitory.

SECT. 2. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow said sum of forty thousand (\$40,000), on the credit of the state; and to issue

Bond issue authorized.

bonds, or certificates of indebtedness, therefor, in the name and on behalf of the state, payable July 1, 1929, at a rate of interest not exceeding three and one half per cent., per annum; interest payable semiannually on the first days of January and July of each year; such bonds to have interest warrants or coupons attached thereto; said coupons to be signed by the state treasurer, and said bonds and coupons to be payable at such place as the governor and council shall designate.

Designation and form of bonds.

SECT. 3. Said bonds shall be designated New Hampshire State Normal School bonds and shall be signed by the treasurer, and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep a record of all bonds countersigned by the governor, showing the number and amount of each bond, the time of countersigning, the time when payable, and the date of the delivery to the state treasurer. The treasurer shall keep a record of all bonds disposed of by him, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable. The treasurer may negotiate and sell such bonds to the best advantage for the state, but no bond shall be sold for less than its par value, nor shall such bonds be loaned, pledged or hypothecated in any way whatever by the state.

Exemption from taxation.

SECT. 4. Said bonds when owned by residents or savings banks of this state shall be exempt from taxation.

Disbursement of funds.

SECT. 5. The governor shall draw his orders on the state treasurer for the amounts that may be, or become, due, from time to time, under the contracts of the trustees, approved by the governor and council, for the purposes aforesaid, after said bills shall have been duly approved by the governor and council, to an amount not exceeding the proceeds of said bonds.

Temporary loan authorized.

SECT. 6. To provide for the purposes enumerated in section 1 of this act, pending the sale of said bonds, as above provided, the governor and council may, and hereby are authorized, to borrow money on the credit of the state, to an amount not exceeding twenty-five thousand dollars, and to use an amount of the avails of said bonds, when sold, sufficient to pay the principal and interest of the money so borrowed.

Use of certain building discontinued.

SECT. 7. The use of the addition erected about eight years ago and considered unsafe by the trustees shall be discontinued.

Takes effect on passage.

SECT. 8. This bill shall take effect upon its passage.

[Approved May 21, 1913.]

CHAPTER 167.

AN ACT TO PROVIDE FOR THE ELECTION OF DELEGATES TO NATIONAL CONVENTIONS BY DIRECT VOTE OF THE PEOPLE.

SECTION

- 1. Elections, when held.
- 2. Where held.
- 3. Hours of voting.
- 4. Official ballot to be used.
- 5. Declarations of candidacy.
- 6. Vacancy on ballot, how filled.

SECTION

- 7. Notice of result, to whom given; how obtained.
- 8. Certain provisions of direct primary law applicable.
- 9. Repealing clause; act takes effect on passage.

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

SECTION 1. On the third Tuesday in May in the year 1916, and in each year thereafter when a president of the United States is to be elected, a primary shall be held for the election of delegates at large, alternate delegates at large, delegates and alternate delegates to the national conventions of the various political parties to be held to nominate party candidates for president and vice-president of the United States. Elections, when held.

SECT. 2. Said primary election shall be held at the regular polling places and shall be conducted by the regular election officers. Where held.

SECT. 3. (1) In all towns the polls shall be held open not less than four hours, and so much longer as shall be necessary to afford every voter present and desiring to vote an opportunity to vote, and until the voters present shall vote to close the polls. (2) In cities, the polls shall be held open from 3 o'clock p. m. till 8 o'clock p. m. Hours of voting

SECT. 4. The secretary of state shall prepare and distribute for use at such primary an official ballot for each political party. Official ballot.

SECT. 5. The name of no candidate shall be printed upon any such ballot unless not more than sixty nor less than eighteen days before the primary he shall have filed with the secretary of state a declaration of candidacy, and unless he, or some person for him, shall have paid to the secretary of state a filing fee of ten dollars (\$10), or file with the secretary of state a petition containing one hundred (100) names of legal voters requesting that his name be placed on the primary ballot, *provided, however,* that vacancies on the primary ballot of any party may be filled as provided in section 6 of this act. Declarations of candidacy shall be in form as follows: I ..... declare that I reside in ward ..... in the city (or town) of ..... county of ..... and state of New Hampshire, and am a qualified voter therein; that I am a member of the ..... party; that I am a candidate for election as delegate (or as alternate delegate Declarations of candidacy.

or delegate at large or alternate delegate at large) to the national convention of the ..... party next to be held for the nomination of candidates of said party for president and vice-president of the United States. I request that my name be printed as such candidate on the official ballot of the ..... party to be used at the primary to be held on the third Tuesday of May next. I further declare that if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) I will attend such convention unless I shall be prevented by sickness or other occurrence over which I have no control. If the person desires to do so, he may add to such declaration the following statement: I pledge myself, if elected as such delegate (or alternate delegate or delegate at large or alternate delegate at large) to vote, in said convention whenever I shall vote, for the nomination of (inserting the name of any person) as the candidate of said party for president so long as he shall be a candidate before said convention, and I request that after my name upon the ballot shall be printed the words pledged to vote for the nomination of (naming the same person) for president. And in that event, said words shall be printed upon the primary ballot following his name as requested.

Vacancy, how filled.

SECT. 6. If there is to be a vacancy upon the primary ballot of any party by reason of the failure of as many persons to file as candidates for delegates and for alternate delegate and delegate at large and alternate delegate at large as are to be elected, such vacancies may be filled, after the expiration of the time allowed in this act for filing and fifteen days before the primary, by the state committee of that party without the payment of any fee, and the secretary of state upon receipt of proper notice shall cause the names selected by the state committee to be printed upon the primary ballot to fill such vacancies.

Notice of result; recounts.

SECT. 7. (1) After completing the canvass of returns from the primary, the secretary of state shall send by mail notice to each person whose name was printed upon the ballot of any party of the names of the delegate at large, alternate delegates at large, delegates and alternate delegates, elected by that party, and shall not be required to advertise the result of said primary. (2) If any person whose name was printed as a candidate upon the ballot of any party is not elected according to the canvass first made by the secretary of state, he may obtain a recount by applying in writing therefor to the secretary of state within ten days after he shall have been notified of the result of the primary, and by paying fees as follows: (a) If he has been voted for throughout the state, one hundred dollars. (b) If he has been voted for in a district less in area than the entire state, fifty dollars.

SECT. 8. The provisions of chapter 153 of the Laws of 1909 with regard to the preparation and distribution of ballots, the sending and posting of notices, the preparation and posting of checklists, the conduct of primaries, the registration and the preservation of the registration of the party membership of voters, the counting of votes, the making of returns thereof, the canvass of the same, and all other kindred subjects, shall apply to all primaries held under the provisions of this act unless clearly inconsistent, the intent of this act being to provide the same method for the election of all delegates and delegates at large and alternate delegates and delegates at large to national conventions, as is provided by that act for the nomination of officers and the election of delegates to state conventions.

Certain provisions of direct primary law applicable.

SECT. 9. All acts and parts of acts inconsistent herewith are repealed, and this act shall take effect upon its passage.

Repealing clause; act takes effect on passage.

[Approved May 21, 1913.]

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CHAPTER 168.

AN ACT TO ESTABLISH A STATE HIGHWAY CONNECTING THE MERRIMACK VALLEY ROAD WITH THE EAST SIDE ROUTE.

SECTION

1. Highway established.
2. Route, how determined.
3. Limitation of state aid.
4. Reimbursement of towns.
5. Apportionment of funds.

SECTION

6. Immediate improvement.
7. Maintenance after improvement.
8. Powers of governor and council.
9. Appropriation of \$25,000.
10. Takes effect on passage.

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

SECTION 1. The governor and council shall forthwith designate for improvement by suitable description a continuous highway at a point in Meredith to a point on the East Side road at West Ossipee, and file the same with the secretary of state. Starting from the Merrimack Valley road at Meredith, going through the town of Meredith to Center Harbor village, over the main stage road, thence through Moultonborough, Sandwich, Tamworth and Ossipee, following the old North Conway stage road to the East Side road near the village of West Ossipee.

Highway established.

SECT. 2. The route of such highway may be changed from existing highways by the governor and council to such extent as in their opinion the public good may require, and for that purpose they are authorized to designate such changes, to take or purchase

Route, how determined.

land and have damages assessed therefor in accordance with the provisions of chapter 35 of the session Laws of 1905.

Limitation of state aid.

SECT. 3. No town through which said highway is designated to pass shall receive any state aid for highway improvements except on such highway until said improvements thereon shall have been completed within such town. No part of the funds hereby provided shall be used within the compact part of any city or town having a population of two thousand or more, such compact part to be determined by the governor and council.

Reimbursement of towns.

SECT. 4. Towns through which such highway shall pass shall receive from funds herein provided one half the cost of such improvements within their limits; all state roads in said towns are hereby made a part of the system of highways of the town, and are to be town highways.

Apportionment of funds.

SECT. 5. The governor and council shall apportion the fund hereby to the several towns through which said highway shall pass. In making such apportionment preference shall be given to such parts of said highway as have not heretofore been improved under state aid, and to such portions as shall be in such condition as to require immediate improvement.

Immediate improvement.

SECT. 6. If, in the opinion of the governor and council, any part or parts of said highway shall be in such condition as to require immediate improvement, the money hereby appropriated may be used wholly or in part in improving such part or parts, and the governor and council shall have authority to make all contracts necessary for such immediate improvement.

Maintenance.

SECT. 7. Said highway, after improvements are made as herein provided for, shall be maintained in the same manner provided by chapter 35 of the Laws of 1905 for the maintenance of highways improved by the expenditures of joint funds.

Powers of governor and council.

SECT. 8. In carrying out the provisions of this act the governor and council and the officers of towns and cities shall have all the powers and duties conferred on them by chapter 35 of the Laws of 1905. All improvements shall be made in accordance with said chapter, except as otherwise provided herein.

Appropriation of \$25,000.

SECT. 9. The sum of twenty-five thousand dollars is hereby appropriated to carry out the provisions of this act.

Takes effect on passage.

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

[Approved May 21, 1913.]



## CHAPTER 169.

## AN ACT ESTABLISHING POLICE COURTS FOR CERTAIN DISTRICTS IN THE STATE OF NEW HAMPSHIRE, AND ABOLISHING EXISTING POLICE COURTS.

## SECTION

1. District of Nashua.
2. District of Manchester.
3. District of Milford.
4. District of Greenville.
5. District of Peterborough.
6. District of Hillsborough.
7. District of Goffstown.
8. District of Derry.
9. District of Exeter.
10. District of Salem.
11. District of Hampton.
12. District of Newmarket.
13. District of Candia.
14. District of Portsmouth.
15. District of Dover.
16. District of Rochester.
17. District of Farmington.
18. District of Somersworth.
19. District of Pittsfield.
20. District of Pembroke.
21. District of Franklin.
22. District of Bradford.
23. District of Concord.
24. District of Keene.
25. District of Winchester.
26. District of Troy.
27. District of Jaffrey.
28. District of Walpole.
29. District of Newport.
30. District of Claremont.
31. District of Charlestown.
32. District of Laconia.
33. District of Tilton.
34. District of Alton.
35. District of Bristol.
36. District of Haverhill.
37. District of Hanover.
38. District of Lebanon.
39. District of Plymouth.
40. District of Littleton.
41. District of Lisbon.
42. District of Canaan.
43. District of Woodstock.
44. District of Wolfeboro.

## SECTION

45. District of Ossipee.
46. District of Conway.
47. District of Berlin.
48. District of Northumberland.
49. District of Whitefield.
50. District of Gorham.
51. District of Lancaster.
52. District of Colebrook.
53. Justice and special justice for each court.
54. If both disqualified, procedure.
55. Disqualifications for practice.
56. Justice or special justice, when entitled to fees.
57. Administration of oaths.
58. Clerks for certain courts.
59. Other justices may act as or appoint clerks.
60. Duties of clerks.
61. Bond of clerk or acting clerk.
62. Office hours of clerks.
63. Courts of record with seals.
64. Concurrent civil jurisdiction.
65. Original criminal jurisdiction.
66. Final judgment in criminal cases.
67. Writs, etc., form of.
68. Civil sessions, when and where held.
69. Writs, etc., when returnable.
70. Executions, when issued and returnable.
71. Appeals, how taken.
72. Existing procedure applicable.
73. Common counts as in superior court writs.
74. Pending actions transferred.
75. Towns and cities to provide court rooms.
76. Salaries of justices, special justices, and clerks.
77. Tenure of office of existing judges, etc., terminated.
78. Repealing clause; act takes effect July 1, 1913.

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

SECTION 1. The city of Nashua and the towns of Hollis, Merrimack, Hudson, Pelham and Litchfield, in the county of Hillsborough, shall constitute a judicial district, which shall be under

District of Nashua.

the jurisdiction of a police court, to be known as the police court for the district of Nashua, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Nashua.

District of  
Manchester.

SECT. 2. The city of Manchester and the town of Bedford, in the county of Hillsborough, shall constitute a judicial district, which shall be under the jurisdiction of a police court, to be known as the police court for the district of Manchester, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Manchester.

District of  
Milford.

SECT. 3. The towns of Milford, Wilton, Lyndeborough, Mont Vernon, Amherst and Brookline, in the county of Hillsborough, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Milford, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Milford.

District of  
Greenville.

SECT. 4. The towns of Greenville, New Ipswich, and Mason in the county of Hillsborough, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Greenville, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Greenville.

District of  
Peterborough.

SECT. 5. The towns of Peterborough, Hancock, Greenfield, Temple and Sharon, in the county of Hillsborough, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Peterborough, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Peterborough.

District of  
Hillsborough.

SECT. 6. The towns of Hillsborough, Bennington, Deering, Antrim, Francestown and Windsor, in the county of Hillsborough, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Hillsborough, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Hillsborough.

District of  
Goffstown.

SECT. 7. The towns of Goffstown, Weare and New Boston, in the county of Hillsborough, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Goffstown, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Goffstown.

District of  
Derry.

SECT. 8. The towns of Derry, Windham, Danville, Londonderry, Chester, Sandown and Fremont, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district

of Derry, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Derry.

SECT. 9. The towns of Exeter, Kensington, East Kingston and Kingston, Brentwood, Newfields and Stratham, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Exeter, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Exeter. District of Exeter.

SECT. 10. The towns of Salem, Plaistow, Atkinson, Hampstead and Newton, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Salem, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Salem. District of Salem.

SECT. 11. The towns of Hampton, North Hampton, South Hampton, Hampton Falls, and Seabrook in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Hampton, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Hampton. District of Hampton.

SECT. 12. The towns of Newmarket and Epping, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Newmarket, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Newmarket. District of Newmarket.

SECT. 13. The towns of Candia, Auburn, Nottingham, Deerfield, Northwood and Raymond, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Candia, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Candia. District of Candia.

SECT. 14. The city of Portsmouth and the towns of Newington, Newcastle, Greenland and Rye, in the county of Rockingham, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Portsmouth, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Portsmouth. District of Portsmouth.

SECT. 15. The city of Dover and the towns of Madbury, Lee and Durham, in the county of Strafford, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Dover, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Dover. District of Dover.

District of  
Rochester.

SECT. 16. The city of Rochester and the towns of Milton, Strafford and Barrington, in the county of Strafford, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Rochester, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Rochester.

District of  
Farmington.

SECT. 17. The towns of Farmington, Middleton and New Durham, in the county of Strafford, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Farmington, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Farmington.

District of  
Somersworth.

SECT. 18. The city of Somersworth and the town of Rollinsford, in the county of Strafford, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Somersworth, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Somersworth.

District of  
Pittsfield.

SECT. 19. The towns of Pittsfield, Chichester and Epsom, in the county of Merrimack, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Pittsfield, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Pittsfield.

District of  
Pembroke.

SECT. 20. The towns of Pembroke, Allenstown and Hooksett in the county of Merrimack, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Pembroke, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Pembroke.

District of  
Franklin.

SECT. 21. The city of Franklin and the towns of Hill, Wilnot, Danbury, Andover, Northfield and Salisbury, in the county of Merrimack, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Franklin, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Franklin.

District of  
Bradford.

SECT. 22. The towns of Bradford, Sutton, Newbury, Warner, New London and Henniker, in the county of Merrimack, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Bradford, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Bradford.

District of  
Concord.

SECT. 23. The city of Concord and the towns of Boscawen, Webster, Canterbury, London, Bow, Dunbarton and Hopkinton, in

the county of Merrimack, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Concord, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Concord.

SECT. 24. The city of Keene, and the towns of Chesterfield,<sup>District of Keene.</sup> Dublin, Harrisville, Nelson, Stoddard, Richmond, Westmoreland, Gilsum, Marlborough, Surry, Roxbury, Sullivan, Marlow, and Swanzey, in the county of Cheshire, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Keene, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Keene.

SECT. 25. The towns of Winchester and Hinsdale in the county of Cheshire, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Winchester,<sup>District of Winchester.</sup> which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Winchester.

SECT. 26. The towns of Troy and Fitzwilliam, in the county of Cheshire, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Troy,<sup>District of Troy.</sup> which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Troy.

SECT. 27. The towns of Jaffrey and Rindge, in the county of Cheshire, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Jaffrey,<sup>District of Jaffrey.</sup> which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Jaffrey.

SECT. 28. The towns of Walpole and Alstead, in the county of Cheshire, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Walpole,<sup>District of Walpole.</sup> which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Walpole.

SECT. 29. The towns of Newport, Croydon, Springfield, Sunapee, Lempster, Goshen, Washington and Grantham, in the county of Sullivan, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Newport,<sup>District of Newport.</sup> which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Newport.

District of  
Claremont.

SECT. 30. The towns of Claremont, Cornish, Plainfield and Unity, in the county of Sullivan, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Claremont, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Claremont.

District of  
Charlestown.

SECT. 31. The towns of Charlestown, Acworth and Langdon, in the county of Sullivan, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Charlestown, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Charlestown.

District of  
Laconia.

SECT. 32. The city of Laconia and the towns of Meredith, New Hampton, Gilford and Center Harbor, in the county of Belknap, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Laconia, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Laconia.

District of  
Tilton.

SECT. 33. The towns of Tilton, Belmont and Sanbornton, in the county of Belknap, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Tilton, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Tilton.

District of Alton.

SECT. 34. The towns of Alton, Barnstead and Gilmanton, in the county of Belknap, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Alton, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Alton.

District of Bristol.

SECT. 35. The towns of Bristol, Alexandria, Groton and Hebron, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Bristol, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Bristol.

District of  
Haverhill.

SECT. 36. The towns of Haverhill, Orford, Benton, Warren, Monroe, and Piermont, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Haverhill, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Haverhill.

District of  
Hanover.

SECT. 37. The town of Hanover, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district

of Hanover, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Hanover.

SECT. 38. The towns of Lebanon and Lyme, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Lebanon, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Lebanon.

District of  
Lebanon.

SECT. 39. The towns of Plymouth, Ashland, Bridgewater, Holderness, Campton, Rumney and Wentworth, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Plymouth, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Plymouth.

District of  
Plymouth.

SECT. 40. The towns of Littleton, Bethlehem and Franconia, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Littleton, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Littleton.

District of  
Littleton.

SECT. 41. The towns of Lisbon, Lyman, Bath, Landaff and Easton, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Lisbon, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Lisbon.

District of Lisbon.

SECT. 42. The towns of Canaan, Orange, Grafton, Enfield and Dorchester, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Canaan, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Canaan.

District of  
Canaan.

SECT. 43. The towns of Woodstock, Lincoln, Thornton, Livermore, Ellsworth and Waterville, in the county of Grafton, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Woodstock, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Woodstock.

District of  
Woodstock.

SECT. 44. The towns of Wolfeboro, Tuftonboro, Sandwich and Moultonborough, in the county of Carroll, shall constitute a judicial district which shall be under the jurisdiction of a police court to be known as the police court for the district of Wolfeboro, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Wolfeboro.

District of  
Wolfeboro.

District of  
Ossipee.

SECT. 45. The towns of Ossipee, Wakefield, Brookfield, Tamworth, Freedom and Effingham, in the county of Carroll, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Ossipee, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Ossipee.

District of  
Conway.

SECT. 46. The towns of Conway, Albany, Jackson, Bartlett, Chatham, Eaton, Hart's Location and Madison, in the county of Carroll, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Conway, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Conway.

District of Berlin.

SECT. 47. The city of Berlin and the towns of Milan and Dummer, in the county of Coos, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Berlin, which court is hereby established. Said court shall hold its sessions in some suitable place in the city of Berlin.

District of  
Northumberland.

SECT. 48. The towns of Northumberland, Stratford and Stark, in the county of Coos, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Northumberland, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Northumberland.

District of  
Whitefield.

SECT. 49. The towns of Whitefield, Carroll and Dalton, in the county of Coos, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Whitefield, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Whitefield.

District of  
Gorham.

SECT. 50. The towns of Gorham, Shelburne and Randolph, in the county of Coos, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Gorham, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Gorham.

District of  
Lancaster.

SECT. 51. The towns of Lancaster and Jefferson, in the county of Coos, shall constitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Lancaster, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Lancaster.

District of  
Colebrook.

SECT. 52. The towns of Colebrook, Stewartstown, Columbia and the remaining organized towns in the county of Coos, shall con-



stitute a judicial district which shall be under the jurisdiction of a police court, to be known as the police court for the district of Colebrook, which court is hereby established. Said court shall hold its sessions in some suitable place in the town of Colebrook.

SECT. 53. Such police courts shall consist of one learned, able, and discreet person, appointed and commissioned as justice thereof by the governor, with the advice and approval of the council; and a special justice, appointed and commissioned in like manner, who, in the absence, inability or disqualification of the justice, shall perform the duties and exercise the powers of the office.

SECT. 54. If the justice and special justice are disqualified or unable from any cause to sit in any case, a disinterested justice of the peace, attending upon the written request of the justice, may hear and determine the case, and issue final process therein, and he shall keep a record thereof, which shall be kept with and constitute a part of the records of said court, all of which shall have like effect as if it were heard and determined by the justice of said court.

SECT. 55. No justice, special justice or clerk of any such courts shall be retained or employed as attorney in any action, complaint or proceeding pending in his court, or which has been examined or tried therein, nor shall any attorney be permitted to practice before any such court when the justice or special justice thereof is connected with or associated with said attorney as partner.

SECT. 56. No justice or clerk shall receive any fee or compensation to his own use other than his salary; but the clerk, or any justice or special justice performing the duties of clerk, shall collect and receive fifty cents for the entry of every civil action, and the legal fees for issuing warrants, writs, subpoenas, executions, writs of possession in landlord and tenant cases, bail papers issued by him as a part of the business of such court; and shall render a true account thereof monthly to the county treasurer.

SECT. 57. Justices, special justices and clerks may administer oaths in all cases in which an oath is required.

SECT. 58. The police courts for the districts of Nashua, Manchester, Portsmouth, Dover, Rochester, Somersworth, Concord, Franklin, Keene, Claremont, Laconia, and Berlin, shall have a clerk who shall be appointed by the governor, with the advice and approval of the council, for the term of five years, and in case of absence, death, or removal of any such clerk of such police court, the court may appoint a clerk *pro tempore*, who shall act until the clerk resumes his duties or until the vacancy is filled.

SECT. 59. The justice of a police court for which no clerk is provided by the provisions of this act, shall keep a record of its proceedings and perform all other duties of the clerk, or he may appoint a clerk who shall be paid by him, for whose official acts he

shall be responsible, and who shall hold his office during the pleasure of such justice.

Duties of clerks.

SECT. 60. The clerks shall be sworn to the faithful performance of their duties. They shall attend all sessions of their respective courts and shall keep a record of all its proceedings. The clerk of each court or the justice of such a court who may act in that capacity may issue writs and processes, shall receive all fines, forfeitures, and costs accruing from the business of the court in civil and criminal cases, including fees for blanks, copies and other papers, and all such fines, forfeitures, costs and fees shall, except in cases where otherwise specifically fixed by statute, to be paid to the county treasurer in monthly payments for the general use of the county, with a detailed statement of the amount and date when the person from whom received, and the consideration therefor. *Provided, however,* that from such fines, forfeitures, costs and fees, the clerk, or the justice in such courts as have no clerk, shall pay the cost of justices' or clerks' bonds, court seal, record books, printing blanks, fees of officers and witnesses, and such other expenses as may be legally incurred in the maintenance and conduct of the court; and he shall render in the aforesaid monthly statement a full account thereof, properly verified by vouchers, and the same shall be subject to the audit of the county commissioners.

Bond of clerk or acting clerk.

SECT. 61. The clerk, or if no clerk is required by this act or appointed by the justice, then and in that event, the justice and special justice, before entering upon the performance of his official duties, shall give a bond in the sum of one thousand dollars to the treasurer of the county with sufficient sureties to be approved by the county auditors, conditioned to account for and pay over as required by law, all fines, forfeitures, fees and other money received by him in the exercise of his office, as herein provided, and a failure so to account or pay over shall be a breach of the condition of his bond.

Office hours of clerks.

SECT. 62. Justices of police courts shall prescribe reasonable office hours for the clerks of their respective courts, during which the offices of the clerks shall be required to be open, such hours shall be fixed with reference to the business of such court and with reference to the convenience of the public and of attorneys. The office hours as fixed shall be posted in a conspicuous place in each of such offices, and shall be set forth in the printed rules of such courts. Clerks shall also keep their offices open whenever the court so orders.

Courts of record with seals.

SECT. 63. Said courts are hereby made courts of record and shall have a seal, stating the title of the court as herein fixed, with the addition of the words, in the State of New Hampshire.

Concurrent civil jurisdiction.

SECT. 64. The police courts herein established shall have con-

current jurisdiction with the superior court of civil causes in which the damages demanded do not exceed one hundred dollars and the title to real estate is not concerned. All such actions before police courts shall be made returnable before the court of the district within which one of the parties resides, and no writ or proceeding in a civil action shall hereafter be made returnable before a justice of the peace within a district having a police court, but shall be returnable and returned before such police court.

SECT. 65. Such police courts shall have original jurisdiction, Original criminal jurisdiction. subject to the right of appeal, of all crimes and offenses committed within the district in which the court is established where the fine does not exceed the sum of five hundred dollars and imprisonment does not exceed one year in jail, but nothing herein shall be construed to permit any such court to impose a term of imprisonment in the state prison.

SECT. 66. Such courts may render final judgment and sentence Final judgment in criminal cases. in any criminal case where the fine does not exceed five hundred dollars and the term of imprisonment does not exceed one year in the common jail, if the accused pleads guilty or *nolo contendere*, or files a writing by which he elects a trial by the court and waives his right of appeal.

SECT. 67. Writs and other process issuing from police courts Writs, etc., form of. shall be under the seal thereof, shall bear *teste* of the justice, if not disqualified, otherwise of the special justice and shall be signed by the clerk.

SECT. 68. A session of such court for civil business shall be Civil sessions, when and where held. holden on one day at least in each month, as may be appointed by law or by a rule of the court, and at such other times as may be necessary, and may be adjourned from day to day, or to a future day, not beyond the next established session; and sessions thereof may be holden at places within the district other than as herein-before specified, when the convenience of the parties, witnesses or counsel may reasonably require, *provided* that the party asking for the same shall indemnify the judge for his reasonable expenses occasioned thereby, which may be taxed as costs, if such party prevails.

SECT. 69. Writs and processes in civil actions, except those for the removal of tenants, shall be returnable at the regular session of the court for civil business; writs or summons against tenants may be returnable on any day. Writs, etc., when returnable.

SECT. 70. Executions on judgments in civil suits in police courts shall not be issued until twenty-four hours after judgment, and shall be made returnable within sixty days from the date thereof. Executions, when issued and returnable.

SECT. 71. Appeals may be taken from judgments of police courts in the same manner and upon the same conditions as heretofore. Appeals, how taken. The same fees shall be allowed, in proceedings in such courts,

as have heretofore been allowed, by law, in like cases before police courts.

Existing procedure applicable.

SECT. 72. All the provisions of the statutes of the state, not inconsistent herewith, relating to procedure in civil or criminal matters in police courts, shall remain in full force, and apply to the courts hereby established.

Common counts.

SECT. 73. The common counts in the writs issued by and returnable to said courts shall conform to those in the writs issued by the superior court.

Pending actions transferred.

SECT. 74. Any suits and proceedings which, at the date when this act takes effect, have heretofore been begun, or are pending in or returnable to any police court within any district herein defined; or before any justice of the peace within any such district, shall be transferred to and be heard and determined before the police court hereby created for that district; and the records of any police court existing next prior to the passage of this act, within any district herein defined and created, shall be delivered to the justice of the police court hereby created for such district, to be kept with the records of such court.

Court rooms, how provided.

SECT. 75. Towns and cities wherein the general sessions of said courts are held, shall, in consideration of the convenience thereof to such towns and cities, provide some suitable room or place wherein the sessions of said court may be held.

Salaries of justices, special justices, and clerks.

SECT. 76. The salaries of the justices and clerks of said police courts shall be paid in monthly payments from the county treasurer; and the special justices shall be allowed three dollars per day for each day's attendance, except as herein otherwise provided, to be paid from the county treasury; and the same may, in the discretion of the special justice, be taxed as costs in the proceeding, and when recovered, shall be paid to the county. The annual salary of said justices and clerks of said court, shall be as follows: For the district of Nashua, the justice, \$1,200, the special justice, \$300, and the clerk, \$650; for the district of Manchester, the justice, \$1,500; the special justice, \$350, and the clerk, \$750; for the district of Milford, the justice, \$300; for the district of Greenville, the justice, \$100; for the district of Peterborough, the justice, \$150; for the district of Hillsborough, the justice, \$150; for the district of Goffstown, the justice, \$100; for the district of Derry, the justice, \$300; for the district of Exeter, the justice, \$350; for the district of Salem, the justice, \$100; for the district of Hampton, the justice, \$100; for the district of Newmarket, the justice, \$150; for the district of Candia, the justice, \$100; for the district of Portsmouth, the justice, \$700; and the clerk, \$250; for the district of Dover, the justice \$900; and the clerk, \$400; for the district of Rochester, the justice, \$400; and the clerk, \$150; for the district of Farmington,

the justice, \$150; for the district of Somersworth, the justice, \$400; and the clerk \$150; for the district of Pittsfield, the justice, \$100; for the district of Pembroke, the justice, \$300; for the district of Franklin, the justice, \$400; and the clerk, \$150; for the district of Bradford, the justice, \$150; for the district of Concord, the justice, \$1,000; and the clerk, \$350; for the district of Keene, the justice, \$700; and the clerk, \$250; for the district of Winchester, the justice, \$150; for the district of Troy, the justice, \$100; for the district of Jaffrey, the justice, \$100; for the district of Walpole, the justice, \$100; for the district of Newport, the justice, \$250; for the district of Claremont, the justice, \$350; and the clerk, \$100; for the district of Charlestown, the justice, \$100; for the district of Laconia, the justice, \$500; and the clerk, \$150; for the district of Tilton, the justice, \$200; for the district of Alton, the justice, \$100; for the district of Bristol, the justice, \$100; for the district of Haverhill, the justice, \$200; for the district of Hanover, the justice, \$100; for the district of Lebanon, the justice, \$300; for the district of Plymouth, the justice, \$250; for the district of Littleton, the justice, \$200; for the district of Lisbon, the justice, \$200; for the district of Canaan, the justice, \$200; for the district of Woodstock, the justice, \$150; for the district of Wolfeboro, the justice, \$150; for the district of Ossipee, the justice, \$150; for the district of Conway, the justice, \$200; for the district of Berlin, the justice, \$600; and the clerk, \$200; for the district of Northumberland, the justice, \$150; for the district of Whitefield, the justice, \$100; for the district of Gorham, the justice, \$100; for the district of Lancaster, the justice, \$150; for the district of Colebrook, the justice, \$150.

SECT. 77. The tenure of office of judges, special judges, and clerks of all police courts within the state, existing next prior to the passage of this act, is hereby terminated, and such courts are hereby abolished.

Tenure of existing judges, etc., terminated.

SECT. 78. Such portions of chapter 211 of the Public Statutes, as are inconsistent herewith, and any other law or laws inconsistent herewith, are hereby repealed; and this act shall take effect July first, 1913.

Repealing clause: act takes effect July 1, 1913.

[Approved May 21, 1913.]

## CHAPTER 170.

AN ACT IN AMENDMENT OF CHAPTER 118, LAWS 1911, ENTITLED  
 "AN ACT TO REGULATE THE USE OF THE WATER OF WINNIPE-  
 SAUKEE LAKE."

SECTION 1. Gauging station to be installed; all measuring apparatus to be open to public use.

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

Gauging station to be installed; all measuring apparatus to be open to public use.

SECTION 1. That section 4 of chapter 118 of the Laws of 1911 entitled "An Act to regulate the Use of the Water of Winnepesaukee Lake" be amended so that as amended said section shall read as follows: SECT. 4. Said Winnepesaukee [Winnipiseogee] Lake Cotton & Woolen Manufacturing Company, its successors or assigns shall install and at all times maintain at a suitable place in said Lakeport a proper and suitable apparatus for measuring the rise and fall of water in said lake and shall install within a reasonable time after the passage of this act and at all times thereafter maintain at a suitable place at the outlet of said lake a proper and suitable gauging station and means for measuring the flow of water from said lake, and shall place in charge thereof an agent or person whose duty it shall be to keep a record of the daily rise and fall of water in said lake and the flow of water from said lake, and said apparatus and records shall be open to the inspection of the public at all reasonable times. Any interested party or his agent shall have the right to enter upon the premises of said company, its successors or assigns and measure the flow of water from said lake and for that purpose make use of the gauging station and other works of the company in such manner as shall cause no unreasonable interference with the use of the water power owned by said company.

[Approved May 21, 1913.]

## CHAPTER 171.

AN ACT IN AMENDMENT OF "AN ACT IN AMENDMENT OF CHAPTER 133 OF THE LAWS OF 1911, ENTITLED 'AN ACT REPEALING CHAPTER 86 OF THE LAWS OF 1905, AND CHAPTER 154 OF THE LAWS OF 1909, AND ENACTING A MOTOR VEHICLE LAW'" APPROVED APRIL 15, 1913.

## SECTION

1. Fees for registration of certain motor vehicles.
2. What deemed commercial motor vehicle: fees for certain registrations and certificates.

## SECTION

3. Section renumbered.
4. Takes effect on passage.

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

SECTION 1. An act in amendment of chapter 133 of the Laws of 1911 entitled "An Act repealing Chapter 86 of the Laws of 1905 and Chapter 154 of the Laws of 1909, and enacting a Motor Vehicle Law," approved April 15, 1913, [chapter 81, Laws 1913.] is hereby amended by striking out the word "automobile" in the fifth paragraph of section 6 of the printed bill, and by inserting in place thereof the words commercial motor vehicle, so that said paragraph as amended shall read as follows: For the registration of every commercial motor vehicle used exclusively in carrying passengers for hire, the sum of ten dollars.

SECT. 2. Further amend said act by inserting three new sections to be numbered sections 7, 8 and 9, as follows: SECT. 7. A commercial motor vehicle shall be deemed to be a motor vehicle used exclusively for the transportation of commercial commodities, or used exclusively for the carrying of passengers for hire. SECT. 8. For the operation of all cars bearing the neutral zone registration the operator's or chauffeur's license issued by the state of residence shall be deemed sufficient. The fee for a neutral zone registration shall be \$2. SECT. 9. For the operation of all motor vehicles registered for the months of July, August and September as non-resident motor vehicles, special non-resident certificates shall be issued, good only during the period of three months as above stated, and no buttons shall be issued to chauffeurs. For original special non-resident certificate and examination the fee shall be \$2. For all subsequent certificates and all certificates issued to drivers who had previously been examined in the state of their residence, \$1.

SECT. 3. Section 7 of said act is renumbered to become section 10.

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

[Approved May 21, 1913.]

Fees for registration of certain vehicles.

What deemed commercial motor vehicle; fees for certain registrations and certificates.

Section renumbered.

Takes effect on passage.

CHAPTER 172.

AN ACT TO PROTECT THE YOUTH OF OUR STATE.

SECTION	SECTION
1. Act in force where adopted; minors not to frequent streets, when.	3. Curfew to be sounded.
2. Parents, etc., permitting violation, how punished.	4. First and subsequent violations, procedure.
	5. Takes effect on passage.

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

In force where adopted; minors not to frequent streets, when.

SECTION 1. Any city by vote of its city council, and any town at any annual, special or biennial meeting by a major vote of those present and voting, is authorized and empowered to adopt the provisions of this act. In all cities and towns which shall have adopted the provisions of this act, it shall be unlawful for any minor under the age of sixteen years to be upon any public street, square, lane or alley, public park or in any public place, after the hour of nine o'clock in the evening, unless such minor is accompanied by a parent, guardian or by some other suitable person.

Parents, etc., permitting violation, how punished.

SECT. 2. Any parent, guardian or any person having the control of any minor under the age of sixteen years who shall unlawfully permit any such minor to be upon any public street, square, lane or alley, public park or in any public place in any city, town or village of New Hampshire which shall have adopted the provisions of this act, in violation of this statute, shall upon conviction thereof be punished by a fine not exceeding five dollars or by imprisonment not exceeding thirty days, or both.

Curfew to be sounded.

SECT. 3. A whistle or whistles which can be heard in every part of the city, town or village shall be blown, or a bell or bells shall be rung at the appointed time, which shall be called the curfew signal, after which all children under sixteen years of age shall be required to be off the street, except in company of parent, guardian or some other suitable adult person.

First and subsequent violations, procedure.

SECT. 4. For the first violation of this act by any child coming within its provisions, such child shall be taken to its home by the officers and the parents or guardian of such child shall be notified of the penalty for any subsequent violation. Upon any subsequent violation of this statute by any child, said parents or guardians shall be subject to the provisions of section 2 of this statute.

Takes effect on passage.

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

[Approved May 21, 1913.]



CHAPTER 173.

AN ACT IN AMENDMENT OF SECTIONS 9 AND 18 OF CHAPTER 61 OF THE PUBLIC STATUTES, RELATING TO COLLECTION OF TAXES.

SECTION

1. Notice of tax sale to non-resident mortgagees.

SECTION

2. Fees of collector and purchaser.  
3. Takes effect on pasasge.

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

SECTION 1. Amend section 9 of said chapter 61 by adding at the end of the first sentence, the words by registered mail so that said section 9 shall read as follows: SECT. 9. The notice required by the preceding section shall be in writing, and shall be given to those mortgagees who reside in the state by giving in hand to, or leaving at the usual place of abode of, each a copy thereof; and to those who reside out of the state, by mailing to the last known postoffice address of each a like copy, by registered mail. If a corporation is a mortgagee, notice shall be given in the manner aforesaid to the president or treasurer thereof.

Notice of tax sale to non-resident mortgagees.

SECT. 2. Amend section 18 of said chapter 61 by striking out the words "For travel to the place where the advertisements for the sale are to be printed and returning home, five cents per mile," so that said section as amended shall read as follows: SECT. 18. The fees of collectors shall be as follows: For advertising in the newspapers and in town, one dollar: for making the sale, one dollar a day: for each deed made to a purchaser, twenty-five cents. The sums actually paid the printers, not exceeding one dollar and fifty cents a square for three insertions, shall be a legal charge. The fees of the purchaser, in case of notices to mortgagees, shall be twenty-five cents for each notice, and five cents a mile each way for travel to serve the same.

Fees of collector and purchaser.

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

Takes effect on passage.

[Approved May 21, 1913.]

CHAPTER 174.

AN ACT IN AMENDMENT OF CHAPTER 76 OF THE LAWS OF 1907, ENTITLED "AN ACT PROTECTING GRAY SQUIRRELS."

SECTION

1. Killing, when prohibited and when permitted.

SECTION

2. Repealing clause; act takes effect on passage.

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

Killing when prohibited and when permitted.

SECTION 1. Section 1 of chapter 76 of the Laws of 1907 is hereby amended by striking out all of said section and inserting in place thereof the following: SECTION 1. If any person shall, between October 1, A. D. 1913, and October 1, A. D. 1919, take, kill, sell or offer for sale any gray squirrel, he shall be punished by a fine of \$10 for each animal so taken, killed, sold or offered for sale, *provided* that nothing in this section shall prevent the killing of gray squirrels during the month of October outside of the thickly settled part of cities and towns. SECT. 2. It shall, however, be lawful for any person engaged in agricultural pursuits to kill or cause to be killed on land owned or leased by him, not in the compact part of any city or town, any gray squirrel doing or evidently about to do serious damage to his crops, if such damage cannot be otherwise effectively prevented. SECT. 3. In cases in which the permission given by section 2 of this act does not afford sufficient protection to crops harvested or unharvested, any person engaged in agricultural pursuits may present to the fish and game commission a petition setting forth the facts, and the commission, after hearing, may issue a permit to such person to kill or cause to be killed any gray squirrel on land owned or leased by him, not in the compact part of any city or town, during such time, to be stated in the permit, as may seem reasonably necessary. And no person shall be liable to prosecution for any act done in compliance with the terms of such permit.

Repealing clause; act takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 175.

AN ACT IN AMENDMENT OF CHAPTER 78 OF THE PUBLIC STATUTES  
RELATING TO GUIDEBOARDS.

## SECTION

1. Where to be maintained; how to be marked.

## SECTION

2. Procedure in case of neglect.  
3. Takes effect June 1, 1913.

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

SECTION 1. Section 1 of chapter 78 of the Public Statutes is hereby amended by striking out the words "except at places designated by vote of the town as not requiring them," and further by striking out all the words in said section after the words "the name of" and by substituting therefor the words: towns, cities and places of public and general interest, and which shall also indicate the best route thereto, for the accommodation of travelers and the distance thereto, so that said section as amended shall read: SECTION 1. Guideboards or posts shall be kept up by towns at the junction of highways therein, upon which shall be legibly marked the name of towns, cities and places of public and general interest, and which shall also indicate the best route, for the accommodation of travelers, and the distance thereto. Nothing herein contained shall be deemed to compel cities or towns to erect and maintain guideboards except at the junction of main thoroughfares.

SECT. 2. Section 2 of said chapter 78 is hereby repealed and in place thereof is substituted the following: SECT. 2. In cases of failure of any town to comply with the provisions of section 1, the governor and council may prescribe the general tenor and form of such signs; and may direct where the same shall be placed, and cause the same to be erected, and such town shall be chargeable with all the expenses incident thereto and the same shall be added to the state tax for such town, and collected therewith; and any such town that shall have neglected for twenty days after notice from any taxpayer of such town, or from the county solicitor, attorney-general, or the governor and council, served upon two of the selectmen, to comply with section one, at the highway junction mentioned in such notice, shall be fined not exceeding one hundred dollars for every such failure.

SECT. 3. This act shall take effect June 1, 1913.

Takes effect  
June 1, 1913.

[Approved May 21, 1913.]

## CHAPTER 176.

## AN ACT RELATING TO EMBEZZLEMENT BY INSURANCE AGENTS.

## SECTION

1. What constitutes offense.

## SECTION

2. Repealing clause; act takes effect on passage.

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

What constitutes offense.

SECTION 1. Any money, substitute for money or thing of value whatsoever, received by any agent, solicitor or broker, as premium or return premium, on or under any policy of insurance or application therefor, shall be received by such agent, solicitor or broker in his fiduciary capacity and any agent, solicitor or broker who embezzles or fraudulently converts or appropriates to his own use, or, with intent to embezzle, takes, secretes or otherwise disposes of, or fraudulently withholds, appropriates, lends, invests or otherwise uses or applies any money, substitute for money or thing of value received by him as premium or return premium on or under any policy of insurance or application therefor, contrary to the instructions or without the consent of the company, association or society, for or on account of which the same was received by him, shall be deemed guilty of embezzlement, and shall be punished as provided in section 17 of chapter 274 of the Public Statutes, irrespective of whether or not such agent, solicitor or broker, has, or claims to have, any commission or other interest in such money, substitute for money or thing of value.

Repealing clause; act takes effect on passage.

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

[Approved May 21, 1913.]

CHAPTER 177.

AN ACT TO IMPROVE AND ENCOURAGE THE BREEDING OF POULTRY.

SECTION

- 1. Annual appropriation of \$4,000 for poultry department at state college.
- 2. Distribution of funds to poultry associations, etc.

SECTION

- 3. What associations eligible.
- 4. Certificates of exhibitions.
- 5. Repealing clause; act takes effect on passage.

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

SECTION 1. The sum of four thousand dollars shall be paid annually in the month of August to the New Hampshire College of Agriculture and Mechanic Arts, to be known as "the poultry benefit fund" for the establishment of a poultry department in said college, and to encourage and improve the poultry industry of the state. Annual appropriation of \$4,000.

SECT. 2. That three hundred dollars of the above amount shall be used by the New Hampshire College of Agriculture in conjunction with the extension work in holding demonstrative exhibits and lectures on poultry culture in the state in connection with the local poultry exhibitions and that nine hundred dollars of the amount shall be distributed by the college among the poultry associations hereinafter designated, during the month of September of each year, on the basis of the total entry fees received by such associations, respectively, during the year preceeding that time, as hereinafter provided, and the sum so distributed shall be used by such associations for the purpose of enabling them to hold annual exhibitions of poultry and the payment of legitimate running expenses of the same. The college may make such rules as it may deem suitable for the carrying out of the provisions of this act, and any part of this aid not distributed by said college in any year shall be used by the college in furtherance of its poultry department. Distribution to poultry associations, etc.

SECT. 3. No association shall be entitled to any part of said aid unless it shall have been incorporated under the laws of the state for the purposes, principally, of holding exhibitions of poultry and encouraging the poultry interests in its locality. What associations eligible.

SECT. 4. No association shall be entitled to any part of said aid unless it shall certify to the poultry department of the state college of agriculture, not later than the first day of July, under the oath of the president and treasurer of such association, that it has held an exhibition of poultry, during the months of November, December or January, preceding said certificate, the amount of entry fees paid to the association for such exhibition, and that the association is in need of such aid to enable it to continue its exhibitions of Certificates of exhibitions.

poultry, together with such other facts as the department may require.

Repealing clause;  
act takes effect  
on passage.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved May 21, 1913.]

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CHAPTER 178.

AN ACT AUTHORIZING THE GOVERNOR AND COUNCIL, IN THEIR DISCRETION, TO PROVIDE PECUNIARY ASSISTANCE TO PRISONERS AND THEIR FAMILIES, AND TO CAUSE FORFEITURE THEREOF.

SECTION

1. Earnings may be paid to prisoners or dependent relatives.

SECTION

2. Forfeiture by misconduct.  
3. Takes effect August 31, 1913.

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

Earnings may be  
paid to prisoners  
or dependent  
relatives.

SECTION 1. That the governor and council be, and hereby are authorized and empowered to provide for the payment to prisoners confined in the state prison of such pecuniary earnings and to the rendering to their families of such pecuniary assistance as they, the said governor and council, may deem proper, under such rules as they may prescribe. Such earnings and such assistance, when allowed, shall be paid out of such money as may be available for current running expenses of the state prison.

Forfeiture by  
misconduct.

SECT. 2. That any money arising under section 1 of this act shall be and remain under the control of the governor and council, to be used for the benefit of the prisoner, his family or dependent relatives, under such regulation as to time, manner and amount of disbursement as the governor and council may prescribe. But should such prisoner wilfully escape from the state prison, or commit a breach of discipline while confined in said prison, or when at liberty on parole shall violate any of the terms and conditions governing prisoners on parole, the said governor and council, may, in their discretion, cause the forfeiture of all earnings remaining to the prisoner's credit, and the same shall be credited to the account from which it was taken.

Takes effect  
August 31, 1913.

SECT. 3. This act shall take effect August 31, 1913.

[Approved May 21, 1913.]

CHAPTER 179.

AN ACT IN AMENDMENT OF CHAPTER 153 OF THE LAWS OF 1909, RELATING TO DIRECT PRIMARIES.

SECTION

- 1. Notice of primary, requisites of.
- 2. What names to appear on ballot.
- 3. Prior provision repealed.

SECTION

- 4. Nomination by petition.
- 5. Sections renumbered.
- 6. Takes effect on passage.

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

SECTION 1. Paragraph 2 of section 5 of said act is hereby amended by striking out all of said paragraph after the words "together with the offices for which candidates are to be nominated and delegates to be elected," and substituting therefor the following: It shall also state the date before which declarations of candidacy and primary petitions must be filed to place names upon the ballots to be used at such primary, the officers with whom they must be filed, the number of primary petitions required to be filed, and the fees required to be paid at the time of filing such papers.

SECT. 2. Paragraph 1 of section 6 of this act is hereby amended by adding after the words "and the filing fee required by section 7 of this act shall have been paid." the words, or the number of primary petitions required by section 8 of this act shall have been filed.

SECT. 3. Paragraph 4 of section 6 of said act is hereby stricken out.

SECT. 4. After section 7 of said act insert a new section as follows: SECT. 8. (1) The name of any person shall be printed upon the primary ballot of any party, without the filing of the declaration provided for in section 6, or in the payment of the fee provided for in section 7, as a candidate for nomination by that party for any office indicated in the requisite number of primary petitions, as hereinafter provided, made by members of the party, in the following form and filed with the secretary of state together with the written assent of such person to the printing of his name on said ballot as requested in said petition.

State of New Hampshire.

County of..... ss.

City (Town) of .....

I do hereby join in a petition for the publication on the primary ballot of the name of ..... whose residence is in the city (town) of ..... (ward, street and number, if in a city), in the county of ....., for the office of ..... to be voted for on Tuesday,

the ..... day of September, 19.., and I certify that I am qualified to vote for a candidate for said office, that I am a member of the ..... party, and am not, at this time a signer of any other similar petition for any other candidate for the above office; that my residence is in the city (town) of ..... (ward, street and number, if in a city), in the county of ..... and that my occupation is ..... I further certify that I believe the above-named person is especially qualified to fill said office.

(Signed) .....

State of New Hampshire.

County of ....., ss.

City (town) of ..... 19...

The above-named ..... personally known to me, appeared, and made oath that the above petition, by him subscribed, is true.

Before me,

.....

Justice of the Peace or Notary Public.

(2) The number of primary petitions to be filed for each office shall be as follows:

- (a) For governor, two hundred.
- (b) For representative in congress, one hundred.
- (c) For councilor, fifty.
- (d) For county officers, twenty.
- (e) For state senator, fifteen.

(f) For member of the house of representatives, and all other town officers, five, except in towns where less than fifty voters are registered, when one tenth of the number of registered voters shall be sufficient.

(g) For delegate to the state convention, no primary petition shall be required.

(3) Each primary petition must be a separate paper, must contain the name of only one signer, and must contain the name of one candidate and no more.

(4) The oath of a voter upon such petition shall be conclusive evidence that he is a member of the party stated therein, but no voter shall sign conflicting party petitions, nor shall he sign more than one primary petition for the same office, unless more than one nomination is to be made; in which case he may sign as many primary petitions as there are nominations to be made for the same office.

(5) In case a voter has signed two or more conflicting primary petitions, all such conflicting petitions shall be rejected. The officer



with whom primary petitions are filed shall immediately, on their receipt, proceed to examine the same, and ascertain whether they conform to the provisions of this law. If found not to conform thereto, or to be conflicting, he shall then and there in writing on said petition state the reason why such petition cannot be accepted, and shall within twenty-four hours return the same to the candidate in whose behalf it was filed. In such case, supplementary petitions may be filed, but not later than eighteen days before the primary for those to be filed with the secretary of state, and all others twenty days.

(6) Each clerk of a city or town shall forward each declaration of candidacy filed with him to the secretary of state within two days of the filing of the same, *provided* the requisite fee shall have been deposited, or the requisite number of primary petitions shall have been filed therewith.

(7) Declarations of candidacy and primary petitions to be filed with the secretary of state shall be filed not less than twenty-one days before the date of the primary, and all others twenty-four days, except as provided in paragraph (5) of this section.

(8) The secretary of state, and clerks of cities and towns, shall retain the primary petitions filed with them until the first day of January following the holding of the primary, when they may be destroyed.

SECT. 5. Renumber section 8 as it now stands, making it section 9, and likewise respectively renumber all succeeding sections. Sections renumbered.

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

[Approved May 21, 1913.]

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CHAPTER 180.

AN ACT TO MAKE MONEY ALREADY APPROPRIATED FOR FERTILIZER AND FEEDING STUFFS INSPECTION AVAILABLE FOR THE CURRENT YEAR.

SECTION

1. Appropriations of \$3,208.41.
2. Appropriation of \$2,700.

SECTION

3. Intent of act.
4. Takes effect on passage.

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

SECTION 1. The sum of seven hundred and eight dollars and forty-one cents is hereby appropriated to meet the deficit in the cost of the fertilizer inspection made by the state board of agricul- Appropriations of \$3,208.41.

ture for 1911-12, the same being already appropriated by chapter 43, session Laws of 1901 but not available, and the sum of twenty-five hundred dollars is hereby appropriated to meet the expense of the fertilizer inspection for 1912-13 made by the state board of agriculture as required by chapter 43, session Laws of 1901.

Appropriation of  
\$2,700.

SECT. 2. The sum of twenty-seven hundred dollars, is hereby appropriated to meet the expense of the feeding stuffs inspection for 1912-13 made by the state board of agriculture for said year, as provided in chapter 35, session Laws of 1901 and amended by section 3, chapter 195, session Laws of 1911.

Intent of act.

SECT. 4. The intent of this bill is to make money already appropriated for the purposes named, available in the year in which the expense is incurred.

Takes effect  
on passage.

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

[Approved May 21, 1913.]

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## CHAPTER 181.

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

SECTION

1. Annual state tax of \$800,000.

SECTION

2. Takes effect on passage.

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

Annual state tax  
of \$800,000.

SECTION 1. The sum of eight hundred thousand dollars shall be raised annually for the use of the state, for the years 1914 and 1915, 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 the state, according to the apportionment of the public taxes made at the January session of the legislature in 1911, and the selectmen of such towns and places, and the assessors of such cities, are hereby directed 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, 1914, and 1915; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the dates last mentioned.

Takes effect  
on passage.

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

[Approved May 21, 1913.]

CHAPTER 182.

AN ACT IN AMENDMENT OF CHAPTER 158 OF THE SESSION LAWS OF 1909, ENTITLED, "AN ACT FOR THE SUPPORT AND ENCOURAGEMENT OF COMMON SCHOOLS."

SECTION

- 1. Application of act limited.
- 2. Apportionment of state aid.

SECTION

- 3. Takes effect January 1, 1914.

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

SECTION 1. Amend section 1 by striking out in the third line the figures, "\$7,000" and inserting in place thereof, \$9,500; and in the eighth line the figures "\$4.50" and inserting in place thereof \$3.40 and striking out the last paragraph so that said section as amended shall read: SECTION 1. No appropriation of money provided for in sections 2 to 3 inclusive of this act shall be held to apply to towns having an equalized valuation of more than \$9,500 per pupil of average attendance for the year preceding; or whose population by the last published federal census is more than 3,500; or whose schools have been maintained less than an average of thirty weeks for the school year next preceding; or whose tax rate for school purposes is less than \$3.40 on one thousand dollars of equalized valuation.

Application limited.

SECT. 2. Amend section 2 by striking out the entire section and inserting in place thereof the following: SECT. 2. There shall annually in the month of December be apportioned to all towns not excluded by the terms of section 1 and as hereafter provided state money as follows: I. To all towns having an equalized valuation per pupil of average attendance of less than \$3,500, the sum of \$1.75 per school week for every twenty-five pupils or major part thereof of average attendance for the year next preceding. II. To all towns having an equalized valuation per pupil of \$3,500 or more and less than \$4,500, \$1.50. III. To all towns having an equalized valuation per pupil of \$4,500 or more and less than \$5,500, \$1.25. IV. To all towns having an equalized valuation per pupil of \$5,500 or more and less than \$7,000, \$1.00. V. To all towns having an equalized valuation of \$7,000 or more and less than \$9,500, per pupil, \$0.75.

Apportionment of state aid.

SECT. 3. This act shall take effect January 1, 1914.

Takes effect January 1, 1914.

[Approved May 21, 1913.]

## CHAPTER 183.

AN ACT RELATING TO THE DISCHARGE OF MINORS ERRONEOUSLY COMMITTED TO THE INDUSTRIAL SCHOOL.

## SECTION

1. Discharge, how effected.

## SECTION

2. Takes effect on passage.

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

Discharge, how effected.

SECTION 1. Any minor erroneously committed to the Industrial School may be discharged by a justice of the superior court upon petition of the state's attorney, or a selectman of the town, or mayor of the city in which he resides, whenever a further detention in the opinion of said justice is unnecessary.

Takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 184.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 184 OF THE PUBLIC STATUTES, IN RELATION TO PROBATE COURTS IN CARROLL COUNTY.

## SECTION

1. To be held at North Conway.

## SECTION

2. Takes effect on passage.

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

To be held at North Conway.

SECTION 1. Amend section 4 of chapter 184 of the Public Statutes by inserting the word North before the word "Conway" in the first line thereof so that said section as amended shall read: SECT. 4. For the county of Carroll, at North Conway, on the first Tuesday of January, May and September; at West Ossipee, on the first Tuesday of February, June and October; at Ossipee, on the first Tuesday of March, July and November; at (Sanbornville) on the first Tuesday of April, August and December.

Takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 185.

AN ACT RELATING TO THE INSPECTION AND LICENSING OF BOATS, AND THE EXAMINATION AND LICENSING OF THEIR CAPTAINS, MASTERS, ENGINEERS, AND PILOTS.

## SECTION

1. Inspector of power boats; employment, duties, and salary.
2. Rules and regulations.
3. Penalties for violations.

## SECTION

4. Fees for inspections and certificates.
5. Disposition of sums received.
6. Repealing clause; act takes effect, when.

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

SECTION 1. The public service commission, with the approval of the governor and council, shall employ an inspector of electric, naphtha, gasoline, or steam power boats, whose duty it shall be to inspect all such boats, and the boilers, engines and hulls thereof, and their appliances, devices, and equipment for the safety of passengers and freight, operated as common carriers or kept for hire on any public water in the state, not subject to the authority in this respect of United States inspection laws, or where inspections under such laws are not regularly made. He shall be paid such salary as may be fixed by the governor and council in equal monthly payments, together with his expenses when performing official duties outside of Concord, which expense account shall be subject to the audit and approval of the state auditor. Such inspector, when not engaged in the examination or inspection of boats or launches, shall perform such duties with reference to the department of the public service commission as said commission shall direct.

SECT. 2. The public service commission shall prescribe rules and regulations governing the inspection, licensing and operation of all such boats, and the equipment and operation thereof, except as otherwise provided, copies of which shall be furnished to the owners. They may also prescribe rules and regulations for the classification, examination and certification of captains, masters, engineers, pilots and operators of all such boats. In conducting such examinations, the inspector shall have authority to administer the oath. All such rules and regulations shall be subject to modification from time to time as occasion may require. Until such rules and regulations shall be prescribed the existing rules and regulations shall remain in full force and effect.

SECT. 3. Any person who after July 1, 1913, shall use any boat or launch hereinbefore described on any public lake, river or pond in this state without a certificate of inspection under this act, or

shall act as captain, master, pilot, engineer, or operator on any such boat or launch without having been examined and certified in that capacity under this act and the rules and regulations prescribed by the public service commission under authority of this act, or when his certificate has been revoked or suspended, or who shall violate any rule or regulation prescribed by the public service commission under authority of this act with reference to the inspection, equipment, or operation of such boats or launches, shall be subject to a fine of not exceeding five hundred dollars, or imprisonment for not exceeding one year, or both such fine and imprisonment. Any person owning, leasing or operating on any such waters any such boat, not operated as a common carrier or kept for hire, who shall violate any rule or regulation prescribed by the public service commission relating to the equipment or operation of such boats shall be punished by a fine of not exceeding one hundred dollars or imprisonment for not more than one year, or by both such fine and imprisonment, for each offense.

Fees for inspections and certificates.

SECT. 4. There shall be paid to the state treasurer for every such boat inspected, as to which a certificate is given by said commission, the sum of six cents per mile, from Concord to the place where said boat is examined, apportioned equally between all boats examined by the same person on the same day, and a fee based upon the following schedule:

Boats used for passengers only, or for passengers and freight.

All such as are permitted to carry a maximum of not exceeding ten passengers,

For the first boat . . . . . \$5.00

For each additional boat belonging to the same owner and kept at the same place . . . . . 3.00

All such as are permitted to carry a maximum of more than ten and not exceeding twenty-five passengers,

For first boat . . . . . \$10.00

For each additional boat belonging to the same owner and kept at the same place . . . . . 3.00

All such as are permitted to carry a maximum of more than twenty-five and not exceeding one hundred and fifty passengers,

For the first boat . . . . . \$15.00

For each additional boat belonging to the same owner and kept at the same place . . . . . 5.00

All such as are permitted to carry over one hundred and fifty passengers,

For first boat . . . . . \$25.00

For each additional boat belonging to the same owner and kept at the same place . . . . . 5.00

Boats used exclusively for towing freight . . . . . 10.00

Payment thereof shall be made before the issuance of the certificate. The fees above prescribed shall include suitable number plates to be furnished by the state treasurer without further cost to the boat owner. There shall be paid to the state treasurer for every general certificate of captain, master, engineer, or pilot, two dollars; and for every limited certificate of captain, master, engineer, or pilot, one dollar. A general certificate shall entitle the holder thereof to act in the capacity named on any boat of a class or classes described in the certificate; a limited certificate shall entitle him to act in such capacity only on a particular boat named in the certificate.

SECT. 5. All sums received by the state treasurer under this act shall without further legislative act stand appropriated for the payment of the salary and expenses of the inspector and his assistants, if any, the cost of plates, and any other expenses connected with the administration of this act, and any balance not required for that purpose shall stand appropriated to the expense of placing and maintaining buoys in the public waters of the state so far as may be needed, to be expended under the direction of the governor and council, and any further balance to the general use of the state.

Disposition of sums received.

SECT. 6. Chapter 50 of the Laws of 1905 is hereby repealed, and this act shall take effect May 1, 1913, except as to its penal provisions, which shall take effect July 1, 1913.

Repealing clause; act takes effect when.

[Approved May 21, 1913.]

CHAPTER 186.

AN ACT IN AMENDMENT OF CHAPTER 198 OF THE LAWS OF 1911 RELATING TO THE BUREAU OF LABOR.

SECTION

- 1. Board of arbitration and conciliation.
- 2. Proceedings and findings.

SECTION

- 3. Sworn statements as to dispute.
- 4. Strikes and lockouts, procedure.

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

SECTION 1. Chapter 198 of the Laws of 1911 is hereby amended by inserting after section 2 a new section to be entitled section 3, and numbering the succeeding sections serially from 4 to 9. Said new section shall read as follows: SECT. 3. There shall be a state board of conciliation and arbitration consisting of three persons who shall be appointed by the governor, with the advice and consent

Board of arbitration and conciliation.

of the council, not later than July 1st, 1913, for the terms of one, two and three years respectively. Thereafter the governor, with the advice and consent of the council shall annually, in June, appoint a member whose term shall be three years from the first day of July following. One member of said board shall be an employer or shall be selected from an association representing employers of labor, one shall be selected from a labor organization and shall not be an employer of labor, and the third shall be appointed upon the recommendation of the other two, or if the two appointed members do not, at least thirty days prior to the expiration of a term, or within thirty days after the happening of a vacancy, agree upon a third member he shall then be appointed by the governor. Each member shall, before entering upon the duties of his office, be sworn to the faithful performance thereof. The board shall choose from its members a chairman, who shall preside at its meetings.

Proceedings and findings.

SECT. 2. Section 6 of said chapter is hereby amended by striking out in the third line thereof the word "three" and inserting in its place the word four and by striking out all after the word "to" in the fifth line and inserting in place thereof the following: said board of arbitration. The findings of said board of arbitration shall be final. Said findings shall be binding upon the parties concerned in said controversy or dispute for six months, or until sixty days after either party has given the other notice in writing of his or their intention not to be bound by the same. Such notice may be given to said employees by posting the same in three conspicuous places in the place of employment. Pending the decision of the board the business shall continue on the existing basis and the employees remain at work and said board shall render its decision within seven days after the completion of their hearing, and if said hearing is on question of wages said decision to revert back to the date when said employees presented their demand in writing to the said employer. The chairman of said board shall keep a record of the proceedings, issue subpoenas and administer oaths to the members of said board and to any witness said board may deem necessary to summon. Any notice or process issued by said board may be served by any sheriff or constable to whom the same may be directed or in whose hands the same may be placed for service. Such arbitrators shall receive eight dollars (\$8) per day for each day actually engaged in such arbitration and the necessary traveling expenses to be paid upon vouchers signed by the labor commissioner with the approval of the governor out of the funds appropriated for the maintenance of the bureau of labor, so that said section as amended shall read as follows: SECT. 6. Whenever in case of any such controversy or difference the employer and employee shall fail to agree to a



settlement through the commissioner as provided in section 4, then said commissioner shall endeavor to have said parties consent in writing to submit their differences to said board of arbitration. The findings of said board of arbitration shall be final. Said findings shall be binding upon the parties concerned in said controversy or dispute for six months, or until sixty days after either party has given the other notice in writing of his or their intention not to be bound by the same. Such notice may be given to said employees by posting the same in three conspicuous places in the place of employment. Pending the decision of the board the business shall continue on the existing basis and the employees remain at work and said board shall render its decision within seven days after the completion of their hearing, and if said hearing is on question of wages said decision to revert back to the date when the employees presented their demand in writing to said employer. The chairman of said board shall keep a record of the proceedings, issue subpoenas and administer oaths to the members of said board and to any witness said board may deem necessary to summon. Any notice or process issued by said board may be served by any sheriff or constable to whom the same may be directed or in whose hands the same may be placed for service. Such arbitrators shall receive eight dollars (\$8) per day for each day actually engaged in such arbitration and the necessary traveling expenses, to be paid upon vouchers signed by the labor commissioner with the approval of the governor out of the funds appropriated for the maintenance of the bureau of labor.

SECT. 3. Section 6 of chapter 198 of the Laws of 1911 is hereby amended by striking out in the second line of said section the words "the creation of a" and inserting in place thereof the words a reference to said, so that said section as amended shall read as follows: SECT. 6. Upon the failure of the labor commissioner in any case to secure a reference to said board of arbitration, it shall become his duty to request a sworn statement from each party to the dispute of the facts upon which their dispute and their reasons for not submitting the same to arbitration are based. Any sworn statement made to the labor commissioner under this provision shall be for public use and shall be given publicity in such newspapers as desire to use it. Sworn statements as to dispute.

SECT. 4. Section 7 of chapter 198 of the Laws of 1911 is hereby amended by striking out in the 17th line thereof the words "a" and "to be appointed" and inserting in place of the word "a" the word said, so that said section as amended shall read as follows: SECT. 7. Whenever it shall come to the knowledge of said labor commissioner, either by notice from a mayor of a city, the county commissioners, the president of a board of trade, or other representative body, the president of a central labor council or assembly, or Strikes and lock-outs, procedure.

of any five reputable citizens, or otherwise, that a strike or lockout is seriously threatened or has actually occurred in any city or town of the state involving an employer and his or its present or past employees, if at the time such employer is employing, or up to the occurrence of the strike or lockout was employing, not less than ten persons in the same general line of business in any city or town in this state, and said commissioner shall be satisfied that such information is correct, it shall be the duty of such commissioner, within three days thereafter, to put himself in communication with such employer and employees and endeavor by mediation to effect an amicable settlement between them or to persuade them to submit the matter to said board of arbitration and conciliation and to act as hereinbefore provided in case of disputes and controversies. In case the parties do not agree to so submit the matter, the said commissioner may investigate the cause or causes of such controversy and ascertain which party thereto is mainly responsible for the continuance of the same, and may make and publish a report assigning such responsibility.

[Approved May 21, 1913.]

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CHAPTER 187.

AN ACT RELATIVE TO THE REGISTRATION OF FOREIGN CORPORATIONS.

SECTION

1. Service of process on secretary of state.
2. Notice to company of such service.
3. Fine for non-compliance; disability to sue.

SECTION

4. Service of trustee writs.
5. Takes effect on passage; repealing clause.

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

Service of process on secretary of state.

SECTION 1. Every foreign corporation except foreign insurance companies shall before doing business in this state in writing appoint the secretary of state and his successor in office to be its true and lawful attorney upon whom lawful process in any action or proceeding against it upon any liability arising in this state may be served, and in such writing shall agree that any lawful process against it upon such liability which is served on said attorney shall be of the same legal force and validity as if served on it, and that the authority shall continue in force so long as any liability remains outstanding against it in this state. The power of attorney and a

copy of the vote authorizing its execution duly certified and authenticated shall be filed in the office of the secretary of state, and copies certified by him shall be sufficient evidence thereof. Service of such process shall be made by leaving a copy of the process and a fee of two dollars in the hands or in the office of said secretary, and such service shall be sufficient service upon the corporation.

SECT. 2. When legal service against any such corporation has been served upon the secretary of state, he shall immediately give notice to the corporation of such service by mail, postage prepaid, directed in the case of a corporation established by a foreign country, to the resident manager, if any, in the United States, and shall within two days after such service in the same manner forward a copy of the process served upon him to such corporation or manager or to any other person designated by the corporation, by written notice filed in the office of said secretary. The fee of two dollars paid by the plaintiff to the secretary at the time of the service shall be taxed in his costs if he prevails in the suit. The secretary shall keep a record of the day and hour of the service of all such processes.

SECT. 3. Every such corporation which fails to comply with the requirements of section 1 shall be liable to a fine of not more than five hundred dollars. Such failure shall not affect the validity of any contract with such corporation, but no action shall be maintained or recovery had in any of the courts of this state by any such foreign corporation so long as it fails to comply with the requirements of this act, or upon any cause of action accruing during such failure.

SECT. 4. Foreign or alien companies or corporations established by the law of any other state or country and having a place of business or doing business within this state, may be summoned as trustees and trustee writs may be served upon them as other writs are served upon such companies or corporations, and said companies or corporations when so summoned shall be liable the same as if they were domestic corporations.

SECT. 5. This act shall take effect upon its passage but no corporation complying with its provisions before July 1, 1913, shall be subject to the penalties prescribed in section 3. All acts and parts of acts inconsistent with this act are hereby repealed but nothing in this act shall be construed as taking away or impairing any method of service upon foreign corporations now provided by law.

[Approved May 21, 1913.]

CHAPTER 188.

AN ACT RELATIVE TO WORK IN MILLS AND FACTORIES UPON LEGAL HOLIDAYS.

SECTION 1. Work not to be required.		SECTION 2. Penalty for violation.
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*Be it enacted by the Senate and House of Representatives in General Court convened:*

Work not to be required.

SECTION 1. No employee shall be required to work in any mill or factory on any legal holiday, except to perform such work as is both absolutely necessary and can lawfully be performed on the Lord's Day.

Penalty.

SECT. 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding five hundred dollars.

[Approved May 21, 1913.]

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CHAPTER 189.

AN ACT TO REGULATE FISHING IN NEWFOUND LAKE.

SECTION 1. Open season for trout and salmon.		SECTION 2. Repealing clause; act takes effect on passage.
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*Be it enacted by the Senate and House of Representatives in General Court convened:*

Open season for trout and salmon.

SECTION 1. It shall be lawful to take trout and salmon from the waters of Newfound lake in the towns of Bristol, Bridgewater, Hebron and Alexandria in Grafton county between April 1 and September 15 of any calendar year, both days inclusive.

Repealing clause; act takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 190.

AN ACT RELATING TO CORPORATIONS, DOMESTIC OR FOREIGN, OWNING A MAJORITY OF THE CAPITAL STOCK OF STEAM RAILROADS.

## SECTION

1. To make returns to public service commission.

## SECTION

2. Penalty for non-compliance.

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

SECTION 1. Any corporation, whether foreign or domestic, which owns a majority of the capital stock of any steam railroad in the state, shall make returns and furnish information to the public service commission of this state as to all its properties and business, and all provisions of law respecting reports and information concerning steam railroads and respecting the issue of securities shall be held to apply to all business and properties of such holding corporation, whether used or employed in transportation or otherwise.

SECT. 2. If any such holding company shall, after reasonable notice, fail to comply with the provisions of this act, the supreme court shall, upon petition of any party interested, dissolve the railroad corporation, a majority of whose stock is owned by such holding companies.

[Approved May 21, 1913.]

## CHAPTER 191.

AN ACT REPEALING CHAPTER 183, LAWS OF 1911, RELATING TO THE HALL OF HEROES AND AUTHORIZING THE GOVERNOR TO APPOINT A COMMITTEE TO HONORABLY TERMINATE THE AFFAIRS OF THE COMMISSION.

## SECTION

1. Prior provisions repealed.  
2. Affairs, how closed up.

## SECTION

3. Expenses and outstanding bills.  
4. Repealing clause; act takes effect on passage.

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

SECTION 1. Chapter 183, Laws of 1911, relating to the Hall of Heroes and all other acts, or parts of acts, authorizing the appointment of any commission or committee to investigate this matter, is hereby repealed.

Affairs, how closed  
up.

SECT. 2. Upon the passage of this act the governor is authorized to appoint a committee of three from the present members of the commission who shall close up, as soon as possible, the affairs of said commission, and are given full authority under the direction of the governor and council to return all photographs, portraits, or souvenirs, gathered for the Hall of Heroes by the commission, to their owners, and to do any other acts necessary for the honorable termination of the affairs of said commission.

Expenses and out-  
standing bills.

SECT. 3. Said committee is authorized to pay any expenses necessitated by the provisions of this act and to pay all just bills which may be found outstanding against the Hall of Heroes commission out of the unexpended money in the treasury which was appropriated by the act establishing the commission in 1911.

Repealing clause;  
act takes effect  
on passage.

SECT. 4. All acts or parts of acts inconsistent of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved May 21, 1913.]

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## CHAPTER 192.

AN ACT IN AMENDMENT OF "AN ACT TO PROVIDE FOR THE NOMINATION OF PARTY CANDIDATES BY DIRECT PRIMARY," BEING CHAPTER 153 OF THE LAWS OF 1909.

SECTION 1. Registered voter may vote ballot of new party.

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

Voting ballot of  
new party.

SECTION 1. That paragraph 3 of section 10 of chapter 153 of the Laws of 1909 be and is hereby amended by inserting after the last word the words, unless he desires to vote the ballot of a party not having official existence at the time that his party membership was previously registered.

[Approved May 21, 1913.]

## CHAPTER 193.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 48, LAWS OF 1907, ENTITLED "AN ACT FOR PREVENTING THE MANUFACTURE OR SALE OF ADULTERATED OR MISBRANDED, OR POISONOUS, OR DELETERIOUS FOODS, DRUGS, MEDICINES, AND LIQUORS."

## SECTION

1. Variations in food packages, when permissible.

## SECTION

2. Takes effect November 21, 1914.

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

SECTION 1. Section 4 of chapter 48, Laws of 1907, being "An Act for Preventing the Manufacture or Sale of Adulterated or Misbranded, or Poisonous or Deleterious Foods, Drugs, Medicines, and Liquors," is hereby amended by striking out the words: "Third. If in package form, and the contents are stated in terms of weight or measure, they are not correctly stated on the outside of the package," and inserting in lieu thereof the following: *Third.* If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* that reasonable variation shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 7 of this act.

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

[Approved May 21, 1913.]

## CHAPTER 194.

AN ACT IN AMENDMENT OF AN ACT PASSED AT THE PRESENT SESSION OF  
THE LEGISLATURE ESTABLISHING DISTRICT COURTS.

## SECTION

1. Waterville placed in district of Ply-  
mouth.

## SECTION

2. Takes effect on passage.

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

Waterville in dis-  
trict of Plymouth.

SECTION 1. That the town of Waterville be taken from the police  
court of the district of Lincoln and placed in the police court of  
the district of Plymouth.

Takes effect  
on passage.

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

[Approved May 21, 1913.]

## CHAPTER 195.

AN ACT PROVIDING FOR MONTHLY PAYMENTS OF SALARIED STATE OFFI-  
CIALS AND EMPLOYEES.

## SECTION

1. Salaries to be paid monthly.

## SECTION

2. Repealing clause; act takes effect on  
passage.

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

Payable monthly.

SECTION 1. All persons performing regular work in the service  
of the state of New Hampshire who are under salary shall receive  
payment monthly.

Repealing clause;  
act takes effect  
on passage.

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

[Approved May 21, 1913.]



## CHAPTER 196.

## AN ACT DEFINING SUFFICIENCY OF NOTICE IN CONDEMNATION PROCEEDINGS BY THE UNITED STATES.

## SECTION

1. What deemed sufficient notice.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That in the taking of lands by the United States for public purposes, by condemnation proceedings, it shall be deemed sufficient notice to all parties interested in said land, if an attested copy of the petition for such taking and order of notice thereon, made by the court petitioned, shall be given in hand or left at the last and usual place of abode of all known interested parties residing in New Hampshire, and by a like service on all residing outside of said state, or by sending by registered mail a like copy to the last known post-office address of such known interested party, and by publication in such paper or papers and for such times as the court petitioned may order.

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

Takes effect on passage.

[Approved May 21, 1913.]

## CHAPTER 197.

## AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 72, SESSION LAWS OF 1911, ENTITLED, "AN ACT RELATING TO THE TERMS OF THE SUPERIOR COURT IN AND FOR THE COUNTY OF GRAFTON."

SECTION 1. Grand and petit jury attendance.

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

SECTION 1. Amend section 8, chapter 72, session Laws of 1911, by striking out all of said section after the word "county" in line four of said section, so that said section as amended shall read as follows: SECT. 8. A grand jury shall be drawn and returned for the April term at Lebanon, the September term at Haverhill, and the November term at Plymouth. Petit jurors shall be drawn and returned for each term held in said county.

[Approved May 21, 1913.]

## CHAPTER 198.

AN ACT RELATING TO ICE FISHING IN MOSQUITO POND IN THE CITY OF  
MANCHESTER.

## SECTION

1. Ice-fishing prohibited.
2. Penalty for violation.

## SECTION

3. Takes effect on passage.

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

Ice-fishing  
prohibited.

SECTION 1. All persons are prohibited from fishing through the ice for a period of five years from the date of the passage of this act on Mosquito pond in the city of Manchester.

Penalty.

SECT. 2. If any person shall violate the provisions of this act he shall be punished by a fine of ten dollars for each offense.

Takes effect  
on passage.

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

[Approved May 21, 1913.]

## CHAPTER 199.

AN ACT IN AMENDMENT OF CHAPTER 112 OF THE PUBLIC STATUTES RE-  
LATING TO THE SALE OF INTOXICATING LIQUOR.

## SECTION

1. Exception as to original packages,  
etc., stricken out.

## SECTION

2. Takes effect on passage.

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

Exception stricken  
out.

SECTION 1. Amend chapter 112 of the Public Statutes by striking out all of section 22 of said chapter.

Takes effect  
on passage.

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

[Approved May 21, 1913.]

## CHAPTER 200.

## AN ACT RELATIVE TO THE CONVEYANCE OF HOUSEHOLD GOODS.

## SECTION

1. By whom to be executed.
2. Conditional sale lien excepted.

## SECTION

3. Takes effect on passage.

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

SECTION 1. No conveyance, lease or mortgage of household goods By whom to be executed. in use by a husband and wife in their household, shall be valid unless made in writing and executed by the owner and the husband or wife of the owner.

SECT. 2. This act shall not apply to liens reserved on household Exception. goods sold conditionally.

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

[Approved May 21, 1913.]

## CHAPTER 201.

## AN ACT IN AMENDMENT OF CHAPTER 191 OF THE PUBLIC STATUTES OF NEW HAMPSHIRE RELATING TO DAMAGES.

## SECTION

1. Damages in action for death by negligence.

## SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 11 of chapter 191 of the Public Statutes of the State of New Hampshire by adding thereto the following: Damages in action for death by negligence. except in cases where the deceased has left either a widow, widower or minor children or a dependent father or mother, when the damages recoverable shall not exceed ten thousand dollars, so that said section, as amended, shall read as follows: SECT. 11. The damages recoverable in any such action shall not exceed seven thousand dollars, except in cases where the deceased has left either a widow, widower or minor children or a dependent father or mother, when the damages recoverable shall not exceed ten thousand dollars.

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; act takes effect on passage.

[Approved May 21, 1913.]

## CHAPTER 202.

AN ACT TO PROVIDE FOR THE PAYMENT OF THE EXPENSES OF THE ADMINISTRATION OF ESTATES UPON PETITION OF THE STATE TREASURER UNDER THE PROVISIONS OF CHAPTER 42 OF THE LAWS OF 1911.

## SECTION

1. Expenses, etc., may be paid by state treasurer.

## SECTION

2. Administrator's liability for tax.  
3. Takes effect on passage.

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

Expenses, etc., may be paid by state treasurer.

SECTION 1. Whenever an administrator shall be appointed upon application of the state treasurer, as provided in section 15 of chapter 40 of the Laws of 1905, as amended by chapter 42 of the Laws of 1911, the expenses of such administration including the reasonable compensation of the administrator and the expenses of such litigation as the administrator may undertake upon the request or with the approval of the treasurer to obtain title to or possession of property subject to the legacy and succession tax, or to recover such taxes from persons liable therefor, may be paid by the state treasurer and the governor is hereby authorized to draw his warrant against any money in the treasury not otherwise appropriated for the payment of such expenses. All sums thus paid shall be a charge upon any property of the estate which may come into the hands of the administrator, and shall be repaid to the state treasurer from such property or the proceeds thereof.

Administrator's liability for tax.

SECT. 2. The personal liability of such administrator for the payment of legacy and succession taxes shall be limited to such taxes as he may by the exercise of reasonable diligence recover from property of the estate, or from persons liable therefor.

Takes effect on passage.

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

[Approved May 21, 1913.]

CHAPTER 203.

AN ACT RELATING TO THE SALE OF LANDS, WOOD AND TIMBER IN THE CRAWFORD NOTCH SO-CALLED.

SECTION

1. Governor and council may sell and convey.

SECTION

2. Takes effect on passage.

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

SECTION 1. The governor and council are hereby authorized and empowered in the name of the state to sell and convey the whole or any part of the lands, wood and timber, located in the Crawford Notch tract, so-called, taken and acquired by and under the provisions of chapter 130 of the session Laws of 1911, at such price or on such terms as in their judgment may be for the best interest of the state, and upon such sale the governor is hereby authorized and empowered to execute and deliver a deed thereof in the name of the state.

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

Sale and conveyance authorized.

Takes effect on passage.

[Approved May 21, 1913.]

CHAPTER 204.

AN ACT TO PROHIBIT THE TAKING OF CONCH, LOCALLY KNOWN AS WRINKLES, FROM THE SHORES AND WATERS OF NEW HAMPSHIRE.

SECTION

1. Taking restricted; penalty for violations.

SECTION

2. Repealing clause: act takes effect on passage.

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

SECTION 1. No person shall take from the shores or waters of this state any conch, locally known as wrinkles or cockles, except for consumption or use by residents of this state. Any person violating the provisions of this act shall be fined not exceeding fifty dollars (\$50) for each offense.

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

Taking restricted; penalty.

Repealing clause: act takes effect on passage.

[Approved May 21, 1913.]

## CHAPTER 205.

## AN ACT TO CONTROL THE FURTHER POLLUTION OF STREAMS, LAKES AND RIVERS AND THE PROTECTION OF WATER SUPPLIES.

## SECTION

1. Discharge of sewage restricted.
2. Water systems to be approved.

## SECTION

3. Penalty for violations.
4. Takes effect on passage.

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

Discharge of sewage restricted.

SECTION 1. In order to maintain the purity of streams, lakes and rivers, and to prevent further contamination, no person, association or corporation shall hereafter cause or permit the discharge of sewage or other deleterious waste from any factory, hotel, boarding-house, or other commercial establishment into any stream, lake, pond, or river not hitherto polluted without first submitting detailed plans of said proposed discharge to the state board of health and securing the approval of the said board.

Proposed water systems to be approved.

SECT. 2. No person, association, or corporation proposing to supply water for domestic uses shall construct any new system or enlarge any existing system for supplying water to the citizens of any town or city, without first submitting detailed plans of the proposed construction to the state board of health and securing its approval thereof. And it shall be the duty of the said state board of health to examine the topography and the watershed of the proposed supply, and shall also make chemical and bacteriological analyses of the waters of the proposed supply before approval is granted.

Penalty.

SECT. 3. Whoever violates any of the provisions of this act shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

Takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 206.

AN ACT TO PROVIDE FOR A LEGISLATIVE REFERENCE BUREAU IN THE  
NEW HAMPSHIRE STATE LIBRARY.

## SECTION

1. Bureau established.

## SECTION

2. Annual expense not to exceed \$500.

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

SECTION 1. There is hereby established in the state library under the direction of the state librarian a legislative reference bureau <sup>Bureau established.</sup> whose duties shall be, to collect, arrange, index and classify books, pamphlets and other material relating to legislation; to prepare abstracts of laws in other states and countries; to supply such other information as may be of service to the members of the legislature or the executive departments in the performance of their duties; to furnish to members of the legislature such assistance as may be demanded in the preparation and formulation of legislative bills.

SECT. 2. The state librarian, with the approval of the trustees of the state library, shall be empowered to incur such expense as <sup>Annual expense not to exceed \$500.</sup> may be necessary in the proper administration of the bureau, not exceeding five hundred dollars annually, said sum to be expended from the appropriation in favor of said state library, and the work made necessary by the installation of this bureau shall be performed by the regular force employed in said state library.

[Approved May 21, 1913.]

## CHAPTER 207.

AN ACT RELATING TO THE NOMINATION AND APPOINTMENT OF JUSTICES,  
SPECIAL JUSTICES AND CLERKS OF POLICE COURTS FOR DISTRICTS  
HERETOFORE ESTABLISHED.

## SECTION

1. Appointments may be made during  
June, 1913.

## SECTION

2. Repealing clause; act takes effect on  
passage.

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

SECTION 1. The governor, by and with the advice and approval of the council, is hereby empowered and authorized to make, during <sup>Appointments during June, 1913.</sup>

the month of June next, nominations and appointments of justices, special justices and clerks of police courts established for certain defined districts within the state by and under the provisions of an act heretofore passed at this session of the general court entitled "An Act Establishing Police Courts for Certain Districts in the State of New Hampshire, and Abolishing Existing Police Courts," and such nominees may qualify during the month of June, 1913, but they shall not assume their office until the first day of the following July.

Repealing clause;  
act takes effect  
on passage.

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

[Approved May 21, 1913.]

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CHAPTER 208.

AN ACT TO PROHIBIT DISCRIMINATION AGAINST MEMBERS OF LABOR ORGANIZATIONS.

SECTION

1. Coercive agreement against labor unions prohibited.

SECTION

2. Penalty for violations.  
3. Takes effect on passage.

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

Coercive agreement prohibited.

SECTION 1. No person, corporation, agent or officer on behalf of any person or corporation, shall coerce or compel or attempt to coerce or compel any person or persons into an agreement, either written or verbal, not to join or become a member of any labor organization, as a condition of such person or persons securing employment or continuing in the employment of any such person or corporation.

Penalty.

SECT. 2. Any person or corporation violating any of the provisions of this act shall be fined not less than two hundred dollars nor more than one thousand dollars, or be punished by imprisonment in the county jail not to exceed nine months or both.

Takes effect on passage.

SECT. 3. This act shall take effect and be in force from and after its passage and publication.

[Approved May 21, 1913.]



## CHAPTER 209.

AN ACT IN AMENDMENT OF SECTION 139 OF CHAPTER 102 OF THE LAWS  
OF 1909, RELATING TO THE MILITIA.

## SECTION

1. Annual uniform allowance to com-  
missioned officers.

## SECTION

2. Repealing clause; act takes effect on  
passage.*Be it enacted by the Senate and House of Representatives in  
General Court convened:*

SECTION 1. Section 139, chapter 102 of the session Laws of 1909 <sup>Annual uniform allowance.</sup> is hereby amended by striking out the words: "*Provided* that no allowance shall be paid to any commissioned officer who has not held a commission six months," so that said section shall read: [SECT. 139.] Every commissioned officer shall provide himself with the arms, uniforms, and equipments prescribed and approved by the governor. The sum of twenty-five dollars shall be allowed to each commissioned officer of the New Hampshire National Guard, payable on the first day of June each year,—the same to be used exclusively for purchase and repair of uniforms and equipments by such officers.

SECT. 2. All acts and parts of acts inconsistent with this act <sup>Repealing clause; act takes effect on passage.</sup> are hereby repealed, and this act shall take effect upon its passage.

[Approved May 21, 1913.]

## CHAPTER 210.

## AN ACT IN RELATION TO THE INSURANCE COMMISSIONER.

## SECTION

1. Traveling expenses allowed.

## SECTION

2. Takes effect June 1, 1913.

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

SECTION 1. That the insurance commissioner shall be allowed his <sup>Traveling expenses allowed.</sup> annual traveling expenses while engaged in the performance of his duties, and the same shall be paid by the state treasurer.

SECT. 2. This act shall take effect June 1, 1913.

Takes effect  
June 1, 1913.

[Approved May 21, 1913.]

CHAPTER 211.

AN ACT IN AMENDMENT OF SECTION 12 OF CHAPTER 266 OF THE PUBLIC STATUTES, RELATING TO TRESPASS AND MALICIOUS INJURIES.

SECTION 1. Persuasion, etc., not unlawful interference.		SECTION 2. Takes effect on passage.
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*Be it enacted by the Senate and House of Representatives in General Court convened:*

Persuasion, etc., not unlawful interference.

SECTION 1. Amend section 12 of chapter 266 of the Public Statutes by adding at the end thereof the following: *Provided, however,* it shall not be unlawful for any person to reason, talk or argue with, and by arguments persuade or induce such other person to do any act or thing or pursue any line of conduct which is not the commission of an offense under the laws of this state, so that said section as amended shall read as follows: SECT. 12. If any person shall interfere in any way whatever to injure or damage another in his person or property, while engaged in his lawful business, trade, or occupation, or while on the way to or from the same, or shall endeavor to prevent any person from engaging in his lawful business, trade, or calling, he shall be fined not exceeding five hundred dollars, or be imprisoned not exceeding one year; *provided, however,* it shall not be unlawful for any person to reason, talk or argue with, and by arguments persuade or induce such other person to do any act or thing or pursue any line of conduct which is not the commission of an offense under the laws of this state.

Takes effect on passage.

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

[Approved May 21, 1913.]

CHAPTER 212.

AN ACT TO REGULATE ADVERTISEMENTS AND SOLICITATIONS FOR EMPLOYEES DURING STRIKES, LOCKOUTS OR OTHER LABOR DISPUTES.

SECTION 1. Existence of labor dispute to be stated.		SECTION 2. Provision inoperative, when. 3. Penalty for violations.
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*Be it enacted by the Senate and House of Representatives in General Court convened:*

Existence of labor dispute to be stated.

SECTION 1. If an employer, during the continuance of a strike among his employees, or during the continuance of a lockout or

other labor trouble among his employees, publicly advertises in newspapers, or by posters or otherwise, for employees, or by himself or his agents solicits persons to work for him to fill the places of strikers, he shall plainly and explicitly mention in such advertisements or oral or written solicitations that a strike, lockout or other labor disturbance exists.

SECT. 2. The provisions of this act shall cease to be operative when the state board of arbitration shall determine that the business of the employer, in respect to which the strike or other labor trouble occurred, is being carried on in the normal and usual manner, and to the normal and usual extent. Said board shall determine this question as soon as may be, upon the application of the employer. Provisions inoperative, when.

SECT. 3. If any person, firm, association or corporation violates any provisions of this act, he or it shall be punished by a fine not exceeding one hundred dollars for each offense. Penalty.

[Approved May 21, 1913.]

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## CHAPTER 213.

### AN ACT IN AMENDMENT OF CHAPTER 102 OF THE LAWS OF 1909, RELATING TO THE MILITIA.

#### SECTION

1. Disbursements of adjutant-general.
2. Emergency purchases; audit of accounts.

#### SECTION

3. Takes effect on passage.

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

SECTION 1. Section 22, chapter 102 of the Laws of 1909 is hereby amended by striking out the words "governor and council, or by some suitable person by them appointed therefor" at the end of the first sentence thereof, and inserting in place thereof the words the state auditor, and striking out the word "treasurer" at the end of the second sentence thereof, and inserting in place thereof the words the adjutant-general, so that said section as amended shall read as follows: [SECT. 22.] He shall annually submit to the governor and council at some session between the first days of September and October a correct statement of his disbursements for the preceding year ending August 31st, with vouchers therefor, and the same shall be audited and adjusted by Disbursements of adjutant-general.

the state auditor. The accounts and vouchers so audited, if allowed, shall be deposited and kept on file in the office of the adjutant-general. When his account has been so submitted, and approved, he shall receive a certificate from the governor to that effect.

Emergency purchases; audit of accounts.

SECT. 2. Strike out section 46 of said chapter 102, and insert in place thereof the following: [SECT. 46.] No officer of the militia shall incur any expenses whatsoever to be paid by the state, except such as are authorized in this chapter, without first obtaining the authority of the governor; in extreme emergencies, however, the commanding officer of any organization or detachment of the active militia may make purchases of such necessities as are absolutely required for the immediate use and care of his command; a report of such action, containing a statement of the articles purchased and the price thereof, must be made forthwith through the proper channel to the adjutant-general. All accounts for purchases made by the adjutant-general shall be audited by the state auditor. All other military accounts payable by the state shall be approved by the adjutant-general, and the auditor shall promptly audit and certify the same. Military accounts thus audited shall be paid by the treasurer of the state from the proper appropriation made by the legislature, upon the warrant of the governor.

Takes effect on passage.

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

[Approved May 21, 1913.]

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## CHAPTER 214.

AN ACT IN AMENDMENT OF CHAPTER 52 OF THE LAWS OF 1891, AS AMENDED BY CHAPTER 54 OF THE LAWS OF 1911, RELATING TO THE ELECTION AND QUALIFICATION OF THE TRUSTEES OF THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

SECTION

1. Seven members to constitute quorum.

SECTION

2. Takes effect on passage.

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

Seven members to constitute quorum.

SECTION 1. Amend section 5 of chapter 52 of the Laws of 1891, as amended by chapter 54 of the Laws of 1911, by striking out the word "eight" before the word "members" and inserting in place thereof the word seven, so that as amended said section shall read as follows: SECT. 5. The general government of the New Hampshire College of Agriculture and the Mechanic Arts is vested in a

board of thirteen trustees and all vacancies hereafter occurring in said board shall be filled as follows: The governor of the state and the president of said college shall be trustees *ex-officio*; the alumni of said college may elect two trustees in such manner as said board may prescribe. One of said trustees elected by the alumni of said college shall be a resident of the state and their term of office shall be three years. All other trustees shall be appointed by the governor with the advice of the council; one at least shall be a resident of each councilor district and hold their office for the term of three years; and not more than five of the trustees appointed by the governor and council shall belong to the same political party and at least seven of them shall be practical farmers. Seven members shall constitute a quorum for the transaction of business and not less than eight affirmative votes shall be required to elect a president of said college.

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

Takes effect  
on passage.

[Approved May 21, 1913.]

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## CHAPTER 215.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 137 OF THE SESSION LAWS OF 1907 AS AMENDED BY CHAPTER 164 OF THE SESSION LAWS OF 1909, AS AMENDED BY CHAPTER 43 OF THE SESSION LAWS OF 1911, ENTITLED, "AN ACT IN RELATION TO FIRE ESCAPES ON CERTAIN BUILDINGS."

SECTION 1. Form of fire-escapes and exits prescribed for certain buildings.

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

SECTION 1. Section 1 of chapter 137 of the session Laws of 1907 as amended by chapter 164 of the session Laws of 1909, as amended by chapter 43 of the session Laws of 1911, is further amended by striking out all of said section and inserting the following: [SECTION 1.] No building three or more stories in height, any part of which is used or occupied above the second story as a hotel, transient lodging house, schoolhouse, orphan asylum, theatre, hall for public assembly, factory, mill or work shop shall be let, leased or occupied for such purposes unless provided with a steel or wrought-iron balcony and stairway fire-escape built and attached to the outer wall in such manner and place as to render egress from said building easy and safe. If said building be of a length greater than

Form of fire-escapes and exits prescribed for certain buildings.

one hundred and fifty feet it shall be provided with one additional such fire escape for every additional one hundred and fifty feet or fractional part thereof. Every building in which laborers are employed shall be provided with sufficient means of escape in case of fire by more than one egress each of which shall be at all times free from obstruction and ready for immediate use. Every door leading in or to any such building shall be so constructed as to open outward when practicable, and shall not be locked, bolted, or fastened during working hours as to prevent free egress. The provisions of this section shall not apply to any such building as shall be adequately equipped with an approved sprinkler system and stairways inclosed with walls of fireproof material, or other means of exit duly approved in writing by the building inspector, chief of fire department, or board of selectmen.

[Approved May 21, 1913.]

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## CHAPTER 216.

AN ACT IN AMENDMENT OF SECTION 5, CHAPTER 57 OF THE PUBLIC STATUTES, ENTITLED "ANNUAL INVOICE OF POLLS AND TAXABLE PROPERTY."

SECTION 1. Form of tax inventory blanks prescribed.

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

Form of tax in-  
ventory blanks  
prescribed.

SECTION 1. That section 5, chapter 57 of the Public Statutes be amended by adding at the end thereof the following: said blanks shall not require the owner's estimate of the value of his real estate, or the value of his personal property described in divisions 7, 8, 9, 10 and 11 of section 7, chapter 55 of the Public Statutes, but shall require a statement of the value of all other classes of taxable property, and it shall be the duty of each individual and corporation to make such statement of value, so that said section as amended will read as follows: SECT. 5. Such blanks shall be so arranged and formulated as to require, under oath, from the person or corporation to be taxed, in answer to interrogatories therein stated, a description of all real estate taxable to the person or corporation, and a statement of the gross amount or quantity of each class of personal property for which he or it is taxable, and such other information as will enable the selectmen or assessors to assess

all the taxable property of such person or corporation and at its true value; also a list of the shares in railroad corporations of this state owned by such person or corporation. Said blanks shall not require the owner's estimate of the value of his real estate, or the value of his personal property described in divisions 7, 8, 9, 10 and 11 of section 7, chapter 55 of the Public Statutes, but shall require a statement of the value of all other classes of taxable property, and it shall be the duty of each individual and corporation to make such statement of value.

[Approved May 21, 1913.]

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CHAPTER 217.

AN ACT RELATING TO THE ADMISSION OF FOREIGN INSURANCE COMPANIES, AND AMENDING SECTION 3 OF CHAPTER 169 OF THE PUBLIC STATUTES.

SECTION

1. Mutual insurance company, prerequisites for license.

SECTION

2. Takes effect on passage.

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

SECTION 1. Section 3 of chapter 169 of the Public Statutes is hereby repealed and re-enacted to read as follows: Mutual insurance company, prerequisites for license. SECT. 3. No such mutual insurance company shall be licensed to do business in the state, unless it shall possess two hundred thousand dollars (\$200,000) of cash assets invested as provided in the preceding section, nor unless its assets equal its outstanding liabilities, including reinsurance, to be estimated as in the case of joint stock insurance companies, and including also the amount of its guaranteed capital. *Provided* that such a mutual company, if authorized to transact the business of fire insurance only, may be licensed if it possesses a surplus of not less than seventy-five thousand dollars (\$75,000), with also invested assets of not less than one hundred and fifty thousand dollars (\$150,000), with additional contingent assets of not less than one hundred and fifty thousand dollars (\$150,000); or if it possesses a surplus equal to its total liability, with also invested assets of not less than one hundred thousand dollars (\$100,000), which surplus shall be well invested and immediately available for the payment of losses in this state, *provided further*, that such company shall insure on no single hazard an amount not larger than one tenth of its net assets, and that it has transacted

business in its home state at least five years prior to the date of applying for admission to this state.

Takes effect  
on passage.

SECT. 2. This act shall go into effect upon its passage.

[Approved May 21, 1913.]

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## CHAPTER 218.

### AN ACT AUTHORIZING MUNICIPALITIES TO ACQUIRE, MAINTAIN AND MANAGE LIGHTING SYSTEMS.

#### SECTION

1. Authority granted.
2. Action, how taken by municipalities;  
purchase of existing plant, how  
consummated.
3. Right of eminent domain.
4. Contracts for service authorized.
5. Commissioners authorized.

#### SECTION

6. Organization of board; vacancies,  
how filled.
7. Appropriations for purchase, con-  
struction, etc.
8. Appropriations for maintenance, op-  
eration, etc.
9. Takes effect on passage.

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

Authority granted. SECTION 1. Any city, town or village district, legally organized under chapter 53 of the Public Statutes, hereinafter collectively referred to by the term "municipality," may, as herein provided, acquire or establish, and maintain and operate suitable municipal plants for the purpose of supplying through the whole or any portions of such municipality electricity or gas, or both, for the use of its citizens and others, and for such other purposes as said municipality may from time to time authorize and direct; and for that purpose may, as herein provided, purchase and hold in fee simple or otherwise any real or personal estate and any rights therein, including water rights, and may do all other things necessary for carrying into effect the purposes of this act; and may excavate and dig conduits and ditches in any highway, square, passage-way, common, or other land or place, and erect poles and place wires for the transmission of electricity, and lay pipes for the distribution of gas, in such places as may be deemed necessary and proper; and may change, enlarge and extend the same from time to time when said municipality shall deem necessary, and maintain the same, having due regard for the safety and welfare of its citizens and security of the public travel. Village districts may be established for said purpose under the provisions of said chapter 53 of the Public Statutes.



SECT. 2. (a) Any city may acquire or establish such a municipal plant after the city councils shall have twice voted, subject to the veto power of the mayor as provided by law, the second of such votes being passed not less than ninety days after the passage of the first vote, that it is expedient so to do, and after such final action by the city councils shall have been ratified by majority vote at a general election, or by two thirds at a special meeting, of the qualified voters, duly warned in either case, and held not less than ninety days after the passage of the second vote of the city councils. If such ratifying vote shall be in the affirmative, the city councils may thereafter vote to accept the proposal of the public utility for the sale of its plant and property, if any shall have been made as provided in paragraph (c) of this section, or may vote to take the plant and property of such public utility by condemnation proceedings as herein provided, or subject to the provisions of this act may vote to construct a municipal plant. In either case the city councils may appropriate or vote to borrow money for the purpose of paying for such plant and property, as provided in section 7 of this act. (b) Any town or village district may acquire or establish such a municipal plant after it shall have voted that it is expedient so to do, by majority vote at a regular town or village district meeting, and, after the expiration of not less than ninety days, shall have ratified such action by like vote at an adjournment of such regular meeting. If such second vote shall be in the affirmative, said adjourned meeting may vote to accept the proposal of the public utility for the sale of its plant and property, if any shall have been made as provided in paragraph (c) of this section, or may vote to take the plant and property of such public utility by condemnation proceedings as herein provided, or may vote to construct a plant. In either case, such adjourned meeting may appropriate or vote to borrow money for the purpose of paying for such plant and property as provided in section 7 of this act. (c) Within thirty days after the passage of the first vote by the city councils or by a meeting in a town or village district, the mayor of such city, the selectmen of such town, or the commissioners of such district shall demand of any public utility operating within the limits of the municipality, of the same kind as that proposed to be acquired or established, whether such utility desires to sell its plant and property to the municipality in case the latter completes the action necessary to the acquisition or establishment of a municipal plant. Such public utility shall transmit its answer to such inquiry in writing within sixty days after its receipt. In case its answer shall be the negative, or in case it fails to transmit its answer in writing within the sixty days aforesaid, it shall forfeit any right which it otherwise might have had to require the pur-

Action, how taken by municipalities; purchase of existing plant, how consummated.

chase of its plant and property, or any part thereof, by the municipality. In case it answers in the affirmative, it shall state the terms and conditions upon which it is willing to sell its plant and property to the municipality, and shall offer to furnish a schedule thereof upon demand after reasonable notice, and to permit an examination and appraisal of its plant and property by experts or other representatives of the municipality. Thereupon the municipality shall, through its mayor, selectmen or commissioners, make or cause to be made such examination or appraisal of the plant and property offered for sale to the municipality as it may deem advisable, and receive any further proposal by the public utility for the sale to the municipality of its plant and property, or such portion thereof as may be specified in such proposal, and the results of such examination or appraisal, together with such further proposal, if any, and any recommendations thereon, shall be filed with the clerk of such municipality at least ten days prior to the date set for the taking of the second vote in a town or district, or the ratifying vote in a city, upon the expediency of acquiring or establishing a municipal plant as above provided. (d) If such existing public utility shall have failed to answer as aforesaid and within the time aforesaid, or shall have answered in the negative, the municipality, in case it shall have passed the votes and taken the action heretofore required, may construct a municipal plant, or it may take such private plant and property by condemnation, paying therefor just compensation as herein provided. (e) If such existing public utility shall have answered in the affirmative, and in the manner and within the time aforesaid, and such municipality shall finally vote in favor of acquiring a municipal plant, and the municipality and the utility shall fail to come to an agreement as to the value of such public utility, such value shall be determined in the first instance by the public service commission after notice and hearing, and, on appeal of either party taken, within thirty days after the announcement of the decision of the commission, to the superior court of the county where the principal part in value of the plant and property of the utility is situated, by such court, in the same manner as is now provided by law for assessing damages upon appeal in proceedings for laying out highways. The city councils in cities, the selectmen in towns, and the commissioners in village districts shall have power to authorize the settlement and adjustment of any such condemnation proceedings upon such terms as they shall consider proper. (f) As soon as practicable, but not exceeding one hundred twenty days after the final vote of the municipality to take the plant and property of such public utility, such utility shall surrender and the municipality shall take possession of such plant, property and facilities, and

thereafter operate the same. At the time of such change of possession, or as soon as practicable thereafter, the utility shall make and deliver, and the municipality shall receive and accept, such appropriate deeds, bills of sale, or other evidences of title as the public service commission may approve or require, and the proceedings for ascertaining and assessing the amount to be paid and received therefor shall thereafter proceed to a conclusion. In case of disagreement, the public service commission shall determine what property of the utility is and what is not subject to such conveyance under the terms of this act, and what shall and what shall not be included in such conveyance. (g) Any municipality purchasing the plant, property or facilities of a public utility as aforesaid shall purchase the whole of such plant, property or facilities used in the production of the same kind of service as that proposed to be established by the municipality which is within its limits, as far as it is reasonably suitable for or is used in connection with such public utility business. The price to be paid therefor shall be the fair value thereof, but no portion of such plant shall be estimated at less than its fair value for any other purpose. The price to be paid therefor shall also include the damages, if any, caused by the severance of any portion of such plant, property or facility lying outside the limits of the municipality. (h) Where the major part of the plant, property or facilities of such utility lies within the limits of the municipality purchasing the same, but other parts of such plant, property or facilities lie without its limits, the municipality may purchase the whole of such parts of such plant, property or facilities outside of its limits as the public service commission, taking into consideration the rights of the public utility and of the other municipalities in which it operates, may, after notice to all parties interested and a public hearing, determine is for the public interest, and necessary for the proper carrying on of its business. (i) A municipality, which has acquired, as hereinbefore provided, the plant, property or facilities of a public utility in any other municipality may thereafter operate therein as a public utility with the same rights and franchises which such outlying plant, as purchased, would have had, had such purchase not been made. If the outlying municipality shall itself vote to establish a municipal plant, all the provisions of this act shall be binding as to said purchase.

SECT. 3. Said municipalities are also authorized and empowered to enter upon and take by eminent domain any land or any interest in land, within its limits which may be necessary for the construction, extension or maintenance of its plant, and shall pay all damages sustained by any person or corporation by condemnation of any land, interest in land, right of way, or water right, or by any

Right of eminent domain.

other thing done under the authority of this act, *provided* that if it shall be necessary to enter upon and appropriate any private property or rights therein, and said municipality shall not agree with the owner or owners thereof for the damage that may be done thereby, either party may apply to the superior court in the county where said town or district is located to have the same laid out, and damages determined, and thereupon proceedings shall be had in all respects as provided by law in case of appeals and award of damages in proceedings for laying out highways.

Contracts for service authorized.

SECT. 4. Any such municipality is authorized and empowered to contract with individuals, corporations and with other municipalities and the citizens thereof for supplying them with electricity or gas for any of the purposes herein named or contemplated, and to make such contracts, and establish such regulations and such reasonable tolls for the use thereof as may from time to time be deemed proper and necessary.

Commissioners authorized.

SECT. 5. For the more convenient management of any such lighting system, any such municipality may place the construction, management, control and direction of the same in a board of commissioners to consist of three or more citizens of such municipality, to be chosen in the manner provided by law for water commissioners in such a municipality, said commissioners to be vested with such powers and duties relating to the construction, control and management of the service as may from time to time be prescribed. Their terms of office shall be for one, two and three years, and thereafter one shall be elected each year for a term of three years and until his successor is elected and qualified.

Organization of board; vacancies, how filled.

SECT. 6. The compensation of said commissioners shall be fixed by the municipality. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and said board shall appoint a clerk and a superintendent of the system, and such other officers and agents as they may deem necessary, and shall thereupon furnish the clerk of the municipality a certificate of such organization, and said clerk shall record the same in his records. The commissioners shall fix the compensation of all officers and agents appointed by them, and may remove the same at will. Whenever a vacancy shall occur in said board from any cause, the remaining members of the board shall fill such vacancy temporarily by appointing a citizen of said municipality in writing, which shall be filed with the clerk thereof, and recorded by him in his records; and the person so appointed shall hold office until his successor shall be elected to fill out the unexpired term. Said commissioners shall annually make a report of the condition of the system financially and otherwise, showing the funds belonging to their de-

partment and the expenses and income thereof, with such other facts and information as they may have, which report shall be published in the annual report of the municipality each year.

SECT. 7. Said municipalities are also authorized and empowered to raise by taxation, and appropriate, or, as provided by chapter 43 of the Laws of 1895, to borrow and hire such sums of money on the credit of the municipality as may from time to time be deemed necessary and expedient for the purpose of defraying the cost of purchasing or taking the plant, property or facilities of any public utility aforesaid, which said municipality may acquire, or for constructing, extending or enlarging any such plant, works or system, said indebtedness not to exceed at any one time five per cent. of the tax valuation of the municipality, and to issue notes or bonds of the municipality therefor in such amounts, and payable at such time or times and at such rates of interest, as may be fixed therefor, and may exempt such notes or bonds from taxation when held by the inhabitants of the municipality; said notes and bonds to be signed as provided by law for the like obligations of such municipalities.

Appropriations for purchase, construction, etc.

SECT. 8. Said municipalities are hereby authorized and empowered to raise by taxation and appropriate such sums, if any, as may be necessary, over and above the earnings from said plant, to pay the charges of operating and maintaining the same, and to pay interest on notes and bonds, and such part of the principal as may be determined by vote, and may establish a sinking fund for the redemption of the bonds, and fix the amount to be raised by taxation each year toward said sinking fund.

Appropriations for maintenance, operation, etc.

SECT. 9. This act shall take effect upon its passage.

Takes effect on passage.

[Approved May 21, 1913.]

## CHAPTER 219.

AN ACT IN AMENDMENT OF CHAPTER 95, OF THE LAWS OF 1903, AND AMENDMENTS THERETO, RELATING TO THE POWERS AND DUTIES OF THE BOARD OF LICENSE COMMISSIONERS AND APPOINTMENT OF SPECIAL AGENTS.

SECTION	SECTION
1. Licensed inholders, privileges of.	7. Salaries of commissioners.
2. Fees for licenses of first class.	8. Bonds of commissioners.
3. Special agents, appointment and duties; complaints, how prosecuted.	9. Powers and duties of board.
4. Existing license board abolished.	10. Disposition of money received; distribution of surplus.
5. State liquor agent, office abolished.	11. Takes effect July 1, 1913; repealing clause.
6. New license board created.	

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

Licensed inholders may be granted further privileges.

SECTION 1. Amend the first [second] paragraph of section 6, chapter 95, Laws of 1903, relating to licenses of the first class by adding the following to said paragraph: *Provided, however*, holders of a license of this class in license cities and towns may, in the discretion of the state board of license commissioners, be granted the right to sell liquor of any kind, in quantities less than five gallons to one person at one time, not to be drunk on the premises, on all days except Sundays and holidays and such other days as the state board of license commissioners shall designate, so that said section 6 shall read: SECT. 6. Licenses shall be of the following classes: First class.—To sell liquor of any kind, to be drunk on the premises, to be issued only to inholders. *Provided, however*, holders of a license of this class in license cities and towns may, in the discretion of the state board of license commissioners, be granted the right to sell liquor of any kind, in quantities less than five gallons to one person at one time, not to be drunk on the premises, on all days except Sundays and holidays and such other days as the state board of license commissioners shall designate.

Fees for licenses of first class.

SECT. 2. Amend section 7, chapter 95, Laws 1903, by striking out the figures "\$1,000" in the first line of the first [second] paragraph thereof, and inserting in place thereof the figures \$1,500, so that said first [second] paragraph shall read: SECT. 7. Fees for licenses shall be as follows: First Class. Not more than \$1,500 nor less than \$25 per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee and restrict, define and limit each license of the first class in their discretion, *provided however*, no licensee of the first class, in a no-license city

or town shall sell or serve liquor except to *bona fide* registered guests who have resorted to his hotel for food or lodging. Such licensee shall not sell liquor to any resident of the city or town in which his hotel is situated, neither shall he maintain or keep a bar room or bar at which liquor is sold.

SECT. 3. Section 5 of chapter 95 of the session Laws of 1903, as amended by section 2 of chapter 49 of the session Laws of 1905, is hereby repealed and the following new section is hereby enacted in place thereof: SECT. 5. The governor with the advice and consent of the council may appoint one or more special agents and fix their compensation. Such special agents shall hold office for two years following their appointment and may be removed for cause by the governor with the advice and consent of the council after due notice and hearing thereon. It shall be the duty of said special agents, under the direction of the board of license commissioners, to investigate all matters relating to the collection of license fees or penalties under this act, and in relation to compliance with law by persons holding licenses under the terms of this act. Any commissioner or special agent may enter any place where liquor is sold, at any time, and may examine any license certificate issued or purporting to have been issued under the terms of this act. He may investigate any other matters in connection with the sale of liquor and shall make complaints for violations of this act. Said special agents shall make all their complaints to the attorney-general, who shall investigate, or authorize investigation of the same, and, if satisfied that they are well founded, shall bring such complaints before the board of license commissioners for hearing, and shall prosecute or order prosecution of the same before the board. Said special agents in the performance of their duties shall have the powers of constables in criminal cases within the limits of the state, and section 20, chapter 212, of the Public Statutes, shall not apply to them when acting as constables under this section.

SECT. 4. The tenure of office of the board of license commissioners, created by and under the provisions of chapter 95 of the Laws of 1903, entitled, "An Act to regulate the Traffic in Intoxicating Liquors" and any amendments thereto, is hereby terminated, and said board is hereby abolished.

SECT. 5. The tenure of office of the state liquor agents created by and under the provisions of chapter 71 of the Laws of 1899, entitled, "An Act to provide for the Appointment of State and Town Liquor Agents and to regulate their Conduct" is hereby terminated and said office is hereby abolished.

SECT. 6. There is hereby created a board of license commissioners, to consist of three competent persons, of whom no more than two shall belong to the same political party, to be appointed

Special agents, appointment and duties; complaints, how prosecuted.

Existing license board abolished.

State liquor agent, office abolished.

Board of license commissioners created.

and commissioned by the governor, by and with the advice and approval of the council for the following terms: The chairman for a term of six years; the treasurer (who shall *ex officio* be the clerk of said commission) for a term of four years; and the remaining number for a term of two years. Subsequent appointments shall be for a term of six years, excepting only such as are for the purpose of completing an unexpired portion of a term.

Salaries.

SECT. 7. The salaries of said commissioners shall be twenty-five hundred dollars each, payable in equal monthly payments from the proceeds received from licenses.

Bonds.

SECT. 8. The treasurer of said board shall give bond with sureties duly approved by the governor and council in the sum of fifty thousand dollars, and the other members in the sum of ten thousand dollars, upon the same conditions as are required of the license commissioners by the laws in force next prior to the passage of this act.

Powers and duties.

SECT. 9. Said board of license commissioners shall have all the powers and perform all the duties imposed by the law of this state in force next prior to the passage of this act, upon the board of license commissioners, except as herein otherwise provided, and upon the state liquor agents.

Disposition of money received; distribution of surplus.

SECT. 10. The treasurer of said board of license commissioners shall receive all moneys lawfully paid to said board, and shall pay the same to the state treasurer in monthly payments, including therein all commissions received upon liquors furnished to or ordered for town liquor agents, with a detailed statement of the source from which and the date when the same was received, and the consideration therefor, and from the moneys thus received, by the state treasurer, he shall pay, subject to the audit of the state auditor and upon the warrant of the governor, the salaries and expenses incurred by, and under the authority of said board, and any balance received from license fees, shall be paid by and distributed by him, as the same is now by law paid by and distributed by the treasurer of the license commission.

Takes effect July 1, 1913; repealing clause.

SECT. 11. This act shall take effect July 1st, 1913, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved May 21, 1913.]



## CHAPTER 220.

AN ACT RELATING TO THE PURCHASE OF MILK, CREAM, AND BUTTER  
WITHIN THE STATE FOR SHIPMENT AND SALE WITHOUT THE STATE.

## SECTION

1. Purchasers to be licensed.
2. Statement to be filed by applicant.
3. License fees; bond, when required.
4. Statements as to licensee's business.
5. Licensee selling realty to furnish bond.
6. Payments, when due, in absence of writing.

## SECTION

7. Bond forfeited if payments overdue.
8. Suit on bond in name of state, when.
9. Service on obligor, how made.
10. License to be suspended if suit brought.
11. Penalty for sundry violations.
12. Takes effect on passage.

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

SECTION 1. Every person, co-partnership, association or corporation that, as a part of his, their or its business, purchases milk, cream or butter within this state, to be shipped and sold beyond the state, is hereby required to first obtain a license therefor, as hereinafter provided. Purchasers to be licensed.

SECT. 2. Every such applicant for a license shall file with the agricultural department of the state, a statement showing: (1) the full name and address of the dealer, if an individual; (2) if it be a co-partnership, the full names and addresses of all members of the co-partnership, and their respective interests in the firm; (3) if it be an association, the full names and addresses of all members of the association, a copy of the articles of association duly attested by the clerk or secretary thereof, a list of all officers of the association and a copy of any by-laws or regulations thereof attested by such clerk or secretary; (4) if it be a corporation, a copy of its charter or articles of agreement; a copy of its by-laws or regulations; and a copy of such portions of its records as show the extent of its paid up capital; a list of its stockholders and their respective holdings, a list of its officers, and a statement showing its financial condition, all of which shall be signed by the president, treasurer, and secretary or clerk of the corporation; (5) a complete statement of all real estate within this state, owned by such individual, co-partnership and the members thereof, association, or corporation, and of the incumbrances thereon, which shall also contain the place and details of the record of the applicants' title thereto; (6) a statement of the amount of such business done by such person, co-partnership, association or corporation, within this state during each month of the year preceding such application; (7) such further information relative to its organization or past business, or its proposed course of future business as the agricultural department of the state may require; (8) all resident indi- Statement to be filed by applicant.

viduals, co-partnerships, associations, or corporations giving bond, as hereinafter provided, and all non-resident individuals, co-partnerships, associations or corporations, shall, prior to receiving such license, file with the secretary of state, a power of attorney whereby the secretary of state is appointed his, their or its agent, for receiving service of process, returnable to any court within this state; and shall also file a true copy of such power of attorney with the department of agriculture.

License fees; bond,  
when required.

SECT. 3. Upon the filing of such certificate, and the payment of one dollar for each month that a license is applied for, the department of agriculture shall be empowered to license such applicant to make such purchases within this state, for shipment and sale without the state, until the first day of the next April, *provided* such person, co-partnership, association or corporation shall be found by said department to have sufficient real estate within this state to afford ample security for the protection of those from whom such person, co-partnership, association or corporation purchases the aforesaid products for such shipment and sale; *provided, further*, that any person, co-partnership, association or corporation, not having sufficient real estate within this state to afford such security, shall be permitted to furnish security by a bond signed by such applicant and some surety company authorized to do business within this state, which bond shall be in such sum as the department of agriculture shall fix, and shall be conditioned upon the payment by the principal of said bond, of all its accounts for milk, cream or butter so purchased within this state, within fifteen days after the same shall become due, and for the faithful performance of and compliance with all the conditions and requirements imposed upon such dealers, by the department of agriculture, or by the laws of the state. Such bond shall run to the governor of the state of New Hampshire, who shall be deemed to hold the same as trustee for the benefit of all residents of the state who may sell to the principal upon such bond any of the aforesaid products for shipment and sale as aforesaid.

Statements as to  
business.

SECT. 4. The agricultural department may require such licensee to furnish detailed statements of the business transacted by such licensee thereunder; and may require the licensee to furnish further bond whenever in the opinion of such department it becomes necessary for the protection of resident creditors of such licensee.

Licensee selling  
realty to furnish  
bond.

SECT. 5. Any licensee whom the department has accredited with security consisting of real estate, shall, before conveying or incumbering said real estate, notify the department of agriculture, and shall comply with such order as to furnishing bond in lieu of such real estate, as said department may make, before selling or encumbering said realty.

SECT. 6. Individuals, co-partnerships, associations or corporations so licensed may contract with his, their or its vendors, for the payment of the several sums due them for milk, cream or butter, at such times and in such manner as may be mutually agreed upon, but in the absence of any written memoranda thereof signed by both parties, in respect thereto, such payment shall be due and payable on the Tuesday next after the fifteenth day of each month, for all milk, cream or butter delivered or furnished during the preceding calendar month. At the time payment is made therefor, such licensee shall furnish to each payee a statement of the quantity delivered or furnished by him during the period covered by the payment so made, together with the price allowed for the same.

Payments, when due, in absence of writing.

SECT. 7. If such licensee, for the space of fifteen days after the date upon which the payment of the several amounts due his, their or its vendors becomes due, shall, without the consent of such creditor, fail to pay the amount due for milk, cream or butter, delivered or furnished by such creditor, then and in that event, the bond given by such licensee shall be forfeitable as for condition broken.

Bond forfeited if payments overdue.

SECT. 8. Upon the violation of any bond furnished as aforesaid, any creditor injured by such violation may make written application to the governor for leave to sue said bond, and upon indemnifying the state from any loss, cost, damage or expense, in such sum as the governor may prescribe, not exceeding three hundred dollars, leave shall be given such creditor to bring suit against said bond, within such period of time as may be limited in such permission, in the name of the state of New Hampshire. Upon the forfeiture, by judgment or order of court, of any such bond, any creditor of the principal, whose claim is for milk, cream or butter, and which is overdue, may enter his name in said suit, as a plaintiff in interest, upon such conditions or terms as the court may order; and, upon proof of his claim, execution may be issued in favor of such creditor, for the amount of such claim, with interest for the overdue period, together with costs, against the principal and surety upon such bond.

Suit on bond in name of state, when.

SECT. 9. Whenever suit is instituted upon any such bond, after permission first had and obtained as aforesaid, service shall be made upon the secretary of state, as the resident agent of non-resident licensees and bonded resident licensees; and there shall be given to him by the sheriff serving the same an extra copy of the writ or document served, together with twenty-five cents for filing and docketing the same and for conveying such additional copy to the department of agriculture. It shall be the duty of the secretary of state to forthwith, upon the service of any such process upon him, to enter the same in a docket, showing the name of the plaintiff and defendant, the term of court to which said process is return-

Service on obligor, how made.

able, the date when and the officer by whom the same was served, and to forthwith transmit the extra copy to the department of agriculture.

Suspension of license.

SECT. 10. Upon the reception by the department of agriculture of such process it shall be the duty of such department to suspend the defendant's license, until the licensee shall furnish such new security as the department may order.

Penalty.

SECT. 11. Any person, co-partnership, association or corporation making false statement to secure a license, or purchasing milk, cream or butter within, to be shipped and sold beyond this state, without first having obtained a license so to do, or who, having first obtained such license, shall continue to do such business after being notified by the department of agriculture that such license has been suspended, until permission to resume such business shall be granted by said department, shall be fined not exceeding five hundred dollars, and may be imprisoned not exceeding one year, or both.

Takes effect on passage.

SECT. 12. This act shall take effect Sept. 1, 1913.

[Approved May 21, 1913.]

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CHAPTER 221.

AN ACT IN AMENDMENT OF CHAPTER 93 OF THE PUBLIC STATUTES RELATING TO ATTENDANCE OF CHILDREN AT SCHOOL.

SECTION

SECTION

1. Compulsory school attendance.

2. Repealing clause; act takes effect on passage.

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

Compulsory school attendance.

SECTION 1. Section 14 of chapter 93 of the Public Statutes, as amended by chapter 61 of the Laws of 1901, chapter 13, Laws of 1903, and by chapter 139 of the Laws of 1911, is amended by striking out the clause, "who cannot read at sight and write legibly simple sentences in the English language" and substituting therefor the following: unless such child shall have completed the course of study prescribed for the elementary schools, so that the section, as amended, shall read: SECT. 14. Every person having the custody and control of a child between the ages of eight and fourteen years, or of a child under the age of sixteen years unless such child shall have completed the course of study prescribed for the ele-

mentary schools, residing in a school district in which a public school is annually taught, shall cause such child to attend the public school all the time such school is in session, unless the child shall be excused by the school board of the district because his physical or mental condition is such as to prevent his attendance at school for the period required, or because he was instructed in the English language in a private school approved by the school board for a number of weeks equal to that in which the public schools were in session in the common English branches, or, having acquired those branches, in other more advanced studies. Any person who does not comply with the requirements of this section shall be fined ten dollars for the first offense and twenty dollars for every subsequent offense, for the use of the district; *provided, however*, that any person having the custody and control of a child may apply to the state superintendent of public instruction for relief whenever such person deems it to be against the moral or physical welfare of such child to attend the particular school required by law, and thereupon, after notice to the school board of the district in which such child is required to attend school, the state superintendent of public instruction may order such child to attend another school in the same district if such school is available; may order such child to attend school in another district, in which case the district in which such child resides shall pay to the district in which such child attends school tuition not to exceed the average cost per child of instruction for the regularly employed teachers and the cost of text-books, supplies and apparatus for such time as such attendance shall continue; may permit such child to withdraw from school attendance for such time as he may deem necessary or proper; or make such other order or orders with respect to the attendance of such child at school as in his judgment the circumstances require.

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;  
act takes effect  
on passage.

[Approved May 21, 1913.]

## CHAPTER 222.

AN ACT TO AMEND SECTION 15 OF CHAPTER 78, OF THE LAWS OF 1897,  
RELATING TO POLLING PLACES.

SECTION 1. Polling places and booths, requirements of; who allowed within guard rail.

*Be it enacted by the Senate and House of Representatives in  
General Court convened:*Polling places and  
booths, require-  
ments of; who  
allowed within  
guard rail.

SECTION 1. Amend section 15, chapter 78, of the Laws of 1897 by striking out the whole of said section and insert in place thereof the following, to be known as section 15: SECT. 15. The selectmen in the different towns and wards shall provide suitable places in which to hold all elections provided for in this act, and to see that the same are warmed, lighted, and furnished with proper supplies and conveniences, including a sufficient number of booths, shelves, and soft black lead pencils, to enable the voter to prepare his ballot for voting, and in which voters may prepare their ballots, screened from all observation as to the manner in which they do so. A guard rail shall be so constructed and placed that only such persons as are inside such rail can approach within six feet of the ballot-box and of such voting booths. The arrangements shall be such that the voting booths can be reached only by passing within said guard rail. They shall be in plain view of the election officers, and both they and the ballot-boxes shall be in plain view of those outside the guard rail. Each of said booths shall have three sides inclosed, one side in front to open and shut by a door swinging outward, or to be inclosed with a curtain. Each side of said booths shall be not less than six feet high, and the door or curtain shall extend to within two feet of the floor, and said door or curtain shall be closed while the voter is preparing his ballot, and each of said booths shall be well lighted. Each booth shall be at least three feet square, and shall contain a shelf at least fifteen inches wide, at a convenient height for writing. No persons other than the election officers and the voters admitted as hereinafter provided, shall be permitted within said rail, except by authority of the election officers, and then only for the purpose of keeping order and enforcing the law. The number of such voting booths shall not be less than one to every seventy-five voters, or fraction thereof, qualified to vote at such polling place, and there shall not in any case be less than two of these voting booths at any polling place. Cities and towns shall provide suitable ballot-boxes, which shall be used at all elections therein. At the opening of the polls, and before any election under this chapter, the ballot-box shall be publicly opened and shown to be empty, and the election officers shall ascertain that fact by a personal examination of the ballot-box.

[Approved May 21, 1913.]

## CHAPTER 223.

AN ACT IN AMENDMENT OF CHAPTER 169 LAWS 1911, ENTITLED  
"AN ACT TO CREATE A PERMANENT TAX COMMISSION."

SECTION 1. Commission may reassess if municipal officers fail to do so.

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

SECTION 1. That sub-division 12 of section 8, chapter 169, Laws 1911, be amended by adding after the word "law" in the tenth line of said sub-division the following: and such reassessment shall be made in the first instance by the selectmen or assessors of said district, and if such reassessment is not made within thirty days of the order, or is not satisfactory to the tax commission, then the commission may make such reassessment or cause it to be made. Any such reassessment shall, when completed and returned to the clerk of the city or town by the board making it, be treated exactly as an original assessment, and the selectmen or assessors shall assess the taxes on the property accordingly. The expense of any such reassessment shall be paid by the city or town in which is situated the property assessed, so that said sub-division as amended shall read as follows: (12) To receive complaints and to carefully examine into all cases where it is alleged that property subject to taxation has not been assessed, or has been fraudulently or for any reason improperly or unequally assessed, or the law in any manner evaded or violated, and to order reassessments of any or all real and personal property, or either, in any assessment district, when in the judgment of said commission such reassessment is advisable or necessary, to the end that all classes of property in such assessment district shall be assessed in compliance with the law and such reassessment shall be made in the first instance by the selectmen or assessors of said district, and if such reassessment is not made within thirty days of the order, or is not satisfactory to the tax commission then the commission may make such reassessment or cause it to be made. Any such reassessment shall, when completed and returned to the clerk of the city or town by the board making it, be treated exactly as an original assessment, and the selectmen or assessors shall assess the taxes on the property accordingly. The expense of any such reassessment shall be paid by the city or town in which is situated the property assessed. Neglect or failure to comply with such orders on the part of any selectman or assessor shall be deemed wilful neglect of duty, and he shall be subject to the penalties provided by law in such cases. Any person

Commission may  
reassess if mun-  
icipal officers fail  
to do so.

aggrieved because of such reassessment shall have the same right of petition and appeal as from the original assessment.

[Approved May 21, 1913.]

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CHAPTER 224.

AN ACT IN AMENDMENT OF CHAPTER 162 OF THE LAWS OF 1911 RELATING TO CHILD LABOR.

SECTION

1. Employment of children under fourteen restricted.

SECTION

2. Daily and weekly hours of labor established.

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

Employment of children under fourteen.

SECTION 1. Section 1 of chapter 162 of the Laws of 1911 is hereby amended by striking out, in the first line thereof, the word "twelve" and substituting therefor the word fourteen and by striking out everything in the section after the words "transmission of merchandise or messages" in the seventh line thereof, so that the section as amended shall read as follows: SECTION 1. No child under the age of fourteen shall be employed or permitted or suffered to work, in, about, or in connection with, any mill, factory, workshop, quarry, mercantile establishment, tenement house manufactory or workshop, store, business office, telegraph or telephone office, restaurant, bakery, hotel, barber shop, apartment house, bootblack stand or parlor, or in the distribution or transmission of merchandise or messages.

Daily and weekly hours of labor.

SECT. 2. Section 6 of chapter 162 of the Laws of 1911 is hereby amended by adding thereto the following: And boys fourteen years or over may deliver newspaper routes after five o'clock in the morning, and boys twelve years old or over may deliver newspaper routes between four and eight o'clock in the evening, so that said section as amended shall read: SECT. 6. No boy under the age of sixteen years, and no girl under the age of eighteen years, shall be employed, or permitted or suffered to work at any gainful occupation, other than domestic service or work on a farm, more than fifty-eight hours in any one week, nor more than eleven hours in any one day; nor before the hour of half past six o'clock in the morning, nor after the hour of seven o'clock in the evening,—except that minors sixteen years of age or over may work in retail stores and telephone exchanges until ten o'clock in the evening, and boys fourteen years or over may deliver newspaper routes after five



o'clock in the morning, and boys twelve years old or over may deliver newspaper routes between four and eight o'clock in the evening.

[Approved May 21, 1913.]

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CHAPTER 225.

AN ACT TO PROVIDE FOR THE EXAMINATION AND FOR THE USE OF VOTING MACHINES, AT ELECTIONS.

SECTION

1. Board of examiners.
2. Notice to manufacturers.
3. Examination and approval.
4. Only approved machines to be used.
5. Employment of machinists.
6. Prerequisites for approval.
7. Votes for presidential electors.
8. Trial machines for municipal elections.
9. Bond to keep in repair.
10. Regulations and instructions.
11. Assistance to certain voters.
12. Tampering, injuring, etc., penalty.

SECTION

13. "Voting machine," meaning of.
14. "Election," meaning of.
15. Existing statutes saved or suspended.
16. Number of ballots where machine in use; provision for secrecy; number to be furnished; existing statutes modified.
17. Result, how ascertained and certified.
18. Two ballot clerks for each machine.
19. Sample ballots.
20. Repealing clause; act takes effect on passage.

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

SECTION 1. The state ballot law commission shall also constitute Examiners. the state board of voting machine examiners.

SECT. 2. Within thirty days from passage of this act said board shall give public notice to voting machine manufacturers to submit to said board their voting machine for its examination and approval. Notice to manufacturers.

SECT. 3. Said board shall whenever requested by any person representing any type or make of voting machine which in the opinion of said examining board will properly comply with the provisions of this act, examine such machine, and if said machine conforms to the requirements of this act as to the durability, accuracy and efficiency in accordance with this act, they shall certify their approval to the secretary of state within thirty days, together with their report, the drawings and photographs, which shall be a public record, and thereafter such machine may be used as provided in this act; they shall certify their approval of such machines as, in their judgment, furnish convenient, simple and satisfactory means of voting and of ascertaining the true result thereof with facility and accuracy, special regard being had to preventing and Examination and approval.

detecting double voting; but no machine shall be approved which does not secure to the voter a degree of secrecy in voting equal to that afforded by the use of the official ballot as provided by law, and the secretary of the state shall send a copy of each report on voting machines to every city and town clerk within thirty days from the time said report is filed in his office.

Approved machines  
to be used.

SECT. 4. No machine except such as is approved by said examiners and used in accordance with this act shall be used in this state.

Employment of  
machinists.

SECT. 5. For the purpose of such examination the said board may employ not more than three expert machinists at a cost not exceeding ten dollars, (\$10) each to be paid by the person submitting their machines for examination.

Prerequisites for  
approval.

SECT. 6. No voting machine shall be approved by the state board of voting machine examiners unless it be so constructed as to provide facilities for voting for the candidates of at least seven different parties or organizations; it must permit a voter to vote for any person for any office, whether or not nominated as a candidate by any party or organization; such machine shall be so constructed that a voter cannot vote for any candidate or on a referendum for whom or on which he is not lawfully entitled to vote; it must be so constructed as to prevent a voter from voting for more than one person for the same office, and it must afford him an opportunity to vote for only as many persons as he is by law entitled to vote for, preventing him from voting for the same person twice for the same office; it must be so constructed that it can be used with equal facility at all elections and so that a voter need not be required to disclose his party affiliation, and at the same time permitting the voter to cast his vote in a primary election for candidates of one party or organization only; it must be so constructed that votes cast will be registered or recorded by the machines, and must be protected by such means as will prevent tampering with the register while the votes are being given in; it shall be provided with a locking system that will permit of opening the machine only by a three-party lock or by three separate locks; it shall be so constructed that a voter may change his vote for any regularly nominated candidate up to the time he leaves the machine; it shall have a counter the register of which can be seen from the outside of the machine, and which shall show during the election the total number of voters that have operated the machine at that election.

Votes for presiden-  
tial electors.

SECT. 7. The names of candidates for presidential electors need not appear on the ballot labels, but in lieu thereof one ballot with each party column or row containing only the words presidential electors, preceded by the party name and the names of the candidates for president and vice-president may be used, and every vote

registered for such ballot shall operate as a vote for all candidates of such party for presidential electors and be counted as such.

SECT. 8. A city or town may purchase or accept for trial one or more voting machines, approved as provided in this act, and may use the same at all elections of officers in said city or town until otherwise ordered by the board of mayor and aldermen in cities and by the selectmen in towns. Said machines shall be used for the purpose of voting for the candidates to be elected at such elections and for taking the vote upon the question of granting licenses for the sale of intoxicating liquor and upon other questions submitted to the voters. In cities the power to determine upon, purchase and order the use of voting and counting machines shall be vested in a board consisting of the mayor and aldermen of the city and in towns the board of selectmen, and the expense so incurred shall be deemed an expense of the election department of said city or town, and the machines purchased shall be used at all elections.

Trial machines for local elections.

SECT. 9. When voting machines are purchased, the persons of whom such machines are purchased shall give to the secretary of state a suitable bond with sufficient sureties, conditioned to keep each machine in good working order for two years at their own expense.

Bond for repair.

SECT. 10. The secretary of state shall make regulations for the use of machines approved, and before all election shall furnish appropriate instructions for the voters in cities and towns where such machines are used.

Regulations and instructions.

SECT. 11. A voter who declares on oath to the presiding officer that he cannot read, or that from blindness or other physical disability he is unable to register his vote upon a voting machine, shall be assisted in such registering by one or two of the election officers, who shall be of such political party represented among the election officers, as the voter may request.

Assistance to certain voters.

SECT. 12. Any person who will tamper with or injure or attempt to injure any voting machine to be used or being used in an election, or who will prevent or attempt to prevent the correct operation of such machine, or any unauthorized person who will make or have in his possession a key to a voting machine to be used or being used in an election, will be guilty of a misdemeanor and will be punished by a fine of not less than one hundred dollars or more than five hundred dollars or by imprisonment in the state prison for not less than one or more than five years, or by both such fine and imprisonment.

Tampering, injuring, etc., penalty.

SECT. 13. The words voting machine as used in this act shall be construed as meaning all mechanical means of voting, registering and counting votes.

"Voting machine," meaning of.

"Election," meaning of.

SECT. 14. The word election in this act shall be construed as including all caucuses, primaries, as well as all special, partial and general elections.

Existing statutes saved and suspended.

SECT. 15. All acts and parts of acts relating to presidential, state, county, city and town election, and defining the powers and duties of election officers, so far as applicable to the use of voting machines, shall remain in full force and effect, and all acts and parts of acts inconsistent therewith are suspended in such cities, towns or election districts, wherein such voting machines are lawfully used, so long as the same shall be used therein.

Number of ballots where machine in use; provision for secrecy; number to be provided; existing statutes modified.

SECT. 16. (a) In the distribution of ballots as provided in chapter 33 of the Public Statutes, only a sufficient number shall be distributed to a town or city that has adopted the use of a voting machine as will be required to equip such machine for that proper use and to supply the sample ballots provided in section 11 of said chapter. (b) The voting machine shall be so protected that no person can see the doings of the voter when therein and using the same for voting. (c) The selectmen in a town or the mayor and aldermen of a city that adopts the voting machine, shall establish one or more of such machines in each polling place as established by law, so as to give all legal voters an opportunity to vote. (d) Section 16 of chapter 33 of the Public Statutes is so amended that in a town or city that has adopted the use of a voting machine the words, "the ballot clerk shall give him one ballot only" shall not be in force. (e) And in such case section 17 of said chapter shall be so modified as to read, the voter shall forthwith and without leaving the enclosed space retire alone to the booth of the voting machine not occupied by another person, and indicate upon such machine the person or persons for whom he votes, according to the construction of said machine and the regulations prescribed by the secretary of state under this act. When the voter has indicated this vote upon the voting machine, he shall proceed forthwith outside of said machine and the guard rail, and shall not re-enter such enclosed place during the progress of such voting, unless he is an election officer. No voter shall be allowed to occupy a voting machine more than two minutes when other voters are waiting to occupy the same.

Result, how ascertained and certified.

SECT. 17. At the close of the voting and after the summarizing and tabulating of the votes by the machine, the voting machine shall be opened in the presence of the election officers and the results of the voting as indicated by that machine shall be certified forthwith in writing at the foot of each column and signed then and there by the presiding officer and the clerk of such polling place; and thereupon the presiding officer shall separate said tabulations so certified and taken from such machine and the same shall be counted, sealed up, certified and disposed of as provided in chapter 34 of the Public

Statutes, and such certificates of tabulation and voting shall be treated in all respects as equivalent to the preservation of the original ballots under the existing laws.

SECT. 18. No more than two ballot clerks for each machine shall be employed to officiate at any polling place where voting machines are used. The presiding officer at each polling place shall enforce the regulations and instructions prescribed by the secretary of state under this act, and carry out all the provisions of the law relating to the elections, except such as are rendered inapplicable by the use of such machines. Ballot clerks.

SECT. 19. The officer or board in charge of the duties of providing ballots for any voting place where voting machines have been adopted shall provide therefor six sample ballots for each voting place, which shall be arranged in the form of a ballot under the existing law, showing the entire front of the voting machine as it will appear after the official ballots are arranged for voting on election day. Such official ballot shall be posted and open to public inspection at such polling place and five other public places during the day of election, and for a period of five days immediately preceding. Sample ballots.

SECT. 20. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause;  
act takes effect  
on passage.

[Approved May 21, 1913.]

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CHAPTER 226.

AN ACT RELATIVE TO THE PROVISIONS OF ACCIDENT AND HEALTH POLICIES.

SECTION

1. Forms of policy, etc., to be filed.
2. Requirements as to policy.
3. Standard provisions.
4. Optional standard provisions.
5. Stipulations conflicting with standard provisions barred.
6. Unintentional or immaterial misstatement not defense to suit.
7. Certain acts not waiver by insurer.
8. Alteration, erasure, etc., in application.

SECTION

9. Policy in violation of act, how construed.
10. Provisions prescribed by law of insurer's domicile.
11. Discriminative rates prohibited.
12. Application of act limited.
13. Penalty for wilful violations.
14. Repealing clause.
15. Takes effect October 1, 1913.

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

SECTION 1. On and after the first day of January, 1914, no policy of insurance against loss or damage from the sickness, or the bodily injury or death of the insured by accident shall be issued or Forms of policy,  
etc., to be filed.

delivered to any person in this state until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with the insurance commissioner; nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed unless the said commissioner shall sooner give his written approval thereto. If the said commissioner shall notify, in writing, the company, corporation, association, society or other insurer, which has filed such form that it does not comply with the requirements of law, specifying the reasons for his opinion, it shall be unlawful thereafter for any such insurer to issue any policy in such form. The action of the said commissioner in this regard shall be subject to review by the superior court.

Requirements as  
to policy.

SECT. 2. No such policy shall be so issued or delivered (1) unless the entire money and other considerations therefor are expressed in the policy; nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the insurer; nor (3) unless every printed portion thereof and of any endorsements or attached papers shall be plainly printed in type of which the face shall be not smaller than ten point; nor (4) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall be not smaller than fourteen point; nor (5) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply, *provided, however*, that any portion of such policy which purports, by reason of the circumstances under which a loss is incurred, to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances, shall be printed in bold face type and with greater prominence than any other portion of the text of the policy.

Standard pro-  
visions.

SECT. 3. Every such policy so issued shall contain certain standard provisions, which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption standard provisions, *provided, however*, that the conditions of such standard provisions may be so varied as to grant more favorable terms to the policyholder, but all such provisions shall be in such form as the insurance commissioners may approve. In each such standard provision wherever the word insurer is used, there shall be substituted therefor company or corporation or association or society or such other word as will properly designate the insurer. Said standard shall be: (1) A standard provision relative to the contract which may be in either of the following two forms: Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation, and Form (B) to be used in policies which do so provide. If Form (B) is used and

the policy provides indemnity against loss from sickness, the words or contracts sickness may be inserted therein immediately after the words in the event that the insured is injured: (A):—1. This policy includes the endorsements and attached papers if any, and contains the entire contract of insurance. No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation. (B):—1. This policy includes the endorsements and attached papers if any, and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation. If the law of the state in which the insured resides at the time this policy is issued requires that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the state official having supervision of insurance in such state then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law, but if such filing is not required by such law then they shall mean the insurer's premium rates and classification of risks last made effective by it in such state prior to the occurrence of the loss for which the insurer is liable. (2) A standard provision relative to changes in the contract, which shall be in the following form: 2. No statement made by the applicant for insurance not included herein shall avoid the policy or be used in any legal proceeding hereunder. No agent has authority to change this policy or to waive any of its provisions. No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon. (3) A standard provision relative to reinstatement of policy after lapse which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; form (B) to be used in policies which insure only against loss from sickness; and form (C) to be used in policies which insure against loss from both accident and sickness. (A):—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover

loss resulting from accidental injury thereafter sustained. (B) :—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten days after the date of such acceptance. (C) :—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance. (4) A standard provision relative to time of notice of claim which may be in either of the three following forms: Form (A) to be used in policies which insure only against loss from accident; form (B) to be used in policies which insure only against loss from sickness, and form (C) to be used in policies which insure against loss from both accident and sickness. If form (A) or form (C) is used the insurer may at its option add thereto the following sentence, In event of accidental death immediate notice thereof must be given to the insurer. (A) :—4. Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury. (B) :—4. Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness. (C) :—4. Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness. (5) A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the blank space such office and its location as it may desire to designate for such purpose of notice: 5. Such notice given by or in behalf of the insured or beneficiary, as the case may be, to the insurer at ..... or to any authorized agent of the insurer, with particulars sufficient to identify the insured, shall be deemed to be notice to the insurer. Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible. (6) A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows: 6. The insurer upon receipt of such notice, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not so furnished within fifteen days after the receipt of such notice the



claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, character and extent of the loss for which claim is made.

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided: (A) :—7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made. (B) :—7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable. (C) :—7. Affirmative proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable, and in case of claim for any other loss, within ninety days after the date of such loss. (8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following form: 8. The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder, and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law. (9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made, which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability. The insurer shall insert in the blank space either the word “immediately” or appropriate language to designate such period of time, not more than sixty days, as it may desire; form (A) to be used in policies which do not provide indemnity for loss of time on account of disability and form (B) to be used in policies which do so provide. (A) :—9. All indemnities provided in this policy will be paid ..... after receipt of due proof. (B) :—9. All indemnities provided in this policy for loss other than that of time on account of disability will be paid ..... after receipt of due proof. (10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability, which provision shall be in the following form, and which may be omitted from any policy not providing for such indemnity. The insurer shall insert in the first blank space of the form, appropriate language to designate the proportion of accrued indemnity it may desire to pay, which proportion may be all or any part not less than one-half, and in the second blank space shall insert any period of time not exceeding sixty days: 10. Upon request of the insured and subject

to due proof of loss . . . . . acerued indemnity for loss of time on account of disability will be paid at the expiration of each . . . . . during the continuance of the period for which the insurer is liable, and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof. (11) A standard provision relative to indemnity payments which may be in either of the two following forms: Form (A) to be used in policies which designate a beneficiary and form (B) to be used in policies which do not designate any beneficiary other than the insured: (A) :—11. Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured and otherwise to the estate of the insured. All other indemnities of this policy are payable to the insured. (B) :—11. All the indemnities of this policy are payable to the insured. (12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form: 12. If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy, the insurer, upon written request of the insured, and surrender of the policy, will cancel the same and will return to the insured the unearned premium. (13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary: 13. Consent of the beneficiary shall not be requisite to surrender or assignment of this policy, or to change of beneficiary, or to any other changes in the policy. (14) A standard provision limiting the time within which suit may be brought upon the policy as follows: 14. No action at law or in equity shall be brought to recover on the policy prior to the expiration of sixty days after proof of loss has been filed in accordance with the requirements of this policy, nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy. (15) A standard provision relative to time limitations of the policy as follows: 15. If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the state in which the insured resides at the time this policy is issued, such limitation is hereby extended to agree with the minimum period permitted by such law.

Optional standard provisions.

SECT. 4. No such policy shall be so issued or delivered which contains any provisions (1) relative to cancellation at the instance of the insurer; or, (2) limiting the amount of indemnity to a sum not less than the amount stated in the policy and for which the premium has been paid; or, (3) providing for the deduction of any premium from the amount paid in settlement of claim; or, (4)

relative to other insurance by the same insurer; or, (5) relative to the age limits of the policy; unless such provisions which are hereby designated as optional standard provisions, shall be in the words and in the order in which they are hereinafter set forth, but the insurer may at its option omit from the policy any such optional standard provisions. Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in section three of this act. *Provided, however* that the conditions of such optional standard provisions may be so varied as to grant more favorable terms to the policyholder, but all such provisions shall be in such form as the insurance commissioners may approve. (1) An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows: 16. The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured, and such cancellation shall be without prejudice to any claim originating prior thereto. (2) An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows: 17. If the insured shall carry with another company, corporation, association or society other insurance covering the same loss without giving written notice to the insurer, then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loss, and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined. (3) An optional standard provision relative to deduction of premium upon settlement of claim as follows: 18. Upon the payment of claim hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom. (4) An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided, and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification of risks, filed as required by this act. (A) :—19. If a like policy or policies, previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity in excess of \$. . . . . the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured. (B) :—19. If a like policy or policies, previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for loss of time on account of disability in

excess of \$. . . . . weekly, the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured. (C) :—19. If a like policy or policies, previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for loss other than that of time on account of disability in excess of \$. . . . ., or the aggregate indemnity for loss of time on account of disability in excess of \$. . . . . weekly, the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured. (5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect: 20. The insurance under this policy shall not cover any person under the age of . . . . . years nor over the age of . . . . . years. Any premium paid to the insurer for any period not covered by this policy will be returned upon request.

Stipulations conflicting with standard provisions barred.

SECT. 5. Except as herein provided, no such policy shall be so issued or delivered if it contains any provision contradictory, in whole or in part, of any of the provisions hereinbefore in this act designated as "standard provisions" or as "optional standard provisions"; nor shall any endorsements or attached papers vary, alter, extend, be used as a substitute for, or in any way conflict with any of the said "standard provisions" or the said "optional standard provisions"; nor shall such policy be so issued or delivered if it contains any provision purporting to make any portion of the charter, constitution or by-laws of the insurer a part of the policy unless such portion of the charter, constitution or by-laws shall be set forth in full in the policy, but this prohibition shall not be deemed to apply to any statement of rates or classification of risks filed with the insurance commissioner in accordance with the provisions of this act.

Unintentional misstatements, etc.

SECT. 6. The falsity of any statement in the application for any policy covered by this act shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer.

Certain acts not waiver.

SECT. 7. The acknowledgement by any insurer of the receipt of notice given under any policy covered by this act, or the furnishing of forms for filing proofs of loss, or the acceptance of such proofs, or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy.

Alteration, erasure, etc., in application.

SECT. 8. No alteration of any written application for insurance by erasure, insertion or otherwise, shall be made by any person

other than the applicant without his written consent, and the making of any such alteration without the consent of the applicant shall be a misdemeanor. If such alteration shall be made by any officer of the insurer, or by any employee of the insurer with the insurer's knowledge or consent, then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application.

SECT. 9. A policy issued in violation of this act shall be held valid but shall be construed as provided in this act and when any provision in such a policy is in conflict with any provision of this act the rights, duties and obligations of the insurer, the policy holder and the beneficiary shall be governed by the provisions of this act.

Policy in violation of act, how construed.

SECT. 10. The policies of insurance against accidental bodily injury or sickness issued by an insurer not organized under the laws of this state may contain, when issued in this state, any provision which the law of the state, territory or district of the United States under which the insurer is organized, prescribes for insertion in such policies, and the policies of insurance against accidental bodily injury or sickness issued by an insurer organized under the laws of this state may contain, when issued or delivered in any other state, territory, district or country, any provision required by the laws of the state, territory, district or country in which the same are issued, anything in this act to the contrary notwithstanding.

Provisions prescribed by law of insurer's domicile.

SECT. 11. Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this act, or in the benefits payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatsoever is prohibited.

Discriminative rates prohibited.

SECT. 12. (1) Nothing in this act, however, shall apply to or affect any policy of liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, co-partnership, association or individual employer, police or fire department, underwriters' corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy. (2) Nothing in this act shall apply to or in any way affect contracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance

Application of act limited.

against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness; *provided* that no such supplemental contract shall be issued or delivered to any person in this state unless and until a copy of the form thereof has been submitted to and approved by the insurance commissioner, under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him. (3) Nothing in this act shall apply to or in any way affect fraternal benefit societies. (4) The provisions of this act contained in clause (5) of section 2 and clauses 2, 3, 8 and 12 of section 3 may be omitted from railroad ticket policies sold only at railroad stations, or at railroad ticket offices by railroad employees.

Penalty for willful violations.

SECT. 13. Any company, corporation, association, society or other insurer or any officer or agent thereof, which or who issues or delivers to any person in this state any policy in wilful violation of the provisions of this act shall be punished by a fine of not more than two hundred dollars for each offense, and the insurance commissioner may revoke the license of any company, corporation, association, society or other insurer of another state or country, or of the agent thereof, which or who wilfully violates any provision of this act.

Repealing clause.

SECT. 14. All acts or parts of acts inconsistent with this act are hereby repealed.

Takes effect October 1, 1913.

SECT. 15. This act shall take effect on the first day of October, 1913. Any policy covered by this act, the form of which has received the approval of the insurance commissioner may be issued or delivered in this state on and after the said date.

[Approved May 21, 1913.]

## CHAPTER 227.

JOINT RESOLUTION RATIFYING THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDING THAT SENATORS SHALL BE ELECTED BY THE PEOPLE OF THE SEVERAL STATES.

Preamble; amendment ratified.

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

THAT WHEREAS, the Sixty-second Congress, in the second session, <sup>Preamble.</sup> in both houses has passed the following proposition to amend the constitution of the United States, by a constitutional majority of two thirds thereof, in words following to wit: Joint Resolution, proposing an amendment to the constitution providing that senators shall be elected by the people of the several states. RESOLVED, By the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each house concurring therein). That in lieu of the first paragraph of section three of article one of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies, the following be proposed as an amendment to the constitution, which shall be valid to all intents and purposes as part of the constitution when ratified by the legislatures of three fourths of the states: The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures. When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution, therefore be it

*Resolved*, That the said proposed amendment to the constitution <sup>Amendment</sup> be, and the same is, hereby ratified by the legislature of the State <sup>ratified.</sup> of New Hampshire.

*Resolved*, That a certified copy of the foregoing preamble and resolution be forwarded by the governor to the secretary of state <sup>Certified copy to</sup> for the United States, in accordance with section two hundred and <sup>secretary of state</sup> five of the Revised Statutes of the United States. <sup>of United States.</sup>

[Approved February 21, 1913.]

## CHAPTER 228.

JOINT RESOLUTION RATIFYING THE SIXTEENTH AMENDMENT TO THE  
CONSTITUTION OF THE UNITED STATES OF AMERICA.

Preamble; amendment ratified.

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

Preamble.

WHEREAS, both houses of the sixty-first Congress of the United States of America, at its first session, by a constitutional majority of two thirds thereof, made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

“A Joint Resolution proposing an Amendment to the Constitution of the United States.

“*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* (two thirds of each house concurring therein) that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislature of three fourths of the several states, shall be valid to all intents and purposes as a part of the Constitution, namely, article xvi.

“The Congress shall have power to lay and collect taxes on incomes from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.”

Now, therefore,

Amendment  
ratified.

*Be it resolved by the Senate and House of Representatives in General Court convened,* that the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the General Court of the said State of New Hampshire. And further be it resolved that certified copies of this Joint Resolution be forwarded to the governor of this state, to the Secretary of State of the said United States, and to the presiding officers of the Senate and House of Representatives of the said United States.

[Approved March 14, 1913.]



## CHAPTER 229.

JOINT RESOLUTION IN FAVOR OF THE WIDOW OF THE LATE ROBERT L.  
SMILEY.

Payment of salary and mileage authorized.

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

That the state treasurer be and hereby is authorized to pay to the widow of the late Robert L. Smiley, member of the house from Sutton, the full salary and mileage due him as a member of the house of representatives. <sup>Payment authorized.</sup>

[Approved March 26, 1913.]

## CHAPTER 230.

## JOINT RESOLUTION IN FAVOR OF FRED A. BARTLETT OF LACONIA.

Appropriation of \$1,200.

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

That the sum of twelve hundred dollars be and hereby is appropriated to pay Fred A. Bartlett of Laconia, New Hampshire, for the expenses and loss which he has sustained by reason of the death of his minor child, Walter E. Bartlett, who was accidentally shot on the twentieth day of April, 1912, at Laconia, New Hampshire, while employed by the state militia of the State of New Hampshire at Laconia in setting up targets for practice shooting; and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. <sup>Appropriation of \$1,200.</sup>

[Approved March 26, 1913.]

## CHAPTER 231.

## JOINT RESOLUTION IN FAVOR OF WILLIAM W. CRITCHETT AND OTHERS.

Sundry allowances for services.

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

Sundry allowances  
for services.

That William W. Critchett, sergeant-at-arms, be paid \$56; Melvin J. Jenkins, doorkeeper, \$24.50; William M. Holman, assistant warden of cloakroom, \$51.98; Eugene D. Sanborn, library messenger, \$61.20; Howard O. Nelson, custodian of mail and supplies, \$67.78; Walter J. A. Ward, doorkeeper, \$34.20; John F. Bartlett, doorkeeper, \$32.32; Oscar D. Beverstock, doorkeeper, \$13.02; Charles A. Holden, doorkeeper, \$32.72; Richard M. O'Dowd, page, \$35.20; Walter B. Wells, page, \$34.80; Clayton T. Waite, page, \$31.20; Richard Brown, page, \$28; Frank Chase, page, \$28; for their services rendered at the organization of the present Senate and House of Representatives; and that the governor be, and hereby is, authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 26, 1913.]

## CHAPTER 232.

## JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN THE EXPENSES OF THE LEGACY TAX DEPARTMENT FOR THE YEAR ENDING AUGUST 31, 1913.

Appropriation of \$1,000.

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

Appropriation  
of \$1,000.

That the sum of one thousand (\$1,000) dollars be and the same is hereby appropriated to provide for a deficiency in the legacy tax department for the fiscal year ending August 31, 1913, and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 26, 1913.]

## CHAPTER 233.

JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN THE EXPENSES OF  
THE NEW HAMPSHIRE STATE SANATORIUM FOR THE YEAR ENDING  
AUGUST 31, 1913.

Appropriation of \$5,000.

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

That the sum of five thousand (\$5,000) dollars be and the same is hereby appropriated to provide for a deficiency in the maintenance and running expenses of the New Hampshire State Sanatorium for the fiscal year ending August 31, 1913. <sup>Appropriation of \$5,000.</sup>

[Approved March 31, 1913.]

## CHAPTER 234.

JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN THE EXPENSES OF  
THE INSURANCE DEPARTMENT FOR THE YEAR ENDING AUGUST 31,  
1913.

Appropriation of \$500.

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

That the sum of five hundred dollars be and the same is hereby appropriated for incidentals in the insurance department for the year ending August 31, 1913, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. <sup>Appropriation of \$500.</sup>

[Approved March 31, 1913.]

## CHAPTER 235.

## JOINT RESOLUTION IN FAVOR OF THE CELEBRATION OF THE ANNIVERSARY OF THE BATTLE OF GETTYSBURG.

Appropriation of \$10,000; governor and council to appoint agent to expend same.

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

Appropriation of \$10,000; appointment of agent to expend same.

That the sum of ten thousand dollars, (\$10,000) or such portion thereof as may be necessary, be and is hereby appropriated for paying the transportation charges to and from Gettysburg, Pa., on the occasion of the celebration of the anniversary of the Battle of Gettysburg, July, 1913, of such survivors of the War of the Rebellion now residing in New Hampshire who are able and who desire to attend. The above sum shall be placed at the disposal of some person to be designated by the governor, with the approval of the council, who will be thereby charged with carrying out the provisions of the joint resolution; said person, upon the completion of his duties, shall render to the governor and council, an itemized account of his expenditures as authorized, and shall cover back into the treasury any unexpended balance remaining in his hands; he shall be reimbursed from the sum appropriated in the joint resolution for any expense he may have found it necessary to incur in carrying out its provisions. The joint resolution shall take effect upon its passage.

[Approved March 31, 1913.]

## CHAPTER 236.

## JOINT RESOLUTION APPROPRIATING MONEY FOR THE PAYMENT OF THE BALANCE DUE THE TOWNS, CITIES AND UNINCORPORATED PLACES FOR THE STATE'S LEGAL SILARE FIGHTING FOREST AND BRUSH FIRES.

Preamble; appropriation of \$3,000.

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

Preamble.

THAT WHEREAS, the State of New Hampshire is by law required to pay one half of the expenses caused by fighting forest and brush fires in towns, cities and unincorporated places, and WHEREAS, the amount appropriated for the years 1911 and 1912 was insufficient

to meet this obligation, now, therefore, be it resolved that the sum of \$3,000 is hereby appropriated to pay the state's legal share of said bills, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 31, 1913.]

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### CHAPTER 237.

JOINT RESOLUTION IN REGARD TO THE PREPARATION AND PUBLICATION OF A DIGEST OF THE DECISIONS OF THE SUPREME COURT OF THE STATE.

Contract by governor and council authorized.

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

That the governor and council are hereby authorized to enter into a contract with any person, firm or corporation to prepare and publish either a complete digest of the decisions of the supreme court of the state, or a supplementary digest to include the decisions contained in New Hampshire Reports, volumes 65 to 76 inclusive. The amount necessary to carry out the provisions of this act shall be drawn from any money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his warrant for the same.

[Approved April 1, 1913.]

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### CHAPTER 238.

JOINT RESOLUTION FOR THE PURCHASE OF COPIES OF THE SUPPLEMENT TO THE CHASE EDITION OF THE PUBLIC STATUTES.

Purchase of 550 copies authorized; how distributed.

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

That whereas a supplement to the Chase edition of the Public Statutes, to include the laws for the years 1901 to 1913 inclusive, is being compiled, now therefore be it resolved, that upon the pub-

lication of said supplement the secretary of state is hereby authorized and directed to purchase 550 copies thereof for a sum not exceeding thirty-three hundred dollars, payable out of any money in the treasury not otherwise appropriated. The secretary of state shall distribute said copies as follows: One to the town clerk of each town and to the ward clerk of each ward in the cities; one to each judge of the supreme and superior courts; one to each clerk of court; one to each judge of probate; one to each register of probate; one to each register of deeds; one each to the Library of Congress, the United States Department of Justice, the United States supreme court library; one to the state library of each state in the Union; one to each of the executive departments and commissions of this state; one to each police justice in the state; and the balance to the state library of this state for the use of legislative committees.

[Approved April 1, 1913.]

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## CHAPTER 239.

### JOINT RESOLUTION FOR THE APPOINTMENT OF MEMBERS OF A NEW ENGLAND RAILROAD CONFERENCE BOARD.

Preamble; governor to appoint members of railroad conference board; appropriation of \$1,000.

Preamble.

WHEREAS, at a meeting of the governors of five of the New England states, recently held, to consider the best methods of developing and operating the railway systems of New England, it was agreed that each New England state should be requested to appoint two citizens of such state, to act, in conjunction with two citizens appointed by each of the remaining states, as a New England railroad conference board, to consider ways and means best adapted to the proper development, maintenance and operation of New England railways, that the interests of the public-at-large and of the railways might be conserved; and,

WHEREAS, other New England states, acting upon the subject, have authorized the appointment of members of said conference board.—Now, therefore,

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

Railroad conference board; appropriation of \$1,000.

That the governor, by and with the advice and approval of the council, is hereby authorized to appoint and commission two reputable citizens of this state as members of a New England railroad

conference board, to act in conjunction with a like representation from other New England states, in considering the ways and means best adapted to the proper development, maintenance and operation of the railways of New England for the conservation of the interests of the public-at-large, and of the railway systems. Said commissioners to make report of the doings and conclusions of said board, to the governor and council, who shall transmit the same to the legislature next in session thereafter. Said commissioners are to serve without pay, but are to be paid their actual expenses, for which purpose, there is hereby appropriated of the funds in the treasury not otherwise appropriated, the sum of one thousand dollars.

This joint resolution shall take effect upon its passage.

Takes effect  
on passage.

[Approved April 15, 1913.]

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## CHAPTER 240.

### JOINT RESOLUTION FOR THE IMPROVEMENT OF THE HIGHWAY TO THE PRESIDENT'S SUMMER HOME IN CORNISH.

Appropriation of \$12,000; highway to be known as the Wilson road.

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

That the sum of twelve thousand dollars (\$12,000) be and hereby is appropriated for the improvement of the highway between the bridge across the Connecticut river in the town of Cornish and the summer home of the President of the United States in that town, and that said highway be known as The Wilson Road. Said appropriation shall be expended under the direction of the governor and council, and this resolution shall take effect upon its passage.

[Approved April 17, 1913.]

## CHAPTER 241.

JOINT RESOLUTION IN FAVOR OF THE BOSTON & MAINE RAILROAD AND  
THE DOVER, SOMERSWORTH & ROCHESTER STREET RAILWAY COMPANY.

Appropriations of \$2,101 and \$350.01, with interest from December 1, 1911.

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

Appropriation of  
\$2,101 and  
\$350.01, with  
interest.

That the sum of two thousand one hundred and one dollars with interest from the first day of December, 1911, be and is hereby appropriated for the purpose of reimbursing the Boston & Maine Railroad for taxes erroneously assessed for the year ending April 1, 1911, upon property of the Concord & Montreal Railroad, known as the Eastman Falls property in Franklin, and which said tax has been paid by the said Boston & Maine Railroad; also that the sum of three hundred fifty dollars and one cent be and is hereby appropriated for the purpose of reimbursing the Dover, Somersworth & Rochester Street Railway Company with interest from the first day of December, 1911, for taxes erroneously assessed upon said Dover, Somersworth & Rochester Street Railway Company for the years 1909 and 1910 and which has been paid by said street railway company: that these several amounts having been paid to the towns by the state treasurer, the same shall be deducted from the next railroad tax when apportioned to them.

[Approved April 22, 1913.]

## CHAPTER 242.

JOINT RESOLUTION APPROPRIATING MONEY FOR THE NEW HAMPSHIRE  
COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS, FOR THE EREC-  
TION OF A BUILDING.

Appropriation of \$80,000.

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

Appropriation  
of \$80,000.

That the sum of eighty thousand (\$80,000) dollars be and the same is hereby appropriated for the New Hampshire College of Agriculture and the Mechanic Arts and the governor is authorized to draw his warrant for said sum out of any money in the treasury



not otherwise appropriated. Said appropriation to be used for the erection of a new building for the engineering departments at said college.

[Approved April 29, 1913.]

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CHAPTER 243.

JOINT RESOLUTION APPROPRIATING MONEY FOR NEW BUILDINGS AT THE  
KEENE NORMAL SCHOOL.

Preamble; appropriation of \$100,000; issue of bonds and temporary loan provided for.

WHEREAS the state has, by joint resolution of the legislature of 1909, established a normal school in the city of Keene, the said city having provided free of expense a beautiful and well adapted location for the same, and

WHEREAS the said school has so increased in numbers that it has entirely outgrown the temporary quarters provided at the establishment and is seriously hampered in providing housing and educational facilities for its pupils, and

WHEREAS there is a great demand for more normal trained teachers in our state, therefore be it

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

That the sum of \$100,000 be, and hereby is, raised and appropriated for the providing of adequate accommodations for the Keene normal school, said accommodations to consist of a dormitory and a school building, and a central heating plant, and furnishings and such incidental moving and remodeling of present buildings as may be necessitated thereby: said sum to be expended under the direction of the trustees of said institution. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow said sum of \$100,000 on credit of the state; and to issue bonds, or certificates of indebtedness therefor, in the name and on behalf of the state, ten thousand dollars thereof to be paid annually, beginning on July 1, 1923, at a rate of interest not exceeding three and one-half per cent. per annum, payable semi-annually on the first days of January and July of each year; such bonds to have interest warrants or coupons attached thereto, said coupons to be signed by the state treasurer, and said bonds and coupons to be made payable at such place as the governor and council shall designate. Said bonds shall be designated New Hamp-

Appropriation of \$100,000; issue of bonds and temporary loan provided for.

shire State Normal School Bonds and shall be signed by the treasurer, and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep a record of all bonds countersigned by the governor, showing the number and amount of each bond, the time of countersigning, the time when payable, and the date of the delivery to the state treasurer. The treasurer shall keep a record of all bonds disposed of by him, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time payable. The treasurer may negotiate and sell such bonds to the best advantage for the state, but no bond shall be sold for less than its par value, nor shall such bonds be loaned, pledged or hypothecated in any way whatever. Said bonds when owned by residents or savings banks of this state shall be exempt from taxation. The governor shall draw his orders on the state treasurer for the amounts that may be, or become, due from time to time, under the contracts of the trustees, approved by the governor and council, for the purposes aforesaid, after said bills shall have been duly approved by the governor and council, to an amount not exceeding the proceeds of said bonds. To provide for the purposes enumerated in this joint resolution pending the sale of said bonds, as above provided, the governor and council may, and hereby are authorized, to borrow money on the credit of the state, to an amount not exceeding \$25,000 and to use an amount of the avails of said bonds, when sold, sufficient to pay the principal and interest of the money so borrowed.

[Approved April 29, 1913.]

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#### CHAPTER 244.

JOINT RESOLUTION AUTHORIZING THE ATTORNEY-GENERAL TO COLLECT BY SUIT, OR OTHERWISE, THIRTY ONE-THOUSAND-DOLLAR BONDS OF THE STATE OF SOUTH CAROLINA NOW HELD BY THE STATE OF NEW HAMPSHIRE.

Preamble; suit or compromise authorized.

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

Preamble.

WHEREAS, the State of New Hampshire is the owner of thirty one-thousand-dollar bonds issued by the State of South Carolina, the principal and interest of which are long overdue,

*Be it resolved by the Senate and House of Representatives in General Court convened,—*

That the attorney-general by and with the approval of the gov-<sup>Suit or compro-</sup>ernor and council be and hereby is authorized in the name of the <sup>mise authorized.</sup> State of New Hampshire to bring suit in any federal court of competent jurisdiction and to do all things necessary and proper to prosecute said suit to final judgment and execution against said State of South Carolina for the amount of said bonds and interest; and further to do all things necessary to collect such judgment and execution, or, with the approval of the governor and council, to take any other steps to collect said bonds, or to compromise, adjust and settle said claim and said suit, either before or after judgment; and for said purpose the attorney-general is fully authorized and empowered to employ such counsel and assistance and to incur such expense as may be necessary to duly conduct said suit and collect, or settle and adjust, such judgment and execution. The governor is duly authorized to draw his warrant upon any money in the treasury not otherwise appropriated for all of the expense incurred under this joint resolution.

[Approved April 29, 1913.]

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CHAPTER 245.

JOINT RESOLUTION IN FAVOR OF JOHN FOX WEISS.

Payment of \$1,247.38 authorized.

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

That the sum of twelve hundred forty-seven and 38-100 dollars <sup>Payment of</sup> be paid to John Fox Weiss of Harrisburg, Pennsylvania, for dam- <sup>\$1,247.38</sup>ages and expenses incurred while traveling on the Lafayette road, <sup>authorized.</sup> so called, a state highway in the town of Franconia, running between the Profile House and Bretton Woods, by reason of a defect in said state highway, and that the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 30, 1913.]

## CHAPTER 246.

## JOINT RESOLUTION IN FAVOR OF NEW HAMPSHIRE SCHOOL FOR FEEBLE-MINDED.

Appropriations of \$80,000 for sundry purposes.

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

Appropriations  
of \$80,000.

That the sum of forty thousand dollars (\$40,000) be and hereby is appropriated for the erection and furnishing of a dormitory for the care of epileptics; that the sum of twenty thousand dollars (\$20,000) be appropriated for the erection and furnishing of a chapel; that the sum of ten thousand (\$10,000) dollars be appropriated for piping, sewage, water and steam; that the sum of three thousand (\$3,000) dollars be appropriated for the purchase of land; that the sum of one thousand (\$1,000) dollars be appropriated for the installment of telephone system; that the sum of two thousand five hundred and fifty (\$2,550) dollars be appropriated for the enlarging of the school-house; that the sum of two thousand two hundred and fifty (\$2,250) dollars be appropriated for insulating steam pipes; that the sum of four hundred (\$400) dollars be appropriated for electric wiring; that the sum of eight hundred (\$800) dollars be appropriated for tools and equipment for carpenter's shop. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved April 30, 1913.]

## CHAPTER 247.

## JOINT RESOLUTION RELATING TO THE BOUNDARY COMMISSIONERS.

Preamble; commissioners on Vermont boundary dispute provided for.

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

Preamble.

WHEREAS the state of Vermont claims that a difference now exists between that state and this, as to the boundary line between the two states, and,

WHEREAS, the state of Vermont has directed her attorney-general to institute and prosecute such actions as are necessary for the settlement and demarcation of said boundary line, and

WHEREAS, the state of Vermont claims that there are questions still pending involving the construction and maintenance of interstate bridges across the Connecticut river, which will be delayed by the suggested litigation, and

WHEREAS, the state of Vermont suggests that a reasonable possibility of an adjustment of all such differences as Vermont claims to be existing, may be had by negotiation, and

WHEREAS, Vermont has, by joint resolution of her senate and house of representatives in general assembly convened, authorized her governor to appoint three commissioners to meet any person or persons thereto authorized by this state, to negotiate for the determination and location of the true boundary line between the two states, and as to all other matters dependent thereon including the construction and maintenance of interstate bridges; all of which appears by a copy of the joint resolution passed by the general assembly of Vermont, and the correspondence wherewith said resolution has been transmitted by the governor of Vermont to the governor of this state:

Now, therefore, while affirming the boundary between the two states to be the west bank of the Connecticut river, to which point the jurisdiction of New Hampshire extends, yet, recognizing that questions may reasonably arise as to the construction of dams in said river; and the erection and maintenance of interstate bridges over said river:

*Be it Resolved:* The governor is hereby authorized, by and with the advice and consent of the council, to appoint and commission one or more, not exceeding three, persons, to meet and confer with the commissioners from the state of Vermont as to the subject matters dependent upon the divisional line between the two states. Said commission shall report to the governor and council fully as to the claim of Vermont, if a difference be found to exist as to the divisional line between said states; and as to all matters dependent upon or affected by said divisional line, which have been considered by said boards, with their recommendations thereon, which report shall be transmitted to the general court at its next sitting. Such commissioners shall be paid their necessary expenses, to be allowed by the governor and council, and such further sum as to the governor and council may seem just, to be paid from any money in the treasury not otherwise appropriated.

Commissioners on  
Vermont boundary  
dispute provided  
for.

[Approved April 30, 1913.]

## CHAPTER 248.

JOINT RESOLUTION FOR THE REPAIR OF SUGAR LOAF ROAD IN THE TOWN  
OF ALEXANDRIA.

Annual appropriation of \$100.

*Resolved by the Senate and House of Representatives in General  
Court convened:*Annual appropria-  
tion of \$100.

That the sum of one hundred dollars be and the same is hereby appropriated for the repair of Sugar Loaf road in the town of Alexandria for the year 1913 and a like amount for the year 1914, the same to be expended under the direction of the selectmen. The governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

[Became a law without the governor's signature, May 5, 1913.]

## CHAPTER 249.

JOINT RESOLUTION IN FAVOR OF IMPROVEMENTS IN THE STATE HOUSE  
YARD.

Appropriations of \$10,500.

*Resolved by the Senate and House of Representatives in General  
Court convened:*Appropriations  
of \$10,500.

That the following named sums be and hereby are appropriated, to be expended under the direction of the governor and council; ten thousand dollars (\$10,000), or so much thereof as may be necessary, for the purpose of relaying the walks in the state house yard; five hundred dollars (\$500), or so much thereof as may be necessary, for the purpose of grading and fertilizing the lawn in the state house yard; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved May 7, 1913.]

## CHAPTER 250.

JOINT RESOLUTION APPROPRIATING MONEY FOR LIGHTS ON LAKE  
WINNIPESAUKEE.

Annual appropriation of \$100.

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

That one hundred dollars for each of the years 1913 and 1914, Annual appropriation of \$100. be and is hereby appropriated for the purpose of placing and maintaining two or more lights for lighting the steamboat course on said Lake Winnepesaukee opposite Melvin Village; the same to be expended by the agent in charge of the buoys and lights on the eastern side of said lake, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 7, 1913.]

## CHAPTER 251.

JOINT RESOLUTION RELATING TO THE SHARE OF THE STATE OF NEW  
HAMPSHIRE IN THE EXPENSE OF THE CONFERENCE OF THE GOV-  
ERNORS OF THE STATES IN 1912.

Appropriation of \$150.

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

That the sum of one hundred and fifty dollars, be and hereby is Appropriation of \$150. appropriated from any moneys in the state treasury not otherwise appropriated, for the payment of the share of the State of New Hampshire, in the conference of governors held in the year 1912, and the governor is hereby authorized to draw his warrant therefor.

[Approved May 7, 1913.]

## CHAPTER 252.

JOINT RESOLUTION IN FAVOR OF IMPROVEMENTS IN THE STATE HOUSE.

Appropriations of \$4,900.

*Resolved by the Senate and House of Representatives in General Court convened:*Appropriations  
of \$4,900.

That the following named sums be and hereby are appropriated, to be expended under the direction of the governor and council; one thousand dollars (\$1,000), or so much thereof as may be necessary, for the purpose of cleaning the portraits and repairing the frames of the same in the state house collection; four hundred dollars (\$400), or so much thereof as may be necessary, for the purpose of kalsomining the ceilings of offices; one thousand dollars (\$1,000), or so much thereof as may be necessary, for the purpose of painting the walls of Representatives' hall; fifteen hundred dollars (\$1,500), or so much thereof as may be necessary, for the purpose of installing a vacuum cleaning system for the state house; one thousand dollars (\$1,000), or so much thereof as may be necessary, for the purpose of installing shelving and filing cases in the basement vaults of the state house addition; and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved May 7, 1913.]

## CHAPTER 253.

JOINT RESOLUTION APPROPRIATING MONEY TO MAKE EFFECTIVE THE LAWS AGAINST BRIBERY AT ELECTIONS.

Appropriation of \$5,000.

*Resolved by the Senate and House of Representatives in General Court convened:*Appropriation  
of \$5,000.

That the sum of five thousand dollars (\$5,000) be and the same is hereby appropriated for the biennial fiscal period ending August 31, 1915 to defray such expenses not now provided for by law as may be necessary for the prevention, detection, investigation and prosecution of bribery at elections to be expended under the direction and subject to the approval of the attorney-general, and the governor is hereby authorized to draw his warrants to defray such



expenses as the bills for the same, approved by the attorney-general, shall be presented. The word elections shall be construed to include all elections by popular or legislative vote.

[Approved May 7, 1913.]

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CHAPTER 254.

JOINT RESOLUTION IN FAVOR OF HENRY H. CLARK OF FRANCONIA.

Appropriation of \$193.51.

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

That the sum of one hundred and ninety-three dollars and fifty-one cents be and the same is hereby appropriated for expenses of Henry H. Clark of Franconia while acting as trustee of the normal schools, and the governor is hereby authorized to draw his warrant for said amount to be paid out of money in the treasury not otherwise appropriated. Appropriation of \$193.51.

[Approved May 7, 1913.]

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CHAPTER 255.

JOINT RESOLUTION APPROPRIATING MONEY FOR THE USE OF DARTMOUTH COLLEGE.

Annual appropriation of \$20,000.

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

That in recognition of the eminent service rendered by Dartmouth College in the cause of higher education and for the general advancement of learning, the sum of twenty thousand dollars shall be appropriated and paid out of the state treasury to the trustees of Dartmouth College, on the warrant of the governor, on the first day of September each year for a period of two years next after the passage of this resolution, for use by said college in its educational work. This appropriation shall include ten scholarships each year for two years for the full prepaid annual tuition, at the Annual appropriation of \$20,000.

disposal of the state, to be awarded to worthy students residents of New Hampshire. For the second year these scholarships may be awarded to the same or to different students. The students granted these scholarships shall be appointed by the governor and council on recommendation of the president of Dartmouth College and the superintendent of public instruction, and these students shall be chosen from the different counties of the state so far as this distribution is found practicable.

[Approved May 7, 1913.]

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CHAPTER 256.

JOINT RESOLUTION IN RELATION TO THE BEQUEST OF THE HON. JOHN NESMITH FOR THE AID, SUPPORT, MAINTENANCE AND EDUCATION OF THE INDIGENT BLIND OF THE STATE OF NEW HAMPSHIRE.

Preamble; governor directed to enforce and protect rights of state.

Preamble.

WHEREAS, the Hon. John Nesmith, late of Lowell, in the County of Middlesex and Commonwealth of Massachusetts, by his will approved on the ninth day of November, one thousand eight hundred and sixty-nine, directed the trustees therein named to retain in their hands sixty thousand dollars of his estate, and also certain real estate therein described, and by his will aforesaid directed the said trustees, upon the decease of the survivor of his children, to pay over, deliver and assure the said estate and property to the state of New Hampshire, to hold the same in fee, and apply the income thereof for the aid, support, maintenance and education of the indigent blind of said state;

WHEREAS, certain litigation has been instituted in the courts of the Commonwealth of Massachusetts, the object of which is to invalidate said bequest to this state and to divert the fund to the heirs of said Nesmith;

WHEREAS, the legislature of this state by chapter 52 of the session Laws of 1870 accepted this noble gift upon the conditions named in said will, and authorized and requested the then governor to take such further measures as he might think expedient to secure to the state the benefits of this donation; now, therefore,

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

Governor directed  
to enforce rights  
of state.

That the state of New Hampshire reaffirm its grateful acceptance of this noble gift for the uses and upon the conditions named

in said will; that we pledge the faith and credit of the state to fulfilling the conditions named; that his excellency the governor be authorized and directed to take all necessary measures to protect, conserve and enforce the rights of the state in said gift. That this resolution take effect upon its passage.

[Approved May 7, 1913.]

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CHAPTER 257.

JOINT RESOLUTION APPROPRIATING MONEY FOR THE USE OF THE PUBLIC SERVICE COMMISSION FOR THE YEAR ENDING AUGUST 31, 1913.

Appropriation of \$3,282.90.

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

That the sum of three thousand two hundred eighty-two dollars and ninety cents, being a part of the unexpended balance of the appropriation for the use of the public service commission for the year ending August 31, 1912, be appropriated for the uses of the public service commission for the year ending August 31, 1913, including experts, clerks and assistants, incidentals and printing, expert assistance in the railroad rate investigation between the filing of the report of the commission and January 1, 1913, and the balance of the cost of printing and binding the report on the railroad rate investigation.

[Approved May 7, 1913.]

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CHAPTER 258.

JOINT RESOLUTION FOR THE ERECTION OF A STATUE OF FRANKLIN PIERCE.

Appropriation of \$15,000.

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

That the governor and council be hereby directed to cause a statue to Franklin Pierce to be erected in an appropriate place, to be by them selected, in the state house yard, the material, design,

workmanship, and dedication to be left to the discretion of the governor and council; and that to meet the expense thereof the governor be authorized to draw his warrant upon the treasury for a sum not exceeding fifteen thousand dollars.

[Approved May 13, 1913.]

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## CHAPTER 259.

JOINT RESOLUTION IN FAVOR OF THE FORESTRY DEPARTMENT AND APPROPRIATING \$15,800 THEREFOR.

Additional appropriations of \$15,800.

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

Additional appro-  
priations of  
\$15,800.

That the sums hereinafter specified are hereby appropriated for the forestry department, to wit: For the fiscal year ending August 31, 1914: For field assistance, \$1,500; for clerical assistance, \$900; for the care and acquisition of state land, \$5,000; for the suppression of the chestnut bark disease, \$500,—\$7,900. For the fiscal year ending August 31, 1915: For field assistance, \$1,500; for clerical assistance, \$900; for the care and acquisition of state land, \$5,000; for the suppression of the chestnut bark disease, \$500,—\$7,900, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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## CHAPTER 260.

JOINT RESOLUTION IN FAVOR OF THE GETTYSBURG CELEBRATION.

Additional appropriation of \$3,000.

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

Additional appro-  
priation of  
\$3,000.

That the sum of three thousand dollars (\$3,000) be and is hereby appropriated in addition to the amount carried by joint resolution No. 10 of this session relating to the Gettysburg celebration; the sum named to be expended, if found necessary, for the same pur-

pose, and under the same provisions, as the sum appropriated by the previous resolution, and the governor is hereby authorized to draw his warrant for the same on any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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CHAPTER 261.

JOINT RESOLUTION RELATIVE TO OLD HOME WEEK AND APPROPRIATING MONEY THEREFOR.

Preamble; time designated; annual appropriation of \$300.

WHEREAS, the custom of observing what is known as "Old Home Week" originated in, and was inaugurated by the people of the state of New Hampshire in 1899 and has since spread throughout the country and to foreign lands, and

WHEREAS, this custom has been of immense benefit sentimentally and practically to the state of New Hampshire, and

WHEREAS, the value of this observance has never been fully realized or officially recognized by the state, therefore be it

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

That the week beginning on the third Saturday in August is hereby designated as Old Home Week in New Hampshire, and that the sum of \$300 annually be and hereby is appropriated to be expended by the New Hampshire Old Home Week Association for promoting Old Home Week observance and for publishing and distributing reports thereof, subject to the approval of the governor and council, and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

Time designated:  
annual appropriation  
of \$300.

[Approved May 21, 1913.]

## CHAPTER 262.

## JOINT RESOLUTION PROVIDING FOR AN ENLARGEMENT OF THE NEW HAMPSHIRE STATE SANATORIUM.

Appropriation of \$42,970 for sundry purposes.

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

Appropriation of \$42,970 for sundry purposes.

That the sum of forty-two thousand nine hundred and seventy (\$42,970) dollars be and hereby is appropriated for the purpose of enlarging, furnishing, and otherwise improving the State Sanatorium at Gleneliff; the said sum to be expended under the direction of the board of trustees of the said institution as follows: Horse and cow barn combined, to contain eight horses, twenty cows, and 125 tons of hay, \$7,700; infirmary for women, complete with subway, \$17,500; finishing attic in kitchen and dining room building, \$1,500; and furnishing infirmary for women, \$2,800; new turbine engine and electric generator, direct connected, complete in all its parts, \$2,300; switch-board, panels for same, and wiring, \$325; automatic control and mining, \$180; two transformers, one for farm house and stable, and one for infirmary and ward building, and wiring, \$265; labor and cartage, \$450.—\$33,020; coal pocket attached to end of boiler house, 42'x20', to contain 125 tons of soft coal, \$1,900; new boiler, complete, \$1,350; repairing present dam, raising same 3', \$2,000; new sewerage basin and 400' new 6" pipe, \$800; two new hydrants and pipe for same, \$200.—\$39,270; repairs, \$1,600; live stock, conditional on new barn, etc., \$1,500; kitchen furnishings, \$600.—\$42,970. The governor is hereby authorized to draw his warrant for the said sum, to be paid out of any money in the treasury not otherwise appropriated. Said sum to be expended under the supervision of the governor and council, who may make any changes in the direction of the expenditures above itemized as, in their best judgment, they may see fit.

[Approved May 21, 1913.]

## CHAPTER 263.

JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN THE PER DIEM AND EXPENSES OF THE GOVERNOR'S COUNCIL FOR THE FISCAL YEAR ENDING AUGUST 31, 1913.

Deficiency appropriation of \$2,500.

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

That the sum of two thousand five hundred dollars be, and the same is hereby appropriated to provide for a deficiency in the *per diem* and expenses of the governor's council for the fiscal year ending August 31, 1913, and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. <sup>Appropriation of \$2,500.</sup>

[Approved May 21, 1913.]

## CHAPTER 264.

JOINT RESOLUTION RELATING TO CRAWFORD NOTCH IN HART'S LOCATION, AND TO APPROPRIATE MONEY IN PAYMENT OF THE DAMAGES ASSESSED, BY COMMISSIONERS APPOINTED BY THE SUPREME COURT.

Preamble; appropriation of \$110,000.

WHEREAS, an act was passed at the session of the legislature of 1911 to provide for the acquisition by the State of New Hampshire of the Crawford Notch, either by purchase or to take by right of eminent domain, and the governor and council acting under the authority of said act, and by the right of eminent domain, did take and appropriate the said Crawford Notch, consisting of about six thousand (6,000) acres of land with the wood and timber thereon, by causing the same to be surveyed and located and said location filed with the secretary of state on March 5, 1912, and

WHEREAS, the supreme court agreeably to the provisions of said act appointed a commission to assess the damages to the owner or owners, and said commission having heard all parties interested, have filed their assessment and award of damages, and

WHEREAS, section 3, of said act of session of 1911, appropriating money, viz., \$100,000 for payment of the same has been declared invalid, and the state having taken said property and been in pos-

session of the same since said March 5, 1912, without compensation to the owner or owners thereof at said time of taking: Therefore

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

Appropriation  
of \$110,000.

That such sum of money, not exceeding one hundred and ten (\$110,000) thousand dollars, as may be necessary to pay the award with such interest as may be justly or legally due, and also taxable costs, if any, to the several persons owners of said Crawford Notch and of the wood and timber thereon, at the time of said taking by the state, be and hereby is appropriated, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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## CHAPTER 265.

JOINT RESOLUTION FOR THE TREATMENT OF PERSONS AFFLICTED WITH TUBERCULOSIS, PARTICULARLY IN THE ADVANCED STAGES.

▲Annual appropriation of \$15,000.

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

Annual appropria-  
tion of \$15,000.

That for the treatment of persons afflicted with tuberculosis, particularly in the advanced stage, and who are unable to pay the cost of such treatment; and for the encouragement of the establishment and maintenance of sanatoria for the treatment of such persons, the state board of charities and correction be and hereby are authorized to engage free beds in such sanatoria or other places as have been approved by the state board of health for the treatment of such persons as the state board of charities and correction may specify. Indigent consumptives, citizens of the state, who are unable to pay any part of the cost of said treatment, may be admitted to said free beds by the authority of the secretary of the state board of charities and correction in accordance with the ordinary regulations of said sanatoria. Persons in needy circumstances, who, by themselves, relatives or friends, are unable to pay part of the cost of said treatment, may be admitted to said sanatoria or other places and maintained and treated therein at the expense of the state to that extent that they cannot by themselves, friends or relatives, chargeable therefor, pay cash cost of treatment when the



state board of charities and correction so certify and stipulate the proportion the state shall assume to pay. This act shall not be construed so as to deprive any person to whom aid is rendered of any right that he may have at the time of his admission to said sanatorium. To pay the expenses of engaging said free beds and assisting persons in needy circumstances to treatment in said sanatoria, a sum not exceeding \$15,000 for each of the years 1913-1914 and 1914-1915 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. This joint resolution shall take effect upon its passage.

[Approved May 21, 1913.]

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CHAPTER 266.

JOINT RESOLUTION TO PROVIDE FOR A DEFICIENCY IN CARRYING OUT THE PROVISIONS OF CHAPTER 130, SESSION LAWS OF 1909, AS AMENDED BY CHAPTER 31, LAWS OF 1911, RELATING TO THE BURIAL OF SOLDIERS AND SAILORS.

Deficiency appropriation of \$800.

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

That the sum of eight hundred (\$800) dollars be and hereby is appropriated for the year ending August 31, 1913, to provide for a deficiency accruing in carrying out the provisions of chapter 130, Laws of 1909, amended by chapter 31, Laws 1911, relative to the burial of soldiers and sailors, and the governor is authorized to draw his warrant therefor. <sup>Appropriation of \$800.</sup>

[Approved May 21, 1913.]

## CHAPTER 267.

JOINT RESOLUTION IN AMENDMENT OF A JOINT RESOLUTION PREVIOUSLY PASSED AT THIS SESSION, ENTITLED: "JOINT RESOLUTION APPROPRIATING MONEY FOR THE NEW BUILDINGS AT THE KEENE NORMAL SCHOOL."

Preamble; bills to be audited.

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

Preamble.

THAT WHEREAS, by the terms of the joint resolution previously passed at this session, entitled, "Joint Resolution appropriating Money for the New Buildings at the Keene Normal School," it was provided that: "The governor shall draw his orders on the state treasurer for the amounts that may be, or become, due from time to time, under the contracts of the trustees, approved by the governor and council, for the purposes aforesaid, after said bills shall have been duly approved by the governor and council, to an amount not exceeding the proceeds of said bonds," now, therefore, be it resolved that there be inserted in the foregoing sentence, after the words, "have been duly" the words, audited by the state auditor, and so that said sentence as amended shall read: The governor shall draw his orders on the state treasurer for the amounts that may be, or become, due from time to time, under the contracts of the trustees, approved by the governor and council, for the purposes aforesaid, after said bills shall have been duly audited by the state auditor and approved by the governor and council, to an amount not exceeding the proceeds of said bonds.

Bills to be audited.

[Approved May 21, 1913.]

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 CHAPTER 268.

JOINT RESOLUTION PROVIDING FOR MORE EXTENSIVE ADVERTISING OF THE NATURAL RESOURCES AND ATTRACTIONS OF THE STATE.

Appropriation of \$1,200.

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

Appropriation of \$1,200.

That the sum of twelve hundred dollars be and the same is hereby appropriated for the year ending August 31, 1913, for the purpose of publishing and circulating information in relation to

opportunities for developing the agricultural resources and natural attractions of the state, through immigration or summer residence, said sum to be expended under the authority and direction of the governor and council, and the governor is hereby authorized to draw his warrant for such sums not exceeding twelve hundred dollars as may be needed to carry into effect the purposes of this resolution. This joint resolution shall take effect upon its passage.

[Approved May 21, 1913.]

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CHAPTER 269.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SCHOOL FOR  
FEEBLE MINDED CHILDREN.

Appropriation of \$11,700.

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

That a sum not exceeding eleven thousand seven hundred dollars (Appropriation of \$11,700. \$11,700) be and hereby is appropriated for the support and maintenance of the New Hampshire School for Feeble Minded Children for the year ending August 31, 1915. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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CHAPTER 270.

JOINT RESOLUTION FOR AID IN THE RESTORATION AND MAINTENANCE  
OF THE BIRTHPLACE OF DANIEL WEBSTER.

Appropriation of \$1,500.

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

That the sum of fifteen hundred dollars be and the same is hereby (Appropriation of \$1,500. appropriated for the purpose of aiding in the restoration and maintenance of the birthplace of Daniel Webster, said sum to be paid to

the treasurer of the Webster Birthplace Association and expended under the direction of said association; and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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## CHAPTER 271.

### JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

Appropriation of \$32,000.

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

Appropriation  
of \$32,000.

That the sum of thirty-two thousand (\$32,000) dollars be and is hereby appropriated for the New Hampshire College of Agriculture and the Mechanic Arts. Said appropriation to be expended as follows: One half of the same for the fiscal year ending August 31, 1914, and one half for the year ending August 31, 1915. And the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

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## CHAPTER 272.

### JOINT RESOLUTION TO PROVIDE FACILITIES FOR THE SAFETY AND HEALTH OF THE PATIENTS AT THE NEW HAMPSHIRE STATE HOSPITAL.

Appropriations of \$12,000.

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

Appropriations  
of \$12,000.

That to provide facilities for the removal of hazardous fire risks, to eliminate unsanitary conditions which lead to the spread of disease, and to provide for better and safer care of the patients at the New Hampshire State Hospital, the sum of two thousand dollars (\$2,000) be and hereby is appropriated for re-wiring of the Bancroft building, barns and basements; that the sum of five thousand

dollars (\$5,000) be appropriated for the building of an addition to the laundry and equipment of the same; that the sum of five thousand (\$5,000) dollars be appropriated for the repair and sanitation of the existing cow barn and the purchase of a herd of cows.

[Approved May 21, 1913.]

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CHAPTER 273.

JOINT RESOLUTION APPROPRIATING \$15,000 FOR THE ERECTION OF AN  
ARMORY AT PORTSMOUTH.

Appropriation of \$15,000.

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

That the sum of fifteen thousand dollars, or as much thereof as <sup>Appropriation</sup> may be necessary is hereby appropriated for the purpose of building and equipping an armory in Portsmouth for the use of the National Guard in said city. Said money shall be expended by the governor and council and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. This joint resolution shall take effect after the City of Portsmouth shall have decided to the state a site satisfactory to the governor and council and within six months thereafter the governor and council shall make contracts for the armory and arrange payment therefor. Said city is authorized to appropriate money for the purchase of a site and if unable to agree with the owners of the land said city is authorized to exercise the right of eminent domain. <sup>of \$15,000.</sup>

[Approved May 21, 1913.]

## CHAPTER 274.

JOINT RESOLUTION FOR THE REPAIR AND IMPROVEMENT OF THE EFFINGHAM AND OSSISPEE CENTER ROAD, SITUATED IN THE TOWN OF OSSISPEE.

Appropriation of \$6,000.

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

Appropriation  
of \$6,000.

That the sum of six thousand dollars is hereby appropriated on condition that the sum of three thousand dollars shall be added by the towns interested, or by local parties, acting jointly or severally, for the repair and improvement of the Effingham and Ossipee Center road in the town of Ossipee, beginning at the town line between the towns of Effingham and Ossipee, and extending southwesterly to the state highway near Ossipee Center, a distance of about three and one half miles. The said sum of six thousand dollars appropriated by the state and the said three thousand dollars contributed by towns and individuals shall be expended under the direction of the governor and council and the said six thousand dollars shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905, and this act shall take effect upon its passage.

[Approved May 21, 1913.]

## CHAPTER 275.

JOINT RESOLUTION FOR THE REPAIR AND IMPROVEMENT OF ROAD LEADING FROM LANCASTER LINE THROUGH JEFFERSON TO RANDOLPH.

Appropriation of \$5,000.

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

Appropriation  
of \$5,000.

That the sum of five thousand dollars is hereby appropriated on condition that the sum of ten thousand dollars shall be added by the town of Jefferson and or by local parties acting jointly or severally for the repair and improvement of the road leading from Lancaster town line through town of Jefferson over Jefferson hill and Jefferson highlands to Randolph town line. That the said sum of five thousand dollars appropriated by the state and the said ten thou-

sand dollars contributed by towns and individuals shall be expended under the direction of the governor and council and the said five thousand dollars shall be a charge upon the appropriation for the permanent improvement of highways made by section 10, chapter 35, Laws of 1905, and this joint resolution shall take effect upon its passage.

[Approved May 21, 1913.]

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CHAPTER 276.

JOINT RESOLUTION APPROPRIATING MONEY FOR LIGHTS AT THE OUTLET  
OF LAKE WINNIPISSIOGEE.

Annual appropriation of \$66; public service commission may order lights in certain cases; penalty for violations.

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

That a sum of money not exceeding sixty-six dollars for each of the years 1913 and 1914 is hereby appropriated for the purpose of placing and maintaining lights for lighting the channel under or near the railroad bridge across the Winnipissiogee river, at Lakeport, in Laconia, the same to be expended by an agent appointed by the governor and council, said agent to have power to make a contract for said lighting at a sum not exceeding said amount; *provided, however*, that this appropriation shall not be used or expended if the railroad corporation owning or maintaining said railroad bridge will, at its own expense, during the time above named, suitably and properly light the channel under said bridge. The public service commission shall have jurisdiction, upon its own action or upon petition, after hearing, to order the person or corporation maintaining any bridge or other structure across any stream navigable by powerboats of any kind to maintain lights under the same, at such times and in such manner as said commission may prescribe, or to adopt such other measures or safeguards as it may find to be reasonable and necessary for the protection of persons entitled to navigate said stream. Any person or corporation failing to comply with any order of said commission made under the authority hereof shall be fined not exceeding \$10 for each day of such failure after notice shall have been served on such persons or corporation.

[Approved May 21, 1913.]

## CHAPTER 277.

## JOINT RESOLUTION FOR THE PUBLICATION OF THE BULLETIN OF NEW HAMPSHIRE PUBLIC LIBRARIES.

Annual appropriation of \$250.

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

Annual appropriation of \$250.

That the sums of two hundred and fifty dollars for the year 1913-14 and two hundred and fifty dollars for the year 1914-15 are hereby appropriated from any money in the treasury not otherwise appropriated, for the continuation of the publication, quarterly, of the bulletin of New Hampshire public libraries, authorized by Laws of 1895, chapter 118, section 9.

[Approved May 21, 1913.]

## CHAPTER 278.

## JOINT RESOLUTION TO PROVIDE FOR THE EXPENSES OF THE PUBLIC SERVICE COMMISSION IN ADJUSTING THE MAXIMUM RATES FOR FARES AND FREIGHTS ON STEAM RAILROADS.

Necessary expenditure authorized.

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

Necessary expenditure authorized.

That the public service commission, for the purpose of preparing maximum schedules for fares and freights on steam railroads, as provided in an act entitled "An Act to provide a Method for adjusting the Maximum Rates for Fares and Freights on Steam Railroads," may expend, with the approval of the governor and council, such sums as may be necessary in employing counsel, stenographers, experts, accountants and others whose assistance it may require in the performance of the duties imposed upon it by said act; and said commission shall keep an accurate account of all such expenditures in order that the state may receive reimbursement in respect thereof from the railroad or railroads at whose request such maximum schedules shall be prepared.

[Approved May 21, 1913.]



## CHAPTER 279.

JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF JUSTICES OF THE SUPREME AND SUPERIOR COURTS, FOR THE FISCAL YEAR ENDING AUGUST 31, 1913.

Appropriation of \$1,300.

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

That the sum of \$1,300 is hereby appropriated for the fiscal year ending August 31, 1913, for the payment of salaries of justices of the supreme and superior courts, as provided by house bill No. 14 enacted by this legislature. This joint resolution to take effect upon its passage. <sup>Appropriation of \$1,300.</sup>

[Approved May 21, 1913.]

## CHAPTER 280.

JOINT RESOLUTION IN FAVOR OF RAYMOND B. STEVENS, OF LANDAFF, AND THE ESTATE OF GEORGE D. WALDRON, OF CONCORD.

Allowance of \$200 in each case.

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

That Raymond B. Stevens, of Landaff, be allowed the sum of two hundred dollars (\$200); and that the estate of George D. Waldron, of Concord, be allowed the sum of two hundred dollars (\$200). The governor is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated. <sup>Allowance of \$200 in each case.</sup>

[Approved May 21, 1913.]

## CHAPTER 281.

JOINT RESOLUTION IN FAVOR OF CLIFFORD L. SNOW, OF MANCHESTER.

Allowance or \$150.35.

*Resolved by the Senate and House of Representatives in General Court convened:*Allowance of  
\$150.35.

That the sum of \$150.35 be allowed Clifford L. Snow, of Manchester. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

## CHAPTER 282.

JOINT RESOLUTION IN FAVOR OF GEORGE G. TOLFORD AND OTHERS.

Aggregate allowances of \$61.82.

*Resolved by the Senate and House of Representatives in General Court convened:*Aggregate allow-  
ances of \$61.82.

That the sum of \$22.50 be allowed George G. Tolford; that the sum of \$20.56 be allowed Daniel Chesley; that the sum of \$18.76 be allowed Henry A. Emerson, for defending their rights to seats in the senate, and that the governor be authorized to draw his warrant for said amount out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

## CHAPTER 283.

JOINT RESOLUTION MAKING APPROPRIATIONS FOR THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE YEARS ENDING AUGUST 31, 1914, AND AUGUST 31, 1915.

Additional annual appropriation of \$10,500.

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

That there are hereby appropriated, to be paid out of the treasury of the state, for the expenses of the public service commission for each of the two fiscal years ending on the thirty-first day of August, nineteen hundred and fourteen, and the thirty-first day of August, nineteen hundred and fifteen, respectively, the following sums in addition to the sums heretofore appropriated: for experts, clerks, and assistants, seven thousand five hundred dollars; for incidentals, including printing, two thousand dollars; for salaries of commissioners, one thousand dollars.

Additional annual appropriation of \$10,500.

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

[Approved May 21, 1913.]

## CHAPTER 284.

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

Aggregate allowances of \$3,240.91.

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

That the John B. Clarke Company be allowed the sum of \$533.36; that the Manchester Union Company be allowed the sum of \$992.74; that the Concord Monitor and Statesman Company be allowed the sum of \$824.80; that the Manchester Leader be allowed the sum of \$222.64; that the Concord Patriot be allowed the sum of \$650.40; that the Cheshire Republican be allowed the sum of \$2.82; that the Portsmouth Times be allowed the sum of \$5.64; that the Portsmouth Herald be allowed the sum of \$2.87; that the Portsmouth Chronicle be allowed the sum of \$5.64.

Aggregate allowances of \$3,240.91.

[Approved May 21, 1913.]

## CHAPTER 285.

## JOINT RESOLUTION IN FAVOR OF JOHN T. SMITH AND OTHERS.

## Allowances to sundry persons.

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

Allowances to sundry persons.

That John T. Smith of Mason be allowed the sum of \$21.40; that Scott S. Patten of Alexandria be allowed the sum of \$27.06; that Fred Jones of Lebanon be allowed the sum of \$22.35; that George E. Gile of Lebanon be allowed the sum of \$22.35; that Thomas P. Waterman of Lebanon be allowed the sum of \$22.35; that Reuben C. True of Lebanon be allowed the sum of \$22.35; that Henry W. Kidder of Springfield be allowed the sum of \$23; that Charles H. Raymond of Mont Vernon be allowed the sum of \$31.60; that Robert J. Hayes of Manchester be allowed the sum of \$24.72; that George W. Lake of Chichester be allowed the sum of \$19.40; that Samuel Head of Hooksett be allowed the sum of \$22.75; that John A. Blackwood of Concord be allowed the sum of \$25; that Burt L. Dutton of Merrimack be allowed the sum of \$28.98; that Charles A. Perkins of Nottingham be allowed the sum of \$15; that Frank A. Mace of Kensington be allowed the sum of \$22.75; that Lyman A. Jackson of Stark be allowed the sum of \$40; that Frank O. Bradbury of Effingham be allowed the sum of \$57.05; that John J. Collins of Manchester be allowed the sum of \$57; that George S. Rowe of Newton be allowed the sum of \$40.80; that Edgar C. Hoague of Deerfield be allowed the sum of \$20.40; that Charles E. Morrison of Laconia be allowed the sum of \$14.16; that William G. McCarthy of Manchester be allowed the sum of \$15; that J. W. S. Joyal of Manchester be allowed the sum of \$87.63; for expenses incurred in maintaining their right to seats in this house and senate, and that the governor be and is hereby authorized to draw his warrant for said sums out of any money in the treasury not otherwise appropriated.

[Approved May 21, 1913.]

## CHAPTER 286.

## JOINT RESOLUTION IN FAVOR OF ALBERT P. DAVIS AND OTHERS.

## Sundry allowances for services, expenses, and supplies.

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

That Albert P. Davis, sergeant-at-arms, be allowed the sum of \$564; that James W. Pridham, sergeant-at-arms, be allowed the sum of \$564; that Charles M. Stanley, messenger, James A. Loughlin, assistant messenger, William D. Ingalls, doorkeeper, Rev. A. Francis Walsh, chaplain, Llewellyn E. Martin, Luther J. Holt, Henry O. Jackson and Michael O'Malley, doorkeepers, be allowed the sum of \$493.50, each; that Roy M. Burbank, custodian of mail, be allowed the sum of \$444; that William E. Dow, warden, and George U. Bresnahan, assistant warden, be allowed the sum of \$444, each; that M. J. Dimond, library messenger, be allowed the sum of \$493.50; that Dennis Sullivan, Philip Batchelder, Harold W. Conlen, Donald S. Walton, Paul K. Wilson, pages, be allowed the sum of \$254 each; that Charles W. Prentiss, the speaker's page, \$317.50; that Ray E. Burkett, Lizzie H. Sanborn, Rose M. Buzzell, Nellie A. Courtney, and Emma C. Clapp, stenographers, be allowed the sum of \$564, each; that James H. Dodge, telephone messenger, be allowed the sum of \$493.50.

That Harrie M. Young, clerk of the house, and Henri Burque, clerk of the senate, be allowed the sum of \$200 each; and Bernard W. Carey, assistant clerk of the house, and George P. Healey, assistant clerk of the senate, be allowed the sum of \$100 each; said sums in consideration of the extra work by reason of the long session.

That George S. Forrest be allowed the sum of \$10; that William M. Chase, James W. Remick and Sherman E. Burroughs be allowed (including cash paid out for sheriffs' fees,) the sum of \$336.20, viz. (\$300, for services, and fees, \$36.20,) that Solon A. Carter be allowed the sum of \$133; that J. M. Stewart & Sons Company be allowed the sum of \$194.57; that Edson C. Eastman be allowed the sum of \$140.93; that Ferdinand Farley be allowed the sum of \$11.38; that the strike investigating committee be allowed the sum of \$23.65; that Rumford Printing Company be allowed the sum of \$12.95; that George E. Carter be allowed the sum of \$65.19, for supplies; that Brown & Saltmarsh be allowed the sum of \$83.45 for supplies; that the Remington Typewriter Company be allowed the sum of \$12; that the Estate of Charles H. Barrett and Charles V. Kimball be allowed the sum of \$38.40; that Charles E. Shepard be allowed the sum of \$10 for use of teams; that William J. Ahern

be allowed the sum of \$3.75, for expenses; that S. D. Harrington be allowed the sum of \$24, for gavel; that Mount Madison House be allowed the sum of \$65.75; that Thomas McHugh be allowed the sum of \$4.50; Ideal Stamp Company be allowed the sum of \$3; that W. P. Goodman be allowed the sum of \$32.42; that William M. Haggett be allowed the sum of \$191.82; that Ray E. Burkett be allowed the sum of \$115.30; that Lizzie H. Sanborn be allowed the sum of \$83; that Remick & Hollis be allowed the sum of \$1,000; that A. H. Britton & Co. be allowed the sum of \$69.91; that Rumford Printing Co. be allowed \$0.50; that J. E. Gage be allowed the sum of \$2.25; that N. C. Nelson & Co. be allowed the sum of \$7.25; that Ford & Kimball be allowed the sum of \$12.94; that Thompson & Hoague be allowed \$1.25; that Concord Hardware Company be allowed the sum of \$6.11; that Joseph Kenney be allowed the sum of \$50; Underwood Typewriter Company, be allowed the sum of \$24.50; that the Underwood Typewriter Company be allowed the sum of \$1; that Emma Caswell Clapp be allowed the sum of \$19; that John S. Carpenter be allowed the sum of \$6.30; that Concord Hardware Company be allowed the sum of \$3.89; that Concord Electric Company be allowed the sum of \$7.92; that Smith's Bookstore be allowed the sum of \$87.46; that Hill Hardware & Paint Company be allowed the sum of \$8.75; that The Gift Shop be allowed the sum of \$38.70; that Wm. M. Haggett be allowed the sum of \$9; that Concord Hardware Company be allowed the sum of \$0.15; that A. U. Burque & Company be allowed the sum of \$10.50; that George E. Carter be allowed the sum of \$157.46; that J. M. Stewart & Sons Company be allowed the sum of \$306.73; that The Office Toilet Supply Company be allowed the sum of \$50.50; that J. E. Gage be allowed the sum of \$10.30; that C. H. Swain & Co. be allowed the sum of \$97.13; that T. H. Madigan, Jr., be allowed the sum of \$181.56; that Edson C. Eastman be allowed the sum of \$114.75; and that J. E. Gage be allowed the sum of \$1.

[Approved May 21, 1913.]

## CHAPTER 287.

## NAMES CHANGED.

From January, 1911, to January, 1913, the registers of probate By probate courts. returned to the secretary of state the following changes of names by the probate court:

Rockingham county—Evelyn Hanscom to Evelyn Carleton; Ed- Rockingham. mund T. Currier to Edmund Currier True; Agnes M. Goodrich to Agnes M. Burleigh; Bertrand Wilson to Bertrand Thompson Palmer; Addie D. Davis to Addie D. Giles; Martha K. Pettus to Martha K. Straughn; Florence A. Peirce to Florence A. Belding; William A. Leavitt to Harry Lovell Aldrich; Paul A. Moses to Paul Alva Wood; Dora W. Moses to Dora Wood; Frances Hamilton Goodwin to Frances Hamilton Pelkey; Julia Aurelia Poirier to Julia Aurelia Clouette; Antoinette Desfosses to Antoinette Morey; Mary R. Gaguin to Marion Frances Lake; Arthur Frank Mitchell to Arthur Frank Young; William J. Lucier to William J. Langley; Priscilla Johnson to Priscilla Newcomb; William Arthur Enright to Clarence Howard Pratt; Jennie May Duguay to Jennie May Burke; Edith B. McDuffee to Edith Hortense Brown; Elizabeth Murphy to Elizabeth Swain.

Strafford county—Margaret M. Bogie to Margaret M. Varney; Strafford. Dorothy Margaret Welchman to Flossie Dorothy Colbath; Edith A. Ball to Edith A. Ball Sampson; Florence M. Horne to Florence M. Wilson; Leslie Fred Snow to Leslie Whitmore Snow; Dory May Parker to Dorothy May Strettmatter; Joseph Young to Joseph Benox Thererge; Catherine Frances Ring to Catherine Frances Roark; Mary Estis Keneston to Mary Estis Peaslee; Annie B. Emery to Annie B. Butler (adpt.); William Haberkorn to William Haley; Leona Rosie Valley to Leonie Rosie Page.

Belknap county—John Nelson to Milan James Smith (adpt.); Belknap. Lucinda A. Peaslee to Lucinda A. Patten (adpt.); Jennie C. Ellis to Jennie C. Otis; Alice H. Fone to Alice H. Merrill; Alberta Merritz to Ruth Alberta Hawkes (adpt.); Sadie M. Hayes to Sadie Marie Knight; Bernice Ida Sanborn to Bernice Ida Page; Edward C. Mulligan to Edward C. Garland; Evelyn B. Gocher to Dorothy Louise Plummer (adpt.); Earleen Brown Dorr to Earleen Brown; Thomas Henry Turner to Henry Thomas Turner; Elmer B. Grover to Elmer Grover Ackerman (adpt.).

Carroll county—Susie R. Lord to Susie R. Corson; Josephine Carroll. N. Fogg to Josephine N. Raymond; Susan E. Tucker to Sarah E. Stevens; Edward Edwards Leslie to Edward Chesley; Lloyd S. Garland to Lloyd Sprague Hammond; Minnie E. Wiggin to Minnie E. Beal; Gertrude M. Welch to Gertrude M. Eldredge; Hannah M.

Evans to Hannab M. Marston; Fred W. Cheney to Fred W. Taylor; Winnifred C. Fitts to Winnifred C. Cole; Phebe M. Floyd to Phebe M. Gendro; Fred Roland Greenlaw to Fred Roland Matthews.

Merrimack.

Merrimack county—Clarissa Adams Sawyer to Orrine Gavuet Sawyer; Laura Wheeler to Laura Wheeler Moody; Helen Howe to Helen Howe Davis; Margaret Evelyn Somers to Rebecca Dean Chamberlin; Lawrence E. Bailey to Austin Douglas Heath; Charlena Knight to Beatrice C. K. Blackwood; Margaret Kilroy to Margaret Rose Roberts; Evelyn Noyes to Evelyn Young; Howard Ellis Stone to Howard Ellis Nelson; Phyllis Hope Crossett to Hazel Thelma Love; George Ellsworth Webber to George Craver Ellsworth Rowell; Evelyn L. Cushman to Evelyn Cushman Howe; Elsie Metz to Precilla Celeste Blackwood; Benjamin F. Bachant to Benjamin Franklin Gonye; Ina Dickinson to Ina M. Adams; Sophia W. Connolly to Sophia Anderson Watson; Katie L. Hurd to Katherine Lillian Hurd; Lizzie Harvey to Elizabeth Kimball Harvey; Louise F. Gienty to Louise Foster Ingalls; George Dewy Pearl to Abner Sewall Pearl.

Hillsborough.

Hillsborough county—Christina Pierce Higgin to Christina Pierce; Elenora Carpenter to Elenora Blood Carpenter; Edith C. Dunbar to Edith C. Little; Ella E. Brady to Ella E. Clegg; Mary Bancroft to Mary Nichols; Bertha L. Erskine to Bertha L. Goodwin; Mary A. Miner alias Ann Miner to Mary A. Hill; Albert T. Norris to Albert T. Roberge; Alice Maude Burns to Alice Maude Taggart; Elise Spony to Elise Ringenwald; Elwin Smith Underhill to Jenness Smith Underhill; Edith May Kinnear to Edith May Clegg; Florence Nichols to Florence Weymouth; Abraham Barnett to Alfred Barnett; Valeria Margaret Rand to Valeria Margaret Carey; Mae E. Smith to Mae E. Blackmar; Donald Lee Parker to Donald Lee Barnard; Dalphis Henry Auclair to Adolphus Paradis; Willie B. Graham to William B. Graham; May Alice Smith to May Alice Daigneault; Isabella Rosaline Kay Sutton to Isabella Rosaline Kay; Anabel T. Wilkins to Anabel Wilkins Osborne; Margaret M. Buckley to Eva Roy; Margaret Silva to Agnes Marquis; Marie Claire Antonine Riley to Marie Claire Antonine Menard; Richard Stuart Carr to Richard Stuart Murphy; Benjamin Hoyt to Benjamin Heald; Frieda Koehler to Frieda Ploss; Eveline Marchand to Eveline Peltier; Harry R. Kingsbury to Harry R. Field; George Goulet to Arvine Ernest Pike; Ruth Speare to Ruth Speare Trefethen; Flora Weightman to Flora Esther Wentworth; Pearl Newman to Mand Robinson; Harry Carter to Gordon Leroy Abbott; Elizabeth O'Brien to Elizabeth Nolan; Pearl Johnson to Pearl May Jarvis; Alta Mary Foster to Alta Mary McClarty; Pauline B. Meurnier to Pauline Helen Smith;



Willie Houde to Willie Gagne; Ernest James Humphrey to Ernest James Legendre; Pauline Sullivan to Pauline Gladys Gove; Ellen Catherine Hartshorn to Ellen Catherine Conway; Mary Ann Teresa Prince to Helen Maria Bressette; Margarethe Held to Margarethe Handsehumacher; Howard D. Ashford to Howard Ashford Felch; Lilla Pauline Staunton to Lilla Pauline Downie; Ruth Gammon to Ruth Gammon Brown; Carlotta Katrina Sasseville to Carlotta Katrina Wuestenhain.

Cheshire county—Jennie Leora Jolly to Nellie Leora; Clara <sup>Cheshire.</sup> Mabel Watkins to Clara Mabel Carpenter; Lula Estella Buckwold to Lula Estella Farrar; Mary Julia Britton to Mary Julia Huggins; Eva E. Bardwell to Eva Frances Barrows; Gordon C. Foster to Gordon Henry Williams; Arthur Bicknell to Alexander Hamilton Frost; Joseph Henry Mayott to Joseph Herbert Smith; Eva Bernice Wilson to Eva Bernice Richardson; Lottie M. Howe to Lottie M. Hastings; Lyra G. Partridge Harvey to Lyra G. Partridge; Anna Maria Corey to Anna Maria Cole; Harriet May Laddy to Harriet May Mumblo; Abraham Reuben Simkovetz to Abraham Reuben Quint; Frank H. Nourse to Frank H. Mosher; Marjorie Sarah Reed to Marjorie Willard Reed; Wilfred Louis Depres to Wilfred Louis Morin; Mabel Eunice Hodgkins to Mabel Eunice Stearns; Marion Eva Hodgkins to Sylvia Anna Dickerman; Adeline Mixer to Hazel Elizabeth Emery; Florence Mabel Scott to Florence Willard Scott.

Sullivan county—Grace J. McCasco to Grace J. Judkins; Clifford <sup>Sullivan.</sup> Nelson Short to Clifford Clarence Short; Katie I. Wilcox to Katie I. Morrison; ———— Heath to Leon Benjamin Thompson; Eva Alice Baker to Eva Alice Maxwell; Della Evelyn Green to Barbara Eileen Eastman; ———— Abel to Helen Leona Trudell; Mary J. Dyer to Mary J. George; Margaret Christena Fisher to Margaret Christena Bolio.

Grafton county—Paul Burns to Paul Burns Atwood; Leon A. <sup>Grafton.</sup> Batchelder to Arthur R. Morrill; Raymond N. Braley to Raymond N. Shepard; John Burton to Clinton Garland; Eugene E. Fraser to Eugene E. Lagasse; Flora M. Gove to Flora M. Cass; Philip O. Gray to Charles S. Milligan; Elida B. Hilliard to Elida B. Sleeper; Olive J. Huntoon to Isabel Olive Judith Ames; Royce H. Hall to Royce H. Hutchins; Lalma Hill to Lalma Tutikka; Maryanna Jenkins to Vivian M. Chamberlin; Blanche C. Kelley to Carolyne B. Heath; Richard Ward King to Donald Ward King; Bulah Josephine King to Duleie Vera King; Walter A. Norman to William Scott Strand Bartlett; Robina R. Pillsbury to Rachel R. Higgins; Ethel L. Pinney to Emily R. Pulsifer; Henry W. Riddle to Harry W. Riddle; Frederic Ruthford to Frederic E. Gerrish; Ronald Robie to Ronald Robie Sloane; Vimera E. Simpson

to Vimera E. Woodward; Gwendolyn Marguerite Stanley to Gwendolyn Marguerite McMeekin; Emma Marie Simpson to Emma Marie Clough; Bert Herbert Simpson to Bert Herbert Clough; Lewis Stanley Simpson to Lewis Rupert Jackson; Mabel L. Tucker to Mabel Tucker Tragausa; Margaret M. E. Vigenault to Margaret May Dickson; Minnie E. Woods to Minnie E. Cutting; Thelma A. Webster to Marjorie A. Land; Norman Paul Young to Norman Paul Broek.

Coos.

Coos county—Jessie Potter to Jessie Lang; Emma B. Sears to Emma B. Holland; Kedah G. Daley to Kedah G. Evans; Abbie Peabody to Abbie Cook; Evelyn Alberta Russell to Evelyn Alberta Willey; Harry Stiles to Harold Stiles White; Alice Evangeline Muzerolle to Alice Evangeline Dionne; Agnes Gertrude Currie to Agnes Gertrude Buzzell; Helen Sadie Hayes to Helen Sadie Bridgman; Barbara Brown to Barbara Hicks; Lewis Edmond Bearor to Gerald Earl Marshall; Ethel May Turcotte to Evelyn Ethel Buffington; "Infaut" Fuller to Meredith Edna Sisco; Dorris M. Brown to Doreas May Gould; Ralph Marsh to Ralph Woodman Howland; Elizabeth Perkins to Elizabeth Perkins Plaisted.

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By superior court. From January, 1911, to January, 1913, the registers of probate returned to the secretary of state the following changes of names by the superior court in divorce proceedings:

Rockingham.

Rockingham county—Mabel B. Allen to Mabel B. Lamson; Ellen M. Jones to Ellen M. Roberts; Grace S. Trefethen to Grace S. Etheater; Clara St. Onge to Clara Roux; Elizabeth P. Allen to Elizabeth Proschold; Catherine M. Lolley to Catherine M. Beesley; Elizabeth S. Howes to Elizabeth S. White; Bessie M. Abbott to Bessie M. Ayer; Vivian J. Akerman to Vivian J. Grover; Flora B. Corson to Flora B. Locke; Cordelia Sawyer to Cordelia Hebbert; Teresa E. McKeown to Teresa E. Slaney; Agnes S. Pierce to Agnes S. Randall; Carolyn M. Pierce to Carolyn M. Stevens; Mary A. Bjorn to Mary A. Hawes.

Strafford.

Strafford county—Zelma I. Dolan to Zelma I. Letch; Bessie Goosney to Bessie Vay; Mary V. Pinkham to Mary V. Anderson; Jennie L. Burt to Jennie L. Robinson; Abbie L. Clark to Abbie L. Hanscom; Annie Gunderman to Annie Drouin; Clara Bunker to Clara Colomy; Katie A. Winslow to Katie A. Burns; Margaret E. Pineo to Margaret E. Holland; Carrie B. Clough to Carrie B. Wormhood; Annie L. Varney to Annie L. Chisholm; Emma Dearing to Emma Bushier; Mertice O. Garland to Mertice O. Ames; Florence V. Ferguson to Florence V. Putney; Bernice H. Lord

to Bernice H. Hill; Edith W. Varney to Edith W. Wyatt; Grace E. Greenwood to Grace E. Moore.

Merrimaek county—Grace P. Black to Grace P. Smith; Alice M. Merrimaek. Battis to Alice Maud Rayno; Lillian Boomhower to Lillian Young; Mabel Bowley to Mabel G. Addison; Marion L. Colby to Mamie L. Stevens; Eliza J. Cutting to Eliza J. Braley; Bessie G. Godfrey to Bessie G. Huggin; Maud M. Hastings to Maud M. Huggins; Ellen J. Heath to Ellen J. Perkins; Cornelia D. Holland to Cornelia Dearborn; Grace M. Loveren to Grace M. Bilsborough; Lottie E. Marsh to Lottie E. Nutter; Mary Agnes Noble to Mary Agnes Craig; Florence E. Palmer to Florence E. Towle; Carrie M. Parshley to Carrie M. Ring; Nellie M. Perkins to Nellie M. Bickford; Addie M. Pettengill to Addie M. Scott; Caroline M. Piper to Caroline M. Morrell; Alice P. MacArthur to Alice Permelia Preston.

Hillsborough county—Carrie M. Gordon to Carrie M. Goodwin; Hillsborough. Anna Cremonas to Anna Vamvas; Agnes Doherity to Agnes Rust; Emma M. Otis to Emma M. Pietsch; Elizabeth C. Dion to Elizabeth C. Spence; Grace J. Haskell to Grace J. Jones; Angeline M. Matheson to Angeline Melissa Wilkins; Charlotte Foster White to Charlotte Foster Pratt; Ida M. Picord to Ida M. Bowen; Sadie L. Robinson to Sadie L. Manning; Maude McKenzie to Maude Hayes; Annie B. Darby to Annie B. Heath; Annie J. Bennett to Annie J. Hagan; Lois E. Warren to Lois E. Munson; Henrietta S. Losech to Henrietta Arfken; Jennie Belisle to Jennie Desrosier; Mary T. Worthley to Margaret T. Burke; Bertha M. Mann to Bertha M. McDuffie; Elfrida S. E. Cummings to Elfrida S. E. Bruce; Nellie G. Donihue to Nellie G. Colburn; Nellie R. Jenness to Nellie R. Hardy; Millie M. Peterson to Millie M. Hessert; Mary Annie Aldrich to Mary Annie Nees; Martha M. Neidhardt to Martha M. Bleil; Marie Loise Bonenfant to Marie Loise Dejardin; Osceola J. Laselle to Osceola Josephine Watts; Etta Maud Wagner to Etta Maud Shirley; Clara Helen Goldstone to Clara Helen Welcome; Rosanna Dumais to Rosanna Mullen; Jennie E. Upham to Jennie E. Foley; Lilla E. Nichols to Lilla E. Mudge; Edna F. Manley to Edna F. Hale; Lulu A. Newton to Lulu Almira Barker; Etta S. Quimby to Etta S. Trainor; Abbie Omey Nichols to Abbie Omey Wyman; Blanche Miller to Blanche Taylor; Mary Medora Heath to Mary Medora Martin; Lillian Pearl Jones to Lillian Pearl Hill; Alberta M. Batson to Alberta M. Fuller; Eva J. Yeaton to Eva J. Thornton; Anna Johnson to Anna Zatschka; Grace P. McAfee to Grace P. Parkhurst; Emilie E. Heath to Emilie E. Boehner; Hannah A. Veino to Hannah A. Bailey; Belle F. Banister to Belle F. Roby; Bertha F. Dawborn to Bertha F. Forbush; Charlotte Goodsell to Charlotte Hilehey; Alice Lees to Alice Swett;

Mary A. Hackett to Mary A. McClintock; Lillian B. Cosotto to Lillian B. Kenney; Rachel M. Walbridge to Rachel M. Cram; Mildred R. Bowen to Mildred R. Banister.

Cheshire.

Cheshire county—Emily P. Odiorne to Emily P. Brown; Florence M. Hathaway to Florence M. Rutter; Harriette E. Gleason to Harriette E. Cummings; Eva M. Norcross to Eva M. Crouch; Ruth J. Wilcox to Ruth J. Babbitt; Lena M. Newton to Lena M. Hopkins; Bertha L. Grover to Bertha L. Robbins; Grace M. Johnson to Grace M. Vinton; Emily Hieckel to Emily Johnson.

(1909-1911) Blanche M. Johnson to Blanche M. Nash; Margaret G. Hackett to Margaret G. Gray; Nellie E. Furgeson to Nellie E. Lang; Mary Jane Southwell to Mary Jane Heffron; Sarah J. Farland to Sarah J. Wilson; Emma J. Royce to Emma J. Starkey; Alice E. Clark to Alice E. Cram.

Sullivan.

Sullivan county—Jennie E. Swain to Jennie E. Howe; Ethel M. Rotherme to Ethel M. Bates; Eva M. Lavene to Eva M. Gardner; Ada E. Haselton to Ada E. Cone.

Grafton.

Grafton county—Ida A. Hunt to Ida A. Howard; Grace H. Hawkins to Grace Elinor Harriman; Grace W. Bingham to Grace W. Boomhower; Mabel E. Flanders to Mabel E. Chapman; Alta Summers to Alta Evans; Addie S. Corey to Addie L. Blake; Caroline R. Little to Caroline R. Somers; Nellie White to Nellie Vannor; Gertrude W. Wheeler to Gertrude W. Clark; Ora L. Hampson to Ora L. Bennett; Clara P. Jesseman to Clara P. Baker; Jennie F. Wilson to Jennie F. Follansbee.

Coos.

Coos county—Nellie Barrows to Nellie Parker; Marion M. Flaherty to Marion McGregor; Florence Bennett to Florence Whitcomb; Maud A. York to Maud A. Mitchell; Tessie Wilson to Tessie Gray; Mary L. Turner to Mary LaCroix.

# PRIVATE ACTS.

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## CHAPTER 288.

AN ACT TO ANNEX HOMESTEADS TO THE UNION SCHOOL DISTRICT OF THE CITY OF CONCORD.

SECTION

1. Homesteads severed and annexed.

SECTION

2. Takes effect on passage.

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

SECTION 1. That the homesteads of William M. Carter, Harry D. Lewis, Marcious L. Clondman, William Hammond, Walter C. Jones and George A. Wooster be, and are hereby, severed from the Town School District of the City of Concord and annexed to the Union School District of the City of Concord for school purposes.

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

Takes effect on passage.

[Approved February 13, 1913.]

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## CHAPTER 289.

AN ACT AUTHORIZING THE CITY OF SOMERSWORTH TO TAKE THE WATER OF COLE'S OR LILY POND IN SAID CITY FOR MUNICIPAL AND DOMESTIC PURPOSES.

SECTION

1. Authority granted.

2. Right of eminent domain.

SECTION

3. Damages, how assessed.

4. Takes effect on passage.

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

SECTION 1. The City of Somersworth is authorized and empowered to enter upon, take and appropriate the water of a certain pond in said Somersworth, commonly known as Cole's pond or Lily pond, for the purpose of furnishing said city with a supply of water for the extinguishment of fires, for the use of its inhabitants and for other purposes.

Right of eminent domain.

SECT. 2. To secure said pond by fence, or otherwise, and dig ditches and canals, make excavations, build dams and reservoirs, through, over, in or upon any land enclosure in said city, which may be required for said excavations, dams or reservoirs to be or exist; for the purpose of obtaining, holding, preserving or conducting such water and placing such pipes or other materials or works as may be necessary for building, operating or repairing the same. Said City of Somersworth is also authorized and empowered to take and appropriate any land that may be necessary to protect any water supply that they may establish or acquire.

Damages, how assessed.

SECT. 3. In case the city aforesaid shall not be able to agree with the owner of any property, or right taken for the purposes of this act, for the damages to be paid therefor, or in case the owner is unknown, either party may apply to the superior court for Strafford county to have the same laid out and damages determined; and the court shall refer the same to three disinterested referees, to be selected and appointed by the judge of said court for that purpose, and said board of referees shall, as soon as may be thereafter, fix a time for hearing said parties and their witnesses and report their findings to the superior court, which shall issue its decree thereon; *provided, however*, that if either party shall be dissatisfied with the award of said referees and shall at the first term after the coming in of the report file a notice to that effect and elect to have a trial by jury, such trial will be had in the same manner as is provided upon the return of the assessment of damages by county commissioners in the laying of highways. *Provided however*, that entry upon and taking of property, rights and estate, laid out and taken for the purpose of this act, shall not be postponed by reason of any failure of the parties to agree upon the compensation to be paid or by reason of proceedings being instituted by either party for the assessment of damages as provided in this act, but said City of Somersworth may enter upon, take and occupy such property, rights and estate by filing a bond to the satisfaction of the superior court or the clerk thereof, conditioned upon the payment of all damages that may be afterwards agreed upon or allowed in any case.

Takes effect on passage.

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

[Approved February 13, 1913.]

CHAPTER 290.

AN ACT AUTHORIZING THE TOWN OF RAYMOND TO REFUND ITS BONDED INDEBTEDNESS.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

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

SECTION 1. The town of Raymond is hereby authorized and em- Authority granted.  
powered to refund its bonded indebtedness incurred under and by virtue of chapter 138 of the Laws of 1893, by an issue of bonds or notes payable at such times and at such rates of interest as may be thought proper, and may exempt such bonds or notes from taxation when held by inhabitants of the town.

SECT. 2. This act takes effect upon its passage. Takes effect on passage.

[Approved February 13, 1913.]

CHAPTER 291.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF MANCHESTER IN RELATION TO TAXATION AND INDEBTEDNESS.

SECTION

1. Indebtedness limited.
2. Indebtedness, how determined.
3. Temporary loans.
4. Interest raised annually by taxation.

SECTION

5. Rate of taxation limited.
6. Repealing clause; act takes effect on passage.

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

SECTION 1. The City of Manchester shall not become indebted Indebtedness limited.  
in an amount exceeding two (2) per cent. on the last preceding valuation for the assessment of taxes of the polls and taxable property therein, the valuation being first reduced by the amount of all abatements allowed thereon previous to the last day of December in the year preceding such assessment.

SECT. 2. In determining the amount of the indebtedness of said Indebtedness, how determined.  
city, obligations incurred for supplying the inhabitants with water shall be omitted. The amount of sinking funds available for the payments of debts which are included in the computation shall be

deducted therefrom in determining the total indebtedness of the city.

**Temporary loans.** SECT. 3. Said city may incur debts for temporary loans in anticipation of the taxes of the municipal year in which such debts are incurred and expressly made payable from such taxes by the vote to incur the debt. Such loans shall be payable within one year and shall not be included in determining the authorized limit of indebtedness.

**Interest raised annually.** SECT. 4. The interest on all debts not otherwise provided for shall be raised annually by taxation.

**Tax rate limited.** SECT. 5. The taxes assessed on polls and property in said city, exclusive of the state and county taxes, shall not in any year exceed thirteen dollars (\$13) on every one thousand dollars (\$1,000) of the assessors' valuation of the polls and taxable property therein for the preceding year, said valuation being first reduced by the amount of all abatements allowed thereon previous to the last day of December in the year preceding said assessment.

**Repealing clause; act takes effect on passage.** SECT. 6. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect upon its passage.

[Approved February 13, 1913.]

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## CHAPTER 292.

AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO APPROPRIATE A SUM NOT EXCEEDING THREE HUNDRED DOLLARS FOR THE OBSERVANCE OF THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE INCORPORATION OF THE SETTLEMENT OF THE TOWN OF PLYMOUTH.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

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

**Authority granted.** SECTION 1. The town of Plymouth is hereby authorized to raise and appropriate a sum not exceeding three hundred dollars for the purpose of observing the one hundred and fiftieth anniversary of the incorporation and settlement of the town of Plymouth.

**Takes effect on passage.** SECT. 2. This act shall take effect upon its passage.

[Approved February 13, 1913.]



## CHAPTER 293.

AN ACT TO AMEND SECTION 2, CHAPTER 215, LAWS OF 1899, RELATING  
TO THE CHARTER OF THE HOWE LIBRARY.

## SECTION

1. Corporate powers enlarged.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Section 2 of chapter 215 of the Laws of 1899, en- Powers enlarged.  
titled "An Act to incorporate the Howe Library" is hereby  
amended by substituting the word two for the word "one" in the  
fourth line of said section, so that said section as amended shall  
read as follows: SECT. 2. Said corporation by that name may sue  
and be sued, prosecute and defend to final judgment and execu-  
tion, and shall have power to take, acquire, and hold real and  
personal estate to an amount not exceeding two hundred thousand  
dollars, by lease, purchase, donation, bequest, or otherwise; and,  
said institution being in the nature of a public charity, its property  
shall be exempt from taxation.

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

Takes effect  
on passage.

[Approved February 20, 1913.]

## CHAPTER 294.

## AN ACT TO INCORPORATE THE MILFORD HOME FOR AGED WOMEN.

## SECTION

1. Corporation constituted.  
2. Power to hold property.  
3. Government of home.  
4. By-laws.  
5. May hold trust funds.

## SECTION

6. Exemption from charter fee and  
taxation.  
7. First meeting.  
8. Takes effect on passage.

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

SECTION 1. That Josephine S. French, Gertrude L. Holden, Corporation  
Bertha M. Sawyer, Gertrude N. Howison, Netta M. Turner, Ana- constituted.  
biah R. Worcester, Clara J. Fitch, Hannah E. Webster, George A.  
Worcester, Edward H. Taft, James H. Fay, Benjamin F. Foster,  
Moses F. Foster, and Arthur L. Keyes, all of Milford, be and they  
hereby are, constituted a corporation by the name of The Milford

Home for Aged Women, and they and such others as shall be duly elected members of said corporation at any meeting thereof according to such by-laws as may be hereafter established, shall be and remain a body corporate and politic by said name and from the passage of this act, for the purpose of founding and establishing a home for aged women such as is usually provided by similar institutions, and said corporation is vested with all the powers and privileges incident to corporations of a like nature.

Power to hold property.

SECT. 2. Said corporation by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have power to take, acquire and hold real and personal estate to an amount not exceeding one hundred thousand dollars, by lease, purchase, donation, bequest, or otherwise, for the purpose of establishing and maintaining a home at Milford aforesaid, erecting suitable buildings and properly furnishing the same with whatever may be desirable or necessary for the successful operation of said institution.

Government of home.

SECT. 3. The government of said home and the general management of the financial and prudential affairs of said corporation shall be vested in a board of trustees, whose number shall be determined and who shall be chosen in such a manner, at such times and for such a term of office as may be prescribed by the by-laws of said corporation to be hereafter adopted.

By-laws.

SECT. 4. Said corporation may adopt such by-laws and make such rules and regulations for the management of said home as may be deemed necessary; may determine the number, manner and time of choosing its officers, prescribe and define their respective duties, and may from time to time alter, amend and modify its by-laws, rules and regulations, as therein provided.

May hold trust fund.

SECT. 5. Said corporation is authorized and empowered to act as trustee and to receive, hold, manage, and conduct funds and property as such and to apply the same with all the powers, rights, and privileges and subject to all the duties and obligations in a similar manner as provided by the law for natural persons.

Exemptions.

SECT. 6. This being a charitable institution, without profit to any person, no fee shall be charged by the state for this act, and the property of the corporation shall be exempt from taxation as long as it shall be used for the purposes named therein.

First meeting.

SECT. 7. The first three persons named in section 1, or any two of them, may call the first meeting of said corporation by giving notice to each of the persons named in this act, by mail, five days prior to said meeting.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved February 20, 1913.]

## CHAPTER 295.

AN ACT AUTHORIZING THE TOWN OF NEW BOSTON TO APPROPRIATE MONEY TO CELEBRATE THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE INCORPORATION OF THE TOWN.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. The town of New Boston is hereby authorized to appropriate a sum not exceeding five hundred dollars for the purpose of celebrating the one hundred and fiftieth anniversary of the incorporation of said town. Authority granted.

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

Takes effect  
on passage.

[Approved February 21, 1913.]

## CHAPTER 296.

AN ACT TO INCORPORATE LES PATRIOTES CANADIENS.

## SECTION

1. Corporation constituted.  
2. First meeting.

## SECTION

3. Takes effect on passage; subject to repeal.

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

SECTION 1. That Phillippe P. Beaudoin, Edouard Renaud, A. H. Larue, Peter Belanger, E. R. Noel, Octave Duchene and Ovide J. Coulombe, all of Berlin, their associates, successors and assigns, be and hereby are made a body politic and corporate, by the name of Les Patriotes Canadiens for charitable and benevolent purposes, to provide for the sick and distressed members of the association by the payment of sick benefits, bring financial aid to the distressed member's family by the payment of a death benefit accumulated from dues or accrued by an assessment upon its surviving members; provide for such other mutual benefit as from time to time they may deem necessary; promote sociability and sincerity among its members and improve their condition morally and mentally; hold property common real, personal and mixed to the amount of \$50,000; sue and be sued, prosecute and defend actions to final payment and execution under their corporate name Corporation constituted.

and put in operation such by-laws, ordinances and resolutions as may be in compliance with the laws of New Hampshire for the government of the affairs of the association.

First meeting.

SECT. 2. The first three members named 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 on passage; 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 February 21, 1913.]

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## CHAPTER 297.

AN ACT IN AMENDMENT OF CHAPTER 150 OF THE SESSION LAWS OF 1905, ENTITLED "AN ACT TO CHANGE THE NAME OF L'ASSOCIATION CANADO-AMERICAINE AND CONFIRM ITS ORGANIZATION."

SECTION

1. Corporate powers enlarged.

SECTION

2. Takes effect on passage.

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

Corporate powers enlarged.

SECTION 1. Section 3 of chapter 150 of the session Laws of 1905 is hereby amended by striking out the words: "ten thousand dollars" and inserting in place thereof the words: twenty-five thousand dollars in addition to the sums collected and held in its sick, burial, and death benefit funds, so that said section as amended shall read as follows: SECT. 3. Said corporation may levy and assess and collect from its members such dues and assessments for its expenses and the conduct of its business and for the payment of sick, burial, death, and other benefits as shall be in conformity with its constitution, rules and by-laws; and it may take by deed, gift or otherwise, purchase and hold real and personal property to an amount not exceeding twenty-five thousand dollars in addition to the sums collected and held in its sick, burial, and death benefit funds, and may use, sell, convey and otherwise dispose of the same at pleasure.

Takes effect on passage.

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

[Approved February 21, 1913.]

## CHAPTER 298.

AN ACT IN AMENDMENT OF AN ACT ENTITLED, "AN ACT TO INCORPORATE THE BAPTIST CONVENTION OF THE STATE OF NEW HAMPSHIRE," PASSED JUNE 24, 1826, AS AMENDED BY CHAPTER 272 OF THE LAWS OF 1911.

## SECTION

1. Power to hold property.

## SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 2 of an act entitled "An Act to incorporate The Baptist Convention of the State of New Hampshire," passed June 24, 1826, as amended by chapter 272 of the Laws of 1911, by striking out the word "three" in said section, and inserting in place thereof the word five, so that said section shall read as follows: SECT. 2. Be it further enacted that the said corporation shall have power to receive and hold all donations, subscriptions and legacies in real and personal estate to an amount not exceeding five hundred thousand dollars, and to use and improve the same for the purpose of promoting religious and missionary work in New Hampshire, and any religious charities in New Hampshire which it may deem proper, and not otherwise, and the same may sell and dispose of at pleasure.

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

[Approved February 21, 1913.]

## CHAPTER 299.

AN ACT TO INCORPORATE COURT WILTON NO. 16, FORESTERS OF AMERICA.

## SECTION

1. Corporation constituted.  
2. Payment of benefits.  
3. Power to hold property.

## SECTION

4. First meeting.  
5. Takes effect on passage.

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

SECTION 1. Henry P. Herlihy, David J. Baleom, John E. Fitzgerald, James R. Killkelly, Cornelius Buckley, William Stanton, Alfred Willett, their associates and successors, be and hereby are

made a body politic and corporate by the name of Court Wilton No. 16, Foresters of America, for fraternal, charitable and benevolent purposes; and by that name may sue and be sued, prosecute and defend to final judgment [and] execution, and shall be and hereby are made subject to all the liabilities of corporations of a similar nature.

Payment of benefits.

SECT. 2. Said corporation may enact by-laws, providing for the payment of weekly benefits to those of its members who may become sick, and for the funeral expenses of those of its members who may die.

Power to hold property.

SECT. 3. Said corporation shall have power to hold real and personal estate by gift, bequest, or otherwise to an amount of not exceeding five thousand dollars, and may dispose of the same at pleasure.

First meeting.

SECT. 4. The first three persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of such meeting.

Takes effect on passage.

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

[Approved February 21, 1913.]

CHAPTER 300.

AN ACT IN AMENDMENT OF CHAPTER 121, LAWS OF 1897, ENTITLED, "AN ACT TO ESTABLISH THE CITY OF BERLIN" AND TO CREATE AN ADDITIONAL WARD, TO BE KNOWN AS WARD FOUR.

SECTION

- 1. Ward limits defined.
- 2. City council.
- 3. Representatives to general court.

SECTION

- 4. Councilmen and clerk for ward 4.
- 5. First election in ward 4.
- 6. Takes effect on passage.

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

Ward limits defined.

SECTION 1. Section 2 of chapter 121 of the Laws of 1897 entitled "An Act to establish the City of Berlin" is hereby amended, so that said act as amended shall read as follows: SECT. 2. Said city of Berlin is hereby divided into four wards, which shall be constituted as follows, namely: Ward one shall include all that part of said city of Berlin lying northwesterly of the Androscoggin river and southerly and westerly of the following described line: Beginning at the point near the mouth of Dead river, where the center line of the Androscoggin river is intersected by the extension of the line between the property of the C. N. Hodgdon

heirs, known as the Hodgdon block and the property of L. J. Cote, said property being situate on the southeasterly side of Main street, so-called; thence northerly on said property line to the southeasterly side line of said Main street; thence in a straight line to the southeast corner of land of Stahl Brothers; thence northwesterly along the line between said Stahl Brothers' property and property owned by L. J. Cote, said property being situate on the northwesterly side of Main street, to the northeasterly corner of said Stahl Brothers' property; thence to and along the center line of Dead river to the range line between ranges 7 and 8; thence westerly on said range line to its intersection with the town line between said city of Berlin and the township of Kilkenny.

Ward two shall include all that part of said city of Berlin lying northwesterly of the Androscoggin river, and lying between the above described line and the following described line:—Beginning at the point where the center line of the Androscoggin river is intersected by the line between the property of the International Paper Company and property of the Burgess Sulphite Fibre Company; thence in a direct line to the southwesterly corner of land formerly owned and occupied by Philip St. Laurent; thence northerly on the westerly line of said land formerly owned by Philip St. Laurent to the southerly side line of School street, so-called; thence in a direct line to the intersection of the northerly side line of said School street and the center line of Prospect street, so-called; thence northerly along the said center line of Prospect street and said line continued to the check line between town lots numbers 4 and 5; thence southwesterly on said check line to the center line of Dead river; thence northerly on said center line of Dead river to the point where it intersects the range line between ranges 7 and 8; thence westerly on said range line to the center line of the location of the Grand Trunk Railway; thence northwesterly along said center line of the Grand Trunk Railway to the range line between ranges 3 and 4; thence on said range line to the town line between said city of Berlin and the township of Kilkenny.

Ward three shall include all that part of said Berlin lying on the northwesterly side of the Androscoggin river not embraced in wards one and two as herein constituted.

Ward four shall include all that part of said Berlin lying on the southeasterly side of the Androscoggin river.

SECT. 2. Section three in said act is hereby amended by striking out the word "nine" in the fourth line and substituting in place thereof the word twelve, so that said act shall read: SECT. 3. The administration of all the fiscal, prudential and municipal affairs of said city and the government thereof shall be vested in one principal officer to be called the mayor, and one board, con-

sisting of twelve members, to be called the council, the members whereof shall be called councilmen. The mayor and council shall sit and act together and compose one body, and in their joint capacity be called the city council.

Representatives to  
general court.

SECT. 3. Section seven of said chapter 121 of the Laws of 1897, as amended by chapter 105 of the Laws of 1899 and chapter 84 of the Laws of 1911, is hereby repealed, and from and including the legislature of 1915 until another general census of the state is taken and officially promulgated, said wards may send representatives to the general court under the authority of the constitution as follows: Ward one, two and three shall each have three representatives; and ward four, one representative.

Councilmen and  
clerk for ward 4.

SECT. 4. There shall be elected at the next municipal election for the city of Berlin in said ward four three councilmen and a ward clerk. The ward clerk shall serve for one year, and there shall be elected one councilman to serve for one year, one councilman to serve for two years, and one for three years. Thereafter the ward clerks and councilmen shall be elected as provided in the charter of said city of Berlin.

First election in  
ward 4.

SECT. 5. The chairman or first officer of the boards of supervisors from wards, one, two, and three as now constituted in said city of Berlin shall seasonably post checklists and warrants before the first annual meeting in said ward four, and shall seasonably appoint a moderator and clerk for said ward, from the legal voters thereof, who shall, after being duly sworn, have the powers and perform the duties of their respective offices at the first annual election under this act, and until others are elected and qualified. The returns of votes provided by law to be made to the city clerk shall, at said first annual election, be made to said city supervisors, who shall forthwith perform all the duties in relation thereto which are by law assigned to the mayor and council and city clerk respectively. Said supervisors shall also select and provide a suitable place for the first ward meeting of said ward four, and seasonably notify the members thereof of the place so selected.

Takes effect  
on passage.

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

[Approved February 24, 1913.]



CHAPTER 301.

AN ACT TO INCORPORATE THE FARMERS' GUARANTY SAVINGS BANK OF COLEBROOK.

SECTION

- 1. Corporation constituted.
- 2. Powers and duties.
- 3. Guaranty fund.
- 4. Special deposits; rate of interest.
- 5. Rights of special depositors.

SECTION

- 6. Power to hold property.
- 7. First meeting.
- 8. Subject to repeal.
- 9. Takes effect on passage.

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

SECTION 1. That John D. Annis, Darwin Lombard, Freeman G. Marshall, Eben E. Noyes, Reuben H. Gould, Guy B. Trask, Frank W. Baldwin, Wilbur A. Marshall, John C. Hutchins, and their associates, successors and assigns, are hereby made a body politic and corporate under the name of the Farmers' Guaranty Savings Bank, to be located at Colebrook, N. H., 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.

SECT. 2. Said bank may receive deposits of money from any person or persons, on such terms or conditions as may be prescribed by it or its trustees or 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 laws of the state in relation to savings banks.

SECT. 3. For the better security and protection 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 one 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.

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 three and one half 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 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 time 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 liability for the general deposits, and the guaranty fund aforesaid, shall be sufficient to pay the same.

Rights of special depositors.

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 special 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 fifteen trustees, to be chosen by the members of the corporation. A majority of said board at any meeting duly notified shall constitute a quorum for the transaction of business. And said board shall have the power to make and establish such rules and regulations as they may think proper for transacting and governing the business of the corporation.

Power to hold property.

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.

First meeting.

SECT. 7. Any three of the grantees may call the first meeting of the corporation by notice in writing to each grantee, or by one publication in some newspaper printed in Colebrook at least one week before the day of meeting.

Subject to repeal.

SECT. 8. The legislature may alter, amend, or repeal this act whenever in their opinion the public good shall require it.

Takes effect on passage.

SECT. 9. This act shall take effect on its passage.

[Approved February 25, 1913.]

## CHAPTER 302.

AN ACT TO AUTHORIZE THE NORTH CONWAY WATER PRECINCT TO ESTABLISH AND MAINTAIN A FIRE DEPARTMENT.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. The North Conway Water Precinct is hereby authorized to establish and maintain a fire department in said precinct, and may at any annual meeting of said precinct vote to raise and appropriate money for said purpose. Authority granted.

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

Takes effect  
on passage.

[Approved February 27, 1913.]

## CHAPTER 303.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 162, SESSION LAWS OF 1905, RELATING TO BOARD OF TRUSTEES OF WENTWORTH HOSPITAL IN THE CITY OF DOVER.

## SECTION

1. Annual organization of board of trustees.

## SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. That section 2 of chapter 162 of the session Laws of 1905, is hereby amended by striking out the word "March" in the second line of said section, and inserting in lieu thereof the word January, so that said section as amended shall read as follows: Annual organization of board of trustees.

SECT. 2. In the month of January, annually, said board shall organize by the choice of one of its members as chairman, and shall also choose a clerk who may be one of said trustees; said board may choose a treasurer, who shall file with said board such bond and receive such salary as said trustees shall determine. Said board of hospital trustees may purchase such land as may be necessary and shall have full charge, management and control of the erection, equipment and management of such building or buildings as may be necessary to carry into effect the purposes of this act;

may employ and fix the compensation of such agents as they may deem expedient, and remove any of said agents at pleasure, and make necessary rules and regulations for their own government and for the control and management of all property, real or personal, connected with the proper conduct of said hospital.

Repealing clause; act takes effect on passage.

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

[Approved February 27, 1913.]

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CHAPTER 304.

AN ACT AUTHORIZING THE CITY OF FRANKLIN TO FIX THE COMPENSATION OR SALARY OF CITY OFFICERS.

SECTION

1. Authority granted.

SECTION

2. Repealing clause; act takes effect on passage.

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

Authority granted.

SECTION 1. The city council of Franklin is hereby authorized to fix the compensation or salary of all city officers in said Franklin.

Repealing clause; act takes effect on passage.

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

[Approved February 27, 1913.]

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CHAPTER 305.

AN ACT TO INCORPORATE THE N. E. O. P. BUILDING ASSOCIATION.

SECTION

1. Corporation constituted.
2. Corporate powers.
3. Corporate officers.
4. Members of corporation.
5. Issue of bonds.

SECTION

6. Application of income.
7. Members not individually liable.
8. First meeting.
9. Subject to repeal.
10. Takes effect on passage.

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

Corporation constituted.

SECTION 1. That Harlow R. Baehelder, Edwin L. Dodge, Melvin M. Halen, Ernest A. Merrill, Susan A. Barr, Edward A. Thayer, Charles A. Marland, Fred A. Hunkins and Fred F. Fisher, all of

Manchester, in the County of Hillsborough and State of New Hampshire, their associates and successors, are hereby made a body corporate by the name of N. E. O. P. Building Association and shall have all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature and necessary and proper to carry into effect the purposes of this act.

SECT. 2. Said corporation is authorized and empowered to receive from the trustees of Derryfield Lodge No. 342, New England Order of Protection, a conveyance of the land and building, in said Manchester, deeded to said trustees by Minnie M. P. Simonds by her deed dated April 27, 1912, and recorded Hillsborough County Registry of Deeds Vol. 697, page 389, subject to any encumbrances on the same and to maintain and have the care and management of said building, which contains the new hall and lodge room of said order in Manchester, aforesaid. <sup>Powers.</sup>

SECT. 3. Said corporation may elect from its members a president, treasurer and secretary, who shall be sworn to the faithful performance of their duties, and such other officers as may be found necessary, and may make and establish such by-laws as may be required not repugnant to the constitution or laws of the state. <sup>Officers.</sup>

SECT. 4. Members of said corporation shall be members of Derryfield Lodge No. 342, Star Lodge No. 23 and Mt. Hope Lodge No. 348, of the New England Order of Protection, in said Manchester, one third in number from each of said lodges, and such members may be designated, and the manner of their selection, and their term of membership fixed as said lodges, respectively, may determine: but the whole number of members of said corporation shall not be less than nine (9) or more than fifteen (15); *provided, however,* if said corporation shall see fit to contract with any of the other lodges of said order in Manchester, aforesaid, which may desire to co-operate in liquidating the indebtedness incurred in the purchase of said property and the alterations, repairs, furnishings and equipment of said building, said corporation may admit members or associates from said other lodges upon such terms and conditions as the members of said corporation shall determine, but no lodge shall have a larger representation in said corporation than any other, and the whole number of members of said corporation shall not be more than fifteen (15) as aforesaid. <sup>Who are members.</sup>

SECT. 5. When the mortgage indebtedness on said property shall have been fully paid and extinguished, said corporation may issue its bonds, duly executed by the trustees, for the benefit of those lodges which shall have contributed in paying off the mortgage or other indebtedness and in return therefor, to an amount not exceeding the sum of ten thousand dollars (\$10,000), at such <sup>Issue of bonds.</sup>

lawful rates of interest, payable at such times and upon such conditions and limitations as may be determined by the corporation; and such bonds shall be under the seal of the corporation, signed by the president and treasurer, and shall be secured by a mortgage of said land with the building thereon to said corporation, as trustee for the benefit of such lodges.

Application of income.

SECT. 6. The income received by said corporation from said building shall be reserved and applied, first to the payment of the interest on the mortgage indebtedness, taxes, insurance, repairs and incidental expenses and the remainder in liquidation of the principal of said mortgage indebtedness, and when the mortgage indebtedness shall have been extinguished, as aforesaid, the income aforesaid shall then be applied, first to the payment of the interest on said bonds, taxes, insurance, repairs and incidental expenses, and the remainder in liquidation of the principal of said bonds; and the manner of such application and the management of such income may be determined by the by-laws of the corporation.

No individual liability.

SECT. 7. No member of said corporation shall be liable individually for the payment of such bonds.

First meeting.

SECT. 8. Any three of the five grantees first named in this act may call the first meeting of the corporation by notice by mail to each grantee at least one week before the day of meeting.

Subject to repeal.

SECT. 9. The legislature may at any time alter, amend or repeal this act whenever the public good may require the same.

Takes effect on passage.

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

[Approved February 27, 1913.]

CHAPTER 306.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF PEMBROKE.

SECTION

- 1. Water-works authorized; acquisition of property and franchises.
- 2. Right of eminent domain.
- 3. Contracts authorized.
- 4. Board of water commissioners provided for.

SECTION

- 5. Organization of board; vacancies, how filled.
- 6. Appropriations authorized; issue of bonds.
- 7. Payment of indebtedness.
- 8. Takes effect on passage.

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

Water-works authorized; acquisition of property and franchises.

SECTION 1. That the town of Pembroke, in the county of Merrimack, is hereby authorized and empowered to construct, manage, maintain and own suitable water-works, for the purpose of intro-

ducing into and distributing through the villages of said town, or any part of said town, and in the towns of Epsom, Allenstown and Hooksett, except as to Suncook village as hereinafter set forth, an adequate supply of pure water, in subterranean pipes, for extinguishing fires and for the use of the citizens of said towns and others, and for such public, private and mechanical purposes as said town may from time to time authorize and direct; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water-rights, and do all other things necessary for carrying into effect the purpose of this act, and to excavate and dig ditches in any street, place, square, passage-way, highway, common, or other land or place, over or through which it may be deemed necessary and proper for building, constructing, and extending said water-works, and may relay, change, enlarge, and extend the same from time to time, whenever said town shall deem necessary, and repair the same at pleasure, having due regard for the safety and welfare of its citizens and security of the public travel. Said town is also authorized to acquire by purchase the property, rights and franchises of the Suncook Water Works Company, and if said town and said company do not agree upon the purchase price aforesaid, either party may apply to the superior court for Merrimack county to have said purchase price determined, and said court shall refer the matter 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 is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to a trial by jury, in such manner and under such regulations as said court may prescribe, in the same manner as appeals from the award of damages in the case of laying out highways. Said town shall not extend into Suncook village the water-works provided for by this charter until it shall have acquired the property, rights and franchises of said Suncook Water Works Company in the manner hereinbefore set forth.

SECT. 2. Said town is authorized and empowered to enter upon and take water from any pond in any towns, and to enter upon, take, and appropriate any streams, springs, or ponds in such towns not belonging to any aqueduct company, and to enter upon, take, and appropriate any streams, springs, or ponds not belonging to any aqueduct company, and to secure, by fence or otherwise, such streams, springs, ponds, and dig ditches, make excavations or reservoirs, through, over, in, or upon any land or inclosure through which it may be necessary for said water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting water Right of eminent domain.

for said purposes, and placing such pipes or other materials, or works, as may be necessary for building and operating the same; *provided*, if it shall be necessary to enter upon and appropriate any stream, spring, pond, or lake, or any land, for the purposes aforesaid, or to raise or lower the level of the same by dams or otherwise, and if said town shall not agree with the owner or owners thereof for the damage that may be done by said town, or such owner or owners shall be unknown, said town, or said owner or owners or party injured, may apply to the trial term of the superior court for the County of Merrimack to have the damages determined, and that 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 is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to a trial by jury, in such manner and under such regulations as said court may prescribe, in the same manner as appeals from the award of damages in the case of laying out highways.

Contracts  
authorized.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations, whether citizens of said towns or not, for supplying them with water for any of the purposes herein named or contemplated, and to make such contracts and establish such regulations and tolls for the use of water for any of said purposes as may from time to time be deemed proper and necessary to enjoy the provisions of this act, subject, however, to the provisions of the act creating the public service commission and amendments thereto.

Board of water  
commissioners.

SECT. 4. For the more convenient management of said water-works, the said town may place the construction, management, control, and direction of said water-works in a board of water commissioners, to consist of five citizens of the town, said commissioners to be vested with such powers and duties relating to the construction, control, and management of the same as may from time to time be prescribed by said town. Their term of office shall be for five years, and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next annual town meeting, or at any special meeting duly called for that purpose, and their successors shall be elected at each annual town meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual town meeting after the first board is elected, and one at each annual town meeting thereafter, and after the first election one shall be elected for five years at each annual town meeting to fill the occurring vacancy; *provided, however*, that



the term of service of the commissioners first elected shall be designated at the time of their election, or said commissioners may be appointed by the selectmen of said town if the town fail to elect, or if the town at any meeting vote to authorize and instruct the selectmen to appoint said water commissioners.

SECT. 5. The compensation of said commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board, and said board shall appoint a clerk and a superintendent of the works, and such other officers and agents as they may deem necessary, and shall thereupon furnish the town clerk a certificate of such organization, and the town clerk shall record the same in the records of the town. The commissioners shall subject to the approval of the selectmen of said town fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause the four remaining members of the board shall fill such vacancy temporarily by appointing a citizen of said town, in writing, which shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the same time other town officers report, of the condition of the water-works financially and otherwise, showing the funds belonging to their department, and the expenses and income thereof, with such other facts and information as the town should have, which report shall be published in the annual report of said town each year.

SECT. 6. Said town is also authorized and empowered, at any annual, special, or biennial meeting, by a major vote of those present and voting, to raise by taxation and appropriate, or to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed necessary and expedient, for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water-rights, streams, springs, ponds, lakes, and other rights and property, as aforesaid, and for constructing, maintaining, repairing, extending, enlarging, and operating said water-works, such indebtedness not to exceed at any one time two hundred thousand dollars, and to issue notes or bonds of the town therefor, in such amounts and payable at such time or times and at such rates of interest as may be thought proper, and may exempt such notes or bonds from taxation when held by inhabi-

Organization of board; vacancies, how filled.

Appropriations authorized; issue of bonds.

tants of the town, or by any inhabitant of a town in which said water-works may extend, said notes and bonds to be signed by at least a majority of the selectmen and countersigned by the town treasurer.

Payment of indebtedness.

SECT. 7. Said town is hereby authorized and empowered to raise by taxation and pay each year the interest of the notes and bonds so issued, and such part of the principal and to provide for a sinking fund as the town may determine at any annual meeting.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved February 27, 1913.]

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CHAPTER 307.

AN ACT IN AMENDMENT OF SECTION 17, CHAPTER 121 OF THE SESSION LAWS OF 1897, ENTITLED "AN ACT TO ESTABLISH THE CITY OF BERLIN."

SECTION

1. Salary of judge of police court.

SECTION

2. Takes effect on passage.

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

Salary of judge of police court.

SECTION 1. Amend section 17, chapter 121, session Laws of 1897, by striking out the words "the salary of the justice of said police court shall be the sum heretofore fixed by the town of Berlin," and in place thereof inserting the following: the salary of the justice of said police court shall be such sum, not less than six hundred dollars, as shall be fixed by the city council for the city of Berlin, so that said section, as amended, shall read as follows: SECT. 17. The police court of the town of Berlin as heretofore existing and constituted, is hereby constituted and established as the police court of the city of Berlin, and all precepts, civil and criminal, which by law are made returnable to, or which have been instituted and are pending before the said police court of the town of Berlin when the act establishing the city of Berlin shall go into effect, shall be heard and administered in said court under the name of the police court of the city of Berlin. The salary of the justice of said police court shall be such sum, not less than six hundred dollars, as shall be fixed by the city council for the city of Berlin. The justice of said court may appoint a clerk of the court, if provision is made by the city council of said city for his compensation; but, until such provision is made, the justice, or,

in his absence, the special justice, shall be clerk as to all business before them respectively transacted in the court, and such clerk or justice shall keep a full record of all proceedings. The fees and costs imposed by said court shall be for the use of the city of Berlin, and shall be paid over to the city treasurer by any person collecting the same.

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

Takes effect  
on passage.

[Became a law without the governor's signature, March 4, 1913.]

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## CHAPTER 308.

### AN ACT EXEMPTING FROM LOCAL TAXATION A HOTEL IN THE CITY OF MANCHESTER.

#### SECTION 1. Exemption of building authorized.

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

SECTION 1. If a hotel, the building for which shall cost not less than two hundred thousand dollars, shall be erected and opened for business in the City of Manchester on or before April first, 1915, such hotel building may, by vote of the city council, be exempted from all local taxes by said City of Manchester for the term of ten years from said date: *provided, however,* that the assessors of said city shall annually appraise such hotel building and the valuation determined upon for the same shall be added to the valuation of all other property in said City of Manchester to determine the total valuation for the purposes of state and county tax and such hotel building shall be assessed for said state and county tax; and said assessors shall also annually appraise the land on which said building may be erected, and said land shall be taxed at the same rate as other property in said city.

[Approved March 6, 1913.]

CHAPTER 309.

AN ACT LEGALIZING THE BIENNIAL ELECTION OF THE TOWN OF NEW-MARKET HELD NOVEMBER FIFTH, NINETEEN HUNDRED AND TWELVE.

SECTION

1. Election legalized.

SECTION

2. Takes effect on passage.

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

Election legalized.

SECTION 1. That whereas the warrant for said biennial election was not posted the full number of days required by statute prior to said biennial election, and whereas said meeting and election were legal in all other respects, it is hereby enacted that all acts done and elections made and declared at said meeting be and hereby are legalized and shall have the same force and effect as though said warrant had been posted the full number of days required by statute prior to said meeting and election.

Takes effect on passage.

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

[Approved March 6, 1913.]

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CHAPTER 310.

AN ACT TO INCREASE THE CAPITAL STOCK OF THE MANCHESTER BUILDING AND LOAN ASSOCIATION.

SECTION

1. Increase of stock authorized.

SECTION

2. Takes effect on passage; repealing clause.

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

Increase of stock authorized.

SECTION 1. The Manchester Building and Loan Association is hereby authorized to increase its capital stock by an amount not to exceed five hundred thousand dollars.

Takes effect on passage; repealing clause.

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

[Approved March 6, 1913.]

CHAPTER 311.

AN ACT CONCERNING PARK CEMETERY OF TILTON.

SECTION

1. Acts and proceedings legalized.

SECTION

2. Takes effect on passage.

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

SECTION 1. All the acts and proceedings of an association called and known as Park Cemetery located in the town of Tilton (formerly in Sanbornton), be, and the same are hereby ratified and made legal, and the said Park Cemetery as now organized shall have all the rights and powers, and be subject to all the liabilities which towns by statute possess concerning cemeteries, by and under sections 4 and 6 of chapter 40 of the Public Statutes, and shall be called and known as Park Cemetery.

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

Takes effect on passage.

[Approved March 6, 1913.]

CHAPTER 312.

AN ACT TO INCORPORATE EUREKA NO. 33 KNIGHTS OF THE MACCABEES OF THE WORLD OF NASHUA, N. H.

SECTION

- 1. Corporation constituted.
- 2. Payment of benefits.
- 3. Right to hold property.

SECTION

- 4. First meeting.
- 5. Takes effect on passage.

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

SECTION 1. That H. J. Knowlton, C. J. Knowlton, C. M. Keyes, Eugene J. Stanton, Burt E. Stratton, George S. Brown, Nathan L. Sutton, Joseph P. Rolfe, Benj. F. Alpert, Louis E. Armington, Willie A. Wilkins, their associates and successors, be and hereby are made a body politic and corporate by name of Eureka No. 33 Knights of Maccabees of the World of Nashua, N. H., for charitable and benevolent purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution and shall be and hereby are made subject to all liabilities of corporations of a similar nature.

SECT. 2. Said corporation may enact by-laws for the payment of weekly benefits to those of its members who may become sick

Corporation constituted.

Payment of benefits.

and for the payment of funeral expenses of those of its members who may die.

Right to hold property.

SECT. 3. Said corporation shall have the power to hold real and personal property or estate by gift or otherwise, to the amount not exceeding twenty-five thousand dollars and may dispose of the same at pleasure.

First meeting.

SECT. 4. The first five persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of said meeting.

Takes effect on passage.

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

[Approved March 6, 1913.]

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CHAPTER 313.

AN ACT TO AMEND CHAPTER 204 OF THE LAWS OF 1887, RELATING TO THE POWERS OF THE WOODSVILLE FIRE DISTRICT, AS AMENDED BY CHAPTER 196 OF THE LAWS OF 1899.

SECTION

1. Powers of commissioners.

SECTION

2. Takes effect on adoption.

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

Powers of commissioners.

SECTION 1. Amend section 3 of said chapter 204 by inserting the following clause after the word "sewers" in said section 3, also the powers conferred by section 1, chapter 40, Laws of 1893, and shall be by virtue of their office firewards; so that said section when amended shall read as follows: [SECT. 3.] Said district at each annual meeting shall elect by ballot a moderator, a clerk, one auditor, a treasurer, and three commissioners. All of said officers shall be elected by a majority vote of all the voters present and voting at the annual meeting. Said officers shall exercise in relation to district meetings the like powers to those of moderator, clerk, and selectmen of towns. The commissioners shall have within the district all the powers of the mayor and aldermen of any city respecting highways, sidewalks, and sewers; also the powers conferred by section 1, chapter 40, Laws of 1893, and shall be by virtue of their office firewards. They shall control and direct the expenditure of all moneys raised under the authority of the district and by the town of Haverhill for expenditure in the district. They shall have sole authority to appoint a highway surveyor in said district, and in default of such appointment shall themselves per-

form the duties of that office. The surveyors or commissioners performing the duties of highway surveyor in the district shall give bond to the town to account for all money coming into their hands, and for the proper care and custody of the property of the town or district which may come into their custody or control, and shall be deemed officers of the town. Nothing in this act shall be construed to impose any distinct or special liability upon the district respecting highways within its limits. Vacancies that may occur in the office of commissioner in the district shall be filled by appointment of the remaining commissioners or commissioner, but any commissioner appointed to fill a vacancy shall hold office only until the next annual district meeting. Commissioners shall be residents of the district.

SECT. 2. This act shall not take effect unless it is adopted by a majority vote at an annual meeting of said Woodsville Fire District. The commissioners shall insert in their warrant an article providing for taking the sense of the qualified voters upon the following question: Shall the provisions of an act passed at the January Session 1913, entitled "An Act to enlarge the Powers of the Commissioners of the Woodsville Fire District," be adopted? <sup>Takes effect on adoption.</sup>

[Approved March 6, 1913.]

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## CHAPTER 314.

### AN ACT IN RELATION TO THE PHENIX MUTUAL FIRE INSURANCE COMPANY OF CONCORD, NEW HAMPSHIRE.

#### SECTION

1. Corporation constituted; powers.
2. Guaranty capital.
3. Authorized business.

#### SECTION

4. Meeting for reorganization.
5. Takes effect on passage.

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

SECTION 1. The Phenix Mutual Fire Insurance Company of Concord, New Hampshire, organized under the general laws of New Hampshire, August 3, 1886, is hereby declared to be a corporation and its organization is hereby continued, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, except as limited or extended by this act, for the purpose of making and effecting insurance against loss and damage to property by fire or lightning. <sup>of Corporation constituted; powers.</sup>

Guaranty capital. SECT. 2. Said corporation may establish a guaranty capital of not less than ten thousand nor more than fifty thousand dollars, divided into shares of one hundred dollars each. Said capital shall be subject to taxation in accordance with the provisions of chapter 65 of the Public Statutes relative to the taxation of stock fire insurance companies. The stockholders of the guaranty capital shall not receive dividends amounting to more than seven per cent. of the paid in capital in any one year and, except as otherwise herein provided, the rights and liabilities of policy holders shall be governed by all the provisions of law relating to mutual fire insurance companies.

Authorized business.

SECT. 3. Said corporation shall not engage in any business except that of re-insurance until its cash assets shall amount to at least fifty thousand dollars.

Meeting for reorganization.

SECT. 4. A meeting of the corporation for the purpose of effecting its reorganization may be held by Lyman Jackman, Charles G. Remick, Charles L. Jackman, Fred W. Cheney and Zenas P. Adams, a majority of the directors elected at the last annual meeting of the corporation, and for the purpose of effecting such organization they shall be clothed with all the rights and subject to all the obligations of incorporators and they may adopt all suitable by-laws for carrying into effect the purposes of the corporation not repugnant to the laws of New Hampshire or to this act. Any two of the persons above named may call the first meeting by giving two days' written notice to the others or upon the written agreement of all of them stating the time and place of such meeting.

Takes effect on passage.

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

[Approved March 7, 1913.]

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## CHAPTER 315.

AN ACT IN RELATION TO THE VILLAGE FIRE PRECINCT OF WOLFEBORO.

SECTION

1. May furnish electric light and power.

SECTION

2. Takes effect on passage.

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

May furnish electric light and power.

SECTION 1. That chapter 183 of the Laws of 1897, entitled "An Act to authorize the Village Fire Precinct of Wolfeboro to construct and maintain an Electric Light Plant," be amended by inserting the following section to be numbered section 5, and sec-



tion 5 of the original bill as amended by chapter 315, session Laws of 1909, be numbered section 6, so as to read as follows: SECT. 5. Said Village Fire Precinet of Wolfeboro is further empowered to generate electricity for sale for the purposes of furnishing power and lighting streets and buildings, and it is further empowered to sell the same to any person or persons or body corporate, or to any municipal corporation, whether town or preeinet in this state.

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

Takes effect on passage.

[Approved March 14, 1913.]

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CHAPTER 316.

AN ACT TO LEGALIZE THE TOWN MEETING OF THE TOWN OF KENSINGTON HELD NOVEMBER 5TH, 1912.

SECTION

1. Meeting legalized.

SECTION

2. Takes effect on passage.

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

SECTION 1. The town meeting of the town of Kensington held on the fifth day of November, A. D. 1912, is hereby legalized.

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

Takes effect on passage.

[Approved March 14, 1913.]

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CHAPTER 317.

AN ACT EXEMPTING FROM TAXATION THE DANIEL WEBSTER BIRTHPLACE.

SECTION 1. Property exempted.

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

SECTION 1. That the Daniel Webster birthplace at Franklin, N. H., having been purchased by the Webster Birthplace Association for the sole purpose of preserving the same in suitable manner for the benefit of the people and said association having provided that the same should revert to the City of Franklin whenever said association should fail to properly care for the same, is hereby exempted from taxation together with any fund that may be raised for the perpetual care thereof by said association.

[Approved March 14, 1913.]

## CHAPTER 318.

AN ACT EXEMPTING FROM TAXATION THE PROPERTY OF THE FRANKLIN  
ARMORY ASSOCIATION OF FRANKLIN.

## SECTION

1. Property exempted.

## SECTION

2. Repealing clause; act takes effect on passage.

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

Property  
exempted.

SECTION 1. The real and personal property of the Franklin Armory Association of Franklin, shall be and hereby is exempt from taxation so long as said property is occupied exclusively as an armory by military organizations under the authority of the State of New Hampshire or the United States.

Repealing clause;  
act takes effect  
on passage.

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 March 14, 1913.]

## CHAPTER 319.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE NEW HAMPSHIRE MISSIONARY SOCIETY," APPROVED JUNE 13, 1807, AND AMENDMENTS THERETO APPROVED JULY 7, 1877, JULY 1, 1879, AND JULY 16, 1885.

## SECTION

1. May act as trustee.

## SECTION

2. Takes effect on passage.

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

May act as  
trustee.

SECTION 1. Said corporation is also authorized and empowered to act as trustee of any estate or fund, to which it may be appointed by any court in this state, and shall have the same powers and be subject to the same restrictions as are granted to and imposed upon the individuals appointed as trustee, except that it shall not be required to furnish any surety upon its bond unless the court, having jurisdiction of the matter, shall deem such surety necessary.

Takes effect  
on passage.

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

[Approved March 14, 1913.]

CHAPTER 320.

AN ACT RELATING TO THE PINE PARK ASSOCIATION.

SECTION

- 1. Exemption from taxation.
- 2. Municipal co-operation.

SECTION

- 3. Takes effect on passage.

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

SECTION 1. The Pine Park Association, a corporation organized under the Public Statutes, shall be exempt from taxation upon its property or any part thereof situated in the town of Hanover during such time as the same is devoted solely to public purposes.

Exemption from taxation.

SECT. 2. The village precinct of Hanover is hereby authorized and empowered to take part, join and co-operate in the management, control and possession of the real estate of the Pine Park Association which may be devoted to public purposes.

Municipal co-operation.

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

Takes effect on passage.

[Approved March 14, 1913.]

CHAPTER 321.

AN ACT TO INCORPORATE THE HARUGARI CLUB OF MANCHESTER, NEW HAMPSHIRE.

SECTION

- 1. Corporation constituted.
- 2. Payment of benefits.
- 3. May conduct entertainments.

SECTION

- 4. Right to hold property.
- 5. First meeting.
- 6. Takes effect on passage.

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

SECTION 1. Albert Arzt, Charles Gaudes, Oscar Kleiner, Louis Gersbacher and Harry Gellrich, their associates and successors, be and hereby are made a body politic and corporate by the name of The Harugari Club, of Manchester, N. H., for fraternal charitable, benevolent, and social purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have all the powers, rights, duties, and liabilities of similar corporations.

Corporation constituted.

SECT. 2. Said corporation may enact by-laws providing for the payment of benefits to those of its members who may become

Payment of benefits.

sick, and for the payment of funeral expenses of those of its members who may die.

Entertainments.

SECT. 3. Said corporation may conduct musical, literary, dramatic and social entertainments.

Right to hold property.

SECT. 4. Said corporation, for the purposes aforesaid, may purchase, take, lease, and hold by deed, gift, or otherwise, real and personal estate to an amount not exceeding twenty thousand (20,000) dollars, and may improve, encumber, lease, sell, and convey, or otherwise dispose of the same at pleasure.

First meeting.

SECT. 5. The first two persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of such meeting.

Takes effect on passage.

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

[Approved March 14, 1913.]

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CHAPTER 322.

AN ACT TO INCORPORATE THE TURNER'S RELIEF SOCIETY OF MANCHESTER, N. H.

SECTION

1. Corporation constituted.
2. Payment of benefits.
3. May conduct entertainments.

SECTION

4. Right to hold property.
5. First meeting.
6. Takes effect on passage.

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

Corporation constituted.

SECTION 1. Emil Zeuner, Julius B. Hoffman, Fred L. Krauss, Carl Schuff and G. Matzenauer, their associates and successors, be and hereby are made a body politic and corporate by the name of the Turner's Relief Society, of Manchester, N. H., for fraternal, charitable, benevolent, and social purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have all the powers, rights, duties and liabilities of similar corporations.

Payment of benefits.

SECT. 2. Said corporation may enact by-laws providing for the payment of benefits to those of its members who may become sick, and for the payment of funeral expenses of those of its members who may die.

Entertainments.

SECT. 3. Said corporation may conduct musical, literary, dramatic, and social entertainments.

Right to hold property.

SECT. 4. Said corporation, for the purposes aforesaid, may purchase, take, lease and hold by deed, gift, or otherwise, real and personal estate to an amount not exceeding five thousand (5,000)

dollars, and may improve, encumber, lease, and convey, or otherwise dispose of the same at pleasure.

SECT. 5. The first two persons named in this act may call the <sup>First meeting.</sup> first meeting of said corporation by giving notice to each of the others at least two days before the date of such meeting.

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

Takes effect  
on passage.

[Approved March 14, 1913.]

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### CHAPTER 323.

#### AN ACT TO INCORPORATE THE WORKINGMEN'S RELIEF SOCIETY OF MANCHESTER, N. H.

##### SECTION

1. Corporation constituted.
2. Payment of benefits.
3. May conduct entertainments.

##### SECTION

4. Right to hold property.
5. First meeting.
6. Takes effect on passage.

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

SECTION 1. Eugene F. W. Birsner, Emil Kühnel, Herman <sup>Corporation constituted.</sup> Rödelsperger, Herman Fisher, and Carl H. Schloth, their associates and successors, be and hereby are made a body politic and corporate by the name of the Workingmen's Relief Society, of Manchester, N. H., for fraternal, charitable, benevolent, and social purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have all the powers, rights, duties, and liabilities of similar corporations.

SECT. 2. Said corporation may enact by-laws providing for <sup>Payment of benefits.</sup> the payment of benefits to those of its members who may become sick, or in need, and for the payment of funeral expenses of those of its members who may die.

SECT. 3. Said corporation may conduct musical, literary, dra- <sup>Entertainments.</sup> matic, and social entertainments.

SECT. 4. Said corporation, for the purposes aforesaid, may pur- <sup>Right to hold property.</sup> chase, take, lease and hold by deed, gift, or otherwise, real and personal estate to an amount not exceeding twenty thousand (20,000) dollars, and may improve, encumber, lease, sell, and convey, or otherwise dispose of the same at pleasure.

SECT. 5. The first two persons named in this act may call the <sup>First meeting.</sup> first meeting of said corporation by giving notice to each of the others at least two days before the date of such meeting.

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

Takes effect  
on passage.

[Approved March 14, 1913.]

CHAPTER 324.

AN ACT TO INCORPORATE THE BAYERISCHER KRANKEN-UNTERSTUTZUNGS-VEREIN OF MANCHESTER, N. H.

SECTION

1. Corporation constituted.
2. Payment of benefits.
3. May conduct entertainments.

SECTION

4. Right to hold property.
5. First meeting.
6. Takes effect on passage.

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

Corporation constituted.

SECTION 1. Herman Schloth, Karl H. Schloth, Andreas Zimmerer, George Hannemann and Max Hager, their associates and successors, be and hereby are made a body politic and corporate by the name of the Bayerischer Kranken-Unterstützungs-Verein, of Manchester, N. H., for fraternal, charitable, benevolent, and social purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall have all the powers, rights, duties, and liabilities of similar corporations.

Payment of benefits.

SECT. 2. Said corporation may enact by-laws providing for the payment of benefits to those of its members who may become sick, and for the payment of funeral expenses of those of its members who may die.

Entertainments.

SECT. 3. Said corporation may conduct musical, literary, dramatic, and social entertainments.

Right to hold property.

SECT. 4. Said corporation, for the purposes aforesaid, may purchase, take, lease and hold by deed, gift, or otherwise, real and personal estate to an amount not exceeding fifteen hundred (1500) dollars, and may improve, encumber, lease, sell, and convey, or otherwise dispose of the same at pleasure.

First meeting.

SECT. 5. The first two persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of such meeting.

Takes effect on passage.

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

[Approved March 14, 1913.]

## CHAPTER 325.

AN ACT AUTHORIZING THE TOWN OF BELMONT TO REFUND ITS BONDED  
INDEBTEDNESS.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. That the town of Belmont is hereby authorized and empowered to refund its bonded indebtedness incurred in the purchase of the rights and franchises of the Belmont Aqueduct Co. in the year 1893, by an issue of bonds or notes payable at such times and at such rates of interest as may be thought proper and may exempt such bonds or notes from taxation when held by the residents of the town.

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

Takes effect  
on passage.

[Approved March 14, 1913.]

## CHAPTER 326.

AN ACT TO INCORPORATE SOUHEGAN TRIBE NO. 49 IMPROVED ORDER OF  
RED MEN OF WILTON, N. H.

## SECTION

1. Corporation constituted.
2. Right to hold property.

## SECTION

3. First meeting.
4. Takes effect on passage; subject to repeal.

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

SECTION 1. John T. Smith, Henry V. Tuttle, George F. Gilpatrick, Warren E. Foster, John H. Barry, Henry P. Herlihy, Frank W. Tolford, and their associate members of said tribe and their successors, be and hereby are made a body politic and corporate by the name of Souhegan Tribe No. 49, Improved Order of Red Men of Wilton, N. H., for fraternal and social purposes. They shall have all the powers, rights, and duties of similar corporations and may make such by-laws and regulations as they are authorized to make by the great council of the order, not inconsistent with the laws of the state.

Right to hold property.

SECT. 2. Said corporation may purchase, take and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purpose of the corporation to an amount not exceeding five thousand dollars, and may improve, sell, and convey, or otherwise dispose of the same at pleasure.

First meeting.

SECT. 3. Any three of the persons herein named, may call the first meeting of the corporation at such time and place and in such manner as they may think proper.

Takes effect on passage; subject to repeal.

SECT. 4. This act shall take effect upon its passage, and the legislature may alter, amend, or repeal the same whenever the public good may require.

[Approved March 14, 1913.]

CHAPTER 327.

AN ACT TO AMEND SECTION 51 OF CHAPTER 305 OF THE LAWS OF 1909, IN RELATION TO THE COMPENSATION OF ALDERMEN OF THE CITY OF CONCORD.

SECTION

1. Salaries of aldermen.

SECTION

2. Takes effect on passage.

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

Salaries of aldermen.

SECTION 1. Amend said section 51 of chapter 305 of the Laws of 1909 by inserting after the word "annum" in the fifth line the words Each alderman who is a member of the committee on accounts and claims shall receive the sum of \$10 additional, so that said section as amended shall read as follows: SECT. 51. The salary of the mayor shall be fifteen hundred dollars per annum, payable monthly. The salary of each alderman who is a member of the board of public works shall be two hundred dollars per annum, and the salary of each alderman not a member of the latter board seventy-five dollars per annum. Each alderman who is a member of the committee on accounts and claims shall receive the sum of \$10 additional. The salaries of the aldermen shall be payable at the end of each financial year. There shall be deducted from the salary of each alderman the sum of three dollars for each regular or special meeting of the board of aldermen, and, if a member of the board of public works, for each regular or special meeting of the latter board, which the record of the city clerk shall show he failed to attend: except that a member of either board may be excused for unavoidable non-attendance at any of its meet-



ings, by vote of a majority of the members thereof, and no deduction shall be made on account of such non-attendance if such excuse is voted. But engagements of a business or social nature shall not constitute a ground for such excuse. Unless otherwise provided by this act or by other statutes not hereby repealed or superseded, the compensation for services of all other city and ward officers, except appointees and employees of the board of public works, may be fixed by ordinance or determined in such manner as the city ordinances may prescribe.

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

Takes effect  
on passage.

[Approved March 14, 1913.]

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CHAPTER 328.

AN ACT IN AMENDMENT OF CHAPTER 289, LAWS 1907, RELATING TO THE SALARIES IN THE POLICE DEPARTMENT OF THE CITY OF BERLIN.

SECTION

1. Maximum salaries of members of police department.

SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 1 of chapter 289 of the Laws of 1907 by striking out the word "eleven" in the fifth line of said section and inserting in the place thereof the word twelve; further amend said section by striking out the words "nine hundred and twenty-five" in the sixth and seventh lines of said section, and inserting in the place thereof the words eleven hundred; and further amend said section by striking out the words "eight hundred and twenty-five" in the last line of said section, and inserting in the place thereof the words ten hundred; so that said section as amended shall read as follows: SECTION 1. On and after the first day of April, nineteen hundred and seven, the city council of the city of Berlin is hereby authorized, on recommendation of the police commission of said city, to determine the salaries in the police department of said city as hereinafter specified: city marshal, not to exceed twelve hundred dollars per annum; assistant marshal, not to exceed eleven hundred dollars per annum; police officers, not to exceed ten hundred dollars per annum.

Maximum salaries  
of police.

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;  
act takes effect  
on passage.

[Approved March 14, 1913.]

## CHAPTER 329.

## AN ACT TO AUTHORIZE THE TOWN OF WHITEFIELD TO BOND ITS FLOATING DEBT.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

Authority granted.

SECTION 1. The town of Whitefield, for the purpose of funding its floating debt, may issue negotiable notes or bonds of the town to an amount not to exceed fifty thousand dollars in the aggregate. The vote to issue such notes or bonds shall be taken by a two thirds vote of those present and voting at any annual or special meeting of said town called for that purpose, and said notes or bonds, when owned by residents of said town of Whitefield, shall be exempt from taxation. Said notes or bonds shall be due and payable not more than forty years from their date of issue, and shall bear interest at a rate not to exceed four per centum per annum. They shall be signed by the board of selectmen, or by a majority thereof, and countersigned by the treasurer of said town, and they shall have the seal of the town affixed thereto. All bonds issued by virtue of this act and signed and sealed as herein provided shall, in favor of *bona fide* holders, be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions herein contained, and no such holder shall be obliged to see to the existence of the purpose of the issue, or to the regularity of any of the proceedings by virtue of which said notes or bonds are issued, or to the application of the proceeds of such issue.

Takes effect  
on passage.

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

[Approved March 14, 1913.]

CHAPTER 330.

AN ACT DEFINING THE POWERS OF THE KEENE GAS AND ELECTRIC COMPANY.

SECTION

- 1. Conveyance confirmed.
- 2. Leases authorized.
- 3. Conveyance authorized.

SECTION

- 4. Application limited; takes effect on passage.

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

SECTION 1. The conveyance by the Keene Gas and Electric Company to the Ashuelot Gas and Electric Company of certain properties, rights and franchises in Cheshire county by deed dated November 1, 1911, is hereby approved and confirmed. Conveyance confirmed.

SECT. 2. The Keene Gas and Electric Company is hereby authorized to lease from any corporation, firm, association or individual any property, rights or franchises used or adapted for use in the business in which said company is authorized to engage, and any such corporation, firm, association or individual is hereby authorized to make such lease to said company upon such terms as may be agreed upon by the parties to such lease and approved by the public service commission. The lease to said company from the Ashuelot Gas and Electric Company, dated November 1, 1911, having been duly approved by the public service commission, is hereby confirmed. In connection with any such lease the Keene Gas and Electric Company is authorized to guarantee the payment of dividends or interest upon stocks, bonds or notes of any such lessor and also the principal thereof. Leases authorized.

SECT. 3. The Keene Gas and Electric Company is hereby authorized to convey to the Ashuelot Gas and Electric Company the property, rights and franchises purchased by said Keene company from the town of Peterborough and conveyed to it by deed dated June 1, 1912, upon such terms as may be agreed upon between said companies and approved by the public service commission; and the Keene Gas and Electric Company is hereby authorized to engage in the business of supplying gas and electricity for light, heat and power and other purposes in the town of Peterborough and in any other city or town in which it may be duly licensed by public authority under statutes now or hereafter in force. Conveyance authorized.

SECT. 4. Nothing in this act contained shall limit or affect any statute now or hereafter in force for the regulation of any public utility named or referred to herein; and this act shall take effect upon its passage. Application limited; takes effect on passage.

[Approved March 14, 1913.]

## CHAPTER 331.

AN ACT TO AMEND CHAPTER 3 OF THE LAWS OF 1823 RELATIVE TO  
THE CHARTER OF THE NEW HAMPSHIRE HISTORICAL SOCIETY.

## SECTION

1. Corporate powers enlarged.

## SECTION

2. Takes effect on passage.

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

Powers enlarged.

SECTION 1. That section 2 of chapter 3 of Laws of 1823 be amended by striking out said section and inserting in place thereof the following:—SECT. 2. That in addition to the real and personal property held and used by said corporation for the purposes aforesaid, and in addition to its library and other collections, said corporation may receive by gift, grant, devise, or otherwise, and may hold, possess and enjoy real and personal estate to an amount which produces a net annual income not to exceed fifty thousand dollars.

Takes effect  
on passage.

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

[Approved March 19, 1913.]

## CHAPTER 332.

AN ACT IN AMENDMENT AND ADDITION TO CHAPTER 251 OF THE LAWS  
OF 1901, ENTITLED, "AN ACT TO AUTHORIZE THE GRANITE STATE  
LAND COMPANY TO CONSTRUCT AND MAINTAIN A BRIDGE ACROSS  
HAMPTON RIVER AND FOR OTHER PURPOSES."

## SECTION

1. Sale of bridge authorized.

2. Purchase authorized.

3. Rights of purchaser.

## SECTION

4. Application of act.

5. Takes effect on passage.

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

Sale of bridge  
authorized.

SECTION 1. The Granite State Land Company is hereby authorized to sell and convey to the Seabrook & Hampton Beach Street Railway Company, or to such other railway as may then be occupying or operating its cars over the same, the bridge across Hampton river built in accordance with the terms of said act, its approaches and the property appurtenant thereto.

SECT. 2. The Seabrook & Hampton Beach Street Railway Company, or the street railway occupying or operating its cars over the bridge at the time, is hereby empowered to purchase said bridge, its approaches and property appurtenant thereto, and may issue its stock and bonds necessary for the purpose in such amounts and in such manner as may be approved by the public service commission. Purchase authorized.

SECT. 3. Such purchaser shall succeed to all the rights and privileges of the Granite State Land Company in and upon the said bridge, its approaches and property appurtenant thereto and shall be subject to all the conditions and liabilities provided in and by the said act. Rights of purchaser.

SECT. 4. The provisions of this act shall also apply to the mortgage bondholders, and the mortgage authorized by section 9, of said act shall include all the rights and privileges, subject, however to the provisions and conditions in said act contained. Application of act.

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

[Approved March 19, 1913.]

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CHAPTER 333.

AN ACT AUTHORIZING THE PACIFIC MILLS TO EXERCISE THE POWERS CONFERRED BY CHARTER TO THE COCHECO MANUFACTURING COMPANY AND TO TRANSMIT ELECTRICITY.

SECTION

1. Authority granted.
2. Electric plants authorized.
3. Cables in certain rivers.

SECTION

4. Transmission of current.
5. Takes effect on passage.

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

SECTION 1. That, whereas the said Cochecho Manufacturing Company has conveyed and assigned its entire property, assets and good will to the Pacific Mills, a corporation duly established by law and doing business at Dover, New Hampshire, the said Pacific Mills is hereby authorized and empowered to exercise all powers and privileges granted the Cochecho Manufacturing Company by its charter and the amendments thereto. Authority granted.

SECT. 2. The Pacific Mills is hereby empowered and authorized to construct and maintain a plant or plants and the necessary appurtenances thereto, for the purpose of producing electricity at any Electric plants authorized.

place or places which it may or shall possess on or near the Cochecho and Isinglass rivers or either of them in the County of Strafford in said state.

Cables in rivers.

SECT. 3. Said Pacific Mills may lay suitable cables upon the bed of said Cochecho and Isinglass rivers and of any streams flowing into the Cochecho and Isinglass rivers from bank to bank to be used for the transmission of electric currents and may use any other method or appliances for transmission of said current across said rivers and streams.

Transmission of current.

SECT. 4. Said Pacific Mills may transmit to its mills in the city of Dover the electricity developed at said places mentioned in section 2 by metallic wires or any other suitable means of transmitting the same upon poles or in subterranean pipes or boxes placed in the public streets, highways or other places in such cities and towns of New Hampshire as may be necessary, the consent of the authorities of such towns and cities being first obtained as required by law.

Takes effect on passage.

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

[Approved March 19, 1913.]

## CHAPTER 334.

### AN ACT TO INCORPORATE THE UNITED LIFE AND ACCIDENT INSURANCE COMPANY.

#### SECTION

1. Corporation constituted; purposes.
2. Capital stock.
3. First meeting.
4. Government.

#### SECTION

5. Right to reinsure.
6. Subject to general laws.
7. Subject to repeal; takes effect on passage.

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

Corporation constituted; purposes.

SECTION 1. That William F. Thayer, Edson J. Hill, Charles L. Jackman, William A. Stone, John H. Brown, S. W. Jameson and Allen Hollis, and their associates, successors and assigns be and they hereby are constituted a corporation by the name of the United Life and Accident Insurance Company, to be located at Concord or Manchester in this state as may be determined by majority vote of the incorporators or stockholders, with authority to insure persons against loss of life, illness, or personal injury resulting from any cause: to make contracts for endowments; to

grant and purchase annuities; to insure persons and corporations against loss on account of liability to others for personal injuries, fatal or otherwise; to issue and become surety upon official, indemnity and other bonds; and in general to conduct the business of life, health, casualty, liability and indemnity insurance, in any or all its branches, with all the powers and privileges necessary for the convenient exercise of the authority hereby conferred, including the power to invest its funds in real estate, personal property and securities, subject to such limitations as may be provided by law, and to manage, convey, mortgage, and pledge the same or any part thereof as required in the transaction of its business.

SECT. 2. The capital stock of said corporation shall be such Capital stock. sum not less than two hundred thousand dollars or more than five hundred thousand dollars as may be fixed by the incorporators at their meeting for organization or any adjournment thereof; and thereafter the stockholders of said corporation shall have authority to increase or decrease the capital stock within the limits above specified in the same manner as now or hereafter provided by law for voluntary corporations organized under the laws of this state.

SECT. 3. The first meeting of said incorporators for organiza- First meeting. tion and all other purposes within their power as conferred by law shall be held at such time and place as may be agreed upon by written stipulation signed by all the incorporators or as may be specified in a written notice signed by any three incorporators and mailed not less than seven days before the date of such meeting to all the other incorporators, directed to their last known post-office address. A majority of the incorporators shall constitute a quorum at any meeting thereof. Said meeting may adjourn to a fixed date or subject to such notice as it may specify. At such meeting or any adjournment thereof, by-laws may be adopted by majority vote, which shall govern the affairs of the corporation, and shall specify the method by which they may be subsequently amended.

SECT. 4. The affairs of said corporation shall be under the Government. general direction of a board of not less than eleven directors, who may choose from their number an executive committee of not less than three, with such powers as may be conferred upon it by the by-laws.

SECT. 5. Said corporation may reinsure any and all risks un- Reinsurance. dertaken by it upon such conditions as may be prescribed by the directors.

SECT. 6. Said corporation shall be subject to all laws regulat- Subject to general laws. ing the conduct of the business conducted by it as now existing or hereafter enacted. Unless otherwise provided by law, it shall

be liable to taxation in the manner now provided for stock fire insurance companies incorporated under the laws of this state.

Subject to repeal; takes effect on passage.

SECT. 7. This charter is subject to amendment, alteration, or repeal at the pleasure of the general court; and this act shall take effect upon its passage.

[Approved March 20, 1913.]

CHAPTER 335.

AN ACT TO ANNEX A HOMESTEAD TO THE UNION SCHOOL DISTRICT OF THE CITY OF CONCORD.

SECTION

1. Homestead severed and annexed.

SECTION

2. Takes effect on passage.

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

Homestead severed and annexed.

SECTION 1. That the homestead of John B. Hammond be, and is hereby, severed from the Town School District of the city of Concord and annexed to the Union School District of the city of Concord for school purposes.

Takes effect on passage.

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

[Approved March 26, 1913.]

CHAPTER 336.

AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO EXEMPT FROM TAXATION THE RESIDENCE OF THE LATE C. M. MORSE WITH ADDITIONS AND IMPROVEMENTS TO BE MADE FOR HOTEL PURPOSES.

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

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

Exemption authorized.

SECTION 1. That the special town meeting holden at Plymouth on the twenty-third day of May, 1912, voting to exempt from taxation the residence of the late C. M. Morse with additions and improvements to be made for a term of ten years from the date



of its opening as a hotel be, and the same, hereby is ratified, confirmed, approved and legalized, and that the assessors shall annually appraise such property and the valuation determined upon for the same shall be added to the valuation of all other property in the town to determine the total valuation for the purposes of the state and county tax.

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

Takes effect on passage.

[Approved March 26, 1913.]

CHAPTER 337.

AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 163, SESSION LAWS OF 1878 RELATING TO THE ELECTION OF MEMBERS OF THE SCHOOL COMMITTEE IN THE CITY OF MANCHESTER.

SECTION

1. Elections, when held.
2. Who entitled to vote.
3. Declarations of candidacy.
4. Ballots, form and distribution of.
5. No party designation.
6. Election officers.
7. Check lists.

SECTION

8. Rights and powers of board.
9. Preservation of ballots and checklist.
10. Plurality to elect.
11. Recount, provisions for.
12. Repealing clause; act takes effect on passage.

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

SECTION 1. Each of the several wards of the city of Manchester shall on the first Tuesday following the first Monday in December, 1914, elect one member of the school committee of the city of Manchester whose term of office shall be from the first Tuesday of January, 1915, to the first Tuesday of January, 1916, and shall, on the first Tuesday following the first Monday in November, 1915, and biennially thereafter, elect one member of the said school committee whose term of office shall be for two years and until another has been chosen and qualified in his or her stead.

SECT. 2. Every inhabitant of each ward of the city of Manchester, whether male or female, being a native or naturalized citizen of the United States of the age of twenty-one years and upward shall have a right to be a candidate and to vote at the election of members of the school committee, in the ward in which said inhabitant dwells and has had his or her home for at least three months prior to said election.

SECT. 3. Any person desiring to become a candidate for member of the school committee shall file his name with the city clerk of the city of Manchester within the first fifteen of the thirty days

preceding said election, stating his or her name and address, and shall deposit with said city clerk the sum of three dollars as a registration fee.

**Ballots.**

SECT. 4. The city clerk shall cause ballots to be printed for each and every ward of the city of Manchester containing the names, arranged in alphabetical order, of all the candidates who are thereto entitled, according to sections 2 and 3 of this act, and shall deliver to the moderator or other officer in charge of said election, within one hour before the polls open, sixty ballots for every fifty names that shall appear on the check-list to be used at said election.

**No party designation.**

SECT. 5. There shall not be any party designation whatsoever on the ballot to be used at said election.

**Election officers.**

SECT. 6. Said election shall be in charge of the same officers, shall be conducted in the same manner and shall be governed by the same laws as the biennial election and all laws now in force or hereinafter enacted relative to the conduct of biennial elections shall be in force, applicable to and govern the election of members of the school committee.

**Checklists.**

SECT. 7. The checklist to be used at said elections shall be prepared by the board of inspectors of checklists for the city of Manchester in the same manner as the same is prepared for the biennial election and all laws now in force relative to their duties at the biennial elections or which may hereafter be enacted relative thereto, shall be in force and shall govern their duties in regard to the election of members of the school committee with the exception as to sex contained in section 1 of this act.

**Powers of board.**

SECT. 8. The board of school committee as hereinabove elected shall have the rights and powers and be entitled to the same privileges and emoluments as the board of school committee of the city of Manchester now has or may hereafter have.

**Preservation of ballots, etc.**

SECT. 9. The checklist used at said election together with ballots duly voted shall be returned by the officers in charge of the elections to the city clerk and preserved by said city clerk for a period of sixty days.

**Plurality to elect.**

SECT. 10. A plurality of votes, shall in all cases, be sufficient to elect a member of the school committee.

**Recounts.**

SECT. 11. Any candidate desiring a recount of the votes cast in his ward at this election shall notify the city clerk within five days after said election and shall deposit with said city clerk the sum of five dollars to be kept by said city clerk as a fee therefor. The city clerk shall set a date for the recount of ballots which shall be at any time in his discretion within thirty days after the election; shall notify all the candidates whose names appeared on the ballot to be recounted at least five days prior to said recount of

ballots and he shall have full charge of said recount and his decision in relation thereto shall be final.

SECT. 12. So much of chapter 163, section 3 of the Laws of 1878, as is inconsistent herewith, and all acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 26, 1913.]

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### CHAPTER 338.

#### AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER PROVIDING FOR ADDITIONAL WATER FACILITIES.

##### SECTION

1. Acquisition of property authorized.
2. Issue of bonds authorized.

##### SECTION

3. Takes effect on passage.

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

SECTION 1. That section 18, of the charter of the city of Dover as amended by chapter 170, of the Laws of 1889, be and hereby is amended by striking out after the word "Rollinsford" the words "Somersworth and Madbury, not exceeding in value the sum of sixty thousand dollars," and by inserting in place thereof the words, Madbury, Barrington, and the city of Somersworth, and by striking out after the words of public travel the remaining portion of said section, adding instead thereof the following: The said city of Dover may lay, construct, and maintain, all necessary pipes in and through the city of Rochester for the purpose of conducting water from the said towns of Barrington, and Madbury, to the city of Dover, and may dig ditches, break up ground for the laying, relaying and maintaining of said pipe or pipes whenever the same may become necessary, including the highways and streets of said city, due regard being paid to the safety of the citizens and the security of public travel, so that said section as amended shall read as follows: SECT. 18. Said city may construct, manage, and own suitable water-works for the purpose of introducing an adequate supply of water for extinguishing fires, for the use of citizens and for such other purposes as water may be required in said city; and for that purpose may take, purchase, and hold real estate, or easements therein and rights of water for said works, in the city of Dover, the towns of Rollinsford, Madbury, Barrington and the city of Somersworth, and erect, construct, and maintain such dams, reservoirs, and buildings, in said cities and towns, as Acquisition of property authorized.

may be necessary for such water-works; and dig ditches, break up ground, and place and maintain pipes for conducting water wherever it may be necessary in said cities and towns, including the highways and streets thereof, and relay and change said pipes from time to time, due regard being paid to the safety of the citizens and security of public travel. The said city of Dover may lay, construct, and maintain all necessary pipes in and through the city of Rochester, for the purpose of conducting water from the said towns of Barrington and Madbury to the said city of Dover, and may dig ditches, break up ground for the laying, relaying and maintaining of said pipe or pipes, whenever the same may become necessary, including the highways, and streets of said city, due care being paid to the safety of the citizens, and security of public travel.

Issue of bonds authorized.

SECT. 2. That section 21, as amended by chapter 170, of the Laws of 1889, be and hereby is amended by striking out after the words the whole sum in the third line of said section the words "three hundred and seventy-five thousand dollars." and inserting instead thereof the words five hundred and twenty-five thousand dollars, so that said section shall read as follows: SECT. 21. The said city is authorized to levy taxes to defray the expenses of said water-works, and to borrow money, not exceeding in the whole the sum of five hundred and twenty-five thousand dollars, and to issue the notes, bonds, or other obligations of the city therefor, payable at such time or times, and on such interest as the city councils shall determine at a legal meeting of the city councils of said city, and such bonds, and notes, or other obligations shall be legal and binding upon said city.

Takes effect on passage.

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

[Approved March 26, 1913.]

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CHAPTER 339.

AN ACT TO AMEND THE CHARTER OF THE GORDON-NASH LIBRARY IN NEW HAMPTON.

SECTION

1. Right to hold property.

SECTION

2. Takes effect on passage.

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

Right to hold property.

SECTION 1. The charter of the Gordon-Nash Library of New Hampton granted by chapter 193 of the Laws of 1887, as amended by chapter 175 of the Laws of 1895, is further amended by striking

out the word "fifty" in section two, and inserting in place thereof the words, one hundred, so that said section as amended shall read:

SECT. 2. Said corporation shall have power to hold by devise, grant, purchase, or otherwise, real and personal estate, not exceeding one hundred thousand dollars in value.

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

Takes effect  
on passage.

[Approved March 26, 1913.]

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## CHAPTER 340.

AN ACT AMENDING THE CHARTER OF THE NASHUA AND HOLLIS ELECTRIC RAILROAD COMPANY AND EXTENDING THE TIME FOR THE CONSTRUCTION THEREOF.

SECTION

1. Charter amended.
2. Time for building extended.

SECTION

3. Takes effect on passage.

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

SECTION 1. Amend section 1, chapter 249 of the Laws of 1903, Charter amended, by inserting after the words "maintain and use a railroad," the words for the transportation of passengers, freight, express and mail, as amended said section will read. [SECTION 1.] That Edward Hardy, Silas M. Spalding, Charles B. Richardson, Joseph Gates, Charles M. Stratton, Henry G. Cameron, Elbridge J. Farley, Charles A. Colburn, George B. Cleasby, Homer Roby, George A. Ladd, Charles E. Hardy, George S. Hazard and Marcellus J. Powers, all of Hollis, in the county of Hillsborough and state of New Hampshire, their associates, successors and assigns, are hereby made a body corporate by the name of the Nashua & Hollis Electric Company, with power to construct, maintain and use a railroad for the transportation of passengers, freight, express and mail, with convenient single or double track, with necessary and convenient sidings, turnouts, switches and side-tracks, from a point at the Nashua Street Railway on Amherst street in Nashua, N. H., where Broad street intersects said Amherst street; thence westerly on Broad street, and the main road from Nashua to Hollis to a point near the Congregational church in Hollis Center; thence westerly to Main street; thence southerly along Main street to the first road turning to the right south of the present homestead of Jefferson Farley; thence southwesterly following said last mentioned road past the house of Samuel A. Worcester to a point where

said road crosses the state line, said roads being situate in the city of Nashua and town of Hollis, in the county of Hillsborough and state of New Hampshire: And to erect and maintain in and upon said highways or bridges and such public and private land as may be necessary, poles, wires, and all necessary appliances to operate said railroad by electricity or by any other motive power except steam. Said corporation may also construct and maintain suitable buildings, dams, water motors, engines, electric and other machinery and apparatus for the operation of said railroad, and are hereby authorized to furnish power, and light, and to sell the same, to make contracts pertaining thereto, and to collect tolls therefor.

Time for building extended.

SECT. 2. The time fixed in the charter of the Nashua & Hollis Electric Railroad Company, approved February 25th, 1907, is hereby extended to March 25th, 1917, and said corporation shall have such additional time in which to build its road.

Takes effect on passage.

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

[Approved March 26, 1913.]

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CHAPTER 341.

AN ACT ENLARGING THE POWERS OF THE PLYMOUTH VILLAGE FIRE DISTRICT.

SECTION

1. May serve parts of Holderness.
2. Change in district boundaries.

SECTION

3. New district a village district.
4. Takes effect on passage.

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

May serve Holderness.

SECTION 1. The Plymouth village fire district is authorized and empowered to serve such portions of the town of Holderness contiguous to the town of Plymouth, including River street, so-called, and the Holderness School, as may in the manner hereinafter provided be added to said district.

Change in boundaries.

SECT. 2. Upon the petition of ten or more legal voters residing in the Plymouth village fire district as at present organized and of ten or more legal voters residing in the portion of the town of Holderness proposed to be added to the said district, such petition setting forth fully the boundaries of the proposed enlargement located in the said town of Holderness, the selectmen of the towns of Plymouth and Holderness, after notice and hearing as provided in section 4, chapter 53 of the Public Statutes, may change the

boundaries of the said Plymouth village fire district. Record of the petition, return of the selectmen's proceedings and decision thereon shall be recorded as provided in the said section 4, chapter 53 of the Public Statutes.

SECT. 3. Such district, if and when enlarged under the provisions of this act, shall be deemed to be a village district subject to the same provisions of law as are provided for village districts.

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

New district a village district.

Takes effect on passage.

[Approved March 31, 1913.]

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### CHAPTER 342.

AN ACT IN AMENDMENT OF SECTION 13 OF THE SESSION LAWS OF 1897,  
AS AMENDED BY CHAPTER 225 OF THE SESSION LAWS OF 1903 RELATING TO THE SALARY OF THE CITY CLERK OF BERLIN.

SECTION

1. Salary of city clerk.

SECTION

2. Takes effect on passage.

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

SECTION 1. That section 13 of chapter 121 [section 2 of chapter 225] of the session Laws of 1903, be amended by striking out the word "four" in the fourth [seventh] line of said section, and inserting in place thereof the word six, so that said section as amended shall read as follows: SECT. 13. The mayor and council shall annually on the last Monday of March meet for the purpose of taking their respective oaths, and shall elect a city clerk, who shall be clerk of the said council, and have a salary of six hundred dollars per annum. The power to change the salary of the city clerk hereafter, is hereby granted to and vested in the board of mayor and council.

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

Takes effect on passage.

[Approved March 31, 1913.]

CHAPTER 343.

AN ACT TO EXEMPT FROM LOCAL TAXATION CERTAIN REAL ESTATE OF THE NEW MOUNT BELKNAP HOTEL IN LACONIA.

SECTION  
1. Exemption authorized.

SECTION  
2. Takes effect on passage.

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

Exemption authorized.

SECTION 1. The city of Laconia is hereby authorized by vote of its city council to exempt from local taxation for the term of ten years all real estate of the New Mount Belknap Hotel situated in said city in excess of the value of twenty-five hundred dollars.

Takes effect on passage.

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

[Approved March 31, 1913.]

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CHAPTER 344.

AN ACT AUTHORIZING THE TOWN OF WARREN TO APPROPRIATE MONEY TO CELEBRATE THE ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE INCORPORATION OF THE TOWN.

SECTION  
1. Authority granted.

SECTION  
2. Takes effect on passage.

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

Authority granted.

SECTION 1. The town of Warren is hereby authorized to appropriate a sum not exceeding two hundred dollars, for the purpose of celebrating the one hundred and fiftieth anniversary of the incorporation of the town.

Takes effect on passage.

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

[Approved March 31, 1913.]



CHAPTER 345.

AN ACT TO EXEMPT FROM LOCAL TAXATION CERTAIN REAL ESTATE OF THE LACONIA HOTEL COMPANY.

SECTION

1. Exemption authorized.

SECTION

2. Takes effect on passage.

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

SECTION 1. The city of Laconia is hereby authorized by vote of its city council to exempt from local taxation for the term of ten years all real estate of the Laconia Hotel Company, situated in said city in excess of the value of fifteen thousand dollars.

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

Exemption authorized.

Takes effect on passage.

[Approved March 31, 1913.]

CHAPTER 346.

AN ACT AUTHORIZING THE CITY OF MANCHESTER TO PROVIDE PENSIONS FOR FIREMEN.

SECTION

- 1. Authority granted.
- 2. Amount on retirement.
- 3. Amount for disability.

SECTION

4. Repealing clause; act takes effect on passage.

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

SECTION 1. The board of mayor and aldermen of the city of Manchester may, at the request of the chief engineer or of the board of engineers, retire from active service any member of the fire department who has performed faithful service in the department for a period of twenty consecutive years, exclusive of any service as call man; or any member of the department who has been disabled while in the actual performance of duty; and may grant a pension to such retired member for a period not exceeding one year at a time. Before a pension is granted, the city physician shall certify to the board of mayor and aldermen that such retired member is incapacitated either mentally or physically from performing his duty as a member of the department.

Amount on  
retirement.

SECT. 2. The pension of a regular member of the department retired after twenty consecutive years of service shall be not exceeding one half the annual salary or compensation of the office from which he is retired.

Amount for  
disability.

SECT. 3. The pension of a regular member disabled while in the actual performance of duty shall be not exceeding one half the annual salary or compensation of the office from which he is retired. The pension of call members disabled while in the actual performance of duty shall be not exceeding one half the annual salary or compensation of regular members of the lowest grade. The pension of assistant engineers disabled while in the actual performance of duty shall be not exceeding one half the annual salary or compensation paid to members of the grade of captain.

Repealing clause;  
act takes effect on  
passage.

SECT. 4. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved April 1, 1913.]

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## CHAPTER 347.

AN ACT TO LEGALIZE THE ANNUAL TOWN MEETING OF THE TOWN OF  
HEBRON HELD MARCH 11, 1913.

SECTION

1. Meeting legalized.

SECTION

2. Takes effect on passage.

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

Meeting legalized.

SECTION 1. All acts and proceedings of the annual town meeting of the town of Hebron held March 11, 1913, are hereby declared legal, and all elections made at that meeting are hereby ratified.

Takes effect  
on passage.

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

[Approved April 1, 1913.]

CHAPTER 348.

AN ACT LEGALIZING THE ACTION OF A MEETING OF THE TOWN OF GOFFSTOWN HELD TUESDAY, MARCH 11, 1913.

SECTION

1. Meeting legalized.

SECTION

2. Takes effect on passage.

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

SECTION 1. All acts of the town of Goffstown at the annual meeting held Tuesday, March 11, 1913, are hereby legalized, ratified and confirmed. Meeting legalized.

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

Takes effect on passage.

[Approved April 1, 1913.]

CHAPTER 349.

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

SECTION

1. Board of health, how chosen.

SECTION

2. Takes effect on passage.

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

SECTION 1. Amend section 1 of chapter 320 of the session Laws of 1909 by striking out in the fifth, tenth and thirty-fifth lines of said section the words "one from each ward"; and further amend said section by adding after the word "persons" in the forty-fifth line thereof the following: one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time shall appoint, subject to the confirmation of the city council, one member of the board of health who shall hold office for three years; so that said section 1 as amended shall read as follows: SECTION 1. Amend section 3 of the amendment of said charter [Laws 1903, c. 225, s. 3] by striking out from part of the eighteenth and from the nineteenth, twentieth and twenty-first lines the words: "Said council shall also within one week of said annual meeting appoint a board of three assessors, who shall receive for their services, one hundred and twenty-five dollars per annum," and insert in place thereof the following: Said mayor, within one week of said annual meeting held on the last Monday of March, 1910, shall appoint, subject to confirmation by the council, a Board of health, how chosen.

board of three assessors, to hold office from the first day of April, 1910, one of whom shall be appointed for three years, one for two years, and one for one year, and shall thereafter annually at said time, appoint, subject to such confirmation, one assessor who shall hold office for three years, who shall receive for their services not more than three hundred dollars each per annum. Further amend said section by striking out the twenty-fifth line and the word "appoint" in the twenty-sixth line and insert in place thereof the following: mayor shall also within thirty days of said annual meeting appoint, subject to confirmation of said council. Further amend said section by striking out in the twenty-eighth line the words: "and receive as compensation one hundred and fifty dollars per annum." Further amend said section by striking out in the thirty-third line the word "elect," and inserting after the word "appoint" the following: Subject to confirmation as hereinbefore set forth. Further amend said section by inserting after the word "meetings" in the thirty-sixth line the following: and one dollar each for actual attendance at special or adjourned meetings. *provided, however,* that the total sum to be paid to each councilman for attendance at all meetings, shall not exceed fifty dollars per annum. So that section 14 referred to in said section 3 of the amendment of the city charter of the city of Berlin, shall read as follows: SECT. 14. Said mayor, within one week of said annual meeting held on the last Monday of March, 1910, shall appoint, subject to confirmation by the council, a board of three assessors, to hold office from the first day of April, 1910, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time, shall appoint, subject to the confirmation of the council one assessor who shall hold office for three years, who shall receive for their services not more than three hundred dollars each per annum; said assessors shall in addition to their salary, be allowed the sum of not exceeding one hundred dollars per annum for clerk hire; and said mayor shall also, within thirty days of said annual meeting, appoint, subject to confirmation of said council, a board of health of not more than three persons, one of whom shall be chosen for three years, one for two years, and one for one year, and thereafter annually at said time shall appoint, subject to confirmation of the city council, one member of the board of health, who shall hold office for three years; a city treasurer, who shall serve also as treasurer of the board of education, city auditor, collector of taxes, city solicitor, highway commissioner, sewer commissioner, inspector of buildings and city engineer; and within thirty days of said annual meeting, said mayor shall also appoint, subject to such confirmation, a chief engineer and assistant engineer of the fire department, and may create such other gov-

ernmental departments and appoint, subject to confirmation as hereinbefore set forth, such other officers or agents as are necessary for the good government of the city not otherwise provided for. Said council shall receive a fee of two dollars each for actual attendance at regular monthly meetings and one dollar for each special and adjourned meetings, *provided, however*, that the total sum to be paid to each councilman for attendance at all meetings, shall not exceed fifty dollars per annum; and in addition thereto an annual salary of twenty dollars shall be paid to each member of the committee on roads and bridges and the committee on accounts and claims.

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

Takes effect on passage.

[Approved April 2, 1913.]

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CHAPTER 350.

AN ACT TO INCORPORATE THE UNION SURETY COMPANY.

SECTION

- 1. Corporation constituted.
- 2. Capital stock.
- 3. First meeting.

SECTION

- 4. Adoption of by-laws.
- 5. Subject to insurance department.
- 6. Takes effect on passage.

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

SECTION 1. That Frederick A. Faulkner, Frederick M. Sise, Charles Gale Shedd, Newton A. Frost, William F. Holbrook, Walter G. Perry, Philip H. Faulkner, and their associates, successors and assigns, be and they are hereby incorporated and made a corporation by the name of the Union Surety Company, to be located in Keene, New Hampshire, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, for the purpose of issuing and becoming surety upon official, probate, indemnity and other bonds. *Provided* and this charter is granted on the express condition that this corporation shall not assume any liability as surety on any bond which shall in amount exceed 10% of its net assets, without reinsuring in some surety company licensed to do business in this state the amount by which any liability may exceed said 10% of said net assets.

SECT. 2. Said corporation shall have a capital stock of one hundred thousand dollars divided into shares of one hundred dollars each. Said corporation is hereby authorized and empowered to

increase its capital stock to an amount not exceeding five hundred thousand dollars from time to time as said corporation may vote.

First meeting.

SECT. 3. Any two of the above named incorporators may call the first meeting of the corporation, by a written notice mailed to each incorporator, at least seven 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 prosecution of the business of issuing and becoming surety upon official, probate, indemnity and other bonds.

Supervision.

SECT. 5. Said corporation shall make such returns as are required by law, and in the transaction of its business shall be under the supervision and inspection of the insurance commissioner and subject to all the regulations of the insurance department.

Takes effect on passage.

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

[Approved April 2, 1913.]

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## CHAPTER 351.

### AN ACT TO INCORPORATE THE NEW HAMPSHIRE SURETY COMPANY.

#### SECTION

1. Corporation constituted.
2. Capital stock.
3. Directors; by-laws.
4. How taxed.

#### SECTION

5. May act as sole surety.
6. First meeting.
7. Subject to repeal; takes effect on passage.

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

Corporation constituted.

SECTION 1. That Walter M. Parker, Frank P. Carpenter, Nathan P. Hunt, Frank W. Sargeant, Arthur M. Heard, Albert O. Brown, Edwin F. Jones and George A. Vermille and their associates, successors and assigns be and they hereby are incorporated and made a body politic by the name of The New Hampshire Surety Company, to be located in Manchester in said state, with full authority to have and exercise all the powers and privileges incident to corporations of a similar nature for the purpose of issuing and becoming surety upon official, probate, indemnity and other bonds; and by that name may sue and be sued, prosecute and defend to final judgment and execution, adopt and use a corporate seal, and do any and every act, not repugnant to the constitution and laws

of the state, necessary or proper to carry into effect the full meaning and intent of this act.

SECT. 2. Said corporation shall have a capital stock not less than <sup>Capital stock.</sup> two hundred thousand dollars and not exceeding one million dollars, divided into shares of one hundred dollars each. At any meeting duly called said corporation may fix the amount of said capital stock and may increase the same from time to time to an amount not exceeding the sum above named. Said corporation may acquire and hold real estate to the value of fifty thousand dollars, exclusive of such real estate as may be taken for debt or held as collateral security.

SECT. 3. The management of said corporation shall be vested in a board of not less than seven directors and said corporation may adopt such <sup>Directors; by-laws.</sup> by-laws and regulations, not repugnant to the constitution or laws of the state, as shall be convenient or necessary for the proper management of its business and concerns.

SECT. 4. Said corporation, for the purpose of taxation, shall <sup>How taxed.</sup> be subject to the laws regulating the taxation of stock fire insurance companies organized under the laws of and doing business in this state; and, in other respects, shall be subject to the laws relating to insurance companies organized under the laws of and doing business in this state and their agents, so far as the same shall be applicable.

SECT. 5. The judge, head of department or other officer authorized to approve the bond of any person required by law to give a bond, may accept said corporation as a surety upon the bond, and, if satisfied with its financial ability, he need not require other sureties; and any court or officer whose duty it is to pass upon the account of any person required by law to give a bond, may, whenever such person has procured said corporation as surety upon his bond, allow a reasonable sum for the expense of procuring such surety in the settlement of his account. If said corporation shall execute a bond as surety, it shall be estopped to deny the corporate power to execute the instrument or to assume the liability. <sup>May act as sole surety.</sup>

SECT. 6. The first three persons named in this act or any two <sup>First meeting.</sup> of them may call the first meeting of the members of the corporation by giving to all the above named members a notice in writing five days before said meeting.

SECT. 7. The legislature may at any time alter, amend or repeal <sup>Subject to repeal; takes effect on passage.</sup> this act whenever in their opinion the public good shall require, and this act shall take effect upon its passage.

[Approved April 2, 1913.]

CHAPTER 352.

AN ACT IN AMENDMENT OF CHAPTER 234, LAWS OF 1901, ENTITLED "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF SOMERSWORTH, CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY."

SECTION

1. Police commissioners, appointment of.

SECTION

2. Repealing clause; act takes effect on passage.

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

Appointment of commissioners.

SECTION 1. That section 2 of chapter 234, Laws of 1901, be amended by striking out all of said section after the word "party" in the fifteenth line thereof, so that said section as amended shall read SECT. 2. On or before the first day of March, 1901, the governor, with the advice and consent of the council, shall appoint three police commissioners, who shall have been residents of said city of Somersworth at least five years immediately preceding the date of their appointment, one of whom shall hold office for two years from the first Tuesday of March, 1901, one for four years and one for six years, from said date, or until their successor is appointed and qualified; and biennially thereafter, on or before the first day of March, the governor, with the advice and consent of the council, shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than two of said commissioners belong to one political party.

Repealing clause; act takes effect on passage.

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

[Approved April 3, 1913.]



## CHAPTER 353.

## AN ACT TO INCORPORATE THE ISRAEL'S RIVER IMPROVEMENT COMPANY.

## SECTION

1. Corporation constituted.
2. Capital stock.
3. May erect dams, etc.
4. Garland brook excepted.
5. Collection of tolls.

## SECTION

6. Deemed a public utility.
7. First meeting.
8. By-laws, etc.
9. Subject to repeal.
10. Takes effect on passage.

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

SECTION 1. That Thomas H. Van Dyke, George H. Van Dyke, Irving W. Drew, George F. Morris, Merrill Shurtleff, their associates, successors and assigns, be and hereby are made a body politic and corporate by the name of The Israel's River Improvement Company, for the purpose of erecting dams and sluices, and making such other improvements as may be proper and necessary on Israel's river and its tributaries, in the towns of Jefferson and Lancaster and Kilkenny in Coos county, to improve said river and its tributaries for the purpose of driving logs, lumber and pulpwood therein and over and through said dams and sluices, and of establishing rates of toll on lumber and pulpwood so driven and sluiced; and shall be vested with all the rights and privileges and subject to all the liabilities of a corporation 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 (\$25,000), said sum to be held in shares of one hundred dollars (\$100) each.

SECT. 2. The capital stock of said corporation shall not exceed the sum of \$25,000, divided into not more than 250 shares of \$100 each.

SECT. 3. Said corporation may erect and maintain as many dams, sluices and booms on said river and its tributaries, and may clear, deepen and improve the same to such extent as by it shall be deemed necessary for the proper driving of logs, lumber and pulpwood in said river and its tributaries and through said improvements into the Connecticut river; and if the owner or owners of any property situated within said towns shall feel that his or their property has been damaged by reason of said improvements he or they may apply to the superior court for said Coos county to have said damages assessed and adjusted; and said court is hereby authorized and empowered to adjust the same and assess the damages subject to the right to appeal to the supreme court as in cases of a similar nature.

Garland brook  
excepted.

SECT. 4. No lumber, logs or pulpwood shall be put into Garland brook, so called, or its tributaries above the dam or intake of the Lancaster Water Company, and a violation of this provision shall voluntarily operate as a forfeiture of this charter.

Collection of tolls.

SECT. 5. Said corporation may, subject to the supervision of the public service commission, make and establish such rates of toll for driving logs, lumber and pulpwood over and through said dams and sluices, and said river and its tributaries as may be deemed by them expedient, and shall have the power to sue for, and collect said tolls in the same manner as other corporations are by law allowed to sue and collect debts due them; and said corporation shall have a lien on all logs, timber and pulpwood which may pass over or through said dams, sluices and improvements and may hold possession of the same until said tolls shall be paid or satisfactorily secured.

Deemed public  
utility.

SECT. 6. The corporation hereby created shall be a public utility, and shall be subject to the supervision of the public service commission in respect to capitalization and rates, and in all other respects as other public utilities are.

First meeting.

SECT. 7. Any two of the charter members herein named may call the first meeting of said corporation by mailing to each charter member due notice thereof at least fourteen days prior to said meeting, which notice shall state the time and place of said meeting; *provided, however*, that if all the charter members shall be absent at said meeting, or if they shall accept notice of the same in writing, said meeting may be called and held at any time without giving the fourteen days' notice as aforesaid.

By-laws, etc.

SECT. 8. Said corporation when so met may elect associates, fix the amount of capital stock, and establish such by-laws, rules and regulations for the conduct of said corporation, and may elect such officers as may be necessary, and may transact such business as may pertain to corporations of a similar nature.

Subject to repeal.

SECT. 9. This charter may be amended, altered or repealed at any time.

Takes effect  
on passage.

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

[Became a law without the governor's signature, April 5, 1913.]

CHAPTER 354.

AN ACT TO EXTEND THE CHARTER OF THE MEREDITH & OSS�PEE VALLEY RAILROAD COMPANY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

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

SECTION 1. The charter of the Meredith & Ossipee Valley Railroad Company approved March 25, 1903, as amended by chapter 183 of the Laws of 1905, chapter 217 of the Laws of 1907, chapter 219 of the Laws of 1909, and chapter 279 of the Laws of 1911, extending the period within which said railroad shall be completed to March 25, 1913, is hereby so far amended as to further extend the time fixed and limited for the completion of said railroad to March 25, 1915, and said corporation shall have such additional time in which to build its road. Time for building extended.

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

[Approved April 8, 1913.]

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CHAPTER 355.

AN ACT PROVIDING FOR A PUBLIC LANDING AND WHARF ON WARREN POND IN ALSTEAD AND A HIGHWAY TO THE SAME.

SECTION

1. Alstead authorized to build.  
2. New highway authorized.

SECTION

3. Takes effect on passage.

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

SECTION 1. The town of Alstead is hereby empowered to establish and maintain upon the shore of Warren pond in said town a public landing and wharf with facilities for the use and care of boats belonging to persons entitled to exercise public rights upon said pond; to appropriate money for establishing and maintaining such public landing and wharf; and to make by-laws and regulations for the same. Such landing and wharf may be established by the selectmen upon petition and proceedings as provided by law in the ease of laying out highways; and all parties interested shall have the same rights and remedies as are provided by such Alstead authorized to build.

law. Such landing and wharf may be located wholly or in part upon land lying between high water mark and low water mark upon said pond.

New highway  
authorized.

SECT. 2. The selectmen of said town upon petition may lay out a new highway from any highway in said town to a public landing and wharf established under the preceding section; and a petition for such highway may be combined or filed and heard at the same time with a petition to establish such landing and wharf. Upon such petition for a new highway the same proceedings shall be had and all parties interested therein shall have the same rights and remedies as provided by law in the case of laying out highways.

Takes effect  
on passage.

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

[Approved April 11, 1913.]

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## CHAPTER 356.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE NEW HAMPTON LITERARY AND BIBLICAL INSTITUTION AT NEW HAMPTON, NEW HAMPSHIRE."

SECTION 1. Corporate powers enlarged.

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

Corporate powers  
enlarged.

SECTION 1. That the second section of an act entitled "An Act to incorporate the New Hampton Literary and Biblical Institution at New Hampton, New Hampshire," approved Jan. 5, 1853, and amended by an act approved July 14, 1855, be further amended by allowing said institution to hold real and personal property to any amount not exceeding one hundred thousand dollars.

[Approved April 15, 1913.]

## CHAPTER 357.

## AN ACT TO ENABLE THE TOWN OF ROLLINSFORD TO PURCHASE, OWN AND OPERATE AN ELECTRIC LIGHT AND POWER BUSINESS.

## SECTION

1. May acquire franchises, etc.
2. Under control of selectmen.
3. Appropriation authorized.

## SECTION

4. Contract authorized.
5. Takes effect on passage.

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

SECTION 1. That the town of Rollinsford, in the county of Strafford, be and hereby is authorized, for the purpose of lighting its streets and public buildings and for the purposes of supplying electricity for commercial and domestic purposes, to take or purchase franchises and property of any electric lighting business in said town of Rollinsford, including dynamos, batteries, wires, engines, boilers, and all other machinery, tools and apparatus used in the manufacture, distribution and operation of such electric light works in said town of Rollinsford, and the land and buildings connected and used therewith; and should said town and such electric lighting company be unable to agree upon what is a fair and equitable price for their property, either party may apply to the superior court for said county of Strafford, at a trial term thereof, for appraisal of the value of said property, rights and franchises; and said court shall refer the question to three disinterested referees to be selected and appointed by a judge of said court for that purpose; and said board of referees shall, as soon as may be thereafter, fix a time for hearing said parties and their witnesses, and report their findings to the superior court, which shall issue its decree thereon; and *provided further*, that if either party shall elect a trial by jury, upon application to said court for said referees, a trial by jury shall be had in such manner and under such regulations as said court may prescribe; and after such purchase or taking, the said town, for the purposes aforesaid, may erect and maintain poles and extend wires under any railroad track and over or under the streets in said town, and may take purchase and hold in fee simple, or otherwise, any real or personal estate and any rights therein, necessary for carrying into effect the purposes of this act; and may purchase, erect, construct, and maintain such machinery, dams, reservoirs, buildings and other things as may be necessary for said electric light works, and to excavate and dig ditches in any highway, place, square, pass-way or common, or other place, through which it may be deemed necessary and proper to construct said electric light works, and to relay, change, and <sup>May acquire franchises, etc.</sup>

repair the same at pleasure, having due regard for the safety of its citizens and the public travel; and said town may purchase electricity from other produceers whenever it is deemed necessary.

Selectmen to manage.

SECT. 2. The construction, management, control and erection of said plant, appliances and appurtenances, shall be in the board of selectmen for the time being, who shall exercise such powers and perform such duties relating to the same as may from time to time be prescribed by said town.

Appropriations authorized.

SECT. 3. Said town is also authorized and empowered at any annual meeting, by a two thirds vote of those present, and voting, to raise by taxation, and appropriate, and to borrow or hire, such sums of money on the credit of the town as may be deemed necessary and expedient for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water rights, power, and all other rights and property as aforesaid, and for purchasing, constructing, maintaining, repairing, extending, enlarging and operating said electric lighting, heat or power plant, the indebtedness created under the provisions of this section not to exceed thirty thousand dollars (\$30,000), and to issue notes or bonds of the town therefor, in such amounts or denominations as may be thought proper, not exceeding in all the amount above stated; said loan to be issued under the provisions of the "Municipal Bonds Act of 1895," the whole to mature and fall due not later than twenty years from its date, and not to bear interest at a rate exceeding four per cent. per annum; and said town may exempt such notes or bonds from taxation when held by inhabitants of the town.

SECT. 4. Said town is hereby authorized to contract with the town of South Berwick, York county, State of Maine, for the joint purchase, sale, or manufacture of electricity for the purposes aforesaid, and to that end may exercise all the powers herein vested in said town.

Takes effect on passage.

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

[Approved April 15, 1913.]

CHAPTER 358.

AN ACT TO AMEND THE CHARTER OF THE CONCORD, DOVER & ROCHESTER STREET RAILWAY.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

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

SECTION 1. The time fixed in the charter of the Concord, Dover & Rochester Street Railway, approved March 31, 1903, chapter 310, Laws of 1903, in which to build its road, is hereby extended to March 31, 1915, and said corporation shall have such additional time in which to construct its road. Time for building extended.

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

[Approved April 15, 1913.]

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CHAPTER 359.

AN ACT EXEMPTING FROM LOCAL TAXATION A HOTEL IN THE TOWN OF MILFORD.

SECTION 1. Exemption of building authorized.

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

SECTION 1. If a hotel, the building for which shall cost not less than thirty thousand dollars, shall be erected and opened for business in the town of Milford on or before April first, 1915, such hotel building may, by vote of the legal voters of Milford, be exempted from all local taxes by said town of Milford for the term of ten years from said date: *provided, however,* that the selectmen of said town shall annually appraise such hotel building and the valuation determined upon for the same shall be added to the valuation of all other property in said town of Milford to determine the total valuation for the purposes of state and county tax and such hotel building shall be assessed for said state and county tax; and said selectmen shall also annually appraise the land on which said building may be erected, and said land shall be taxed at the same rate as other property in said town. Exemption authorized.

[Approved April 15, 1913.]

CHAPTER 360.

AN ACT TO ENABLE THE CITY OF NASHUA TO ERECT A STATUE TO THE MEMORY OF GENERAL JOHN G. FOSTER.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

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

Authority granted.

SECTION 1. The city of Nashua is hereby authorized to raise and appropriate a sum of money not to exceed one thousand dollars for the purpose of erecting a statue to the memory of Maj.-Gen. John G. Foster.

Takes effect on passage.

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

[Approved April 15, 1913.]

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CHAPTER 361.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE NORTH CONWAY & MOUNT KEARSARGE RAILROAD," PASSED JUNE SESSION, 1883, AND ALL SUBSEQUENT ACTS RELATING TO THE SAME.

SECTION

1. Time for building extended.

SECTION

2. Takes effect on passage.

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

Time for building extended.

SECTION 1. The time for the completion of the North Conway & Mount Kearsarge Railroad is hereby extended to the first day of July, 1917.

Takes effect on passage.

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

[Approved April 15, 1913.]



## CHAPTER 362.

AN ACT AUTHORIZING THE USE OF SCHOOL PROPERTY IN THE TOWN OF  
JAFFREY FOR PUBLIC PURPOSES.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. The school district of the town of Jaffrey is hereby Authority granted. authorized and empowered to allow the use of Union hall and its appurtenances in said town for public purposes, and to establish, by itself or its school board, such rates and regulations for such use as it may deem suitable.

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

Takes effect  
on passage.

[Approved April 15, 1913.]

## CHAPTER 363.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 347, OF THE LAWS OF  
1911, RELATING TO SALARIES, HOW FIXED, OF PUBLIC OFFICIALS FOR  
THE CITY OF MANCHESTER.

## SECTION

1. Salaries of public officials, how de-  
termined.

## SECTION

2. Repealing clause; act takes effect on  
passage.

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

SECTION 1. Section 1 of chapter 347 of the Laws of 1911 is Salaries, how  
fixed. hereby amended by inserting after the first comma in the fourth line of said section and before the word "as." the following words, or the board of school committee, so that said section as amended shall read as follows: SECTION 1. The salaries of all public officials of the city of Manchester, elected by the city government shall be determined by the board that elects them, either the board of mayor and aldermen, or the common council, or the board of school committee, as the case may be, and the salaries of city officials who are appointed by the mayor shall be determined by the board of mayor and aldermen.

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;  
act takes effect  
on passage.

[Approved April 15, 1913.]

CHAPTER 364.

AN ACT TO AMEND SECTION 1 OF CHAPTER 209 OF THE LAWS OF 1891, ENTITLED, "AN ACT TO ENABLE THE CITY OF PORTSMOUTH TO ISSUE WATER BONDS AND TO MANAGE AND CONTROL ITS WATER SUPPLY."

SECTION

- 1. Issue of bonds authorized.
- 2. Outstanding bonds validated.

SECTION

- 3. Takes effect on passage.

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

Issue of bonds authorized.

SECTION 1. That section 1 of chapter 209 of the Laws of 1891 be amended by striking out all of said section after the words "Be it enacted" in the twelfth line thereof and inserting in the place thereof the words that said city is authorized to borrow such sums of money, on the credit of the city, as may, from time to time, be deemed advisable, not exceeding in the whole the sum of four hundred and twenty-five thousand dollars, for the purpose of defraying the expense of constructing, enlarging, maintaining and operating said water works and aqueduct property, or for the purpose of paying or refunding any notes or bonds issued for any of the foregoing purposes, and to issue notes or bonds of the city therefor, payable at such times and with such rates of interest, not exceeding five per cent. per annum, as may be thought proper; and also to levy such taxes as may at any time be deemed advisable for the same purpose, or for paying any sums borrowed therefor as aforesaid, so that said section as amended shall read as follows:—

SECTION 1. Whereas, the city of Portsmouth has acquired by purchase the stock of the several stockholders of the corporation known as the Proprietors of the Portsmouth Aqueduct, and has thereby succeeded to the franchises, rights, estate, and property of said corporation; and whereas, the public good requires that the works of said aqueduct should be enlarged and improved, or other water works constructed and other sources of supply taken so as to enable said city not only to afford better protection against fire but also an adequate supply of water for domestic and mechanical use by the inhabitants of said city; now therefore, be it enacted, that said city is authorized to borrow such sums of money, on the credit of the city, as may, from time to time, be deemed advisable not exceeding in the whole the sum of four hundred and twenty-five thousand dollars, for the purpose of defraying the expenses of constructing, enlarging, maintaining and operating said water works and aqueduct property, or for the purpose of paying or refunding any notes or bonds issued for any of the foregoing purposes, and to issue notes or bonds of the city therefor, payable at

such times and with such rates of interest, not exceeding five per cent. per annum, as may be thought proper; and also to levy such taxes as may at any time be deemed advisable for the same purpose, or for paying any sums borrowed therefor as aforesaid.

SECT. 2. All water works bonds heretofore issued by said city are hereby confirmed, ratified and validated. Outstanding bonds validated.

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

[Approved April 15, 1913.]

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CHAPTER 365.

AN ACT RELATING TO THE DUTIES AND POWERS OF THE SEALER OF WEIGHTS AND MEASURES FOR THE CITY OF MANCHESTER.

SECTION

1. Present incumbent continued.
2. Standards of weight, etc.
3. Compensation of sealer.
4. Meaning of "measure."
5. Powers of sealer.
6. Inspections by sealer.
7. Supervision of sales.
8. To furnish copy of act.
9. Measures to be marked or sealed.
10. Register of inspections.

SECTION

11. Quarterly report of sealer.
12. Right of arrest and seizure.
13. Hawkers, peddlers, etc.
14. Sealer not to act as agent, etc.
15. Commodities to be weighed or measured.
16. Penalties for violations.
17. Obstruction of sealer, penalty.
18. Repealing clause; act takes effect on passage.

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

SECTION 1. The sealer of weights and measures for the city of Manchester shall continue as at present in his term of office and method and time of election of his successor, and be subject to the duties and shall have the powers hereinafter enumerated. Present incumbent continued.

SECT. 2. The standards of weight and measures that have been or may hereafter be adopted by the state of New Hampshire shall be the standards of weight and measures for said city. Standards of weight, etc.

SECT. 3. The compensation of the sealer of weights and measures shall be determined by the board of mayor and aldermen. Compensation.

SECT. 4. The word "measure" or "measures" as used in this act, shall be construed to mean any device or devices used to ascertain the weight, size, quantity or other dimensions of any liquids, solids, or other articles, but nothing in this act shall apply to the measuring by meter or otherwise of water, gas or electricity. Meaning of "measure."

SECT. 5. The sealer of weights and measures shall have the power (a) To inspect and test the accuracy of all measures of every kind, and tools and appliances connected therewith, used Powers of sealer.

and employed within the city in determining the weight, size, quantity, or other dimensions of any liquids, solids, or other articles offered for sale or for hire or award. (b) To reweigh or remeasure any package put up ready for sale or delivery, or any amount of any commodity whatsoever, offered for sale or sold by weight or measure, or which is commonly so sold, at any time before the actual delivery of such package or amount of commodity to the buyer. (c) To enter without formal warrant for the purposes herein specified and in the general performance of his official duties, any stand, place, building, or premises, or to stop any wagon or conveyance or person, in or upon which any measure or measures or weighed or measured packages or amounts of commodity are kept or maintained or carried, or where he may suspect these to be kept, maintained or carried, for the purposes of testing, inspecting, correcting, and sealing or condemning such measure or measures, or reweighing or remeasuring such packages or amounts of commodity, either upon his own initiative or at the request of the mayor or the chief of police of said city, or upon the filing by any person of a written request in the office of the sealer of weights and measures.

Inspections.

SECT. 6. The sealer of weights and measures shall inspect, and test all measures once annually and oftener if, in his judgment, such inspection is warranted. (a) Whenever any measure or measures are installed, renewed, or altered in any stand, store, conveyance or establishment. (b) Whenever any written request to examine any particular measure or measures is filed in his office. *Provided*, that nothing in this section shall be deemed to render necessary the testing or sealing of a milk bottle or other glass container more often than once.

Supervision of sales.

SECT. 7. It shall be the duty of the sealer of weights and measures to have and to keep a general supervision over all sales of commodities of whatsoever kind and character in the city: to reweigh or remeasure packages in accordance with section 6 (b) whenever he may have reason to suspect the perpetration of fraud in transactions, and to so enforce the laws of the state that fraud may be eliminated, in so far as this is possible.

To furnish copy of act.

SECT. 8. It shall be the duty of the sealer of weights and measures, upon his first inspection, to deliver and leave with any person for whom he inspects any measure or measures, a printed copy of this act.

Measures to be marked or sealed.

SECT. 9. All measures that are tested by the sealer of weights and measures and found to conform to the legal standards shall be marked with a seal approved by the board of mayor and aldermen and all measures found not to conform to the legal standards shall be marked with a red tag approved by the board of mayor

and aldermen. The sealer shall, in addition, give to each person, firm, corporation, society, or organization for whom any measure or measures have been tested, a certificate, properly dated, showing in detail for what the same is given and the results of his test, and a duplicate thereof, shall be retained by the sealer and kept on file in his office. No fee shall be collected for inspecting or sealing measures. No person shall so mark or issue such a certificate for any measure or measures unless previously authorized by the sealer of weights and measures so to do. If the sealer of weights and measures shall affix either of the said seals upon any measure or measures, without first making an actual trial and proof of the same, for each measure so marked, he shall, upon conviction, be punished by a fine of one hundred (100) dollars and be immediately removed from his office.

SECT. 10. The sealer of weights and measures shall keep a register of all the measures inspected by him, in which register he shall state the names of the owners of the same and whether the same, on inspection, were found to be correct or incorrect, and if found correct, that the same were properly tested and sealed by him; and if found incorrect the disposition which he causes to be made thereof. Such register shall be kept in his office in a book kept for that purpose and at the close of each and every fiscal year he shall file a copy thereof, sworn to before a notary public, in the office of the city clerk.

Register of inspections.

SECT. 11. The sealer of weights and measures shall submit to the board of mayor and aldermen every third month, a written report showing the number and kind of measure or measures inspected, tested and sealed and the names of the owners thereof, and the number and kind of measure or measures condemned and the names of the owners thereof; the names of the persons arrested under this act; the property seized and the fines imposed and collected. The report shall also include an inventory of all the standards in the possession of the sealer.

Quarterly report.

SECT. 12. The sealer of weights and measures, by virtue of his office, is hereby empowered and directed to arrest or cause to be arrested any and all violators of the provisions of this act, and to seize any false measure or measures, or false quantities of commodities, found in the possession of the person so arrested and deliver the same to the magistrate before whom the person so arrested is required to be taken; and he is further empowered, in case no arrest is made, to seize and destroy any false measure or measures, or to condemn the same and to order the same to be repaired within ten days, if, in his best judgment, repair is possible. The owner may not use the measure or measures of which such disposition is made until it has been sealed, nor remove or permit to be removed, any tag placed thereon by the sealer, and

Right of arrest and seizure.

he may not dispose of the measure or measures in any way, but must hold the same at the disposal of the sealer.

Hawkers,  
peddlers, etc.

SECT. 13. No license shall be issued to any hawker, peddler, vendor, or dealer unless he presents a certificate from the sealer of weights and measures, showing that the measure or measures used by him have been properly inspected, tested, and sealed immediately preceding the issuance of such license. And upon the conviction of any hawker, peddler, vendor, or dealer, of any violation of the provisions of this ordinance, or other weights and measures law, said license shall be immediately revoked.

Sealer not to act  
as agent, etc.

SECT. 14. It shall be unlawful for the said sealer to act as agent for or sell any measure or measures or to offer or expose the same for sale in the city of Manchester, or to receive any article of value for repairing any measure or measures, under penalty of fifty dollars for every such offense and immediate removal from office.

Commodities to be  
weighed or  
measured.

SECT. 15. No person shall sell or offer for sale within the city of Manchester, any fruit, vegetables, berries or grain of any description, or any article of dry measurements, or any ice, coal, or any other goods, wares, merchandise, commodity or produce, without having first correctly weighed or measured the same, in the amount ordered or purchased by the buyer.

Penalties for  
violations.

SECT. 16. Any person engaged in trade who violates any of the provisions of this act, or who uses or has in his possession any false or condemned measure or measures, or any weighing machine which does not balance, or any measure or measures which have not been sealed within one year; or any person who is guilty of giving false or insufficient weight or measure of commodities, or of selling commodities in a manner contrary to law, shall forfeit not less than twenty dollars nor more than one hundred dollars for the first offense; and upon a second or subsequent conviction shall forfeit not less than fifty dollars nor more than two hundred dollars, or be imprisoned for not more than one year, or both such fine and imprisonment in the discretion of the court. The possession of any false, unsealed or condemned measure or measures or packages of false or insufficient weight or measure shall be *prima facie* evidence that the same was intended to be used or sold in violation of this act. The penalty hereby imposed shall be in addition to any other liability imposed by law.

Obstruction of  
sealer, penalty.

SECT. 17. Whoever in any manner whatsoever wilfully obstructs the sealer of weights and measures in the performance of his duties shall be subject to a fine of not more than one hundred dollars.

Repealing clause;  
act takes effect  
on passage.

SECT. 18. All acts or parts of acts inconsistent herewith are hereby repealed, and this act to take effect on its passage.

[Approved April 15, 1913.]

## CHAPTER 366.

AN ACT IN AMENDMENT OF CHAPTER 241 OF THE LAWS OF 1891, ENTITLED, "AN ACT TO ESTABLISH THE CITY OF ROCHESTER," AS AMENDED BY CHAPTER 309 OF THE LAWS OF 1893.

## SECTION

1. Revision of check-lists.
2. Police court.

## SECTION

3. Ward limits defined.
4. Present incumbents continued.

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

SECTION 1. Chapter 241 of the Laws of 1891 is hereby amended by striking out section No. 9 of said chapter and inserting in the place thereof the following: SECT. 9. Said board shall be in session at such places as they shall designate for the purpose of revising and correcting the list of voters three days for state and two days for all other elections including primaries, within ten days next preceding the day of election, the first day of such sessions to be at least six days before the day of election, the last session to be the day next preceding the day of election, from one to five and from seven to nine o'clock in the afternoon each of said days, and no name shall be added to said lists after the last meeting except such as may have been left off through mistake and not then unless the supervisor in attendance in any ward where such omission occurs clearly knew before the list was made out that the name thus omitted legally belonged upon it. In the preparation of said lists said board shall have all the power granted and perform all the duties prescribed in sections five, six and seven of chapter 30 of the General Laws.

SECT. 2. Strike out section No. 26 and insert in the place thereof the following: There is hereby established and constituted a police court for the city of Rochester which shall be known as the Rochester police court, and all precepts, civil and criminal which by law are returnable to or which may be instituted or pending before said police court for the city of Rochester, when this act shall take effect, shall be heard and determined before the Rochester police court. The salary of the judge of the Rochester police court and the clerk thereof may be established by the council of the city of Rochester. and until it is so established, it shall be the sum of four hundred dollars per annum for the salary of the judge of said court; and one hundred dollars per annum for the salary of the clerk of said court. All laws now in force with reference to police courts shall apply to said Rochester police court, and the police court heretofore known as the police court of the city of Rochester is hereby abolished.

Ward limits  
defined.

SECT. 3. Strike out all of sections Nos. 1 and 2 chapter 309 of the Laws of 1893 in amendment of chapter 241 of the Laws of 1891 and insert in the place thereof the following: The said city of Rochester is hereby divided into six wards which shall be constituted as follows: Ward No. 1 shall include all that part of said Rochester bounded northwesterly by the town lines of Farmington and Milton, northeasterly by the Salmon Falls river, southeasterly by the town line of Somersworth, and southwesterly by a line commencing on the Farmington town line at the road leading past the dwelling-house of J. E. Kimball, thence running southeasterly by said road past the dwelling-house of Leonard W. Smith to the Portsmouth, Great Falls & Conway branch of the Boston & Maine Railroad, thence by said railroad southeasterly to its first intersection with the Wakefield road, thence southeasterly in a direct course to the Portland & Rochester Railroad at the culvert next northeasterly from the cellar over which formerly stood the dwelling-house of the late Ebenezer Jacobs, thence southeasterly in a direct course to the intersection of the old and new roads from Rochester village to East Rochester near the dwelling-house of Maynard Russell, thence by the centre of said old road past the dwelling-house of Frank P. Wentworth to the Chamberlain road, thence by the Chamberlain road (but excluding all inhabitants residing upon it) to the road from Rochester village to Great Falls, thence by said road southeasterly to the easterly corner of the homestead farm of George D. Pike, thence southwesterly by said Pike's land to a point on a line with the Chamberlain road aforesaid, thence southeasterly on a line with said Chamberlain road to said branch of said Boston & Maine Railroad, thence by said railroad to the town line of Somersworth.

Ward No. 2 shall include all that part of said Rochester bounded northwesterly by a line commencing on the Cocheo river at a passway on the northwesterly side of land of Victoria A. Hodgdon in Rochester village, thence by said passway northeasterly to the junction of Spring and Sheridan streets, thence by Spring street to Charles street at the junction with Knight street, thence by Knight street to Main street, thence by Main street to Winter street, thence by Winter street to Adams street, thence by Adams street to said old road leading from Rochester village to East Rochester, thence by said old road to the Chamberlain road aforesaid, northeasterly by the southwesterly bounds of Ward No. 1, including all inhabitants residing upon said Chamberlain road, southeasterly by the town line of Somersworth, to the Somersworth road, thence running northwesterly on said Somersworth road to the junction of the old Dover road, thence by said Dover road past the dwelling-house of J. Trafton Whipple to the brook just beyond the



house of James Whipple but excluding all inhabitants residing upon said roads from Somersworth line to the said brook, thence by said brook to the Boston & Maine Railroad, thence northerly by said railroad to the aforesaid Dover road, thence by said road to the foot of Charles street, thence turning and running southwesterly by the Gonic road to the Cocheeo river, thence northwesterly by said river to the passway aforesaid.

Ward No. 3 shall include all that part of said Rochester bounded easterly by that part of the boundary line of Ward No. 2 which runs from the Somersworth line to the Cocheeo river, thence by said river to a point where the Hurd brook enters the same, thence by said brook to the point where it passes under the road leading to the French Catholic cemetery, thence by said road northerly to the road leading from Rochester to Barrington, thence crossing said road and running northwesterly by the road lying east of the residence of Charles A. Allen to the Meaderboro road, thence turning and running northwesterly by said Meaderboro road to the junction of the Sampson road and the Meaderboro road, thence running northwesterly on said Sampson road to the intersection of said road with another road near the residence of Moses Page, thence running in a straight line in continuation of the Sampson road to the Farmington town line, thence southwesterly on said Farmington town line to the Strafford town line, thence southeasterly by the town lines of Strafford and Barrington to the Dover line, thence northeasterly by the boundary lines of Dover and Somersworth to the point begun at.

Ward No. 4 shall include all that part of said Rochester commencing at the junction of the Hurd brook with the Cocheeo river, thence running northerly by said river to Bridge street; thence by Bridge street northeasterly to Market street; thence northerly by Market, Elm and Walnut streets to High street; thence northeasterly on High street to Elm street; thence southerly on Elm street past the house of William A. Henderson to a passway; thence northeasterly by said passway to the junction of the same in a straight line to the Cocheeo river; thence by the Cocheeo river northerly to the town line of Farmington; thence southwesterly by the town line of Farmington to the point where the boundary line of Ward No. 3 intersects the Farmington town line; thence southeasterly by the boundary line of ward 3 to a junction of the Hurd brook with the Cocheeo river.

Ward No. 5 shall include all that part of said Rochester bounded northwesterly by the town line of Farmington; northeasterly by the southwesterly bounds of Ward No. 1, southeasterly by a line commencing on the Portland & Rochester Railroad at its intersection with the southwest bounds of Ward No. 1; thence running

southwesterly by said railroad to Autumn street; thence by Autumn street to Wakefield street; thence crossing Wakefield street to Market street; thence by Market street to Bridge street to the bounds of Ward No. 4; thence westerly by Market, Elm and Walnut streets following the boundary lines of Ward No. 4 to the Cochecho river; thence northerly by the Cochecho river to the Farmington town lines at the point begun at.

Ward No. 6 shall include all that part of said Rochester not embraced in the other wards as herein constituted.

Present incumbents continued.

SECT. 4. All present incumbents of the city offices shall serve out their unexpired terms for the several wards to which they were elected, and have the same powers and duties in every respect as if section three of this act had not been adopted.

[Approved April 16, 1913.]

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CHAPTER 367.

AN ACT TO EXTEND THE CHARTER OF THE NORTHERN FIDELITY AND TRUST COMPANY.

SECTION

1. Charter extended.

SECTION

2. Repealing clause; act takes effect on passage.

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

Charter extended. SECTION 1. The Northern Fidelity and Trust Company, a corporation chartered by act of the legislature approved March 21, 1901, is hereby authorized to organize and commence business within four years from May 1, 1913; and if said corporation shall not organize and commence business within said time its charter shall thereupon be rendered void.

Repealing clause; act takes effect on passage.

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

[Approved April 22, 1913.]

## CHAPTER 368.

## AN ACT TO INCORPORATE THE PIONEER ELECTRIC COMPANY.

## SECTION

1. Corporation constituted.
2. Capital stock.
3. Issue of bonds.
4. Right to acquire property, etc.
5. Production of electricity, etc.
6. Sale of electricity.
7. Erection of poles, wires, etc.

## SECTION

8. Right of eminent domain.
9. Corporate seal; by-laws.
10. First meeting.
11. Limitation of act.
12. Subject to repeal; takes effect on passage.

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

SECTION 1. That Herman H. Sanborn, Dora E. Sanborn, Ethel A. Odom, Henry L. Nealley, and J. Frank Clark, and their successors and assigns, shall be, and hereby are made a body politic and corporate by the name of The Pioneer Electric Company, to be located in the town of Wakefield in this state, 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 liabilities under the laws of this state applicable thereto, so far as the same are not inconsistent with this act.

SECT. 2. The capital stock of this corporation shall be seven thousand five hundred dollars (\$7,500) to be divided into shares of the par value of twenty-five dollars (\$25) each.

SECT. 3. Said corporation may issue bonds and other obligations, secured by mortgage of its franchise and other property, to carry out the purposes for which it is created; but such corporation may issue capital stock and bonds to such an amount only as may be necessary for the purposes authorized in this charter, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in: of which capital stock so much shall be preferred, and be preferred in such manner, under such terms and with conditions as a majority of the stockholders of said Pioneer Electric Company present and voting at a meeting for said purpose shall determine.

SECT. 4. This corporation shall have power and authority to purchase, hold and employ the property, rights and franchises of any other company or individual engaged in the towns of Wakefield and Brookfield in supplying electricity for public use; and to pay for same by issuing stock not exceeding at par the value of the property, rights, franchises or securities so purchased. The acquisition by said corporation of the property, rights and franchises of any other company or individual is hereby confirmed. Said corporation

may hold, lease, purchase and acquire such other real and personal estate as may be necessary or convenient in the prosecution of its business, and the same may be sold, leased or disposed of at pleasure.

Production of  
electricity, etc.

SECT. 5. This corporation shall have the power and authority to own, operate and manufacture machinery and appliances connected with and incident to the use of, and convenient for producing, developing, distributing, measuring and utilizing electricity, and electrical agencies for lighting, power, heating, and mechanical purposes.

Sale of electricity.

SECT. 6. This corporation shall have the power and authority to sell and distribute electricity through the towns of Wakefield and Brookfield; may regulate the use of the same, and fix and collect rents to be paid for the same. The said towns and precincts therein are hereby authorized to contract with said corporation for electricity for public uses, on such terms as the parties may agree, and to raise money therefor in the same manner as any other town and precinct charge.

Erection of poles,  
wires, etc.

SECT. 7. This corporation may erect poles and place wires for the transmission of electricity, or may lay the same in subterranean tubes, through, or over the lands of any person or corporation, and over or under any railroad or private way; and, having first obtained the permission of the municipal officers of said towns or precincts, and under such restrictions and regulations as they may prescribe, along the streets and ways of said towns; and may enter upon and dig up any such real estate, street or way for the purposes aforesaid; and it may do any other thing or act necessary or convenient or proper to carry out the purposes for which this corporation is created.

Right of eminent  
domain.

SECT. 8. This corporation is hereby authorized to enter upon and take any real estate, including any right of way or easement, and personal property belonging to any individual, partnership or corporation, under and by virtue of the law of eminent domain; *provided* that if it be necessary to enter upon and appropriate any private property or easement therein, and said corporation shall not be able to agree with the owner thereof for the damages that may be done by said corporation, or the owner shall be unknown, either party may apply to the superior court, at a trial term of the same in the county of Carroll, and have the same laid out, and the damages determined; and the 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 the laying out of highways, and said commissioners shall make report to said court, and said court may enter such judgment or make such decree, to carry its decision into

effect, including execution for costs, as justice may require. The provisions of this act shall not be so construed as to allow the taking of any of the property of any existing electric light or power company.

SECT. 9. This corporation may have a corporate seal, and may make such by-laws not in conflict with the laws of the state as it may require, and may fix the time and place for holding the annual meeting. Corporate seal; by-laws.

SECT. 10. Any person named in this act may call the first meeting of the corporation by personal notice to all the grantees, or by publication in any newspaper printed in said Wakefield, at least ten days prior to the time of holding said meeting, at which meeting, or any other meeting duly called, or any adjournments thereof, associates may be elected, by-laws adopted, and a president, clerk and such other officers and agents as may be determined necessary, may be chosen, who shall hold office until the first annual meeting thereafter, or until their successors shall be chosen at a meeting of the stockholders legally called. First meeting.

SECT. 11. Nothing in this act shall be construed to exempt the corporation hereby created from the supervision of the public service commission in respect to capitalization, engaging in business in territory already served by other utilities, character of service, rates for service, or in any other particular, but said corporation shall be in all respects subject to the supervision of said commission as if incorporated under the general law providing for the formation of voluntary corporations. Limitation of act.

SECT. 12. The legislature may alter, amend or repeal this act whenever the public good may require the same, and this act shall take effect upon its passage. Subject to repeal; takes effect on passage.

[Approved April 22, 1913.]

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## CHAPTER 369.

### AN ACT TO EXEMPT CERTAIN PROPERTY OF THE NEW HAMPSHIRE SETTLEMENT ASSOCIATION FROM TAXATION.

#### SECTION

1. Property exempted.

#### SECTION

2. Takes effect on passage.

WHEREAS, The New Hampshire Settlement Association, a corporation organized under the general law, owns and occupies a lot and building thereon on Walnut street in the city of Manchester, the funds for the purchase of said lot and building having been donated to said association to be used for its purposes; and Preamble.

WHEREAS, said association is non-sectarian, and its object is to provide, maintain and support a home for young working women, or women receiving very low salaries, or those training for self-support, who need temporary aid, also to establish, maintain and support a settlement for social, educational and moral enlightenment; therefore,

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

Property  
exempted.

SECTION 1. The lot of land above described with the improvements thereon shall be exempt of taxation, so long as, and to the extent that, it is used for the purposes of said association.

Takes effect  
on passage.

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

[Approved April 22, 1913.]

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## CHAPTER 370.

AN ACT TO AMEND AN ACT PASSED AT THE PRESENT LEGISLATIVE SESSION, ENTITLED "AN ACT TO INCORPORATE THE ISRAEL'S RIVER IMPROVEMENT COMPANY."

SECTION 1. Application of prior act limited.

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

Application of act  
limited.

SECTION 1. That the act entitled, "An Act to incorporate the Israel's River Improvement Company," [chapter 353, Laws 1913] shall be amended and hereby is amended by adding thereto after section 8 the following section: This charter shall not be construed to interfere with the power of the state of New Hampshire to grant rights to other persons or corporations to build or construct dams or other improvements on said Israel's river or the tributaries thereof, and this charter shall be void unless said corporation shall organize within one year after the passage of this act, and shall so notify the secretary of state, and unless the improvements for the making of which this charter is granted shall have been substantially completed within five years from the date of the passage of this act.

[Approved April 22, 1913.]

CHAPTER 371.

AN ACT TO EXEMPT FROM TAXATION THE PROPERTY OF THE GOOD WILL INSTITUTE OF NASHUA, NEW HAMPSHIRE.

SECTION

1. Property exempted.

SECTION

2. Takes effect on passage.

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

SECTION 1. The real and personal property, now held by the Good Will Institute located in Nashua, New Hampshire, together with all property that may be hereafter acquired by said corporation and located in said Nashua, and improvements thereon will and shall be exempt from taxation so long as said property is used for charitable purposes.

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

Property exempted.  
Takes effect on passage.

[Approved April 22, 1913.]

CHAPTER 372.

AN ACT TO AUTHORIZE THE TOWN OF CLAREMONT TO REFUND ITS RAILROAD DEBT BY ISSUING NEW BONDS.

SECTION

1. Authority granted.  
2. Terms and conditions.

SECTION

3. Repealing clause; act takes effect on passage.

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

SECTION 1. The town of Claremont in the county of Sullivan is hereby authorized and empowered to refund its railroad debt, so called, amounting to fifty thousand dollars (\$50,000) which is to mature on the 1st day of April, 1914, by issuing new bonds, said new issue of bonds to conform in all respects with the provisions of chapter 43 of the Laws of 1895, known as the "Municipal Bonds Act, 1895," except as regards the time for the final payment of the debt evidenced by said bonds.

SECT. 2. Said new issue of bonds shall be made upon such terms and conditions that twenty-five hundred dollars (\$2,500) of the principal debt shall become due and payable each year and the

last bond shall become due and the entire debt be paid not later than the 1st day of April, 1934.

Repealing clause;  
act takes effect  
on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved April 22, 1913.]

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CHAPTER 373.

AN ACT TO EXEMPT THE CHASE HOME FOR CHILDREN FROM TAXATION.

SECTION

1. Property exempted.

SECTION

2. Takes effect on passage.

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

Property  
exempted.

SECTION 1. The Chase Home for Children, of Portsmouth, being a charitable institution, without profit to any person, the property thereof shall be exempt from taxation.

Takes effect  
on passage.

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

[Approved April 22, 1913.]

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CHAPTER 374.

AN ACT IN AMENDMENT OF CHAPTER 220, SECTION 1 OF THE SESSION LAWS OF 1901 RELATING TO THE CHARTER OF THE CITY OF MANCHESTER.

SECTION

1. Compensation of councilmen.

SECTION

2. Takes effect January 1, 1914.

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

Compensation of  
councilmen.

SECTION 1. Amend chapter 220, section 1, of the session Laws of 1901 by adding at the end of said section the words the members of the common council shall each receive a compensation of three dollars for each meeting of the council at which they are present. The records of attendance shall be kept by the clerk of the council and bills for the services of members shall be made out by the clerk to be approved by the city auditor and to be payable at the end of the quarter of each year. But the sum total of all com-



pensation to councilmen shall not in any one year exceed one hundred dollars each, and shall be in full payment for all services.

SECT. 2. This act shall take effect on January 1, 1914.

Takes effect  
January 1, 1914.

[Approved April 22, 1913.]

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CHAPTER 375.

AN ACT TO EXEMPT THE INFANT ASYLUM OF OUR LADY OF PERPETUAL HELP, OF THE CITY OF MANCHESTER, FROM TAXATION.

SECTION

1. Property exempted.

SECTION

2. Takes effect on passage.

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

SECTION 1. As the Infant Asylum of Our Lady of Perpetual Help, located in the city of Manchester, and legal title to whose property is in Roman Catholic Bishop of Manchester, a corporation sole, is a charitable institution without profit to any person, all property now owned or however hereafter acquired by said asylum for the purposes of said asylum, so long as the extent that said property is used for the purposes for which said infant asylum was established, is hereby exempt from taxation.

Property  
exempted.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

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CHAPTER 376.

AN ACT AUTHORIZING THE CAPITAL FIRE INSURANCE COMPANY TO INCREASE ITS CAPITAL STOCK.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

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

SECTION 1. The Capital Fire Insurance Company is hereby authorized and empowered to increase its capital stock to an amount not exceeding four hundred thousand dollars. Such increase may

Authority granted.

be made from time to time by a majority vote at any stockholders' meeting the call for which shall give notice of such purpose, and may also be made in the manner provided by any general laws relating to voluntary corporations which shall be in force at the time of such increase. Any portion of the capital stock may be issued upon such terms of preference as to dividends or upon liquidation and with respect to voting power as may be provided for in the votes or resolutions in pursuance of which the same may be issued, but no preferred stock shall be issued except upon terms that the rights of the holders of the same shall be upon an equality in all respects with the rights of the holders of preferred stock now outstanding.

Takes effect on passage.

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

[Approved April 22, 1913.]

CHAPTER 377.

AN ACT TO INCORPORATE THE YOUNG MEN'S CHRISTIAN ASSOCIATION OF BERLIN.

SECTION

- 1. Corporation constituted.
- 2. Right to hold property.

SECTION

- 3. First meeting.
- 4. Takes effect on passage.

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

Corporation constituted.

SECTION 1. That Daniel J. Daley, Fremont D. Bartlett, William E. Corbin, Robert B. Wolf, Frederick A. Dieckmann, and Columbus P. Kimball, their associates, successors, and assigns, be, and they hereby are constituted a body politic and corporate by the name of the Young Men's Christian Association of Berlin, for the purpose of improving the physical, intellectual, spiritual and social condition of the young men of Berlin and vicinity; and by that name may sue, and be sued, prosecute and defend to final judgment and execution, and shall be, and hereby are vested with all the rights, powers, and privileges, and subject to all the duties and liabilities, incident to corporations of a similar nature.

Right to hold property.

SECT. 2. Said corporation may have a common seal, and alter the same at pleasure, may take and hold by gift, grant, purchase, devise, lease, or otherwise, real and personal estate to an amount not exceeding one hundred and fifty thousand dollars, for the use, objects, and benefits of the corporation, and the same manage, and dispose of at pleasure; may lease, or erect, maintain and equip

suitable buildings for its use, and being incorporated for the purposes aforesaid, the real and personal property now owned and to be acquired by it shall be exempt from taxation.

SECT. 3. The five first persons named in this act may call the first <sup>First meeting.</sup> meeting of the corporation in such manner as they may deem expedient, at which, or at any subsequent meeting, such officers and agents as may be thought proper may be chosen, and such by-laws and regulations for the management of the affairs and interests of the corporation adopted as may be deemed expedient, not repugnant to the constitution and laws of the state.

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

Takes effect  
on passage.

[Approved April 22, 1913.]

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## CHAPTER 378.

### AN ACT TO EXEMPT FROM TAXATION THE PROPERTY OF L'HOPITAL NOTRE DAME DE LOURDES DE MANCHESTER, N. H.

SECTION

1. Property exempted.

SECTION

2. Takes effect on passage.

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

SECTION 1. Whereas L'Hopital Notre Dame de Lourdes de Manchester, N. H. (our Lady of Lourdes Hospital of Manchester, N. H.), a corporation organized under the general law, owns certain real and personal property in the city of Manchester, and by its articles of association is authorized and intends to acquire and hold certain other real and personal property in said city of Manchester and in other cities and towns in the state of New Hampshire; and whereas said corporation is formed solely for benevolent and charitable purposes and not for the purpose of profit or gain, be it enacted by the Senate and House of Representatives in General Court convened: that all the real and personal property now owned, or which may hereafter be acquired and held by said corporation for its benevolent and charitable purposes shall be exempt from taxation so long as and to the extent that it shall be used for such benevolent and charitable purposes in the state of New Hampshire. <sup>Property exempted.</sup>

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

Takes effect  
on passage.

[Approved April 22, 1913.]

CHAPTER 379.

AN ACT TO AUTHORIZE THE SUNCOOK VALLEY RAILROAD TO EXTEND ITS RAILROAD TO MANCHESTER.

SECTION

- 1. Extension authorized.
- 2. Subject to general laws.

SECTION

- 3. To be built by December 31, 1919; act takes effect on passage.

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

Extension authorized.

SECTION 1. That the Suncook Valley Railroad be and hereby is authorized and empowered to extend its railroad from such point on its existing tracks as its directors may determine to such point in Manchester in the county of Hillsborough as may be deemed by said directors most feasible for the purpose; and to connect its tracks in said Manchester with the tracks of any other railroad existing there; and the cars of said Suncook Valley Railroad and such other railroad may be run and operated on the tracks of each of said railroads on such terms as the directors of said railroads may agree upon.

Subject to general laws.

SECT. 2. Said extension shall be located, lands shall be taken or otherwise acquired, damages shall be assessed and paid, increase of capital stock shall be voted and issued, and all other things necessary to be done to construct, equip and operate said extension, shall be done in accordance with the provisions of chapter 164 of the Laws of 1911, or any other law or laws of New Hampshire relating thereto, relating to the locating, building and operating railroads and branches thereof and the issuing and increasing of capital stock for such purposes by railroad corporations.

Limitation; act takes effect on passage.

SECT. 3. This act shall be void if said extension shall not be constructed and in operation on or before December 31, 1919; and shall take effect upon its passage.

[Approved April 22, 1913.]

CHAPTER 380.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF AMHERST, IN THE COUNTY OF HILLSBOROUGH.

SECTION

- 1. Water-works authorized.
- 2. Right of eminent domain.
- 3. Contracts authorized.
- 4. Board of water commissioners.

SECTION

- 5. Duties of commissioners.
- 6. Appropriations authorized.
- 7. Payment of bonds.
- 8. Takes effect on passage.

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

SECTION 1. That the town of Amherst, in the county of Hillsborough, is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town, or any part of said town, an adequate supply of pure water, in subterranean pipes, for extinguishing fires and for the use of its citizens and others, and for such other public, private, and mechanical purposes as said town may from time to time authorize and direct; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water-rights, and do all other things necessary for carrying into effect the purposes of this act, and to excavate and dig canals and ditches in any street, place, square, passageway, highway, common, or other land or place, over or through which it may be deemed necessary and proper for building, constructing, and extending said water-works, and may relay, change, enlarge, and extend the same from time to time whenever said town shall deem necessary, and repair the same at pleasure, having due regard for the safety and welfare of its citizens and security of the public travel.

SECT. 2. Said town is authorized and empowered to enter upon, take, and appropriate any streams, springs, or ponds in the town of Amherst, or the adjoining town of Mont Vernon not belonging to any aqueduct company, and to secure, by fence or otherwise, such streams, springs, or ponds, and dig ditches and canals, make excavations or reservoirs, through, over, in, or upon any land or enclosure through which it may be necessary for said water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting water for said purposes, and placing such pipes or other materials, or works, as may be necessary for building and operating such aqueduct and water-works, or for repairing the same; *provided*, if it shall be necessary to enter upon and appropriate any stream, spring, pond, or any land, for the purposes aforesaid,

or to raise or lower the level of the same by dam or otherwise, and if said town shall not agree with the owner or owners thereof for the damage that may be done by said town, or such owner or owners shall be unknown, said town, or said owner or owners or party injured, may apply to the trial term of the superior court for the county within which such stream, spring, pond, or land is situate to have the same laid out and the damages determined, and that 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 is now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly; if either party shall desire, they shall be entitled to a trial by jury, in such manner and under such regulations as the court may prescribe, in the same manner as appeals from the award of damages in the case of laying out of highways.

Contracts  
authorized.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations, whether citizens of said town or not, for supplying them with water for any of the purposes herein named or contemplated, and to make such contracts and establish such regulations and tolls for the use of water for any of said purposes as may from time to time be deemed proper and necessary to enjoy the provisions of this act.

Water com-  
missioners.

SECT. 4. For the more convenient management of said water-works, the said town may place the construction, management, control, and direction of said water-works in a board of water commissioners, to consist of three citizens of the town, said commissioners to be vested with such powers and duties relating to the constructing, control, and management of the same as may from time to time be prescribed by said town. Their term of office shall be for three years, and until their successors are elected and qualified. The term of one shall expire at the first annual meeting after the first board is elected, one at the second annual meeting held thereafterwards, and one at the third annual meeting held thereafterwards, and after the first election one shall be elected for three years at each annual meeting to fill the occurring vacancy; *provided, also*, that the term of service of the commissioners first elected shall be designated at the time of their election, or said commissioners may be appointed by the selectmen of said town if the town fail to elect, or if the town at any meeting vote to authorize and instruct the selectmen to appoint said water commissioners.

Duties of  
commissioners.

SECT. 5. The compensation of said commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of the board, and said board shall appoint a

clerk and a superintendent of the works, and such other officers and agents as they may deem necessary, and shall thereupon furnish the town clerk a certificate of such organization, and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them, and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur in said board from any cause, the two remaining members of the board shall fill such vacancy temporarily by appointing a citizen of said town, in writing, which shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the same time other officers of town report, of the condition of the water-works financially and otherwise, showing the funds belonging to their department, and the expense and income thereof, with such other facts and information as the town should have, which report shall be published in the annual report of said town each year.

SECT. 6. Said town is also authorized and empowered, at any special, annual or biennial meeting by a major vote of those present and voting to raise by taxation and appropriate, or to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed necessary and expedient, for the purpose of defraying the expenses of purchasing real estate, rights in real estate, water rights, streams, springs, ponds, and other rights and property, as aforesaid, and for constructing, maintaining, repairing, extending, enlarging, and operating said water-works, such indebtedness not to exceed at any one time thirty thousand dollars, and to issue notes or bonds of the town therefor, in such amounts and payable at such time or times and at such rates of interest as may be thought proper, and may exempt such notes or bonds from taxation when held by inhabitants of the town, said notes and bonds to be signed by at least a majority of the selectmen and countersigned by the town treasurer.

Appropriations  
authorized.

SECT. 7. Said town is hereby authorized and empowered to raise by taxation and pay each year the interest of the notes and bonds so issued, and such part of the principal as the town may determine at any annual meeting.

Payment of bonds.  
Takes effect  
on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved April 22, 1913.]

CHAPTER 381.

AN ACT TO INCORPORATE THE GUARANTY TRUST COMPANY.

SECTION	SECTION
1. Corporation constituted.	6. By-laws.
2. Capital stock.	7. Powers.
3. First meeting.	8. Restrictions.
4. Increase of capital.	9. Individual liability.
5. Officers.	10. Takes effect on passage.

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

Corporation constituted.

SECTION 1. That Homer H. Marks, George A. St. Germain, Theodore Morin, William W. Burlingame, and Herbert I. Goss, and their associates, successors and assigns, are hereby constituted a corporation by the name of The Guaranty Trust Company, and by that name may sue and be sued, and may have a common seal. Said corporation shall be located in Berlin, Coos county, New Hampshire.

Capital stock.

SECT. 2. The capital stock shall be fifty thousand dollars, divided into five hundred shares of one hundred dollars each.

First meeting.

SECT. 3. Any three persons named in the first section of this act may call the first meeting of the corporation by giving seven days' notice of such meeting in writing to each of the incorporators and their associates. But such meeting may be held at any time upon the agreement of all the incorporators and their associates in writing.

Increase of capital.

SECT. 4. The capital stock may be increased from time to time to not exceeding two hundred and fifty thousand dollars, by a vote of the majority of the whole of the capital stock at a meeting of the stockholders called for that purpose, and such increase of stock as may be voted from time to time and authorized as aforesaid shall be divided *pro rata* among the stockholders who shall severally have the right to subscribe for such *pro rata* of such additional or a less amount, at their option, for fifteen days next after the adjournment of the meeting voting the same. Any portion of such increase of stock not subscribed for and taken within said fifteen days as aforesaid may be subscribed for under the direction of a majority of the directors.

Officers.

SECT. 5. The officers of the corporation shall consist of a president, treasurer, clerk, and a board of five directors. The secretary and board of directors shall be chosen by the stockholders at their first meeting and at each annual meeting thereafter, and the directors shall, upon their election, elect a president and treasurer. The president, clerk and directors shall hold their office until the next annual meeting after their election, and until their successors are



chosen, and the treasurer shall hold office during the pleasure of the board of directors. The directors shall require the treasurer to enter into bonds for the faithful performance of the duties of his office, with satisfactory sureties in such sum as the directors may deem for the best interests of the company.

SECT. 6. Said company may at any meeting duly held adopt <sup>By-laws.</sup> 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, and such by-laws may be altered and amended at any regular meeting in the notice of which the changes proposed have been mentioned.

SECT. 7. This corporation shall be empowered with authority to <sup>Powers.</sup> have and execute all the powers and privileges incident to corporations of a similar 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 negotiate loans for persons, firms or corporations, and to deal in investment securities; to receive money in trust and allow such interest thereon as may be agreed, not exceeding the legal rate; to act as receivers or trustees, and accept and execute all such trusts and perform such lawful duties of every description, not inconsistent with the laws of this state, as may be committed to it by any person or persons whatsoever, or by any corporation, or by order of the supreme or probate court; to loan or borrow money; to invest and re-invest its money from time to time, and to do a general banking business; but nothing in this act shall be construed to empower or authorize said corporation to execute bills of issue.

SECT. 8. Said company shall not issue, sell or negotiate its own <sup>Restrictions.</sup> bonds or mortgaged securities, or its own choses in action secured by a mortgage on real estate which are to be issued, sold, or negotiated as investments, or which authorizes or permits it to guarantee the bonds, mortgaged securities, or other choses in action of other persons or corporations issued, sold, or negotiated as investments, or which authorizes or permits it to engage in the business of marine, fire, or life insurance, or fidelity, surety, accident, health, liability, credit, title, or other form of casualty insurance, and it shall not engage in the business of buying and selling real estate.

SECT. 9. The stockholders in said company shall be personally <sup>Individual liability.</sup> liable, equally and ratably, and not one for another, for all contracts, debts, and engagements of the corporations to the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

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

<sup>Takes effect on passage.</sup>

[Approved April 28, 1913.]

CHAPTER 382.

AN ACT IN AMENDMENT OF AN ACT ENTITLED "AN ACT RELATING TO THE PINE PARK ASSOCIATION OF HANOVER AND THE VILLAGE PRECINCT OF HANOVER," APPROVED MARCH 14, 1913.

SECTION

1. Dartmouth College trustees may co-operate.

SECTION

2. Takes effect on passage.

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

Dartmouth College trustees may co-operate.

SECTION 1. That section 2 of said act [chapter 320. Laws 1913] is hereby amended by striking out the word "is" in the first line thereof and inserting in its place the words, and the Trustees of Dartmouth College are each, so that said section as amended will read: SECT. 2. The Village Precinct of Hanover and the Trustees of Dartmouth College are each hereby authorized and empowered to take part, join and co-operate in the management, control and possession of the real estate of the Pine Park Association which may be devoted to public purposes.

Takes effect on passage.

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

[Approved April 29, 1913.]

CHAPTER 383.

AN ACT IN AMENDMENT OF CHAPTER 180 OF THE SESSION LAWS OF 1899, ENTITLED "AN ACT TO AUTHORIZE THE TOWN OF CLAREMONT TO PROCURE BY PURCHASE OR UNDER THE POWER OF EMINENT DOMAIN, OR PUT IN A WATER SUPPLY."

SECTION

1. Right of eminent domain.

SECTION

2. Takes effect on passage.

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

Right of eminent domain.

SECTION 1. Section 2 of chapter 180 of the Laws of 1899 is hereby amended by adding the following at the end of said section: *Provided, however,* that entry upon and taking of property, rights and estate, laid out and taken or to be laid out and taken for the purpose of this act, shall not be postponed by reason of any failure of the parties to agree upon the compensation to be paid or by

reason of proceedings being instituted by either party for the assessment of damages as provided in this act, but said municipal corporation may enter upon, take and occupy such property, rights and estate immediately, so that said section 2 as amended shall read as follows: SECT. 2. Said town of Claremont is authorized and empowered to enter upon, take, and appropriate, under the power of eminent domain, any existing water-works, and the property real or personal of any existing water-works company located within the limits of said town, and its lands, water rights, streams, springs, ponds, reservoirs, and rights connected therewith, and any other lands, streams, springs or ponds or rights that may be necessary in addition thereto to carry out the purposes of this act. In such taking and appropriation said town may apply to the supreme court for the county of Sullivan, at any trial term thereof, to have the same laid out and the damages determined, and the 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 and proceed in manner as now provided by law for laying out highways, and said commissioners shall make report to said court, and said court may issue execution accordingly. If either party shall desire, they shall be entitled to trial by jury in such manner and under such regulations as the court may prescribe, in the same manner as appeals from the award of damages in case of laying out of highways; *provided, however*, that entry upon and taking of property, rights and estate, laid out and taken or to be laid out and taken for the purpose of this act, shall not be postponed by reason of any failure of the parties to agree upon the compensation to be paid or by reason of proceedings being instituted by either party for the assessment of damages as provided in this act, but said municipal corporation may enter upon, take and occupy such property, rights and estate immediately.

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

Takes effect  
on passage.

[Approved April 29, 1913.]

CHAPTER 384.

AN ACT AUTHORIZING THE DUBLIN ELECTRIC COMPANY TO TRANSFER ITS PROPERTIES.

SECTION

1. Transfer authorized.

SECTION

2. Takes effect on passage.

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

Transfer authorized.

SECTION 1. The Dublin Electric Company, a corporation organized under the laws of this state, is hereby authorized to sell and convey all or any portion of its properties, rights and franchises to the Ashuelot Gas and Electric Company, a like corporation, upon such terms as may be agreed upon by said companies and approved by the public service commission.

Takes effect on passage.

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

[Approved April 30, 1913.]

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CHAPTER 385.

AN ACT IN AMENDMENT OF AN ACT PASSED AT THIS SESSION, ENTITLED, "AN ACT TO INCORPORATE THE GUARANTY TRUST COMPANY."

SECTION

1. Restrictions on business.

SECTION

2. Takes effect on passage.

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

Restrictions.

SECTION 1. Section 8 of an act passed at this session, entitled, "An Act to incorporate the Guaranty Trust Company," [chapter 381, Laws 1913] is hereby repealed, and in place thereof is inserted the following section: SECT. 8. Said company shall not issue, sell, negotiate, or offer for sale, its own bonds, obligations or mortgage securities, to be issued, sold or negotiated as investments; nor shall it guarantee the bonds, mortgage securities, obligations or other choses in action of other persons or corporations, issued, sold or negotiated as investments, nor shall it engage in any form of insurance, or suretyship, nor in the business of buying or selling real estate.

Takes effect on passage.

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

[Approved April 30, 1913.]

## CHAPTER 386.

AN ACT TO EXEMPT THE ORPHANS' HOME OF CONCORD, NEW HAMPSHIRE, FROM TAXATION.

## SECTION

1. Property exempted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. The Orphans' Home of Concord, New Hampshire, being a charitable institution without profit to any person, the property thereof is hereby exempt from taxation so long as and to the extent that said property is used for the purposes for which said home is incorporated. Property exempted.

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

Takes effect on passage.

[Approved April 30, 1913.]

## CHAPTER 387.

AN ACT TO INCORPORATE THE FIDELITY SAVINGS BANK OF BERLIN.

## SECTION

1. Corporation constituted.
2. Powers and duties.
3. May hold real estate.
4. Election of trustees, etc.

## SECTION

5. Duties of trustees.
6. Salaries; division of profits.
7. Meetings of corporation.
8. Takes effect on passage.

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

SECTION 1. That W. E. Corbin, W. H. Gerrish, E. E. Pierce, E. M. Cross, M. H. Taylor, G. W. Gordon, F. W. Thompson, of Berlin, P. C. Prince, H. G. Noyes, C. A. Chandler, A. B. Libby, of Gorham, their associates and successors, and such other duly elected members as in this act provided, be and they hereby are constituted a body politic and corporate by the name of the Fidelity Savings Bank of Berlin, to be located at Berlin, in our county of Coos, for the purpose of establishing and maintaining a mutual savings bank, and by the name and style aforesaid may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers, rights, and privileges, and subject to all the duties and liabilities which by the laws of this state are or may become incident to corporations of a like nature. Corporation constituted.

Powers and  
duties.

SECT. 2. Said corporation may receive from any person or persons, corporations or associations, disposed to enjoy the advantages of said savings bank, any deposit or deposits of money, not exceeding five thousand dollars from any one person, except when made for the purpose of creating a sinking fund, subject to the by-laws of said savings bank; and may manage, use, 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, under the restrictions of the laws regulating the investment and management of such funds; and all deposits, together with the net income and profits, may be withdrawn at such reasonable times, in such manner and proportions, and subject to such equitable rules and regulations, as said corporation may from time to time by its by-laws prescribe, not incompatible with the laws of the state.

May hold  
real estate.

SECT. 3. Said corporation may purchase, hold, and acquire by foreclosure of mortgage or otherwise, such real estate as savings banks are permitted to hold under the general laws of this state.

Election of  
trustees.

SECT. 4. Said corporation, at its first meeting under this act, and at any annual meeting thereafter, shall have the power to elect by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of said election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be elected by ballot and major vote of those present, a clerk and a board of trustees, not exceeding fifteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees under the restrictions of the by-laws and the laws of the state. Any vacancy in the board of trustees may be filled at a special meeting of said corporation called for that purpose. Said corporation at its first meeting, shall enact such by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time, at the annual meetings or at a special meeting called for that purpose, alter and amend the same: but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal, which may be changed and renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of said bank, or any other person, acting under the authority of the board of trustees shall, when required by law to be under seal, be ensealed with said common seal, and the same shall be deemed sufficient in law.

SECT. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually choose one of their number as president of the bank. They shall also annually choose a treasurer and such other officers, clerks, agents, and servants as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum. Duties of trustees.

SECT. 6. No member of the corporation shall receive any compensation for his services in said savings bank, nor derive any emolument therefrom; *provided, however*, that a reasonable compensation shall be paid to the officers of said bank and others necessarily employed in transacting its business, and *provided further* that no expense for salaries or operating expenses shall be charged from the principal or earnings of said bank until the earnings shall have become sufficient to meet its operating expenses and to pay dividends of three per cent. per annum. No special deposits shall be received or special rates of interest allowed to any depositor, but all the profits arising from said business shall be equitably divided among the depositors at such times and in such manner as the trustees may determine, after deducting therefrom the necessary charges and expenses and a proper sum for the establishment of a guaranty fund. Salaries; division of profits.

SECT. 7. The first meeting of this corporation shall be called by any two of said incorporators, within two years from the passage of this act, by publishing a notice within one week of said meeting in some newspaper published in Berlin; and all subsequent meetings of said corporation shall be notified by a like publication or by written or printed notices mailed to each member of said corporation signed by the president of said bank. Special meetings of the corporation may be called at any time by the president or any three of the trustees, but no business shall be transacted at a special meeting unless the subject thereof shall have been stated in the call for said meeting. Meetings.

SECT. 8. This act shall take effect upon its passage.

Takes effect  
on passage.

[Approved April 30, 1913.]

CHAPTER 388.

AN ACT TO LEGALIZE THE PROCEEDINGS OF THE ANNUAL MEETING OF THE SCHOOL DISTRICT OF THE TOWN OF FRANCESTOWN.

SECTION  
1. Meeting legalized.

SECTION  
2. Takes effect on passage.

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

Meeting legalized. SECTION 1. The proceedings of the annual meeting of the school district of the town of Francestown, holden in said town, on the 18th day of March, 1913, are hereby legalized, ratified and confirmed.

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

[Approved May 7, 1913.]

CHAPTER 389.

AN ACT AUTHORIZING THE TOWN OF BATH TO EXEMPT FROM TAXATION THE D. K. JACKMAN HOUSE, WITH ADDITIONS AND IMPROVEMENTS TO BE MADE FOR HOTEL PURPOSES.

SECTION 1. Exemption ratified.

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

Exemption ratified. SECTION 1. That the annual town meeting holden at Bath on the eleventh day of March, 1913, voting to exempt from taxation the D. K. Jackman house with additions and improvements to be made for a term of ten years from the date said house shall be opened and used for hotel purposes be, and the same hereby is ratified, confirmed, approved and legalized, and that the assessors shall annually appraise such property and the valuation determined upon for the same shall be added to the valuation of all other property in the town to determine the total valuation for the purposes of the state and county tax.

[Approved May 7, 1913.]



## CHAPTER 390.

## AN ACT IN AMENDMENT OF CHAPTER 305, SESSION LAWS OF 1887, RELATING TO THE ALLIANCE TRUST COMPANY.

## SECTION

1. Name changed, etc.
2. Capital stock; real estate.

## SECTION

3. Takes effect on passage.

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

SECTION 1. Amend section 1 of chapter 305 of the session Laws of 1887 by striking out the word "Alliance" and inserting in place thereof the words The Wonolancet; further amend said section by striking out the words "and guaranty the same" at the end of said section, so that said section as amended will read: SECTION 1. That George Stark, Edward Spaulding, William D. Cadwell, Charles H. Campbell, Henry Stearns, William W. Bailey, Joseph W. Howard, Frank H. Ayer, John F. Stark, William H. Beason, George R. Pierce and John H. Barr, and their associates, successors and assigns, be and they are hereby incorporated and made a body corporate by the name of The Wonolancet Trust Company, to be located at Nashua in this state, with authority to have and execute all the powers and privileges incident to corporations of a similar nature, for the purpose of receiving on deposit money, securities, stocks, bonds, coin, valuable papers, evidences of debt, documents, and other property, and of collecting and disbursing the principal, interest, and income of said property, and may act as agents for the purpose of registering and countersigning bonds, stocks, certificates, or evidences of debt; and may hold, by grant, assignment, transfer, devise, or bequest, any real or personal estate, or trust duly created, and execute such trusts on such terms as may be agreed upon or established with reference thereto; and may also negotiate loans for persons, firms, and corporations, and may borrow money, and may deal in investment securities.

SECT. 2. Amend section 3 of said chapter by striking out the words "one hundred thousand dollars" and inserting in place thereof the words fifty thousand dollars, and further amend said section by striking out the words "twenty-five thousand dollars" and inserting in place thereof the words one hundred thousand dollars, so that said section as amended shall read as follows: SECT. 3. Said company shall have a capital stock of fifty thousand dollars, divided into shares of one hundred dollars each, with authority to increase the capital stock to two hundred and fifty thousand dollars; and may acquire and hold real estate for its own

use to the value of one hundred thousand dollars, exclusive of such real estate as may be taken in good faith for debt or held as collateral security. Said corporation shall not commence business until the sum of fifty thousand dollars shall have been paid in in cash, and no certificate of shares shall be issued until the par value of the same has been fully paid and a certificate thereof shall have been filed in the office of the secretary of state, verified by oath of a majority of directors.

Takes effect on passage.

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

[Approved May 7, 1913.]

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CHAPTER 391.

AN ACT RELATING TO THE CONSTRUCTION OF A LINE OF RAILROAD BY THE SULLIVAN COUNTY RAILROAD.

SECTION

1. Construction authorized.
2. Rights and liabilities.

SECTION

3. Time for building limited.
4. Takes effect on passage.

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

Construction authorized.

SECTION 1. That the Sullivan County Railroad be and it is hereby authorized and empowered to construct a line of railroad from a point on the west bank of the Connecticut river, at a point adjacent to the town of Hartland, Vermont, across said Connecticut river and Hart's Island, thence through the towns of Plainfield and Lebanon, either to connect with the Northern railroad in the town of Lebanon, or to cross the Connecticut river to a point on the west bank of said river, adjacent to the town of Hartford, Vermont.

Rights and liabilities.

SECT. 2. That said Sullivan County Railroad, in respect to said line, shall be subject to all the liabilities and entitled to all the rights and privileges of railroads incorporated and operating in the state of New Hampshire, except in so far as such liabilities, rights, and privileges may be modified by this act.

Time for building limited.

SECT. 3. This act shall be void at the end of three years from the date of its passage as to all parts of such line as have not then been completed and made ready for use.

Takes effect on passage.

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

[Approved May 7, 1913.]

## CHAPTER 392.

AN ACT TO INCORPORATE THE NEW HAMPSHIRE WATER SUPPLY  
COMPANY.

## SECTION

1. Corporation constituted.
2. Capital stock.
3. Meetings of corporation.
4. Power to hold property, etc.
5. Right of eminent domain.
6. Contracts authorized.

## SECTION

7. Sale or lease authorized.
8. Limitation of act.
9. First meeting.
10. Deemed a public utility.
11. Subject to repeal; takes effect on passage.

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

SECTION 1. That Sumner Wallace, John F. Springfield, Roland Spaulding, Dwight Hall, Arthur G. Whittemore, Charles N. Taylor, Frank J. Philbrick, Sperry H. Locke, and John H. Haines, their associates, successors and assigns shall be and are hereby made a corporation by the name of The New Hampshire Water Supply Company for the purpose of supplying the cities of Portsmouth, Dover, Somersworth and Rochester, also the towns of Exeter and Farmington, and any other towns in the vicinity of the above named places, located in Strafford or Rockingham counties, with pure water for domestic, sanitary, municipal and other public purposes, except power purposes, including extinguishment of fires; and for the purpose of supplying the inhabitants of any other town or towns in said counties not now supplied with water for the above purposes; 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 one hundred dollars each, as may from time to time be determined by said corporation, not exceeding in the whole the sum of one million dollars; *provided* that said corporation shall not issue any stock or bonds without first obtaining an order of the public service commission authorizing the same.

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

SECT. 4. Said corporation is empowered to purchase and hold in fee simple or otherwise any real or personal estate necessary for the carrying into effect the purposes of this act; to lay, construct and maintain in, under, through, along and across the highways, ways, streets and bridges in said municipalities, all such sluices,

aqueducts, pipes, hydrants, and structures as may be necessary for the purposes of its incorporation; and to lay, construct and maintain across railroads all such sluices, aqueducts and pipes as may be necessary for the purposes of its incorporation. Said corporation shall petition the selectmen of the towns and the board of mayor and aldermen of the cities through which it is to construct its line or lines of pipes, to grant locations for the same, and the selectmen or board of mayor and aldermen may lay out the route and grant such locations as may seem to them to be necessary for the erection of such structures and hydrants, the laying of pipes, aqueducts and sluices necessary for carrying into effect the purposes of this act, over, upon or under such streets, places, squares, passageways, highways and bridges in said municipalities. *Provided, however,* that in case said corporation is aggrieved by any decision of said selectmen or board of mayor and aldermen as to such location it shall have the right to an appeal to the public service commission, as in the case of the location of street railways. Upon receiving such location, said corporation may enter upon said streets, places, squares, passageways and highways and break ground, dig ditches and make excavations for the laying and repairing of its said pipes and the erection of hydrants and other structures necessary for carrying on said system of water supply, due care being paid to the safety of the citizens and the security of public travel. Said company shall be liable for all damages to person and property occasioned by its use of such highways, ways, streets, railroads and bridges, and shall further be liable to pay to said municipalities for damages for obstructions, or otherwise occasioned by said corporation, and for all expenses with interest on the same; and shall perform all work, excavating or otherwise, at any and all times in manner satisfactory to the department of said cities or towns having supervision of said streets and highways. *Provided, however,* that said company shall not enter upon, construct or lay any sluices, aqueducts, pipes or other work within the location of any railroad corporation except at such time and in such manner as it may agree with said corporation, or in case of failure so to agree, as may be provided by the public service commission.

Right of eminent domain.

SECT. 5. Said corporation is authorized to enter upon and appropriate, retain, take, store, use and distribute water from Merrymeeting lake and Perkins brook, located in Strafford county, and may locate, construct, and maintain cribs, reservoirs, aqueducts, gates, pipes, hydrants and all other necessary structures therefor, 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, aqueducts and other structures to be or exist, for the purpose of

obtaining, holding, reserving or conducting said water and placing such pipes and other material and works as may be necessary for building and operating such systems of water supply or repairing the same; *provided*, that if it be necessary to enter upon and appropriate any land for the purposes aforesaid or to raise or lower the level of said waters, or to divert said waters, and the said corporation shall not be able to agree with the owners thereof, or any person or corporation affected thereby, for the damages, if any, to which said owners, person or corporation may be legally entitled or said owners, person, or corporation shall be unknown, either party may apply to the superior court to have the same laid out and such damages, if any, 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 of highways. Said commissioners shall make report to said court, and said court may issue execution thereon 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. If said corporation shall fail to pay such landowner, person or corporation affected by such appropriation of land or water or deposit for his use with the clerk of the county commissioners aforesaid such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall be thereby invalid, and said corporation forfeit all rights under the same as against such landowner, person or corporation. Said corporation may make a tender to any landowner, person or corporation damaged under the provisions of this act, and if such landowner, person or corporation recovers more damages than were tendered him by said corporation he shall recover costs, otherwise said corporation shall recover costs. In case said corporation shall begin to occupy such lands before the rendition of final judgment, the landowner, person or corporation damaged thereby may require said corporation to file its bond to him with said county commissioners, in such sums and with such sureties as they may approve, conditioned for such payment or deposit. Failure to apply for damages within three years after such taking, holding and occupation by the landowner, person or corporation claiming to be damaged thereby shall be held to be a waiver of the same. The decreased value of the shore property by reason of the restrictions incident to the use of the water of said lake for domestic purposes shall be an element of damages. Said corporation shall not under any circumstances take or convey any of said waters outside the state of New Hampshire, or use any of

said waters or allow the same to be used in or by any of said towns or cities for power purposes. In case said corporation shall convey any of said waters outside the state of New Hampshire all rights to take water out of any source in New Hampshire shall be forfeited.

Contracts  
authorized.

SECT. 6. Said corporation is hereby authorized to make contracts with the United States and with corporations, including cities, towns and village precincts, also the inhabitants of such municipalities where there is not now a public water supply for the purpose of supplying water as contemplated by this act; but in no event shall said corporation sell water direct to the inhabitants in a city or town or village precinct where there is a public water supply; and such municipalities, by their proper officers, are hereby authorized to enter into contract with said corporation for a supply of water on such terms and for such time as the parties may agree, which when made shall be legal and binding on all parties thereto; and said municipalities for this purpose may raise money in the same manner as for other municipal charges; may establish such tolls and charge such rents therefor as may be deemed reasonable; may borrow money to defray the cost of such system of water supply, including water rights and land damages, and may issue its notes, bonds or obligations therefor, and secure the same by mortgage upon the property rights and franchises of said corporations.

Sale or lease  
authorized.

SECT. 7. Said corporation is hereby authorized and empowered to sell or lease for a term of years to said towns and cities, or any of them, or to any water district now existing or hereafter organized comprising the whole or any part of said counties of Strafford and Rockingham, all of its property consisting of works, structures, rights, franchises, fixtures and estate of whatever kind or nature; and said towns, cities, or water district is hereby authorized to take, purchase or lease the same at a fair and equitable valuation; and in the fixing and agreeing upon the proper value of said property said towns, cities, or district, by their or its officers, is hereby authorized and empowered to agree with said corporation and its officers in any suitable method upon a disinterested commission of three or more individuals who may appraise the true and equitable value of said property, the value so fixed upon to be the purchase price for said property. Should said towns, cities, or district be unable to agree with said corporation upon a fair and equitable price for its property in the manner hereinbefore provided, application may be made to the superior court for the county of Strafford at a trial term thereof for fixing the valuation of said property, and the procedure in said court may be the same as is provided for determining damages in section 5 of this act.

Limitation of act.

SECT. 8. The provisions of this act shall be inoperative and

void unless the construction of said water supply system shall be begun in good faith within two years from and after its passage.

SECT. 9. Any two of the first named grantees may call the first First meeting. meeting of the corporation by giving a written or printed notice to the other members at least ten days before the day of meeting, or by leaving such notice at their last place of abode ten days before such meeting.

SECT. 10. The corporation hereby created shall be a public Deemed a public utility. utility subject to the supervision and jurisdiction of the public service commission in all respects, except that it shall not be obliged to apply to said commission for authority to construct the plant, works, reservoirs, aqueducts and other structures necessary to enable it to appropriate, retain and store the waters of said Merry-meeting lake and Perkins brook. It is the intent of this section to provide that while said corporation may construct the main reservoir and water supply system authorized by this act without making application for authority from said commission, it shall not engage in the business of selling water in any municipality without such authority, and its service and rates for service, whether for water supplied to individual takers, to municipalities or others, shall be subject to regulation by said commission, and said commission shall in all respects have the same supervisory jurisdiction over said corporation as it has, or may have, by law over other public utilities.

SECT. 11. . The legislature may at any time alter, amend or repeal Subject to repeal; takes effect on passage. this charter whenever the public good may require, and this act shall take effect upon its passage.

[Approved May 7, 1913.]

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### CHAPTER 393.

AN ACT TO ENABLE THE SCHOOL DISTRICT OF GREENLAND TO ISSUE NOTES OR BONDS FOR THE PURPOSE OF BUILDING A SCHOOL HOUSE.

SECTION

1. Authority granted.

SECTION

2. Takes effect on passage.

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

SECTION 1. That the school district of the town of Greenland, Authority granted. for the purpose of building a school house, may, at any regular or special meeting duly warned, by a major vote of the legal voters of said district, issue notes or bonds to an amount not exceeding ten

thousand dollars, payable serially, but to be fully paid at the expiration of twenty years from date of issue, said bonds to be exempt from local taxation in the town of Greenland when owned by citizens of said town. The school board of said district shall prepare a checklist to be used at said meeting in accordance with the provisions of chapter 90 of the Public Statutes.

Takes effect on passage.

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

[Approved May 7, 1913.]

CHAPTER 394.

AN ACT TO INCORPORATE THE PLAINFIELD WATER SUPPLY COMPANY.

SECTION

- 1. Corporation constituted.
- 2. Capital stock.
- 3. Meetings of corporation.
- 4. Power to hold property, etc.
- 5. Right of eminent domain.

SECTION

- 6. Contracts authorized.
- 7. First meeting.
- 8. Deemed a public utility.
- 9. Takes effect on passage.

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

Corporation constituted.

SECTION 1. That Clara Sidney Davidge, Henry C. Daniels, Maurice J. Moore, Eunice Wait and Lucy M. Lewin, their successors, associates and assigns shall be and are hereby made a corporation by the name of the Plainfield Water Supply Company, for the purpose of constructing a system of pipes and water works, and supplying individuals and corporations, in the town of Plainfield, New Hampshire, with water for domestic use, manufacturing purposes and the extinguishing of fires; 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 one hundred (\$100) dollars each, as may from time to time be determined by said corporation, not exceeding in the whole sum thirty thousand (\$30,000) dollars.

Meetings.

SECT. 3. The annual and all special meetings of this corporation shall be held at such times and places and by such notices as may be provided by the by-laws of the corporation.

Power to hold property, etc.

SECT. 4. Said corporation is empowered to purchase and hold in fee simple or otherwise, any real or personal estate necessary for the carrying into effect the purposes of this act, and said corpora-



tion is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway, through which it may be deemed necessary for the pipes and water works of said company to pass, be, or exist and for the purpose of placing its pipes, hydrants, structures and such materials as may be deemed necessary for constructing said system of pipes and water works and to relay and repair the same, subject to such regulations as to the safety of citizens and security of public travel, as the selectmen of the town may prescribe.

SECT. 5. Said corporation is authorized to enter upon, and appropriate the water known as Echo Farm spring in the county of Sullivan, and to secure said water by fence or otherwise and to dig ditches, make excavations, and reservoirs through, over, in, or upon any land or enclosure, 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 and other material and works as may be necessary for building or operating such water works, or repairing the same; *provided*, that if it be necessary to enter upon and appropriate any land for the purpose aforesaid or to raise or lower the level of said waters, and the said corporation shall not be able to agree with the owner thereof for the damages that may be done by said corporation, or the owner shall be unknown, either party may apply to the superior court, at a trial term, in the county of Sullivan, have the same layed 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 thereon 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.

SECT. 6. Said corporation may make contracts with individuals and corporations, village and fire precincts, for supplying them with water and hydrant service, and may establish such tolls and charge such rents therefor, as may be deemed reasonable, and said corporation is hereby authorized, empowered and shall sell to said town of Plainfield, or any fire precinct hereafter organized therein, all its works, constructions and estate of whatever kind or nature, at a fair and equitable valuation, all the property, rights, privileges and franchises of said corporation; and in fixing and agreeing upon the proper value of said Plainfield Water Supply Company, said town of Plainfield, by its proper officers, is hereby authorized

and empowered to agree with the Plainfield Water Supply Company and its officers in any suitable method upon a disinterested commission of three or more individuals who may appraise the true and equitable value of said Plainfield Water Supply Company, and the value so fixed upon to be the purchase price for said property. Should said town of Plainfield be unable to agree with said Plainfield Water Supply Company, upon a fair and equitable price for its property in the manner provided in this section, application may be made to the superior court of the county of Sullivan, at the trial term thereof for fixing the valuation of said property rights and franchises and said court may refer the same to the county commissioners for said county, and said corporation is authorized to borrow money to defray the cost of such water works, water rights and land damages and may issue its notes, bonds, or obligations therefor, not exceeding one half its capital stock, actually paid in and unimpaired, payable at such times and at such rates of interest, not exceeding six (6%) per cent., as it may determine, and may, if it be deemed expedient, secure such notes, bonds or obligations by a mortgage of all its estate, real, personal, and mixed, which mortgage shall be recorded in the office of the register of deeds for the county of Sullivan.

First meeting.

SECT. 7. Any two of the first named grantees may call the first meeting of the corporation by giving a printed or written notice to the other members at least ten days before the day of meeting, or by leaving such notice at their last place of abode, ten days before such meeting. The right is hereby reserved to alter, amend or repeal this charter, or any part thereof.

Deemed public utility.

SECT. 8. The corporation hereby created shall be a public utility, and shall be subject to the supervision of the public service commission in respect to engaging in business, capitalization, service, rates for service, and in all other respects as if incorporated under the general law.

Takes effect on passage.

SECT. 9. This act shall take effect upon its passage.

[Approved May 7, 1913.]

CHAPTER 395.

AN ACT TO AUTHORIZE THE PROPRIETORS OF UNION MANUFACTURING COMPANY TO INCREASE THE CAPITAL STOCK OF SAID COMPANY.

SECTION

- 1. Authority granted.
- 2. Division into shares.

SECTION

- 3. Takes effect on adoption.

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

SECTION 1. The proprietors of the corporation established by an act of the legislature approved June 17, 1823, by the name of the Union Manufacturing Company, a corporation duly established by law and located at Peterborough, county of Hillsborough and state of New Hampshire, are hereby authorized and empowered at any annual meeting of said corporation or at any other legal meeting called for that purpose, to increase the capital stock of said corporation to such an amount as they may deem necessary to facilitate their operations not exceeding the sum of five hundred thousand dollars, and may hold real and personal estate to such amount. Authority granted.

SECT. 2. The said proprietors, at any legal meeting, are authorized and empowered to divide the capital stock of said corporation into as many shares as they may deem proper, not exceeding five thousand, with a par value of one hundred dollars per share. Division into shares.

SECT. 3. This act shall take effect and be in force as an addition to the act incorporating the said Union Manufacturing Company when adopted by a vote of said proprietors at any annual meeting or at any other legal meeting called for that purpose. Takes effect on adoption.

[Approved May 7, 1913.]

CHAPTER 396.

AN ACT IN AMENDMENT OF THE CHARTER OF ST. PAUL'S SCHOOL AND AMENDMENTS THERETO.

SECTION

- 1. Membership not to exceed fifteen.
- 2. To be at least eleven.

SECTION

- 3. Takes effect on passage.

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

Membership not to exceed fifteen.

SECTION 1. Section one of an act entitled "An Act to incorporate St. Paul's School" and approved June 29, 1855, is hereby amended by striking out the last word in said section, to wit, the word "two" and inserting in place thereof, the word six, and by adding to said section, the words, that is to say, the whole number of members of said corporation shall not exceed fifteen, so that said section, as amended, shall read as follows: SECTION 1. Be it enacted by the Senate and House of Representatives in General Court convened, That Horatio Southgate, Newton E. Marble, Nathaniel B. Baker, William F. Otis, Isaac F. Redfield, Mathew Harvey, Jacob Carter, William E. Coale, Henry M. Parker, their associates and successors, be and they hereby are made a body politic and corporate by the name of St. Paul's School; 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 associates shall not exceed six, that is to say, the whole number of members of said corporation shall not exceed fifteen.

To be at least eleven.

SECT. 2. Section three of said act is hereby amended by striking out the words, "so that the number of eleven shall always be kept up and preserved," and by inserting in place thereof, the words, the whole number of members of said corporation shall be at least eleven, and may be increased, from time to time, by vote of said corporation, to a number not exceeding fifteen, so that said section, as amended, shall read as follows: SECT. 3. Said corporators and their associates and their 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, so that the whole number of members of said corporation shall be at least eleven, and may be increased, from time to time, by vote of said corporation, to a number not exceeding fifteen. At all meetings of the corporation five shall constitute a quorum for the transaction of business except on the election or removal of the principal of said school.

Takes effect on passage.

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

[Approved May 13, 1913.]

## CHAPTER 397.

AN ACT TO AMEND "AN ACT TO INCORPORATE THE TROY WATER AND IMPROVEMENT COMPANY," APPROVED MARCH 8, 1899.

## SECTION

1. Capital stock increased.

## SECTION

2. Repealing clause; act takes effect on passage.

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

SECTION 1. Amend section 2 of chapter 187 of the Laws of 1899 by striking out the word "ten" in the second line of said section and inserting in place thereof the word fifty, so that said section as amended shall read as follows: SECT. 2. The capital stock of said corporation shall not exceed fifty thousand dollars. It may acquire and hold real estate and personal estate necessary and convenient for the purposes aforesaid, and it may issue bonds and other obligations, secured by mortgage of its real and other property, to carry out the purposes for which it is created.

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

[Approved May 13, 1913.]

## CHAPTER 398.

AN ACT TO INCORPORATE THE PHILLIPS BROOK IMPROVEMENT COMPANY.

## SECTION

1. Corporation constituted.  
2. Capital stock.  
3. May erect dams, etc.  
4. Collection of tolls.  
5. Deemed a public utility.  
6. Publication of rates.

## SECTION

7. First meeting.  
8. By-laws, etc.  
9. Restrictions.  
10. Limitation of act.  
11. Subject to repeal.  
12. Takes effect on passage.

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

SECTION 1. That John T. Amey, Everett E. Amey, Irving W. Drew, Merrill Shurtleff, and Ernest McC. Maey, their associates, successors and assigns, be and hereby are made a body politic and corporate by the name of The Phillips Brook Improvement Company, for the purpose of erecting dams and sluices, and making such other improvements as may be proper and necessary on Phillips brook in the towns of Odell, Erving's Location, Millsville

and Stark in Coos county, New Hampshire, and the Upper Ammonoosue river in the said town of Stark, to improve said streams and their tributaries for the purpose of driving logs, lumber and pulp-wood therein and over and through said dams and sluices, and of establishing rates of toll on lumber and pulp-wood so driven and sluiced and shall be vested with all the rights and privileges and subject to all the liabilities of a corporation of a similar nature: and may purchase and hold real estate and other property, not exceeding in value the sum of fifteen thousand dollars (\$15,000), said sum to be held in shares of one hundred dollars (\$100) each.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed the sum of \$15,000, divided into not more than 150 shares of \$100 each.

May erect dams, etc.

SECT. 3. Said corporation may erect and maintain as many dams, sluices and booms on said rivers and their tributaries, and may clear, deepen and improve the same to such extent as by it shall be deemed necessary for the proper driving of logs, lumber and pulp-wood in said streams and their tributaries and through said improvements; and if the owner or owners of any property situated in said streams shall feel that his or their property has been damaged by reason of said improvements, he or they may apply to the superior court for said Coos county to have said damages assessed and adjusted; and said court is hereby authorized and empowered to adjust the same and assess the damages subject to the right of appeal to the supreme court as in cases of a similar nature.

Collection of tolls.

SECT. 4. Said corporation may, subject to the supervision of the public service commission, make and establish such rates of toll for driving logs, lumber and pulp-wood over and through said dams and sluices, and said river and its tributaries as may be deemed by them expedient, and shall have the power to sue for, and collect said tolls in the same manner as other corporations are by law allowed to sue and collect debts due them; and said corporation shall have a lien on all logs, timber and pulp-wood which may pass over or through said dam, sluices and improvements, and may hold possession of the same until said tolls shall be paid or satisfactorily secured.

Deemed a public utility.

SECT. 5. The corporation hereby created shall be a public utility, and shall be subject to the supervision of the public service commission in respect to capitalization and rates, and in all other respects as other public utilities are.

Publication of rates.

SECT. 6. When said rates of toll shall have been established, said corporation shall cause the same, duly attested, to be published in some newspaper in the city of Berlin, and said rates when

so published and recorded in the clerk's book of records of said corporation, shall be the established rate, and such notice shall be deemed legal notice to all parties.

SECT. 7. Any two of the charter members herein named may **First meeting.** call the first meeting of said corporation by mailing to each charter member due notice thereof at least fourteen days prior to said meeting, which notice shall state the time and place of said meeting; *provided, however,* that if all the charter members shall be absent at said meeting, or if they shall accept notice of the same in writing, said meeting may be called and held at any time without giving fourteen days' notice as aforesaid.

SECT. 8. Said corporation when so met may elect associates, **By-laws, etc.** fix the amount of capital stock, and establish such by-laws, rules and regulations for the conduct of said corporation, and may elect such officers as may be necessary, and may transact such business as may pertain to corporations of a similar nature.

SECT. 9. No improvements on said Phillips brook and its tribu- **Restrictions.** taries or said Upper Ammonoosuc river shall be placed in said river below the town of Stark in said Coos county.

SECT. 10. This charter shall not be construed to interfere with **Limitation of act.** the power of the state of New Hampshire to grant rights to other persons or corporations to build or construct dams or other improvements on said Phillips brook and Upper Ammonoosuc river or their tributaries, and this charter shall be void unless said corporation shall organize within one year after the passage of this act, and shall so notify the secretary of state, and unless the improvements for the making of which this charter is granted shall have been substantially completed within five years from the date of the passage of this act.

SECT. 11. This charter may be amended, altered or repealed at **Subject to repeal.** any time.

SECT. 12. This act shall take effect upon its passage.

**Takes effect  
on passage.**

[Approved May 13, 1913.]

CHAPTER 399.

AN ACT IN AMENDMENT OF SECTION 6 OF CHAPTER 286 OF THE LAWS OF 1909, ENTITLED "AN ACT TO INCORPORATE THE WOODSTOCK & THORNTON GORE RAILROAD."

SECTION

1. Certain conditions imposed.

SECTION

2. Takes effect on passage.

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

Certain conditions imposed.

SECTION 1. That section 6 of chapter 286 of the Laws of 1909 is hereby amended by striking out all of said section after the word "act" in the sixth line of said section and inserting in place thereof the following words and for the better protection of property, it is hereby provided that, after the first day of June, 1913, said railroad shall not be operated under the authority conferred by this act until the Publishers Paper Company, a corporation duly established by law and engaged in business in this state, shall make and file in the office of the secretary of state an instrument in writing agreeing that it and its successors and assigns shall be liable for all damages to property from fire or otherwise which may be caused by the operation of said railroad under the authority conferred by this act, to the same extent as such liability is imposed by the laws of this state upon the proprietors of railroads; and, upon the filing of said instrument in writing by said Publishers Paper Company, the liability of the Woodstock Lumber Company and its successors and assigns for such damage from fire or otherwise shall cease; so that said section as amended shall read as follows: SECT. 6. This act shall be void as to any and all parts of said railroad not completed within two years from the passage of this act, and the authority hereby conferred to locate, construct and maintain said railroad and to operate the same shall cease and determine at the expiration of eight years from the passage of this act; and for the better protection of property, it is hereby provided that, after the first day of June, 1913, said railroad shall not be operated under the authority conferred by this act until the Publishers Paper Company, a corporation duly established by law and engaged in business in this state, shall make and file in the office of the secretary of state an instrument in writing agreeing that it and its successors and assigns shall be liable for all damages to property from fire or otherwise which may be caused by the operation of said railroad under the authority conferred by this act, to the same extent as such liability is imposed by the laws of this state upon the proprietors of railroads; and, upon the filing of



said instrument in writing by said Publishers Paper Company, the liability of the Woodstock Lumber Company and its successors and assigns for such damage from fire or otherwise shall cease.

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

Takes effect  
on passage.

[Approved May 13, 1913.]

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## CHAPTER 400.

### AN ACT AUTHORIZING UNION SCHOOL DISTRICT OF LITTLETON TO ISSUE BONDS OR NOTES.

#### SECTION

1. Refunding bonds authorized.
2. Equipment bonds authorized.
3. Exemption from taxation.
4. Not subject to debt limit.

#### SECTION

5. Municipal bonds act applicable.
6. Loan authorized.
7. Takes effect on passage.

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

SECTION 1. The Union School District of Littleton, for the purpose of funding and refunding outstanding indebtedness, now evidenced by its notes, is hereby authorized to issue bonds of the district to an amount not exceeding twenty-five thousand dollars, upon a two-thirds vote of all present and voting at any adjourned meeting of the annual meeting of said district of March 29, 1913, or upon a majority vote of all present and voting at an annual meeting, or special meeting called for that purpose, held hereafter.

Refunding bonds  
authorized.

SECT. 2. The said district, for the purchase of land for school purposes, and the erection and equipment of school buildings thereon, and the cost thereof, is authorized to issue bonds of the district to an amount not exceeding seventy-five thousand dollars, upon a majority vote of all present and voting at an annual meeting of the district, or special meeting called for that purpose.

Equipment bonds  
authorized.

SECT. 3. Such bonds, issued for the purposes aforesaid, when owned by residents of Littleton, shall be exempt from taxation.

Exemption.

SECT. 4. The said district and issue of bonds, as aforesaid, shall be exempt from the debt limit imposed by section 9, chapter 43, of the Laws of 1895; and the provisions of section 3, of said chapter, so far as they relate to voting upon such bonds in annual or special meetings of the district, shall not apply to such issue of bonds.

Not subject to  
debt limit.

SECT. 5. The provisions of the "Municipal Bonds Act, 1895," shall, in all other respects, be applicable to all bonds issued.

Municipal bonds  
act applicable.

SECT. 6. The said district, for the purposes above named, upon

Loan authorized.

a vote, and at a meeting, as aforesaid, is hereby authorized to hire money and issue negotiable notes therefor, instead of said bonds, to an amount not exceeding the respective amounts named in sections one and two, upon such terms and conditions as to time and place of payment, rate of interest, and all other things necessary to properly make, execute and dispose of such notes, as it may vote at any meeting, as aforesaid. Said district, at any such meeting, may vote to raise money by taxation to pay the interest on such notes, and create a sinking fund for the payment of such notes when they become due. Such notes, when owned by residents of Littleton, shall be exempt from taxation.

Takes effect on passage.

SECT. 7. This act shall take effect on its passage.

[Approved May 15, 1913.]

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CHAPTER 401.

AN ACT TO AUTHORIZE THE TOWN OF FRANCONIA TO ESTABLISH AND MAINTAIN AN ELECTRIC LIGHT AND POWER PLANT.

SECTION

1. Electric plant authorized.
2. Right of eminent domain.
3. Contracts authorized.
4. Management and control.
5. Rates, tolls, etc.

SECTION

6. Accounts, how to be kept.
7. Notes or bonds authorized.
8. Adoption of act.
9. Repealing clause; act takes effect on passage.

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

Electric plant authorized.

SECTION 1. The town of Franconia in the county of Grafton is hereby authorized and empowered to construct, maintain, manage, and own a suitable electric light and power plant for the purpose of introducing and distributing wherever advisable throughout the town an adequate supply of light for lighting its streets, and for the use of its citizens, and for other purposes, and to take, purchase, and hold in fee simple or otherwise, any real or personal estate, and any rights therein, and water rights and privileges, and machinery, necessary for carrying into effect the purposes of this act, and to erect and maintain poles and to place wires for the transmission of electricity, or to lay the same in subterranean pipes through the lands of any person or corporation, and under any railroad and under or over any streets and ways of said town; and it may enter upon and dig up any such real estate or way for the purpose aforesaid, and may change and repair the same at pleasure,

having due regard for the safety of its citizens and security of the public travel. Said company shall not enter upon, or construct or lay any conduits, pipes, wires or other works within the location of any railroad corporation, except at such time and in such manner as it may agree with such corporation, or, in case of failure so to agree, at such time and in such manner as may be approved by the public service commission.

SECT. 2. Said town is authorized and empowered to enter upon, take, and appropriate any stream, real estate, and any rights therein, and water rights, powers and privileges, not in use by any aqueduct or other company in said town, and to purchase such real estate, water rights, powers and privileges as may be deemed necessary and expedient for said purposes, and to dig ditches, make excavations, erect poles, and place wires, through, over, in, or upon any land or enclosure wherever it may be necessary for subterranean pipes, poles, wires, or other materials or works to be located for the purpose of building and operating such electric light plant, or for repairing the same, and for generating, transmitting, and supplying such electricity: *provided*, if it shall be necessary to enter upon and appropriate any streams, real estate, or rights therein, and water rights, powers and privileges, or to raise or lower the level of the same, for the purpose aforesaid, and if said town shall not agree with the owners thereof for the damage that may be done by said town, or if such owners shall be unknown, said town may take such streams, real estate, or rights therein, and water rights, powers and privileges and assess the damages, and the same remedies and proceedings may be had as in case of laying out highways.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations for supplying them with light or power, and to make such contracts and establish such regulations, tolls, and rates for light and power or its use, as may from time to time be deemed proper. Said town is further empowered to generate electricity for sale for the purposes of furnishing power and lighting streets and buildings, and it is empowered to sell the same to any person or persons or body corporate within the limits of said town.

SECT. 4. The immediate management, control and direction of the electric light and power plant of the town shall be vested in the board of selectmen, and they may appoint a superintendent of the works, and such other agents and servants as they may deem necessary. They may make such rules and regulations for their own government, and in relation to all officers and agents appointed by them, as they may deem proper.

SECT. 5. Said selectmen shall have the control and management of the construction of said plant and system of wires, etc., and shall make all such contracts and agreements, for and on behalf of the

town in relation thereto as the town is hereby authorized to make, and as they may deem proper and advisable, and shall have full charge and control over said works when constructed. They shall establish rates and tolls and prescribe rules and regulations for the use of light and power, and may sell and dispose of such articles of personal property connected with said works as they shall deem expedient, and may purchase such property as in their judgment may be necessary for said works, and the purpose contemplated by this act; and they shall annually make a detailed report to the town of the condition of the plant and its system of wires, etc., and the funds belonging to this department, and the expenses and income thereof, which shall be published in the town report of each year.

Accounts.

SECT. 6. All moneys received in any way on account of said electric plant shall be paid into the town treasury, and shall be kept and applied exclusively for the uses of said electric plant, including the payment of the bonds issued under this act and the interest thereon; and all bills and claims for expenditure connected with said plant shall be paid only by orders drawn by the selectmen, and the town treasurer shall keep his accounts relating to the electric plant, including all bonds and notes of the town given for loans and money raised for said plant, separate and distinct from all other receipts and payments.

Notes or bonds authorized.

SECT. 7. Said town is also authorized, at any annual meeting, by a major vote of the legal voters present and voting, or by majority vote of the legal voters at a special meeting, to raise and appropriate and to borrow or hire, such sums of money, not to exceed ten thousand dollars, on the credit of the town, as may from time to time be deemed necessary for the purpose of defraying the expense of purchasing real estate, water rights, and privileges, and other rights, machinery, and property as aforesaid, and for constructing, maintaining and operating said electric plant, and for the payment for machinery, etc., purchased and to issue notes or bonds of the town therefor, in such amounts and payable at such times and at such rates of interest as may be thought proper, and may exempt such notes and bonds from taxation when held by the inhabitants of the town.

Adoption of act.

SECT. 8. Said town may accept and adopt the provisions of this act at any annual meeting, by a major vote of the legal voters present and voting, or at a special meeting called for the purpose when a majority of the legal voters of the town vote so to do.

Repealing clause; act takes effect on passage.

SECT. 9. 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 May 19, 1913.]

## CHAPTER 402.

## AN ACT AUTHORIZING THE CITY OF SOMERSWORTH TO ISSUE REFUNDING BONDS.

## SECTION

1. Authority granted.

## SECTION

2. Takes effect on passage.

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

SECTION 1. The city of Somersworth, in the county of Strafford, Authority granted. be and hereby is authorized, for the purpose of refunding outstanding indebtedness, to raise, appropriate and borrow money to the aggregate amount of fifty thousand (50,000) dollars, and to issue its bonds therefor not exceeding said amount on the credit of the city, payable at such time or times within twenty years from the date or dates thereof, and with such rate of interest not exceeding four per cent. per annum as the city council may determine. Said issue of bonds shall be exempt from taxation. Except as hereinabove provided said bonds shall be issued in conformity with and subject to the restrictions of chapter forty-three of the laws of eighteen hundred and ninety-five, called the "Municipal Bonds Act of 1895," and acts amendatory thereof and in addition thereto.

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

Takes effect  
on passage.

[Approved May 21, 1913.]

## CHAPTER 403.

## AN ACT IN AMENDMENT OF SECTION 3, CHAPTER 266 OF THE LAWS OF 1909 IN RELATION TO THE ASSESSORS OF TAXES IN THE CITY OF PORTSMOUTH, AND IN AMENDMENT OF SECTION 30, CHAPTER 212 OF THE LAWS OF 1905, ENTITLED "AN ACT TO AMEND THE CHARTER OF THE CITY OF PORTSMOUTH."

## SECTION

1. Salary of clerk of board of assessors.  
2. Salary of city auditor.

## SECTION

3. Takes effect on approval; repealing clause.

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

SECTION 1. Amend section 3 of chapter 266, Laws of 1909, by Salary of clerk of board of assessors. striking out the word "nine" in the fifth line thereof and by inserting the word twelve in place thereof, so that said section as

amended shall read as follows: SECT. 3. Said board shall organize by choosing one member thereof chairman and one member thereof clerk. The assessors shall each receive six hundred dollars per annum in full for all their services. The clerk of the board shall receive not exceeding twelve hundred dollars per annum in full for all services, and shall devote his whole time to the performance of the duties of his office. The clerk shall devote not less than six hours per day to the business of the board, Sundays and holidays excepted. Reasonable leaves of absence may be allowed by the board.

Salary of city auditor.

SECT. 2. Amend section 30, chapter 212, Laws of 1905, by striking out the word nine in the sixteenth line, and inserting in place thereof the word twelve, so that said section 30 as amended shall read as follows: SECT. 30. The various officers of said city shall be paid the following annual salaries, which shall be in full for all services, expenses and disbursements made by them while in office, and they shall receive no other compensation of any sort: The mayor five hundred dollars, payable quarterly. The city clerk one thousand dollars, payable monthly, and the fees fixed by law. The overseer of the poor two hundred dollars. The board of assessors fifty dollars each. The city treasurer five hundred dollars. The salary of the city solicitor shall be five hundred dollars, and this salary shall include his services and expenses in full to the city and every department of the same. The superintendent of streets one thousand dollars. The chief engineer of the fire department \$400 per annum, the assistant engineers \$100 per annum, all payable quarterly. The collector of taxes three fourths of one per cent. of the amount collected. The city auditor twelve hundred dollars. The city messenger eight hundred dollars. The clerk of the board of water commissioners two hundred dollars, the other two members of said board one hundred dollars each.

Takes effect on adoption; repealing clause.

SECT. 3. The provisions of this bill shall not become effective and in full force until approved by the mayor and a majority of the members elected to the city council of the city of Portsmouth, and on and after its said approval said provisions shall become of full force and effect, and all acts and parts of acts inconsistent with this provision of this act are hereby repealed.

[Approved May 21, 1913.]

CHAPTER 404.

AN ACT AUTHORIZING THE CONSOLIDATION OF THE UNION TRUST COMPANY AND THE CONCORD TRUST COMPANY.

SECTION

- 1. Consolidation authorized.
- 2. Continuation of business.
- 3. Trust department of \$100,000.
- 4. Trust department of \$50,000.

SECTION

- 5. Trust department to be kept separate.
- 6. Stockholders' right to vote.
- 7. Repealing clause; act takes effect on passage.

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

SECTION 1. The Union Trust Company, chartered by an act approved July 28, 1887, being chapter 215 of the Laws of 1887, and amendments thereto, and the Concord Trust Company, chartered by an act approved March 25, 1891, being chapter 218 of the Laws of 1891, and amendments thereto, are hereby authorized to consolidate into a single corporation under the name of the Union Trust Company. Such consolidation shall be effected by majority vote of each corporation to accept the provisions of this act at meetings duly held for the purpose; and a copy of such votes duly attested by the clerk of each corporation shall be filed with the secretary of state and the bank commissioners. Said new corporation, except as herein otherwise provided, shall have all the rights, powers and privileges and be subject to all the duties, obligations and limitations which are provided by the charters of said corporations or either of them and amendments thereto and by the laws of this state.

Consolidation authorized.

SECT. 2. Said new corporation may continue the savings bank business heretofore carried on by the existing Union Trust Company, subject to all provisions of law applicable thereto and particularly subject to the requirements for the maintenance of a guaranty fund of ten per cent. for the protection of general depositors. The rights of special depositors to such guaranty fund, including the right to vote at meetings of such new corporation, shall not be affected hereby.

Continuation of business.

SECT. 3. Said corporation by majority vote at an annual or special meeting duly notified for that purpose may establish a trust department for engaging in any kind of business authorized by the charters of the constituent corporations or either of them, including the general banking business; but it shall not engage in its trust department in the general banking business until it shall by majority vote create a capital stock of not less than one hundred

Trust department with capital of \$100,000.

thousand dollars par value for the purpose of providing funds for such trust department; and thereafter by like vote it may increase such capital stock to any sum not exceeding five hundred thousand dollars. Said capital stock shall be divided into shares of the par value of one hundred dollars each, and any portion thereof not exceeding one half at any time outstanding, may be made preferred as to dividends and in liquidation as may be provided in the vote authorizing the same. The special deposits to the guaranty fund established and maintained in the savings department may be converted into stock upon such terms as may be adopted by majority vote of the corporation; but no portion of such capital stock shall become a part of the guaranty fund or of the special deposits to the guaranty fund or shall be held by the savings department. The stockholders shall be personally liable equally and ratably, but not one for another, for all contracts, debts and engagements of the corporation in its trust department but not its savings department to the amount of their stock therein at the par value thereof in addition to the amount invested in such shares. Nothing contained in this section shall limit or abridge the authority of said corporation to engage in the other kinds of business in its trust department under the conditions provided in the next section of this act.

Trust department  
with capital of  
\$50,000.

SECT. 4. Said corporation may, in its trust department established as provided in the preceding section, engage in any kind of business authorized by the charters of the constituent corporations, or either of them, except the general banking business, whenever it shall by majority vote create a capital stock of not less than fifty thousand dollars par value for the purpose of providing funds for such trust department. Said stock shall be subject to the same provisions and restrictions as are expressed in section 3, except that the first fifty thousand dollars at par of such stock may be preferred as to dividends not exceeding six per cent. per annum and in liquidation, as may be provided in the vote authorizing its issue. Said stock shall be sold at not less than par and the proceeds thereof shall be invested and held in the trust department for the purposes thereof.

Trust department  
to be kept  
separate.

SECT. 5. Whenever said corporation shall establish a trust department under the provisions of either or both the preceding sections the affairs of such department shall be kept separate from the affairs of the savings department; but with the approval of the bank commissioners assets may be transferred from one department to the other so long as the effect thereof shall not be to impair the guaranty fund in the savings department. The expenses of conducting business in the two departments may be apportioned by



vote of the trustees. In case of the liquidation of said corporation, whether voluntary or otherwise, the indebtedness and liabilities in each department shall be satisfied in full out of the assets in such department before any portion of such assets shall be employed for satisfying the indebtedness in the other department; but the balance of assets remaining in each department after satisfying all indebtedness and liabilities therein, shall be applied to satisfying the remainder, if any, of the indebtedness in the other department, before any portion thereof shall be distributed to stockholders or special depositors.

SECT. 6. The holders of stock of said corporation shall be entitled at its meetings to one vote for each fifty dollars of par value of stock held by them. Stockholders' right to vote.

SECT. 7. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved May 21, 1913.]

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CHAPTER 405.

AN ACT IN AMENDMENT OF AN ACT TO ESTABLISH WATER WORKS IN THE TOWN OF PEMBROKE.

SECTION

1. Exemption from taxation.

SECTION

2. Takes effect on passage.

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

SECTION 1. That said town of Pembroke is hereby exempt from paying any tax on any property owned, used and held by it exclusively for its water works, wherever the same is situated. Exemption from taxation.

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

[Approved May 21, 1913.]

CHAPTER 406.

AN ACT GRANTING PERMISSION TO ASQUAMCHUMEAUKE CHAPTER D. A. R. TO PLACE AND MAINTAIN, UPON THE GROUNDS OF THE STATE NORMAL SCHOOL IN PLYMOUTH, A MEMORIAL TO HOLMES PLYMOUTH ACADEMY AND ITS FOUNDER.

SECTION  
1. Permission granted.

SECTION  
2. Takes effect on passage.

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

Permission granted.

SECTION 1. Permission is hereby given to AsquamchumEAUKE Chapter, D. A. R., of Plymouth to place and perpetually maintain, free of rent or charge, upon the grounds of the State Normal school in Plymouth, in such location as the trustees of said school and the officers of said chapter shall designate, a memorial in commemoration of Holmes Plymouth academy and its distinguished founder, Colonel Samuel Holmes.

Takes effect on passage.

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

[Approved May 21, 1913.]

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CHAPTER 407.

AN ACT TO REPEAL CHAPTER 2743, SESSION LAWS OF 1863, RELATING TO THE HOMESTEAD OF SIMON SEAVEY.

SECTION  
1. Annexation to Bartlett repealed.

SECTION  
2. Takes effect on passage.

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

Prior act repealed.

SECTION 1. That chapter 2743, session Laws of 1863, is hereby repealed.

Takes effect on passage.

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

[Approved May 21, 1913.]

CHAPTER 408.

AN ACT LEGALIZING THE ACTION OF THE SCHOOL DISTRICT IN THE TOWN OF TUFTONBORO FOR THE YEAR 1913.

SECTION

1. Meeting legalized.

SECTION

2. Takes effect on passage.

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

SECTION 1. The annual meeting of the school district in the town Meeting legalized. of Tuftonboro, held in the year 1913 is hereby legalized and confirmed, and all acts and proceedings of said meeting holden in said town on March 11, 1913 are hereby ratified, legalized and confirmed.

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

Takes effect on passage.

[Approved May 21, 1913.]

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CHAPTER 409.

AN ACT TO LEGALIZE THE ACTION OF THE TOWN OF ALTON AT A MEETING HELD MARCH 11, 1913.

SECTION

1. Meeting legalized.

SECTION

2. Takes effect on passage.

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

SECTION 1. The action of the legal voters of the town of Alton, Meeting legalized. at the annual meeting of said town held March 11, 1913, whereby it was voted to pay George W. Leavitt the sum of three hundred dollars to compensate him for extra expense incurred in reducing the grade and straightening the highway near the camp ground in said town, is hereby legalized.

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

Takes effect on passage.

[Approved May 21, 1913.]

CHAPTER 410.

AN ACT TO PROVIDE FOR THE CHOICE OF ASSESSORS IN THE TOWN OF NEWPORT.

SECTION

- 1. Board of three assessors.
- 2. Terms of office.

SECTION

- 3. Takes effect on adoption.

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

Board of three assessors.

SECTION 1. The town of Newport is hereby authorized to choose a board of three assessors by ballot and by major vote, who shall perform all the duties relative to taking the inventory and the appraisal of property for taxes and in regard to the assessment and abatement of taxes and issuing warrants for the collection of the same, as are now or may hereafter be required by law of selectmen and assessors of towns, and shall have all the powers and be subject to the same liability in regard to these duties which selectmen and assessors in towns now or hereafter may have or may be subject to in regard to the same, *providing, however,* that they shall not have authority to abate taxes under section 12 and 13, chapter 59 of the Public Statutes, nor because of inability to pay the same, such authority to remain vested in the selectmen, notwithstanding anything contained in this act.

Terms of office.

SECT. 2. The terms of the assessors first chosen after the passage of this act shall be as follows: the one receiving the highest number of votes shall serve for the term of three years, the second highest for two years, the third highest for one year; and thereafter at each town meeting one assessor shall be chosen for the term of three years.

Takes effect on adoption.

SECT. 3. This act shall take effect when the town by major vote shall adopt the same, and not otherwise.

[Approved May 21, 1913.]

## CHAPTER 411.

AN ACT RELATING TO THE POWERS AND DUTIES OF THE BOARD OF WATER  
COMMISSIONERS OF THE CITY OF MANCHESTER.

## SECTION

1. May pension employees.
2. Amount of pension.

## SECTION

3. Eligibility.
4. Appropriations authorized.

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

SECTION 1. The board of water commissioners of the city of Man-<sup>May pension</sup>  
chester, by the affirmative vote of all the members, may at his own <sup>employees.</sup>  
request or at the request of the mayor of said city, retire from  
service for one year, any employee of the water department, who  
in the judgment of said board has become disabled for useful ser-  
vice while in the actual performance of duty; or any employee who  
has reached the age of seventy years and has had fifteen consecutive  
years' service; and may grant a pension to such retired employee  
for a period not exceeding one year at a time. No such employee  
shall be granted a pension unless it shall be certified to the board of  
water commissioners in writing by the city physician, that such  
employee is permanently incapacitated physically from performing  
his duty as an employee of the department. Consecutive years  
under the term of this section shall not be interpreted to disqualify  
those candidates for pensions who may have been laid off tempo-  
rarily from work by the board of water commissioners from time  
to time.

SECT. 2. No pension shall be granted under this act to exceed <sup>Amount of</sup>  
more than one half the total amount of the annual compensation <sup>pension.</sup>  
that said employee was receiving at the time retired, and payment  
of same shall be subject to the rules and regulations of the board of  
water commissioners.

SECT. 3. No employee of the water department shall be eligible <sup>Eligibility.</sup>  
to receive a pension under this act unless he is in the employment  
of the water department at the time he makes application for a  
pension, and is a citizen of Manchester.

SECT. 4. The board of water commissioners of the city of Man- <sup>Appropriations</sup>  
chester, may from time to time appropriate sufficient money to <sup>authorized.</sup>  
carry out the provisions of this act.

[Approved May 21, 1913.]

CHAPTER 412.

AN ACT IN AMENDMENT OF CHAPTER 241 OF THE LAWS OF 1909 RELATING TO THE BOARD OF REGISTRARS OF THE CITY OF PORTSMOUTH.

SECTION

1. Present board abolished.
2. New board provided for.
3. Provisional board named.

SECTION

4. Compensation of members.
5. Repealing clause; act takes effect on passage.

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

Present board abolished.

SECTION 1. The present board of registrars of the city of Portsmouth for the registration of voters in said city is hereby abolished.

New board provided for.

SECT. 2. There shall be chosen at the biennial election in November, A. D. 1914, and at each biennial election thereafter, a board of registrars of voters for the city of Portsmouth, which board shall be composed of seven members, apportioned among the wards in said Portsmouth as follows: In ward one, two members of said board, who shall be legal voters in said ward; in ward two, two members, who shall be legal voters in said ward; in ward three, one member, who shall be a legal voter in said ward; in ward four, one member, who shall be a legal voter in said ward; and in ward five, one member, who shall be a legal voter in said ward; to be chosen by the voters of said wards by a plurality vote; and the members so chosen shall continue in office until their successors are chosen and qualified. Any vacancy occurring in said board may be filled by the remaining members by their appointing under their hands some person who is a legal voter in the ward in the membership of which the vacancy happens.

Provisional board named.

SECT. 3. Chauncey B. Hoyt and Jeremiah E. Remick, they being legal voters in ward one in said city; Thomas J. Donovan and Charles W. Taylor, Jr., they being legal voters in ward two in said city; James J. McCabe, he being a legal voter in ward three in said city; Alphonso B. Spinney, he being a legal voter in ward four in said city; and Jeremiah F. Horan, he being a legal voter in ward five in said city, are hereby constituted a board of registration of voters of said city, for the purposes of making and posting the list of voters as required by law in the respective wards in said city. Said board shall be called, Board of Registrars of Voters for the City of Portsmouth. The persons above named shall perform, until their successors are chosen at the biennial election in A. D. 1914, and have qualified, all the duties imposed by this or any other act thereunto appertaining, upon the board of registrars of voters for the city of Portsmouth, and shall enjoy all the salary and powers of said board.

SECT. 4. The board of registrars shall choose one of their number chairman, and one, clerk. The clerk shall receive the sum of fifty dollars in full for his services at the biennial election, and the sum of thirty-five dollars in full for his services at each of any other elections; and each member shall receive the sum of thirty-five dollars in full for all services at the biennial election, and twenty dollars in full for all services at each or any other elections.

Compensation of members.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect on its passage.

Repealing clause; act takes effect on passage.

[Approved May 21, 1913.]

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### CHAPTER 413.

#### AN ACT RELATING TO THE SALARY OF THE OVERSEER OF THE POOR OF THE CITY OF MANCHESTER.

SECTION

1. To be fixed by mayor and aldermen.

SECTION

2. Takes effect on passage.

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

SECTION 1. The salary of the overseer of the poor of the city of Manchester shall be determined and fixed by the board of mayor and aldermen of said city, and so much of section 3, chapter 291 of the session Laws of 1909, as is inconsistent with this act is hereby repealed.

To be fixed by mayor and aldermen.

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

Takes effect on passage.

[Approved May 21, 1913.]

CHAPTER 414.

AN ACT TO CHANGE THE WARD LINES IN THE CITY OF MANCHESTER.

SECTION

SECTION

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>1. Ward limits defined.</li> <li>2. Representatives to general court.</li> <li>3. Officers for Ward 8, how chosen.</li> </ul> | <ul style="list-style-type: none"> <li>4. Present ward officers.</li> <li>5. Takes effect on passage; application limited.</li> </ul> |
|--|---|

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

Ward limits defined.

SECTION 1. The ward lines of the city of Manchester are hereby reformed and the said city divided into nine wards, which shall be constructed as follows:

Ward No. 1 shall include that part of the city bounded westerly by the Merrimack river; southerly by the center line of Orange street and Orange street produced easterly to the Mammoth road and from the point of intersection of the center line of Orange street with the center line of Elm street southerly to the center line of Kidder street, and thence by the center line of Kidder street and Kidder street produced to the Merrimack river; easterly by the center line of the Mammoth road from its intersection with the center line of Orange street produced to the Hooksett line; and northerly by the Hooksett line from the point of intersection of the Mammoth road with the Hooksett line following said boundary line to its intersection with the Merrimack river.

Ward No. 2 shall include all that part of the city bounded northerly by the southerly boundary line of Ward No. 1; easterly by the center line of the Mammoth road from its intersection with the center line of Orange street produced to the center line of Concord street produced; southerly by the center line of Concord street to the center line of Elm street; thence to the center line of Water street and Water street produced to the Merrimack river; and westerly by the Merrimack river.

Ward No. 3 shall include that part of the city bounded northerly by the southerly boundary of Ward No. 2; easterly by the center line of the Mammoth road from its intersection with the center line of Concord street produced to the center line of Laurel street produced; southerly by the center line of Laurel street and Laurel street produced from its intersection with the center line of Mammoth road to the center line of Chestnut street and thence northerly on the center line of Chestnut street to its intersection with the center line of Manchester street; thence westerly by the center line of Manchester street to the center line of Elm street; thence northerly by the center line of Elm street to the center line of Market street and thence westerly by the center line of Market street and



Market street produced to the Merrimack river; and westerly by the Merrimack river.

Ward No. 4 shall include that part of the city bounded northerly by that portion of the southerly boundary line of Ward 3 west of the center line of Beech street; easterly by the center line of Beech street from its intersection with the center line of Laurel street to the center line of Valley street; southerly by the center line of Valley street from the center line of Beech street to the center line of Elm street; thence southerly by the center line of Elm street to its intersection with Gove street, and thence by the center line of Gove street and Cove street produced to the Merrimack river; and westerly by the Merrimack river.

Ward No. 5 shall include all that part of the city lying east of the Merrimack river not included in Wards Nos. 1, 2, 3 and 4 and north of the center line of Cove street produced to its intersection with the Merrimack river, thence easterly on the center line of Cove street to the center line of Elm street, thence northerly on the center line of Elm street to the center line of Valley street, thence easterly by the center line of Valley street to the center line of Massabesic street, thence by the center line of Massabesic street to the center line of the Mammoth road, thence by the center line of the Mammoth road to the center line of the Candia road, thence by the center line of the Candia road to the center line of the Holt road, thence by the center line of the Holt road to the center line of the Lake Shore road, and from the point of intersection of the Holt road with the center line of the Lake Shore road east to the Auburn town line.

Ward No. 6 shall include all that part of the city lying easterly of the Merrimack river and not included in Wards Nos. 1, 2, 3, 4 and 5.

Ward No. 7 shall include all that part of the city west of the Merrimack river lying southerly of the center line of Conant street extended from the Merrimack river to the Piscataquog river and thence from the point of intersection of the westerly line of Conant street extended with the center line of said Piscataquog river northwesterly following the center line of said Piscataquog river to the intersection of said river with the Goffstown town line.

Ward No. 8 shall include all that part of the city bounded northerly by the center line of Wayne street extended from the Merrimack river to the Piscataquog river; easterly by the Merrimack river; southerly by the center line of Conant street extended from the Merrimack river to the Piscataquog river; and westerly by the Piscataquog river.

Ward No. 9 shall include all that part of the city lying west of the Merrimack river not included in wards Nos. 7 and 8.

Representatives to  
general court.

SECT. 2. The number of representatives to the general court based on the census of 1910, from the several wards, as reformed, shall be as follows:

Ward No. 1 shall be entitled to six representatives.

Ward No. 2 shall be entitled to eight representatives.

Ward No. 3 shall be entitled to seven representatives.

Ward No. 4 shall be entitled to ten representatives.

Ward No. 5 shall be entitled to six representatives.

Ward No. 6 shall be entitled to six representatives.

Ward No. 7 shall be entitled to six representatives.

Ward No. 8 shall be entitled to four representatives.

Ward No. 9 shall be entitled to six representatives.

Officers for  
Ward 8.

SECT. 3. The necessary ward officers for the conduct of any elections and the government of the newly created Ward No. 8 shall be chosen by the board of mayor and aldermen of the city.

Present ward  
officers.

SECT. 4. The ward officers of former Ward No. 2 shall continue to act as ward officers of Ward No. 1 as constituted by this act, until their successors are elected and qualified. The ward officers of former Ward No. 3 shall continue to act as ward officers of Ward No. 2 as constituted by this act until their successors are elected and qualified. The ward officers of former Ward No. 4 shall continue to act as ward officers of Ward No. 3 as constituted by this act, until their successors are elected and qualified. The ward officers of former Ward 5 shall continue to act as ward officers of Ward 4 as constituted by this act, until their successors are elected and qualified. The ward officers of former Ward No. 6 shall continue to act as ward officers of Ward No. 5 as constituted by this act until their successors are elected and qualified. The ward officers of former Ward No. 10 shall continue to act as ward officers of Ward No. 6 as constituted by this act, until their successors are elected and qualified. The ward officers of former Ward No. 8 shall continue to act as ward officers of Ward No. 7 as constituted by this act, until their successors are elected and qualified. The ward officers of former Ward No. 9 shall continue to act as ward officers of Ward No. 9 as constituted by this act, until their successors are elected and qualified.

Takes effect on  
passage; applica-  
tion limited.

SECT. 5. This act shall take effect upon its passage, but it is not to be construed as affecting any officials, state or city, chosen at the general election of 1912, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved May 21, 1913.]

## CHAPTER 415.

## AN ACT ENABLING THE GENERAL CONFERENCE OF CONGREGATIONAL CHURCHES OF NEW HAMPSHIRE TO BECOME A CORPORATION WITH CERTAIN POWERS.

## SECTION

1. May become body corporate.
2. May act as trustee.
3. Transfer of funds authorized.
4. Right to hold property.
5. General corporate powers.

## SECTION

6. Accounts, how to be kept.
7. Report of trustees, etc.
8. Repealing clause; act takes effect on passage.

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

SECTION 1. The General Conference of Congregational Churches of New Hampshire, a voluntary association now existing, may accept and adopt the provisions of this act at any annual meeting of the conference held within seven years of the passage of the act by a vote of two thirds of the members present and voting, *provided* that special notice is given to the churches entitled to delegates six months at least prior to said annual meeting that the subject of accepting and adopting the act will come before said meeting for consideration. Upon the filing with the secretary of state of a duly authenticated copy of such vote and of the record of the meeting showing its passage aforesaid, the said association shall become and thereafter be a body corporate by the name of The General Conference of Congregational Churches of New Hampshire and shall have and enjoy all the powers, rights and privileges and be subject to all the liabilities incident to corporations of a similar nature, and by that name may contract, sue and be sued. The following are some of the special objects for the promotion of which the creation of said corporation is authorized: Brotherly intercourse and harmony among the Congregational churches of the state; the influence and usefulness of said churches; the collection and dissemination of information relating to said churches and their activities; co-operation with similar bodies in efforts to build up the cause of truth and holiness; home and other missionary causes; the support of needy ministers of the Congregational denomination who are disabled by sickness or age from active work, and of needy widows and children of deceased ministers of said denomination; the collection, holding and appropriation of funds for said objects or any of them; and generally, the cause of religion according to the Congregational tenets and policy. The members of the corporation shall be the delegates duly appointed, from time to time, by the Congregational churches of the state—the delegates

of each church together to be entitled to one vote in the election of officers of the corporation, and in the decision of all questions coming before the corporation. The city of Concord shall be considered the place in which its business is carried on, but it may hold its meetings in any city or town in the state, as it may direct from time to time.

May act as trustee.

SECT. 2. The corporation is empowered and authorized to act as trustee of any funds in any way set apart for the promotion of any of the objects aforesaid, upon appointment by the courts or upon appointment by individuals or by religious societies; and no bond shall be required of it to insure the faithful performance of the trust, *provided, however*, that the corporation may require such of its officers having custody of its funds, whether trust or otherwise, to give such bonds as it may deem reasonable.

Transfer of funds authorized.

SECT. 3. The New Hampshire Home Missionary Society and the Trustees of the Ministers and Widows Charitable Fund, corporations now existing by law, are hereby authorized, with the consent and approval of the court having jurisdiction of such questions, to transfer the funds, securities and property held in trust by them respectively to the corporation hereby created to be thereafter held by it, upon the same trusts, terms and conditions that they were held by the corporation making the transfer, and said latter corporation may, with like consent and approval, be thereupon dissolved. If money or other property shall be donated, devised or bequeathed to the New Hampshire Home Missionary Society or the Trustees of the Ministers and Widows Charitable Fund, in trust for advancing its objects, after the dissolution of the corporation from any cause, the corporation created in accordance with the provisions of this act shall be entitled to receive and hold the same, subject, however, to the terms, conditions and trusts imposed by the donor or testator.

Right to hold property.

SECT. 4. Said corporation is authorized and empowered to receive and hold funds, securities and property to an amount not exceeding one million dollars.

General corporate powers.

SECT. 5. Said corporation shall have the power and authority granted to corporations by the general laws of this state, relating to by-laws, the times and places of holding meetings, the manner of calling and conducting the same, the number of its officers and agents, the manner of choosing them, their tenure of office, their powers and duties, and all other matters; *provided, however*, that among the officers there shall be a board of trustees, consisting of not less than nine nor more than twenty-one members, who, under the general direction of the corporation, shall have the immediate charge, control and management of all the financial transactions of the corporation, including those pertaining to its trust funds;

and who shall be elected by ballot by the members of the corporation and shall hold office for terms as prescribed by the by-laws of the corporation. Membership of the corporation shall not be necessary to render persons eligible for election to the offices of the corporation or any of them.

SECT. 6. Said corporation shall keep upon books to be provided for the purpose, separate and distinct accounts, showing fully and accurately the receipts, investments, re-investments, income and disbursements, pertaining to each of the trusts held by it, which books of account shall be open and subject to inspection by parties in interest and by the attorney-general of the state and his servants and agents, at all reasonable times. Accounts, how to be kept.

SECT. 7. The board of trustees aforesaid and the treasurer shall each make a report at each annual meeting of the corporation, showing the receipts and disbursements during the year just passed, on account of the several funds held by the corporation, and the present condition of said funds, which reports shall be published for the information of the public. Reports.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed; and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved May 21, 1913.]

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CHAPTER 416.

AN ACT TO INCORPORATE DISTRICT LODGE NO. 5 NORTHERN NEW ENGLAND ORDER OF VASA OF AMERICA, IN MANCHESTER, N. H.

SECTION

- 1. Corporation constituted.
- 2. Right to hold property.
- 3. By-laws, etc.

SECTION

- 4. First meeting.
- 5. Subject to repeal.
- 6. Takes effect on passage.

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

SECTION 1. That William S. Westerdahl, Charles A. Redman, Claus E. Lagerquist, Andrew V. Lundgren, and Carl Ekholm, all of Manchester, their associates and successors, be and hereby are made a body politic and corporate by the name of District Lodge No. 5 Northern New England Order of Vasa of America, in Manchester, N. H., for social and benevolent purposes, and to provide, manage, and execute a fund by collecting dues from its members and taxation of the lodges within its jurisdiction for the purpose of paying death benefits, not to exceed one hundred dollars, to the Corporation constituted.

representatives, or stated beneficiaries of those of its members who may die; and by that name may sue and be sued, prosecute and defend to final judgment and execution; and shall be and hereby are made subject to all the liabilities of corporations of a similar nature.

Right to hold property.

SECT. 2. Said corporation may purchase, take, and hold by deed, gift, bequest, devise, or otherwise, real and personal estate for the purposes of the corporation, to an amount not exceeding five thousand dollars, and may improve, sell, and convey, or otherwise dispose of same at pleasure.

By-laws, etc.

SECT. 3. Said corporation may enact and adopt a constitution and by-laws, not inconsistent with the laws of the state of New Hampshire, for the regulation of its business; and said fund for the payment of death benefits shall be accumulated and paid in accordance with said constitution and by-laws.

First meeting.

SECT. 4. The first three persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of said meeting.

Subject to repeal.

SECT. 5. The legislature may alter or amend this act whenever the public good may require.

Takes effect on passage.

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

[Approved May 21, 1913.]

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CHAPTER 417.

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

SECTION

1. Divided into five wards.
2. Ward 1.
3. Ward 2.
4. Ward 3.

SECTION

5. Ward 4.
6. Ward 5.
7. Repealing clause.
8. Takes effect on passage.

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

Divided into five wards.

SECTION 1. The city of Dover hereby is and shall continue to be divided into five wards, which shall be constituted as follows:—

Ward 1.

SECT. 2. Ward one shall include all the territory now embraced in said ward as heretofore established by act of June session, A. D. 1881, entitled “An Act for the Revision of the City Charter of the City of Dover.”

Ward 2.

SECT. 3. Ward two shall include all the territory now embraced in said ward as heretofore established by act of June

session, A. D. 1881, entitled, "An Act for the Revision of the City Charter of the City of Dover."

SECT. 4. The dividing line between wards three and four in said <sup>Ward 3.</sup> city shall hereafter be as follows:—Commencing at the line separating Dover from the town of Madbury at a point where said line is crossed by the track of the Boston & Maine Railroad; thence running by said railroad track to the center of the bridge where the Littleworth road crosses said railroad; thence by the center of said Littleworth road to Silver street; thence by the center of Silver street to Rutland street; thence by the center of Rutland street to Fisher street; thence by the center of Fisher street to Locust street; thence by the center of Locust street to Hale street; thence by the center of Hale street to Central avenue; thence by the center of Central avenue to Orchard street to Walnut street; thence by Walnut street to Waldron street; thence on a direct line to the foot of Chestnut street at the division line between wards one and two; and all the territory in said city lying northerly or northwesterly of the above described line, and between said line and the boundaries of wards one and two, as constituted by this act, shall be included in and constitute ward three in said city.

SECT. 5. Ward four in said city shall contain all the territory <sup>Ward 4.</sup> in said city lying southerly of the Cocheeco river not included in ward three, as constituted in this act, excepting that part included between said river and a line commencing at the junction of Cocheeco street with Rogers street; thence running in a direct line to the junction of Payne street with the lane leading to the Hale farm; thence by the center of Payne street to Central avenue to Orchard street; thence by Orchard street to Walnut street; thence by Walnut street to Waldron street; thence to the northerly side of the Cocheeco river at the foot of Chestnut street.

SECT. 6. Ward five in said city shall consist of and include all <sup>Ward 5.</sup> that part of said city not contained within wards one, two, three and four as herein constituted and established.

SECT. 7. All acts and parts of acts in the charter of said city <sup>Repealing clause.</sup> or laws of the state inconsistent with the provisions of this act are hereby repealed.

SECT. 8. This act shall <sup>a</sup>take effect and be in force upon its <sup>Takes effect on passage.</sup> passage.

[Approved May 21, 1913.]

## CHAPTER 418.

## AN ACT RELATING TO THE POWERS AND DUTIES OF THE BOARD OF PUBLIC WORKS OF THE CITY OF MANCHESTER.

## SECTION

1. May pension employees.
2. Amount of pension.

## SECTION

3. Eligibility.
4. Appropriations authorized.

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

May pension employees.

SECTION 1. The board of public works, of the city of Manchester, by the affirmative vote of all the members, may at his own request or at the request of the mayor of said city, retire from service for one year, any employee of the public works department, who in the judgment of said board has become disabled for useful service while in the actual performance of duty; or any employee who has reached the age of seventy years and has had fifteen consecutive years' service; and may grant a pension to such retired employee for a period not exceeding one year at a time. No such employee shall be granted a pension unless it shall be certified to the board of public works in writing by the city physician, that such employee is permanently incapacitated physically from performing his duty as an employee of the department. Consecutive years under the terms of this section shall not be interpreted to disqualify those candidates for pensions who may have been laid off temporarily from work by the board of public works from time to time.

Amount of pension.

SECT. 2. No pension shall be granted under this act to exceed more than one half the total amount of the annual compensation that said employee was receiving at the time retired, and payment of same shall be subject to the rules and regulations of the board of public works.

Eligibility.

SECT. 3. No employee of the public works department shall be eligible to receive a pension under this act unless he is in the employment of the public works department at the time he makes application for a pension, and is a citizen of Manchester.

Appropriations authorized.

SECT. 4. The common council of the city of Manchester, may from time to time appropriate sufficient money to carry out the provisions of this act.

[Approved May 21, 1913.]



CHAPTER 419.

AN ACT IN RELATION TO CONSTRUCTION OF SIDEWALKS IN THE CITY OF MANCHESTER.

SECTION

- 1. City may construct or repair.
- 2. Assessment of abutters.
- 3. Maintenance.

SECTION

- 4. Meaning of terms.
- 5. Takes effect on passage.

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

SECTION 1. The board of public works for the city of Manchester, <sup>City may construct or repair.</sup> whenever in their judgment the public interest requires, shall lay out and construct sidewalks, or repair sidewalks already constructed, about any city square in the thickly settled part of the city of Manchester. Such sidewalks shall be of uniform width on the same street and, as far as possible, of uniform material.

SECT. 2. The cost of such construction or repair may be assessed <sup>Assessment of abutters.</sup> upon the abutters on such sidewalks in just proportions, not exceeding one half the expense of the same, and all assessments so made shall constitute a lien upon the abutting premises and be collected in the same manner as taxes on real estate; and such sidewalks shall afterwards be maintained at the expense of the city.

SECT. 3. After such sidewalks are so constructed, or repaired, <sup>Maintenance.</sup> they shall be maintained by the city under the supervision of the board of public works who may give such instructions to the city engineer as they deem necessary for this purpose.

SECT. 4. A city square for the purposes of this act shall be of <sup>Meaning of terms.</sup> at least one acre in extent and bounded on at least three sides by public ways. Thickly settled part of the city shall mean the territory contiguous to any way which is built up with structures devoted to business, or where the dwelling houses are situated at such distances as will average less than one hundred feet between such dwelling houses for a distance of a quarter of a mile or more.

SECT. 5. This act shall take effect upon its passage. <sup>Takes effect on passage.</sup>

[Approved May 21, 1913.]

CHAPTER 420.

AN ACT IN AMENDMENT OF SECTION 2, CHAPTER 163, SESSION LAWS OF 1878, RELATING TO THE TIME OF HOLDING ELECTIONS IN THE CITY OF MANCHESTER.

SECTION

- 1. City elections, when to be held.
- 2. Election of school board excepted.

SECTION

- 3. Takes effect on passage.

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

City elections, when to be held.

SECTION 1. Amend said section so that as amended it shall read: [SECT. 2.] The biennial meeting of the inhabitants of said city, for the choice of city and ward officers, shall be holden on the Tuesday next following the first Monday in December, 1914; and all city and ward officers who are chosen by the people shall be chosen by ballot, and shall hold their respective offices for one year from the first Tuesday of January next following, and until others are chosen and qualified in their stead. And all city officers appointed by the mayor and aldermen or elected by the city councils, shall hold their respective offices for the term aforesaid and until others are chosen and qualified in their stead. And on the first Tuesday next following the first Monday in November, 1915, and biennially thereafter the inhabitants of said city, for the choice of city and ward officers, shall choose said city and ward officers by ballot, and said city and ward officers so chosen shall hold their respective offices for two years from the first Tuesday of January next following, and until others are chosen and qualified in their stead.

Election of school board excepted.

SECT. 2. Nothing in this act shall be construed to repeal any of the provisions of an act in amendment of section 3, chapter 163, session Laws of 1878, relating to the election of members of the school committee in the city of Manchester, which was approved March 26, 1913.

Takes effect on passage.

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

[Approved May 21, 1913.]

## CHAPTER 421.

AN ACT IN AMENDMENT OF SECTION 6, CHAPTER 224, LAWS OF 1903,  
ESTABLISHING A VILLAGE DISTRICT IN THE TOWN OF LISBON.

## SECTION

1. Board of health provided for.

## SECTION

2. Takes effect on passage.

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

SECTION 1. Amend section 6, chapter 224, of the Laws of 1903, <sup>Board of health provided for.</sup> by adding at the end of said section the following: The commissioners may, if they think proper, appoint not exceeding three persons who shall constitute a board of health, and said board shall have all the powers conferred upon said commissioners by chapter 108 of the Public Statutes, and by section 10, sub-division 13 chapter 50 of the Public Statutes, subject to the approval of said commissioners. The clerk of the district shall forthwith, after any appointment of such board of health, report the names and post-office addresses of any members so appointed, to the town clerk, so that said section 6 as amended shall read as follows: SECT. 6. The commissioners may, if they think proper, appoint a chief engineer and two assistant engineers, who shall perform at fires the duties now devolving upon firewards, or fire engineers. The clerk of the district shall forthwith, after any election of firewards or engineers, report their names and post-office addresses to the town clerk. The commissioners may, if they think proper, appoint not exceeding three persons who shall constitute a board of health, and said board shall have all the powers conferred upon said commissioners by chapter 108 of the Public Statutes, and by section 10, sub-division 13, chapter 50 of the Public Statutes, subject to the approval of said commissioners. The clerk of the district shall forthwith, after any appointment of such board of health, report the names and post-office addresses of any members so appointed, to the town clerk.

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

Takes effect  
on passage.

[Approved May 21, 1913.]

CHAPTER 422.

AN ACT TO AMEND SECTIONS 7 AND 8, CHAPTER 321, GENERAL LAWS OF NEW HAMPSHIRE, [LAWS OF 1911,] BEING AN ACT TO AUTHORIZE THE TOWN OF ANTRIM TO ESTABLISH AND MAINTAIN AN ELECTRIC LIGHT AND POWER PLANT AND FOR LIGHTING STREETS, ETC.

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|----------------------------------|--|--------------------------------|
| SECTION                          |  | SECTION                        |
| 1. Vote required to raise money. |  | 2. Vote required to adopt act. |

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

Vote to raise money. SECTION 1. By inserting in section 7 the word present after "voters" making same read, by majority of the legal voters present at a special town meeting.

Vote to adopt act. SECT. 2. By inserting in section 8 the words present one third of the legal voters of the town voting so to do after "voters." making same read, or at a special meeting called for the purpose when a majority of the legal voters present, one third of the legal voters of the town, vote so to do.

[Approved May 21, 1913.]

CHAPTER 423.

AN ACT REPEALING CHAPTER 223, LAWS OF 1903, ENTITLED "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF DOVER, CREATING A BOARD OF STREET AND PARK COMMISSIONERS FOR SAID CITY" AND RELATING TO THE OFFICE OF STREET COMMISSIONER.

- |  |  |                                       |
|--|--|---------------------------------------|
| SECTION  |  | SECTION                               |
| 1. Prior act repealed.                           |  | 4. Appointment of assistants, etc.    |
| 2. Street commissioner, election and removal of. |  | 5. Annual estimate of appropriations. |
| 3. Powers and duties.                            |  | 6. Bond of commissioner.              |
|  |  | 7. Takes effect November 23, 1913.    |

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

Prior act repealed. SECTION 1. Chapter 223, Laws of 1903, entitled "An Act in Amendment of the Charter of the City of Dover, creating a Board of Street and Park Commissioners for the City of Dover" is hereby repealed.

Street commissioner, election and removal of. SECT. 2. There shall be chosen at the city election in November, 1913, and every third year thereafter a street commission for said

city of Dover, who shall serve a term of three years from January first thereafter and until his successor is chosen and qualified; *provided* that no political party through caucuses, primaries, or convention shall nominate a candidate for said office, and the names of candidates for the office of street commissioner shall appear upon the ballots without any political designation whatsoever. If a vacancy occurs the board of mayor and aldermen of said city shall appoint some competent person to fill said vacancy until the city election in November following. At said election a commissioner shall be elected to serve the remainder of the unexpired term. The board of mayor and aldermen may remove any commissioner at any time for dishonesty or incompetency, after due notice and a public hearing; *provided, however*, that no street commissioner shall be removed except upon the affirmative vote of at least two thirds of all the board of mayor and aldermen voting yea and nays. Said street commissioner shall be furnished by said city with a suitable office.

SECT. 3. Said street commissioner shall have full charge, management and control of the building, constructing, oiling, sprinkling, repairing and maintaining of all the street bridges, highways, lanes, alleys, sidewalks, public sewers and drains, and the public parks, commons, playgrounds, city farm buildings, gravel banks and lands and buildings used in connection therewith, and such other lands as are not used by any other department and belonging to said city of Dover. The street commissioner shall have full power and authority to purchase, and sell, all machinery, horses, materials, supplies, and other things that in his judgment are necessary for the proper maintenance and benefit of the department; and shall have the expenditure of all appropriations which said councils of said city shall from year to year vote for such purposes and all bills for expenditures from the appropriations voted from year to year by the said councils for such purposes shall be approved by the said street commissioner before the same are paid by the city treasurer.

SECT. 4. Said street commissioner shall have full control and management of the work of said department. He may appoint such necessary assistants, clerks, bookkeepers, timekeepers and foremen as the work of said department may require. He may employ such laborers as may be necessary. He may appoint as many assistant surveyors of highways as may be necessary, and he shall fix the compensation of all such subordinate officers and employees and may remove same at his pleasure and make such rules and regulations for their government and for the control and management of the horses, wagons, tools, buildings, and other property of the city in said department, as he deems advisable, not repugnant to the laws of the state.

Annual estimate  
of appropriations.

SECT. 5. Said commissioner shall annually in the month of January send to the joint standing committee on finance an estimate of the appropriations required for the maintenance of the public parks and commons for the ensuing year, and for the building, constructing, repairing and maintaining of the streets, highways, lanes, alleys, sidewalks, public sewers and drains of said city for the ensuing year; and in no case shall the expenditure, for any given year exceed the available resources of the department represented by the appropriations specifically provided by the city councils and the available income; and he shall make a detailed report to the city councils of the doings of said department quarterly.

Bond of  
commissioner.

SECT. 6. Said street commissioners shall file a good and sufficient bond in such sum and in such sureties as shall be approved by said board of mayor and aldermen, and shall be paid for his services such salary as the said mayor and board of aldermen shall fix.

Takes effect  
November 23,  
1913.

SECT. 7. This act shall take effect November 23, 1913.

[Approved May 21, 1913.]

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## CHAPTER 424.

AN ACT IN AMENDMENT OF SECTION 18, CHAPTER 256, LAWS OF 1881, AS AMENDED BY CHAPTER 170, LAWS OF 1889, AS AMENDED BY THE SESSION LAWS OF 1913, ENTITLED "AN ACT TO AMEND THE CHARTER OF THE CITY OF DOVER, PROVIDING FOR ADDITIONAL WATER FACILITIES."

SECTION 1. Acquisition of property authorized.

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

Acquisition of  
property  
authorized.

SECTION 1. Amend section 18, chapter 256, Laws of 1881, entitled "An Act for the Revision of the Charter of the City of Dover" as amended by chapter 170, Laws of 1889, as amended by session Laws of 1913, entitled "An Act to amend the Charter of the City of Dover, providing for Additional Water Facilities" by adding after the word "citizens" in the third line of said section the following: of said city and the town of Rollinsford, so that said section 18 as amended shall read as follows: SECT. 18. Said city may construct, manage, and own suitable water works for the purpose of introducing an adequate supply of water for extinguishing fires, for the use of citizens of said city and the town of Rollins-

ford and for such other purposes as may be required in said city; and for that purpose may take, purchase, and hold real estate or easements therein and rights of water for said works, in the city of Dover, the towns of Rollinsford, Madbury, Barrington and the city of Somersworth and erect, construct and maintain such dams, reservoirs, and buildings, in said cities and towns, as may be necessary for such water works; and dig ditches, break up ground, and place and maintain pipes for conducting water wherever it may be necessary in said cities and towns, including the highways and streets thereof, and relay and change said pipes from time to time, due regard being paid to the safety of the citizens and security of public travel. The said city of Dover may lay, construct and maintain all necessary pipes in and through the city of Rochester, for the purpose of conducting water from the said towns of Barrington and Madbury to the said city of Dover, and may dig ditches, break up ground for the laying, relaying, and maintaining of said pipe or pipes whenever the same may become necessary, including the highways and streets of said city, due care being paid to the safety of citizens and the security of public travel.

[Approved May 21, 1913.]

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CHAPTER 425.

AN ACT RELATING TO A SPRINKLING DISTRICT IN THE CITY OF DOVER.

SECTION

1. Sprinkling precincts authorized.
2. Apportionment of expense.

SECTION

3. Repealing clause; act takes effect on adoption.

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

SECTION 1. The city councils of said city of Dover are hereby fully empowered and authorized by ordinance to establish from time to time within the limits of said city such precinct or number of precincts as they shall deem necessary for the public convenience and to fix the boundaries thereof, and the same to enlarge, modify and alter as the public interests may require, and within any such precinct, the mayor and city councils of said city may cause the streets to be sprinkled as they deem necessary for the public convenience or to preserve the health of the inhabitants of said city, and the expense of so sprinkling said streets shall be derived from a tax upon the polls, real and personal estate situate within said

precinct, or upon the abutting property in such manner as said city councils may determine, to be assessed and collected in the same way and manner as is now by law provided for assessing and collecting taxes within said city.

Apportionment of expense.

SECT. 2. The said city of Dover may pay a proportionate part of the expense of sprinkling said precincts when established, as the said city councils may deem advisable, not exceeding one third part thereof.

Repealing clause; act takes effect on adoption.

SECT. 3. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect when adopted by said city councils of said city of Dover.

[Approved May 21, 1913.]

CHAPTER 426.

AN ACT TO INCORPORATE THE PEOPLE'S TRUST COMPANY OF LEBANON, NEW HAMPSHIRE.

SECTION

1. Corporation constituted.
2. Capital stock.
3. Taxation.
4. By-laws.

SECTION

5. Individual liability.
6. First meeting.
- 8 [7]. Subject to repeal.
- 9 [8]. Takes effect on passage.

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

Corporation constituted.

SECTION 1. That Thomas P. Waterman, George H. Kibling, Charles H. Dana, Jr., Charles B. Drake, Harris J. Goss, Ernest D. Leavitt, O. N. Campbell, Joseph G. Smith, Arthur H. Hough, their associates, successors and assigns, be and they are hereby incorporated and made a body corporate by the name of the People's Trust Company, to be located at Lebanon, in this state, with authority to have and execute all the powers and privileges incident to corporations of a similar 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, the funds of trustees, guardians, administrators, or others; to act as trustee for individuals and corporations, and officially, under judicial appointment by the courts of this or other states, to act as financial agent; to make and negotiate loans for itself and others; to loan, borrow, and deal in money and investment securities.

Capital stock.

SECT. 2. Said company shall have a capital stock of fifty thousand (\$50,000) dollars, divided into shares of one hundred



(\\$100.00) dollars each, with authority to increase the capital stock to one hundred thousand (\\$100,000) dollars, and may acquire, and hold real estate for its own use to the value of fifteen thousand (\\$15,000) dollars exclusive of such real estate as may be taken in good faith for debt or held as collateral security.

SECT. 3. The provisions of the law now, or hereafter in force, <sup>Taxation.</sup> governing the taxation of bank stock and deposits in savings banks, on which interest is paid, shall apply to this company.

SECT. 4. Said company at any meeting duly held, may adopt <sup>By-laws.</sup> such by-laws and regulations, not repugnant to the laws of this state, as may be convenient and necessary for the transaction and the proper management of the business for which this company is created.

SECT. 5. The stockholders of the company shall be personally <sup>Individual liability.</sup> liable, equally and ratably, and not one for another, for all contracts, debts and engagements of the corporation to the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares.

SECT. 6. George H. Kibling, Ernest D. Leavitt, Arthur H. <sup>First meeting.</sup> Hough, or any two of them, may call the first meeting of the members by personal notice, or by written or printed notices mailed to each corporator, at least ten days before the day of meeting, or by a notice printed in some newspaper published in said Lebanon at least ten days before the day of meeting.

SECT. 8 [7]. The legislature may alter, amend, or repeal this <sup>Subject to repeal.</sup> act whenever in its opinion the public good requires it.

SECT. 9 [8]. This act shall take effect upon its passage. <sup>Takes effect on passage.</sup>

[Approved May 21, 1913.]

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CHAPTER 427.

AN ACT TO REVISE THE CHARTER OF THE CITY OF NASHUA.

PART 1.

SECTION

1. Corporate existence continued.
2. Property rights, etc.
3. Division into wards.
4. Mayor and board of aldermen.
5. City election, when held.
6. Nomination and election, method of.
7. Names on ballot, how printed.
8. Petition for nomination.
9. City clerk to furnish blanks.

SECTION

10. Form of certificate.
11. Petitions, when to be presented.
12. Amendment of defective petition.
13. Filing of petitions.
14. Acceptance to be filed.
15. Form of acceptance.
16. Preservation of petitions, etc.
17. Certified list of candidates.
18. Ballots, preparation of.

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| 19. Form of ballots.   | 62. Appropriations and expenditures for public works.                    |
| 20. Blank spaces on ballots.   | 63. Further powers and duties of board.                                  |
| 21. Order of names, how determined; no political designation.                    | 64. Board of assessors, how chosen.                                      |
| 22. Sample ballots.  | 65. Organization of board.   |
| 23. Ballots, how counted; return, how made; result, how determined and declared. | 66. Office hours of clerk.   |
| 24. Cost of special elections, how met.  | 67. Meetings of board.   |
| 25. Meaning of "qualified voter."  | 68. Chairman to have vote.   |
| 26. Recount of votes.  | 69. Duties of clerk.   |
| 27. Vacancy by declination or death, how filled.                                 | 70. Assistant assessors.   |
| 28. City elections, where held.  | 71. Records open to inspection.  |
| 29. Inspectors of checklists.  | 72. Expense accounts of board.   |
| 30. Powers and duties: sessions, when and where held.                            | 73. Board of fire commissioners, how chosen.                             |
| 31. General conduct of elections.  | 74. City is one school district.   |
| 32. Checklists, posting and revision of.   | 75. Board of education, how chosen.                                      |
| 33. Board of education, who may vote for; who eligible for election.             | 76. Organization of board.   |
| 34. List of female voters, posting and revision of.                              | 77. Superintendent of schools.   |
| 35. Checklists of female voters, how prepared, etc.                              | 78. Board of health, how chosen.   |
| 36. Additional sessions of inspectors.   | 79. Powers and duties of board.  |
| 37. General provisions applicable.   | 80. Health officer.  |
| 38. Penal laws applicable to females.  | 81. Health rules and regulations.  |
| 39. Ballots for board of education.  | 82. City treasurer, powers and duties of.                                |
| 40. Officers to be chosen at first election.                                     | 83. His books open to inspection.  |
| 41. Organization of board of aldermen, etc.                                      | 84. Reports to mayor or aldermen.  |
| 42. City officers, how chosen.   | 85. City treasurer to give bond.   |
| 43. Vacancy in office of mayor; absence or disability.                           | 86. City clerk, powers and duties of.                                    |
| 44. Vacancy in office of alderman; in other offices.                             | 87. Sundry boards and officers continued.                                |
| 45. General powers and duties of mayor.  | 88. Police court continued.  |
| 46. Mayor's power in board of public works.                                      | 89. Election officers subject to recall.                                 |
| 47. Veto power of mayor.   | 90. Recall, form of petition for.  |
| 48. Powers of board of aldermen.   | 91. Petition to be certified; amendment of defective petition.           |
| 49. Appointment of committees: appropriations, how voted.                        | 92. New election, when held.   |
| 50. Finance committee: system of accounts.                                       | 93. Nominations, how made, etc.  |
| 51. Purchasing agents.   | 94. Effect of recall.  |
| 52. Deposit of city funds.   | 95. Restriction upon right of recall.                                    |
| 53. Overdrafts and transfers.  | 96. Disqualification by recall.  |
| 54. Audit of accounts.   | 97. Meaning of "qualified voter."  |
| 55. Sinking fund committee.  | 98. Initiative petition.   |
| 56. Annual budget and estimates: fiscal year fixed.                              | 99. Petition, how signed and filed.                                      |
| 57. Removals from office.  | 100. Procedure if petition signed by twenty-five per cent. of last vote. |
| 58. Certain offices incompatible.  | 101. If signed by at least five per cent.                                |
| 59. Board of public works, how chosen.   | 102. Popular vote on measure from board of education.                    |
| 60. Powers and duties of board.  | 103. When measures in conflict.  |
| 61. Same subject.  | 104. Form of enacting clauses.   |
|  | 105. Sample ballots.   |
|  | 106. Form of ballots.  |
|  | 107. Same subject.   |
|  | 108. Information and arguments.  |
|  | 109. Vote cast by women, when considered.                                |
|  | 110. Meaning of "qualified voter."                                       |
|  | 111. Prior provisions saved and repealed; ordinances to be revised.      |
|  | 112. Takes effect, when.   |

## PART 2.

## SECTION

1. Corporate existence continued; property rights, etc.
2. Division into wards.
3. Mayor and city councils.
4. City election, when held.
5. Existing laws applicable to first election.
6. City elections, where held.
7. Checklists, posting and correction of.
8. Elections, by whom conducted; hours for voting.
9. City clerk to prepare ballots.
10. Nominations, how made.
11. Caucuses, when to be held.
12. Plurality vote shall nominate.
13. Nomination by petition.
14. Form of petition.
15. Signatures required for ward officers.
16. For officers elected at large.
17. Petitions, how and when filed.
18. Official ward ballots.
19. Form of ballots, sample ballots, etc.
20. How printed and marked.
21. Inspection of ballots cast.
22. Preservation of ballots, etc.; return, how made; result, how declared.
23. Supplementary election in case of tie vote.
24. Mayor, aldermen, and councilmen, how chosen.
25. Organization of city councils, etc.
26. Absence or disability of mayor.
27. Vacancy in office of mayor, how filled.
28. General powers and duties of mayor.
29. Veto power of mayor.

## SECTION

30. Salary of mayor.
31. Appointment of committees.
32. Certain powers of mayor abrogated.
33. Presiding officer at joint meetings.
34. Sundry officers, election and tenure of office.
35. Additional duties of city clerk.
36. Board of public works commissioners, how chosen; meaning of terms; powers and duties.
37. Board of police commissioners, how chosen; powers and duties; police force, how constituted.
38. Board of fire commissioners, how chosen; powers and duties; fire department, how constituted.
39. Board of sinking fund trustees, how chosen; duties.
40. Purchasing agent, how chosen; duties.
41. Board of education, how chosen; duties.
42. Board of assessors, how chosen; duties.
43. Board of health, how chosen; duties.
44. Compensation of city officials and employees.
45. Recall, how exercised.
46. Certain offices incompatible.
47. Dealings of officials restricted, etc.
48. Prior provisions saved and repealed; ordinances to be revised.
49. Present incumbents continued in office.
50. Takes effect, when.
51. Same subject.

## PART 3.

## SECTION

1. Act to be submitted to voters.
2. City clerk to prepare ballot.
3. Questions to be voted upon.
4. Form of ballots.
5. Provision for submission takes effect on passage.

## SECTION

6. Meetings, how warned.
7. Ballots, preparation and distribution of; conduct of election; return, how made; result, how declared; provision for recount.

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

## PART 1.

SECTION 1. The inhabitants of the city of Nashua shall continue to be a body politic and corporate under the name of the City of Nashua, and as such shall exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now incumbent on or pertaining to said city as a municipal corporation. Corporate existence continued.

Property rights,  
etc.

SECT. 2. All existing property now of said city of Nashua shall be and remain vested in said city under the provisions of this charter, and all debts and obligations of said city shall be considered and shall continue for all purposes to be the debts and obligations of said city of Nashua under this revised charter.

Division into  
wards.

SECT. 3. The city shall continue to be divided into nine wards as at present constituted, and except as herein otherwise provided, the general laws relative to wards of cities, officers thereof, and voters, checklists, election and jurors therein shall be applicable to such wards.

Mayor and board  
of aldermen.

SECT. 4. The administration of the fiscal, prudential, municipal and other affairs of the city and the government thereof, shall, except as herein otherwise provided, be vested in a principal officer to be called the mayor, and a board to be called the board of aldermen. The board of aldermen shall consist of fifteen aldermen, sitting and acting together as a single body. The mayor and six aldermen shall be chosen by the qualified voters of the city at large, voting in their respective wards, and the other nine aldermen shall be elected, one from each ward, and each a qualified voter in his respective ward, by the qualified voters thereof. The board of aldermen shall be the final judge of the election and qualification of its members. The board of aldermen shall choose one of its own members, an alderman-at-large, as president, who shall be its presiding officer. A majority of said board shall constitute a quorum for the transaction of business. The city clerk shall act as clerk of said board.

City election,  
when held.

SECT. 5. All city and ward officers who are to be elected by the legal voters of the city, or of any ward therein, except moderators, ward clerks, selectmen and inspectors of checklists, shall be chosen at elections hereinafter called municipal elections, to be holden on the first Tuesday following the first Monday of December in the year of 1914, and biennially thereafter on the first Tuesday following the first Monday in December beginning in the year of 1915.

Nomination and  
election.

SECT. 6. The mode of nomination and election of all elective officers of the city to be voted for at any municipal election shall be as provided in this act and not otherwise.

Names on ballot.

SECT. 7. The name of the candidate shall be printed upon the ballot, when a petition of nomination shall have been filed in his behalf, in the manner and form and under the conditions hereinafter set forth.

Petition for  
nomination.

SECT. 8. The petition of nomination for each candidate to be voted for at large shall be signed by not less than fifty qualified voters of the city, and, for each candidate to be voted for from a single ward, fifteen qualified voters of each ward, on individual certificates in form substantially as follows:

## PETITION OF NOMINATION.

## INDIVIDUAL CERTIFICATE.

State of New Hampshire, County of Hillsborough, ss.

City of Nashua.

I do hereby petition for the nomination of \_\_\_\_\_ whose  
 residence is at No. \_\_\_\_\_ Street, \_\_\_\_\_ Nashua,  
 for the office of \_\_\_\_\_ to be voted for at the  
 municipal election to be held in the city of Nashua, on the  
 day of \_\_\_\_\_, 19\_\_\_\_; and I certify that I am qualified to  
 vote for a candidate for said office, and am not at this time a signer  
 of any other certificate nominating any other candidate for the  
 above named office; that my residence is at No. \_\_\_\_\_ Street,  
 Nashua.

(Signed)

Witness:

(Signed)

Residence of witness:

No. \_\_\_\_\_ Street, Nashua.

The petition of nomination, of which this certificate forms a part,  
 shall, if found insufficient, be returned to \_\_\_\_\_ at  
 No. \_\_\_\_\_ Street, Nashua.

SECT. 9. It shall be the duty of the city clerk to furnish upon application, a reasonable number of forms of such certificates, and of acceptances of nomination. City clerk to furnish blanks.

SECT. 10. Each certificate shall be a separate paper. All certificates shall be of uniform size as determined by the city clerk. Form of certificate. Each certificate shall contain the name and signature of one signer thereof and no more. In case a voter has signed two or more conflicting petitions, only that one of his conflicting signatures which was included in the petition first presented to the city clerk, as provided in the following section of this act, shall be valid. Each witness may be any qualified voter of Nashua except the candidate named in the certificate.

SECT. 11. Petitions of nomination shall be presented to the city clerk not earlier than thirty nor later than twenty days before the election. Petitions, when to be presented. The city clerk shall endorse on each petition the date upon which it was presented to him and by whom it was presented. All papers constituting a petition of nomination shall be presented to the city clerk at one time, except as is provided in the following section of this act.

Amendment of defective petition.

SECT. 12. When a petition of nomination is presented to the city clerk for filing, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this act. If found not to conform thereto, he shall then and there in writing on said petition state the reason why such cannot be filed, and shall within three days return the petition to the person named therein as the person to whom it shall be returned. The petition may then be amended and again, but not later than three days after said petition shall have been returned, presented to the city clerk, as in the first instance. The city clerk shall forthwith proceed to examine the amended petition as hereinbefore provided.

Filing of petitions.

SECT. 13. If either the original, or the amended petition of nomination, be found sufficiently signed and witnessed as hereinbefore provided, the city clerk shall file the same forthwith: *provided*, that no petition, amended, or otherwise, shall be presented later than twenty days before the election.

Acceptance to be filed.

SECT. 14. Any person nominated under this article shall file his acceptance, his signature thereto witnessed by a qualified voter of Nashua, with the city clerk not later than twenty days before the day of election, and in the absence of such acceptance the name of the candidate shall not appear on the ballot.

Form of acceptance.

SECT. 15. The acceptance mentioned in the preceding section shall be substantially in the following form:

State of New Hampshire, Hillsborough, ss.

City of Nashua.

I \_\_\_\_\_ having heretofore been nominated for the office of \_\_\_\_\_ in the city of Nashua, to be voted for at the municipal election to be held in said city on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ do hereby accept the said nomination, and I hereby declare that I am a qualified voter of said city, that my residence is at No. \_\_\_\_\_ Street, Nashua, and that I have not become, and am not a candidate for any other office to be voted for at said election.

(Signed)

Witness:

(Signed)

Residence of Witness:

No. \_\_\_\_\_

Street, Nashua.

Preservation of petitions, etc.

SECT. 16. The city clerk shall preserve in his office for a period of four years from the time of the respective filing of the same, all

petitions of nomination, and all certificates, acceptances, and memoranda belonging thereto, filed under this act, but shall thereafter destroy the same.

SECT. 17. The city clerk shall, not later than the fifteenth day before every city election, certify the list of candidates, with their residences, whose names are entitled to appear on the ballot, as being the list of candidates nominated as required by this act, together with the offices for which they are respectively candidates at such election, designating whether such election is for a full or for an unexpired term; and he shall file in his office said certified list of names and offices, and he shall cause to be published before such election, in two successive issues of at least one newspaper of general circulation published in the city of Nashua, or in any different or additional manner that may be provided by ordinance, an election notice which shall contain said certified list of names of candidates and offices to be filled, and the time and the places of holding such election.

SECT. 18. The city clerk shall cause ballots for each general and special municipal election to be prepared, printed and authenticated as provided by the constitution and laws of the state, except as is otherwise required by this act. The ballots shall contain the full list and correct names of all the offices to be filled, and the names and residences, of all the candidates nominated respectively therefor, except as provided in section 39.

SECT. 19. Except that the crosses here shown shall be omitted and that in place of the names, residences and offices here shown shall be substituted the names and residences of the actual candidates and the offices for which they are respectively nominated, the ballots shall be in substantially the following form:

## GENERAL (OR SPECIAL) MUNICIPAL ELECTION.

### CITY OF NASHUA.

(Inserting date thereof.)

INSTRUCTIONS.—To vote for any person, make a cross (X) in the square in the appropriate column according to your choice, at the right of the name voted for.

Vote your first choice in the first column.

Vote your second choice in the second column.

Vote in the third column for all the other candidates whom you wish to support.

Vote only one first choice and only one second choice for any one office, except where two or more persons are to be elected to the same kind of office; vote as many first choices and also as many

second choices as there are persons to be elected to that kind of office.

Do not vote more than one choice for one person, as only one choice will count for any one candidate by this ballot.

If you wrongly mark, tear, or deface this ballot, return it and obtain another.

For MAYOR	First Choice	Second Choice	Other Choices
Richard Roe, 2 A Street.....			X
James Hoe, 6 F Street.....			X
John Doe, 24 G Street.....	X		
Henry Poe, 8 L Street.....			
Louis Coe, 4 B Street.....		X	

For BOARD OF EDUCATION	First Choice	Second Choice	Other Choices
Vote for four (4) First Choices.			
Vote for four (4) Second Choices, if the number of candidates is eight (8) or more, but if less than eight, for all in excess of four.			
Vote under Other Choices for all other candidates that you wish to support and have not voted for under First and Second Choices.			
Frank Smith, 4 First Street.....	X		
Harry Jones, 6 Second Street.....			
Fred Brown, 8 Third Street.....		X	
Hiram Black, 10 Fourth Street.....	X		
Robert White, 5 Sixth Street.....	X		
Albert Gray, 7 Eighth Street.....		X	
William Green, 9 Ninth Street.....		X	
Samuel Hill, 3 Tenth Street.....			X
Enoch Valley, 2 Eleventh Street.....	X		
James Dale, 1 Fifth Street.....		X	



SECT. 20. As many blank spaces as there are persons to be elected shall be left below the printed names of the candidates for each office or kind of office to be voted for, wherein the voter may write the names and residences of the person or persons, respectively, for whom he may wish to vote. Blank spaces.

SECT. 21. The names and residence of candidates for the same office shall be printed on the ballot in the order in which they may be drawn by the city clerk, whose duty it shall be to make such drawing and to give each candidate an opportunity to be present thereat personally or by one representative. Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions. There shall also appear on the ballot all questions required by law, or by this act, to be submitted to a vote of the qualified voters of the city. Order of names; no political designation.

SECT. 22. The city clerk shall, at least ten days before the election, cause to be printed a sufficient number of sample ballots, upon paper of different color but otherwise identical with the ballot to be used at the election, and shall distribute the same to qualified voters at his office. Sample ballots.

SECT. 23. As soon as the polls are closed, the ward officers shall immediately open the ballot boxes, take therefrom and count the ballots in public view, and enter the total number thereof on the tally sheet provided therefor by the city clerk. They shall also carefully enter the number of the first-choice, second-choice and other-choice votes for each candidate on said tally sheet, and the ballots and tally sheets used at such municipal election shall be sealed up in the manner provided in the case of general biennial elections, and returned within twenty-four hours to the city clerk. A return of the result of the vote in each ward for all officers to be chosen at such election, certified by the moderator, shall be made to the city clerk within the same time on blanks provided by him for that purpose; and the city clerk shall immediately record all such returns and the same, together with his record thereof, shall be open to the inspection of any citizen. He shall submit his record of the returns of each municipal election to the board of aldermen, at a meeting to be holden at seven o'clock in the afternoon on the Tuesday next following such election, and the board of aldermen shall canvass the returns and declare the result. Such declaration shall be duly recorded by the city clerk, and, except as hereinafter provided, shall be conclusive as to the right of the persons declared elected to hold the offices to which they are so declared elected. As to the first election to be held under this act on the first Tuesday Ballots, how counted; return, how made; result, how determined and declared.

following the first Monday of December in the year 1914, the board of aldermen and common council of the city then in office shall receive the record of returns of that municipal election on the date provided for in this act, canvass the returns and declare the result. Only one vote shall be counted for any candidate on any one ballot, all but the highest in the order of preference of two or more choices on one ballot for one and the same candidate being void. If two and not more choices for any one office are voted in the first-choice column on any one ballot, they shall both be counted as second-choices, and all other choices voted on that ballot for that office shall be counted as other-choices. If three or more choices for any one office are voted in the first-choice column on any one ballot, all choices voted on that ballot for that office shall be counted as other-choices. If two or more choices for any one office are voted in the second-choice column on any one ballot, they shall be counted as other-choices. Except as hereinbefore provided all choices shall be counted as marked on the ballot. The person receiving a majority, as hereinafter in this section defined, of first-choice votes cast at an election for any office shall be elected to that office: *provided*, that if no candidate shall receive such a majority of the first-choice votes for such office, then a canvass shall be made of the second-choice votes received by each candidate for the office; said second-choice votes shall then be added to the first-choice votes received by each candidate for the office, and the candidate receiving the largest number of said first-choice and second-choice votes combined, if such votes constitute a majority, shall be elected thereto; and *provided, further*, that if no candidate shall have such a majority after adding the first-choice and second-choice votes, then a canvass shall be made of the other-choice votes received by each candidate for the office; said other-choice votes shall then be added to the first-choice and the second-choice votes received by each candidate for the office, and the candidate having the largest number of first-choice, second-choice and other-choice votes combined shall be elected to such office. A tie between two or more candidates shall be decided in favor of the one having the largest number of first-choice votes. If all are equal in that respect, then the candidate having the largest number of second-choice votes shall be elected. If this will not decide, then the result shall be determined by lot under the direction of the city clerk. Whenever the word "majority" is used in this section it shall mean more than one half of the total number of ballots cast for the office in question cast at such election, and in the case of voting where more than one person is to be chosen for the same kind of office, the word "ballots" shall mean the entire number of voters who shall have exercised a first-choice in voting for that kind of office.

SECT. 24. To cover the cost of special municipal elections provided for in this act, the city council shall appropriate at the time of issuing the warrants for such elections such sums as are necessary, the same to be taken from any unexpended balances at the end of the fiscal year, or carried forward as a deficit to the next year and then cared for by a special appropriation. Cost of special elections.

SECT. 25. The term "qualified voter" wherever it occurs in this act means a voter qualified by law to vote for candidates for the office named in the petition of nomination or acceptance of nomination in which their names occur, except that witnesses may be residents of any part of the city. Meaning of "qualified voter."

SECT. 26. Any candidate who is dissatisfied with the return of the vote at any municipal election may have a recount of the vote cast at such election for the office for which he was a candidate, or may contest the election or nomination as to that office on the ground of fraud or misconduct in relation to such municipal election, by notifying the city clerk and all candidates for the same office who were returned as having received a larger number of votes than himself that he requests such recount or proposes to make such contest by notice in writing left at the office of the city clerk and delivered in hand to or left at the usual place of abode of each of such other candidates at least forty-eight hours before the meeting of said city council in 1914, and at least forty-eight hours before the meetings of the board of aldermen thereafter in subsequent years at which the returns are to be canvassed. The city council in 1914, and in subsequent years of said municipal elections the board of aldermen, at said meeting, or at an adjourned meeting or meetings specially held for that purpose within one week thereafter, shall thereupon recount the ballots in the presence of the interested parties, or their representatives, or shall proceed in the manner provided as to contested elections of mayor by Public Statutes, chapter 47, section 3, the provisions of that section being hereby made applicable to all contests of any such municipal election so far as consistent with this act. The said city council at the first election in 1914, and the board of aldermen thereafter in subsequent years of said elections, shall, not later than the second Tuesday after such election, declare the result of such recount or contest, which declaration shall be duly recorded by the city clerk and shall be final and conclusive. The city clerk shall retain all packages containing ballots returned to him unopened until the time for demanding a recount or contest has expired. In case of a recount or contest, they shall be produced by him unopened at the time and place of such recount or contest, and shall be opened by the mayor in the presence of the city council at the first election in 1914, and Recount of votes.

of the board of aldermen in the subsequent years of said municipal elections.

Certain vacancies,  
how filled.

SECT. 27. In case any officer chosen at a municipal election shall decline the office, or die prior to the first secular day of January next following his election, the incoming board of aldermen shall fill the resulting vacancy at its first meeting in the manner hereinafter provided as to a like vacancy occurring after its inauguration.

City elections,  
where held.

SECT. 28. The municipal elections shall be holden at the regular polling place in each ward, or if there be no such regular polling place, at a suitable place in the ward provided and equipped for that purpose by the selectmen of the ward at the expense of the city.

Inspectors of  
checklists.

SECT. 29. There hereby is established and continued in said city a board of inspectors of checklists, consisting of one person to be chosen by each ward at every state biennial election, who shall hold office for two years, from the first secular day of January following their elections, or until others are elected and qualified in their stead. The persons thus chosen, having been first sworn in the manner herein prescribed, shall choose a chairman and clerk from their own number. Said inspectors shall for all general biennial elections prepare, post up, revise and correct checklists in the manner in which checklists are by law required to be prepared for use at such general biennial elections, and they shall deliver an attested copy of the lists of voters, so prepared and corrected, to the clerks of the respective wards before the time for opening of any meeting of the voters; and the said ward clerks shall use the list of voters, prepared and corrected as aforesaid; and no others, at the election in said wards. In preparing the list of voters, said inspectors shall record the first name of each voter in full, but may use initial letters to designate the middle name or names of any voter; they shall also record against the name of each voter the name of the street, and the number of dwelling, if numbered, in which the said voter resides; if not numbered, then such description as shall indicate as nearly as possible the residence of such voter.

Powers and  
duties; sessions,  
when and where  
held.

SECT. 30. The said board of inspectors shall be in session at the city hall building, or at such other suitable place as they shall designate, for the purpose of revising and correcting the list of voters, for six consecutive days beginning with the second Monday next preceding any election day, except as herein otherwise provided. They shall hold sessions on said days as follows: from nine o'clock in the forenoon until twelve o'clock noon, and from two o'clock in the afternoon until five o'clock in the afternoon on each of said days, and they shall hold sessions upon the Friday and

Saturday next preceding election days from seven o'clock in the evening until nine o'clock in the evening. Due notice of such session shall be given. They shall conduct their hearings according to the provisions of the law governing supervisors of checklists and be subject to the same observances and penalties. They may prescribe such regulations and require the aid of such police officers as may be necessary to secure order, and grant every person the right to be fully heard. The inspectors shall further be in session on the day of any election from eight o'clock in the forenoon until twelve o'clock noon, and from one o'clock in the afternoon until three o'clock in the afternoon for the purpose of hearing cases which may not have been presented to the board during its session, and in case the name of any legal voter has been omitted from the checklists, and it is within the knowledge of the board of inspectors that his residence has been the entire year next preceding the day of election in the ward where he claims the right to vote, said inspectors may certify the same to the moderators of the ward in which he is entitled to vote, who shall receive his vote, and the ward clerk shall check the name of such person so voting on the back of said certificate, and shall return the same to the inspectors with the checklist. Any vacancy occurring in said board of inspectors, from any cause, shall be filled by the board of aldermen, by electing a person resident in the ward in which such vacancy occurs, by a majority on a *viva voce* vote, taken on a roll call. All provisions of the Public Statutes and amendments thereto regarding the preparation, use and preservation of checklists used at general biennial elections shall apply to the checklists used at the municipal elections, except as otherwise expressly provided herein. No person shall be entitled to vote at any municipal election who would not be entitled to vote in the same ward at the general biennial election if it were to be holden on the same date, except in case of female voters as otherwise provided herein. No person shall be considered as dwelling or having his home in said city for the purpose of voting or being voted for at any meeting unless he shall have resided within said city six months next preceding the day of meeting: *provided, however*, that any legal voter moving from one ward to another ward in said city, or from said city to another city or town, within six months next prior to any election, shall not be deprived of the right of voting at such election in the ward of said city from which he removed, if prior to such removal he shall file a declaration in writing with the city clerk that he intends to vote at such election in the ward from which he removed.

SECT. 31. The municipal elections shall be conducted by the regular election officers of the wards, and all provisions of the Public Statutes and amendments thereto, penal or otherwise, relating to <sup>General conduct of elections.</sup>

the warning and manner of conducting general biennial elections, the sealing and return of ballots and tally-sheets, and the record and return of the result of the vote, shall apply to such municipal elections, except in so far as they are modified by the provisions of this act. And such municipal elections shall be deemed to be elections within the meaning of all penal statutes relating to offenses against the purity of elections. The polls shall be open at each municipal election from six o'clock in the forenoon to three o'clock in the afternoon in each ward.

Checklists, posting  
and revision of.

SECT. 32. The checklists used at every general biennial election next preceding the municipal elections to be held under this act shall be posted up in the manner in which checklists are by law required to be posted for use at such general biennial elections, and the same number of days before said municipal elections. The said board of inspectors shall be in session at the city hall building, or at such other suitable place as they shall designate, for the purpose of revising and correcting the said list of voters, for six consecutive days beginning with the second Monday next preceding each municipal election, and they shall deliver an attested copy of the said lists of voters, so prepared and corrected, to the clerks of the respective wards before the time for opening of any such meeting of the voters; and the said ward clerks shall use the list of voters, prepared and corrected as aforesaid, and no others, except as otherwise provided in this act for female voters at municipal elections. In preparing the said list of voters said inspectors shall follow the foregoing provisions of this act with reference to general biennial elections in the matter of recording the first name of each voter in full, and in all other respects shall follow the provisions following that provision in section 29. And in matter of the hours of holding sessions, and times, and in other matters, they shall proceed and act as provided in section 30 of this act, beginning with the words following, namely: "They shall hold sessions on said days as follows."

Board of education, who may  
vote for; who  
eligible for  
election.

SECT. 33. Any person, whether male or female, but in all other respects except sex qualified to vote in the affairs of the city of Nashua, may vote at all elections for the choice of a board of education of said city, and be a candidate for and be chosen to such membership upon receiving the necessary number of votes required for election upon said board; and may also sign an initiative petition such as is provided for hereafter in this act in case of any measure pertaining to the affairs under said board's administration, which it, after this act takes effect, may lawfully pass, and vote upon its submission to a vote of the qualified voters of the city for adoption or rejection at a general or special municipal election when such measure is by this act to be voted upon.

SECT. 34. The board of inspectors of checklists of said city shall prepare, post up, revise and correct an alphabetical list of the females who are legal voters in each ward of said city qualified under this act to vote for a board of education of said city, in the manner selectmen of towns are required to do in the case of males who are legal voters in towns, except as herein otherwise provided, and they shall deliver an attested copy of the lists of such female voters, so prepared and corrected, to the clerks of the respective wards before the time for opening of any meeting of the voters; and the said ward clerks shall use the list of such female voters, prepared and corrected as aforesaid in the case of females voting for said board of education. In all other particulars of information required in the case of male voters in said city as to checklists, the same shall be followed as to said checklists of females.

List of female voters, posting and revision of.

SECT. 35. For the purpose of preparing said checklists of female voters for use at the first municipal election under this act said inspectors shall be in session six days at least, beginning at a secular day at least sixty days before the day of said first municipal election, at the city hall building, or at such other place as they shall designate, within six months next preceding the day of election. Due notice of such sessions shall be given. The inspectors shall hear all applications for insertion and registration of any name of said females, so entitled to vote upon said list, or the erasure therefrom of any name once placed thereon, and may examine the party or any witness thereto upon oath, which may be administered by any member of the board. They shall insert the name of every such female who is made a legal voter to vote for said board of education, and erase the name of every person not such legal voter. All other provisions of this act relating to securing order, the right of each person to be heard, relating to a session on the day of election, to omissions from the checklists of any legal voter, in the case of male voters at said elections, shall apply to the duty of said inspectors with reference to said female voters. All laws relating to moderators, selectmen, ward clerk, or any other person altering any checklist of male voters, shall apply in the case of checklists of such female voters, as shall also all fines and penalties in such cases. Whatever may be the duties of ward or city officers in the conduct of municipal elections of male voters shall also be their duties in the conduct of elections of the board of education, with reference to female voters, unless otherwise herein provided, and for a violation of such duties like penalties or fines shall apply. The inspectors of checklists shall not be required to prepare such checklists of said female voters other than from information furnished and derived at said sessions for registration of such female voters. After said first municipal election, copies of the checklists, as revised

Checklists of female voters, how prepared, etc.

and corrected and used at said election in the case of female voters, shall be posted for the next municipal election in the same manner checklists of male voters are by law required to be posted before municipal elections in said city, and the same shall thereafter be revised and corrected in like manner for use at said election. And at all subsequent municipal elections copies of the checklists of female voters used at the next preceding municipal election, as revised, corrected and used thereat, shall be posted in the same manner as checklists of male voters at said elections are required to be posted before said elections, and the same thereafter and before the day of election shall be revised and corrected for use at said elections.

Additional sessions of inspectors.

SECT. 36. The city councils of said city prior to said first municipal election in 1914 are authorized to provide by ordinance for further sessions of said inspectors for the preparation of said checklists of female voters to be used at said election, if by them deemed necessary, and thereafter the board of aldermen provided for by this act shall have authority, in the case of the preparation of said checklists of female voters for use at subsequent elections, to provide by ordinance for other sessions of said inspectors than those provided for in this act, if deemed by them necessary, and to provide a suitable compensation for all services of said inspectors.

General provisions applicable.

SECT. 37. The laws applicable to said city relating to sessions of said board of inspectors for the purpose of revising and correcting the lists of male voters shall be in force and apply to the revising and correcting said lists of female voters, excepting that said board of inspectors may appoint different days or hours from those appointed for the revision and correction of the checklists of male voters, but as near to the dates of their other dates of performing their similar duties in case of male voters as practicable.

Penal laws applicable to females.

SECT. 38. All laws of the state providing fines or penalties for any person procuring his own name or the name of any other person to be illegally placed upon the checklist by false representation shall apply to females the same as to males in the case of such checklists, and all laws of the state, providing fines or penalties for illegal voting in municipal elections or in school districts in towns shall apply to voting on the part of females at such city elections, and the Public Statutes of the state, chapter 39, and all acts in amendment thereof, to secure the purity of elections shall apply to elections in said city with reference to female voters and votes the same as to males; and all laws of the state relating to bribery at elections, and particularly chapter 99 of the session Laws of 1911, shall apply to females in elections in said city of members of the board of education the same as to males.



SECT. 39. Ballots for such board of education shall be separate <sup>Ballots for board of education.</sup> from the usual ballots used at city elections, but the manner of indicating the choice or wish of the voter upon the ballot shall be the same as that provided for the choice of other officers, and the voting shall be as conducted for other municipal elections, except that the board of aldermen are authorized to prepare separate booths for said female voters if they deem it necessary. The nomination of candidates for said board of education may be participated in by said female voters upon petitions, in common with the male voters, and in determining the requisite number upon petitions of nomination of candidates such female voters shall be counted with the male voters. Ballots shall be prepared and furnished for said female voters by the same officer as for the male voters, and at the expense of the city, and sample ballots shall be prepared and furnished for said female voters, whenever required in this charter for male voters. Ballots for the board of education of both male and female voters, shall be printed on a different colored paper from the ballots used for the choice of other city officers chosen at municipal elections.

SECT. 40. At such first municipal election there shall be chosen <sup>Officers to be chosen at first election.</sup> a mayor to serve for one year, one alderman from each ward to serve one year, and six aldermen-at-large, of whom the three candidates receiving the three highest preferences shall serve for three years and the three next highest, for one year. At each succeeding municipal election there shall be chosen a mayor to serve for two years, one alderman from each ward to serve for two years, and three aldermen-at-large to serve for four years. The mayor and aldermen so chosen shall hold their respective offices from the first secular day of January next following their election, for the terms above specified and until their successors are chosen and qualified.

SECT. 41. The board of aldermen so chosen shall meet at ten o'clock in the forenoon on the first secular day of January next following their election, in their capacity as the board of aldermen, <sup>Organization of board of aldermen, etc.</sup> for the purpose of taking their respective oaths of office, organizing, adopting rules for the transaction of business by such board, electing such officers as are by law or ordinance required to be elected and transacting any other business required by law or ordinance to be transacted at such meeting. The mayor, members of the board of education, board of assessors, board of inspectors of checklist, board of public works, board of fire commissioners, and all other officers who are required to take an oath of office shall meet in convention with the board of aldermen at said time and take their respective oaths of office.

SECT. 42. The board of aldermen shall elect by *viva voce* and <sup>City officers, how chosen.</sup> major vote on roll call a city clerk and overseer of the poor who

shall be one and the same person, city treasurer and collector of taxes, who shall be one and the same person, city physician, city solicitor, and board of health. In all other cases offices shall be filled by appointment of the mayor, subject to confirmation by said board, except the city messenger, who shall be chosen and appointed by the mayor, unless otherwise provided for in this charter. All vacancies occurring in such offices shall be filled in the same manner. The board of aldermen may by ordinance prescribe the time for choosing or appointing all officers to be chosen by it, or by the mayor, and fix their compensation and terms of office, but not exceeding two years. Nevertheless, the officers so to be chosen by the board of aldermen or mayor on the first secular day of January, 1915, shall hold their offices for only one year and until their respective successors are chosen and qualified. In all cases where salaries or wages for services are paid from the municipal treasury, the compensation shall be determined by the board of aldermen upon recommendation of the several departments, excepting those employed in connection with the schools.

Vacancy in office of mayor; absence or disability.

SECT. 43. In case a vacancy occurs in the office of mayor by death, resignation, or otherwise, the board of aldermen shall choose one of the aldermen-at-large mayor for the residue of the unexpired term; and the person so chosen shall have the same powers and duties in all respects as if elected mayor by the people, and upon his qualifying as mayor, his office as alderman shall be deemed vacant. In the event of the mayor's absence from the city, or disability from sickness or other cause for such length of time as, in the judgment of the board of aldermen, render such action necessary, such board may choose one of the aldermen-at-large acting mayor; and the person so chosen shall thereupon have all the powers and perform all the duties of the mayor during the continuance of the latter's absence or disability, but shall not thereby vacate his office as alderman.

Vacancy in office of alderman; in other offices.

SECT. 44. In case a vacancy occurs in the office of alderman from any cause, the board of aldermen shall choose some duly qualified person not already a member of that body to fill the same. A person so chosen in place of an alderman-at-large shall not be eligible to fill the vacancy in the office of mayor or be chosen acting mayor, under the provisions of this section; and if the alderman-at-large whose place he takes was elected for a term extending beyond the first day of January next following the first municipal election after the occurrence of the vacancy, he shall serve only until such municipal election, and an additional alderman-at-large shall be chosen by popular vote at that election to fill the vacancy for the remainder of such term. In case any officer other than mayor or alderman shall be required to be chosen by popular vote at a municipi-

pal election, vacancies occurring in such offices shall be filled by the board of aldermen, in convention with the body in which such vacancy occurs, for the residue of the unexpired term, or until the first municipal election after the occurrence of the vacancy, and then by popular vote for the balance of the term as above provided concerning vacancies in the office of alderman and in like manner.

SECT. 45. The mayor shall be the chief executive officer of the city, and cause its laws and ordinances to be executed and enforced, shall exercise the general supervision over the conduct of all subordinate officers and cause all violation and neglect of duties by them to be punished. He may call a meeting of the board of aldermen whenever in his opinion there is occasion; shall from time to time communicate to said board and to all subordinate officers such information and recommendations relative to matters within their respective jurisdictions as, in his judgment, the interests of the city may require; and shall have and perform such other powers and duties not inconsistent with the provisions of this act as now or hereafter may be conferred or imposed on him by the municipal ordinances or upon mayors of cities by general law.

SECT. 46. The mayor shall be chairman *ex officio* and a member of the board of public works for all purposes, including voting and counting of a quorum. He shall have no negative on the action of such board, but may in his discretion suspend the operation or execution of any vote or decision adopted by it until the same shall be approved by the full board of aldermen, by causing an order to that effect to be entered on the records of the board of public works, and communicated to each member of the latter board and any other persons affected, within seven days after the adoption of such vote or decision and before any obligations have been incurred thereunder. The matter shall then be laid before the board of aldermen at its next regular meeting or at a special meeting called for that purpose and the action of said board confirming, annulling or reversing the vote or decision of the board of public works shall, subject to the negative given the mayor by the next following section, be final and conclusive.

SECT. 47. The mayor shall, at all times, have the right to introduce bills and initiate other measures in the board of aldermen. He shall have a negative upon all ordinances, resolutions and votes passed by it except such as relate (1) to the time, manner or order of its session or procedure. (2) to the filling of vacancies in its own membership, the choice of incumbents of other municipal offices or the filling of vacancies therein, and the confirmation or non-confirmation of persons appointed thereto by himself or to the determination of the qualifications and election of candidates for office nominated and voted for at the municipal elections. (3) to

General powers  
and duties of  
mayor.

Mayor's power in  
board of public  
works.

Veto power  
of mayor.

the fitness of applicants for licenses, the removal of municipal officers for cause, assessment of land damages or other matters of a judicial nature. He shall exercise such negative in all cases, by written declaration filed with the city clerk within seven days thereafter, stating the grounds of his disapproval; and no ordinance, and no such resolution or vote shall take effect until the expiration of such seven days unless first signed by him. In case of an ordinance or a resolution contemplating distinct appropriations or other severable provisions, he may veto one or more of such appropriations or provisions and approve the remainder of the bill, plainly specifying above his signature thereto the items disapproved, whereupon the bill shall take effect in accordance with its terms except as to such items. No ordinance, resolution or vote or part thereof by him vetoed conformably to this section, shall take effect unless on reconsideration the same be passed over this veto by affirmative vote of at least ten aldermen on roll call.

Powers of board of aldermen.

SECT. 48. Except as herein otherwise provided, the board of aldermen hereby established, shall have all the powers and discharge all the duties conferred or imposed upon city councils in convention, city councils voting concurrently, or boards of mayor and aldermen acting separately, by chapters 46 to 50 inclusive of the Public Statutes or other general laws now in force, or hereafter enacted, or upon the existing city councils or board of aldermen of the city of Nashua by special laws not hereby repealed. All provisions of such laws pertaining to the powers or duties of any such bodies shall be construed to apply to the board of aldermen hereby established, unless a contrary intent appears herein, it being the purpose of this act to confer upon said board all functions of either or of both branches of the existing city council whether legislative, administrative, executive or judicial. All sales of land, all appropriations for the purchase of land, and all loans voted by the board of aldermen, shall require a majority and *viva voce* vote on roll call of all the members of the board; and, as to all loans except temporary loans made in anticipation of taxes, such votes shall be passed only after two separate readings and by two separate votes the second of said readings and votes to be had not less than fourteen days after the first.

Appointment of committees; appropriations, how voted.

SECT. 49. The members of the standing committees of the board of aldermen shall be appointed by the president of the board of aldermen subject to the approval of the board. No ordinances, and no resolutions containing an appropriation or contemplating an expenditure of money shall be laid before the board of aldermen for action except as otherwise herein provided until the signature of the mayor, president of the board, or alderman introducing the same, or, if introduced by a committee of the board, the signature

of such committee by its chairman, is endorsed thereon. Upon the final passage of every resolution or ordinance containing an appropriation or contemplating an expenditure of one hundred dollars or more the vote shall be by *viva voce* and major vote on roll call.

SECT. 50. The finances and accounts of the city shall be under the supervision of a finance committee composed of the mayor and the six aldermen-at-large, the mayor acting as chairman. The first finance committee under this act shall as soon as possible after its assumption of office, proceed to employ a board of three competent men to make an appraisal of the assets and a statement of the liabilities of the city of every nature, and this statement of assets and liabilities, brought down to the date of December 31, 1914, shall be made the basis of a new system of accounts for the city, and subsequent finance committees may have such appraisals made when deemed expedient. A competent audit company or public accountant of good and well known reputation shall be employed by the finance committee to establish subject to their approval such system of accounts as will at all times show the financial condition and financial operations of the city in all its departments, and the finance committee shall have authority to employ a competent accountant or accountants to act as assistant or assistants to the city treasurer in maintaining such accounts.

Finance com-  
mittee; system of  
accounts.

SECT. 51. The boards of fire commissioners, education, police commissioners and public works shall each for its department elect annually one or more of its own members to act as purchasing agent or agents, and prescribe rules and regulations to govern them in their duties. For all other departments the mayor shall act as purchasing agent. All bills shall be approved by a majority of the board, commission, trustees or committee contracting the same before being paid by the city treasurer.

Purchasing  
agents.

SECT. 52. The funds of the city shall be deposited in such bank or banks doing business in the city as the finance committee approves and as shall offer the highest rate of interest on daily balances, or, if two or more banks shall bid the same rate, the account shall be divided as equally as may be practicable between them. The finance committee shall during the first week in December in each year, call for sealed bids from banks as above stated to be opened at a time and place stated not later than December 31, and such bids shall be opened in the presence of the committee and of such representatives of the competing banks as choose to be present, and the contract shall then and there be awarded to take effect January first of the following year for a period of one year.

Deposit of city  
funds.

SECT. 53. The finance committee shall not allow any department to overdraw its appropriation, nor allow funds from one appropriation, nor money raised by loan for a specific purpose to be diverted

Overdrafts and  
transfers.

to and used for another purpose, unless the same be authorized by special action of the board of aldermen.

Audit of accounts.

SECT. 54. The accounts of the city and of all its departments, including the securities and cash in the sinking and trust funds, shall be audited by a competent audit company or public accountant of good and well known reputation, which company or accountant shall make a report to the board of aldermen annually, and such report shall be published in the annual report of the city.

Sinking fund committee.

SECT. 55. There shall be a sinking fund committee consisting of the mayor, treasurer-collector, and one member of the board of aldermen to be elected by the aldermen by *viva voce* and majority vote. The securities under their charge shall be kept in a proper safety deposit box and not accessible except in the presence of at least two members.

Annual budget and estimates; fiscal year fixed.

SECT. 56. All appropriations to be met from taxes, revenue, or any other source other than loans, shall be recommended by the mayor, who, on or before the fifteenth day of February of each year, shall submit to the board of aldermen the annual budget of the current expenses of the city, and may submit thereafter supplementary budgets until such time as the tax rate for the year shall have been fixed. The board of aldermen may reduce or reject any item, but without approval of the mayor shall not increase any item in, nor the total of a budget, nor add any item thereto, nor shall it originate a budget. The boards of public works, education, fire commissioners, police commissioners, park commissioners, and of all other departments having charge of the disbursement of moneys appropriated, shall as early as practicable in each year, and not later than February first, submit to the mayor and to the board of aldermen, one copy to each, a detailed estimate in writing of the appropriations required for that year, for the purpose above referred to; and, whenever at other times a special appropriation shall in the judgment of any department be required for any purpose, every such department shall submit to the mayor and to the board of aldermen, one copy to each, a written request therefor. Chapter 150, section 1 of the acts of the session of the legislature of 1899 fixing the time when the police commission of said city shall send an estimate of the appropriations required for the maintenance of the police department during the fiscal year, annually in the month of February, is amended to conform to this act, namely, that said estimate shall be sent as early as practicable in each year, and not later than February first. The fiscal year of the city of Nashua is hereby designated, beginning with the first day of January of each year and closing with the last day of December next ensuing thereafter.

SECT. 57. The board of aldermen may, on specific charges and after due notice and hearing, at any time remove from office the mayor, or one of its own members, for prolonged absence from or other inattention to duty, mental or physical incapacity, incompetency, crime, immorality, or misconduct in office, by affirmative vote on roll call of at least ten aldermen. Any other officer chosen by the board of aldermen may be removed by it at pleasure by majority vote; any officer appointed by the mayor may be removed by him at pleasure by written order, and no approval of such order by the board of aldermen shall be required; and any officer selected by a subordinate board, department head or other like official under authority of an ordinance may be removed in such manner as the city ordinances may prescribe; *provided*, that the boards of education, health, and public works shall have exclusive authority to dismiss its own appointees and employees. The removal under this section, with or without cause, of a person elected, appointed or otherwise chosen for a fixed term shall give him no right of action for breach of contract; and vacancies thereby occasioned in any office shall be filled in the same manner as if the vacancy had resulted from death or other cause.

SECT. 58. No alderman shall, during his term as such, be eligible to hold any other municipal office except acting mayor, and volunteer member of the fire department; and no board or commission established in the city and empowered to select subordinates shall, except where expressly authorized by law or ordinance creating it, select one of its own members for any position to which a salary or other emolument is attached.

SECT. 59. The board of public works shall be composed of the mayor and four members to be chosen by the qualified voters of the city at large voting in their respective wards. At the first general municipal election to be holden under this act, there shall be elected four members of the board of public works, the two candidates receiving the two highest preferences shall serve for three years, and the two candidates receiving the next highest preferences shall serve for one year, and at each subsequent general municipal election there shall be elected two members for the full term of four years, and the members so chosen shall hold their respective offices from the first secular day of January next following their election for the terms above specified, and until their successors are chosen and qualified.

SECT. 60. The said board shall have cognizance, direction, and full control (a) of the construction, alteration, cleaning, watering and repairs of streets, highways, bridges and sidewalks; (b) of the location, construction, extension, care and maintenance of public sewers and drains; (c) of the planting and care of the shade and

ornamental trees standing in the streets and public ways; (d) of the location and supervision of electric power, electric light, telephone, telegraph, and trolley wires; of electric light, telephone, trolley and telegraph poles, and of any gas and water pipes and other conduits, and erection, placing and removing thereof; (e) they shall have all the powers and authority now vested in the committee on highways and bridges and the committee on sewers and drains, as well as full power and authority to contract for and purchase all material and supplies used in the department created by this act; (f) they shall have the purchasing as well as the care and control of all teams and other property used in the department of public works established as aforesaid. And all powers and duties by law vested in surveyors of highways shall apply to said board of public works when not inconsistent herewith.

Same subject.

SECT. 61. The board of public works shall have the expenditure of all appropriations made by the board of aldermen for any purpose specified in the preceding section. The said board shall elect and employ a city engineer, and such other agents and employees as it may deem necessary for the purpose of the execution of the details of the work under its charge, and prescribe their duties; and such city engineer and other subordinates shall act in all respects in accordance with its plans and directions, and may be removed by it at pleasure. Said city engineer shall perform such other duties in aid of the assessors or other departments of the city as the ordinances of the city may now or hereafter prescribe, and, in the absence of special ordinances, such other duties as have customarily been performed by the city engineer of the city. It shall have charge of all horses, vehicles, machinery, tools, material and equipment owned by the city for the purposes of such work; may from time to time purchase all new equipment required for such purposes; and sell any discarded equipment; may make such regulations for its own government and for the government of its subordinates and of the property under its charge as it may deem expedient. And may, in its discretion, procure the performance of any work under their charge by contract, and for that purpose, call for proposals and make and execute in the name and on the behalf of the city, a suitable contract therefor with the lowest responsible bidder, taking from him sufficient security for the performance of such contract. But no such contract shall call for the expenditure of a sum exceeding the amount appropriated or available in such a case.

Appropriations  
and expenditures  
for public works.

SECT. 62. The board of aldermen shall make no appropriation for any purpose other than fixed charges and general maintenance and repairs, unless an appropriation for that purpose has first been requested by the board of public works; and the latter board shall



undertake no highway or sewer work in the nature of new construction and permanent improvement unless an appropriation therefor has first been granted by the board of aldermen, nor undertake work of any kind, except in case of emergency, the anticipated cost whereof will exceed the appropriation available for that purpose. At the close of every year the board of public works shall make a detailed report to the board of aldermen of its doings for that year, which report shall be published with the report of the other municipal departments.

SECT. 63. The board of public works shall also have exclusive jurisdiction, subject to the laws of the state, and to such laws and regulations in the premises, as the board of aldermen may from time to time ordain for its guidance and for the public protection and convenience, to grant, deny and revoke permits and licenses, for making excavations in, moving buildings along, or placing and maintaining poles, wires, pipes or other structure, in, over, or under the streets, highways, or sidewalks of the city; to fix the terms of such permits and licenses, to prescribe and change the location and compel the repair or removal of such structures; and to exercise within the city all powers conferred by law and ordinance on municipal officers relative to the location and manner of street railway structures. Authority to grant permits for excavations and other temporary obstructions, and to designate the particular portion of streets in which structures shall be located, may be delegated by it to the superintendent of streets, or to adjust such limits as it may prescribe. Whenever any street, highway or sidewalk in the city is obstructed or occupied in any manner mentioned, without statutory authority or a permit or a license, or in violation of the conditions of such permit or license, or of its lawful orders, the said board or its authorized agent may abate the offending obstruction or structure as a public nuisance.

SECT. 64. There shall be in the city a board of assessors, consisting of three members, who shall have all the powers and be subject to all the liabilities by law conferred or imposed on assessors of taxes in cities, and perform such further duties as the board of aldermen may from time to time prescribe by ordinance. The first such board shall be composed of Henry H. Davis, James H. Waters and Daniel D. Coffey, present incumbents, who shall serve out their terms to January 1st, 1917 and until their successors are chosen and qualified. They shall conform to and be subject to this act as fully as if elected under it. At the general municipal election in 1915 there shall be elected three members who shall assume office on the first secular day of January 1917 and serve until their successors are chosen and qualified. The candidate receiving the highest preference shall serve for five years, the candidate receiving

the next highest preference shall serve for three years, and the next highest for one year. And at each subsequent general municipal election there shall be elected one member for the full term of six years; and members so chosen shall hold their respective offices from the first secular day of January next following their election for the terms above specified and until their successors are chosen and qualified. A vacancy occurring in the office of assessor from any cause, shall forthwith be filled by the boards of aldermen and assessors in convention by *viva voce* and major vote. The board of assessors shall receive such compensation as the board of aldermen may determine.

**Organization.**

SECT. 65. Immediately after every inauguration of the city government the board of assessors shall meet and select one of their number to be chairman, and one member to be clerk of said board, and said officers selected shall respectively do and perform, all the duties pertaining to said positions as now defined by law.

**Office hours of clerk.**

SECT. 66. The board of assessors shall have an office assigned and furnished for that purpose by the board of aldermen. The clerk shall attend at such office regularly not less than six hours during the business hours of each day, Sundays and holidays, and such reasonable leaves of absence, as may be voted him by the board, excepted; but he shall not be obliged so to attend in the afternoon on Saturdays. During his absence for any cause, another member of the board shall attend at such office daily during the regular office hours.

**Meetings of board.**

SECT. 67. The board of assessors shall hold regular meetings at such office for the transaction of business during stated hours, on at least two days in each week throughout the year. During the months of April, May, June and July, at least one member of the board, in addition to the clerk, shall be in attendance at such office during business hours, and the board shall hold such additional meetings in the day time or evening as may be necessary to give all tax-payers a convenient opportunity to be heard.

**Chairman to have vote.**

SECT. 68. The chairman shall preside at all meetings of the board of assessors, and shall have a voice and vote, equally with the other members on all questions coming before the board for decision.

**Duties of clerk.**

SECT. 69. The clerk of the board of assessors, with the assistance of the other members and such clerical assistance, as may be furnished by the vote of the board of aldermen, shall keep all the books, records and accounts of the board's condition, correspondence, and financial accounts as its executive officer, subject to the direction of the majority of the board as to the methods of performing such duties.

**Assistant assessors.**

SECT. 70. The board of aldermen may, by ordinance, authorize the board of assessors to employ assistants, not exceeding one in

each ward, to aid in making the list of ratable polls, such assistants to be employed for such a time and for such compensation as shall be fixed by the board of aldermen. It may also by ordinance, authorize the employment of such clerical assistance, as may be required by the board of assessors, and fix the amount to be expended for such assistance.

SECT. 71. The books and records of the board of assessors shall be the property of the city, and at all times be open to public inspection during the office hours of the clerk. Records open to inspection.

SECT. 72. The accounts for the reasonable expenses for the board, shall be certified by a majority of the board, and upon approval by the board of aldermen, shall be paid by the city treasurer. Expense accounts.

SECT. 73. The board of fire commissioners shall be composed of three members to be chosen by the qualified voters of the city at large, voting in their respective wards. At the first general municipal election to be holden under this act, there shall be elected three members of the fire commission, the candidate receiving the highest preference shall serve for five years, the candidate receiving the next highest preference for three years, and the next highest for one year; and at each subsequent general municipal election there shall be elected one member for the full term of six years, and the members so chosen shall hold their respective offices from the first secular day of January next following their election for the terms above specified, and until their successors are chosen and qualified. Said board shall exercise all the powers and perform all the duties that the laws and ordinances now prescribe, or that may hereafter be prescribed by law and the city ordinances. Board of fire commissioners, how chosen.

SECT. 74. The city of Nashua shall continue to constitute one school district, and the school committee of said city shall be styled the board of education. It shall perform all such duties as the school committee in towns is required by law to perform, and shall have power to protect the health of children attending the public schools of the city when exposed to danger from any cause connected with the schools, whether the cause be unsanitary conditions, exposure to contagious disease, association with those who are afflicted with sickness such as is commonly communicable to others, or other causes. General appropriations for the maintenance of the schools of the city shall be deemed available to meet any expense incurred by the board of education under this provision for the protection of the health of the children attending the public schools. City is one school district.

SECT. 75. The terms of the present members of the board of education shall be reduced one year. John T. Gardiner, Ernest W. Gray, Walter F. Norton and Frank B. Rideout shall hold their offices until the first day of January, 1916; James L. Bickford, Board of education, how chosen.

Frank B. Clancy, Samuel Dearborn and Albert J. McKean shall hold their offices until the first day of January, 1918. Said board of education shall continue to be composed of twelve members, four of whom shall be elected at large at every general municipal election, beginning in 1914, and hold their offices from the first secular day of January following for the full term of six years and until others are elected and qualify, except, that the four members of said board chosen at the first general municipal election, in 1914 shall hold their offices for five years.

Organization.

SECT. 76. Said board of education shall choose a president and clerk from their own number. The clerk of the board of education shall receive in full for his services one hundred dollars per annum in equal quarterly payments; and no person shall be a member of the board of aldermen and the board of education at the same time.

Superintendent of schools.

SECT. 77. The board of education shall elect a superintendent of schools for said city and fix his compensation, which compensation shall be paid to him quarterly. The said superintendent of schools may be discharged by said board for cause, but unless sooner discharged, shall hold his office for one year, or until his successor shall be appointed.

Board of health, how chosen.

SECT. 78. The board of aldermen on the first secular day of January, 1915, shall elect a board of health, to be composed of three members, whose term of office shall be for one year, and on the first secular day of January in 1916 and thereafter biennially on said first secular day of January following the regular municipal election they shall elect said board of health for the term of two years, to be composed of three members, two of whom shall be physicians.

Powers and duties.

SECT. 79. Said board shall have control of and attend to all matters and perform all duties relating to the public health, and shall perform such special duties as may be imposed upon them by ordinances or by the general statutes of the state.

Health officer.

SECT. 80. The board of health shall elect a health officer who shall hold the office at the pleasure of said board. The health officer shall devote his time to the performance of the duties imposed upon him by law and by the board of health, including the inspection of milk. His salary shall be determined by the board of aldermen.

Rules and regulations.

SECT. 81. The board of health may make such rules and regulations relating to plumbing, sanitation and draining of buildings and connection with public sewers, as in their judgment the health and safety of the occupants or the public may require; they may also make such rules and regulations relating to the public health as in their judgment the public health and safety may require. All such rules and regulations shall be subject to the action of the board of aldermen approving the same.

SECT. 82. The city treasurer, who shall also be collector of taxes, shall collect all moneys due to the city, except license fees or other moneys the collection of which is otherwise provided for by law. He shall have the custody of, and pay out all moneys, and cause his accounts in both said capacities to be kept in proper books of account and in manner approved by the finance committee, and shall perform such other duties as the ordinances prescribe; he shall perform all the duties and exercise all the powers assigned by law to city treasurers or collectors of taxes, or town treasurers and collectors of taxes, so far as such laws can apply to said city.

City treasurer,  
powers and  
duties of.

SECT. 83. All books and records of the city treasurer and collector of taxes shall be the property of the city and shall be at all times open to public inspection during the office hours of said officer.

Books open to  
inspection.

SECT. 84. The board of aldermen or the mayor may call for such reports as to the uncollected taxes, and as to the moneys on hand, and as to the finances of the city, as they may deem needful for their information.

Reports to mayor  
or aldermen.

SECT. 85. The board of aldermen shall require the city treasurer and tax collector, before entering upon the duties of his office, to give separate bonds, with sufficient sureties, to the satisfaction of said board, one for the faithful performance of his duties so far as they pertain to the collection of taxes, and a second bond for the faithful performance of his duties as city treasurer.

Bond of city  
treasurer.

SECT. 86. The city clerk, who shall also be overseer of the poor, shall perform all the duties and exercise all the powers that the existing or future ordinances prescribe both as to the functions of city clerk and overseer of the poor; he shall also perform all the duties and exercise all the powers assigned by law to such officers or officer in towns and cities so far as such laws may apply to said city.

City clerk, powers  
and duties of.

SECT. 87. The board of police commissioners and police force, the boards of trustees of cemeteries, public library, hospital, and Hunt legacy, and all other bodies or officers not specially abolished or superseded herein, as at present constituted, are hereby continued, *provided, however*, that the board of aldermen, shall, in all cases determine the members of any board of commissioners or trustees required heretofore to be named or elected by the aldermen or city councils, and name or elect the member to fill any vacancy in said board, in convention with such other board.

Sundry boards  
and officers con-  
tinued.

SECT. 88. The police court of the city, as constituted at the time this act shall be approved by the voters of Nashua and go into effect as herein provided, shall continue to be the police court of the city.

Police court.

SECT. 89. Any holder of an office elected at large may be recalled and removed therefrom by the qualified voters of the city as herein provided.

Elective officers  
subject to recall.

Recall, form of  
petition for.

SECT. 90. Any qualified voter of the city may make and file with the city clerk an affidavit containing the name of the officer sought to be removed and a statement of the grounds of removal. The city clerk shall thereupon deliver to the voter making such affidavit a sufficient number of copies of petition blanks for such recall and removal, printed forms of which he shall keep on hand. Such blanks shall be issued by the city clerk with his signature and official seal thereto attached; they shall be dated and addressed to the board of aldermen, shall contain the name of the person to whom issued, the number of blanks so issued, the name of the person sought to be removed, the office from which such removal is sought, the grounds of removal as stated in said affidavit, and shall demand the election of a successor to such office. A copy of the petition shall be entered in a record book to be kept in the office of the city clerk. Said recall petition shall be returned and filed with said city clerk within thirty days after the filing of the affidavit. Said petition before being returned and filed, shall be signed by qualified voters equal in number to at least twenty-five per cent. of the ballots cast for first choice for all the candidates for the office from which it is sought to recall the incumbent at the next preceding election when said office was filled, and to every such signature shall be added the place of residence of the signer, giving the street and number. Such signatures need not all be on one paper. One of the signers of every such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers for the recall of any one officer shall be fastened together and shall be filed as one instrument, with the indorsements thereon of the names and addresses of three persons designated as filing the same.

Petition to be cer-  
tified; amendment  
of defective  
petition.

SECT. 91. Within ten days after the filing of said petition, the city clerk shall ascertain by examination thereof and of the election returns and checklists used when said office was filled whether the petition is signed by the requisite number of qualified voters, and shall attach thereto his certificate showing the result of such examination. He shall, if necessary, be allowed extra help by the board of aldermen. If his certificate shows the petition to be insufficient, he shall within said ten days so notify in writing one or more of the persons designated on the petition as filing the same; and the petition may be amended by the addition of signatures at any time within ten days after the giving of said notice by the city clerk. The city clerk shall, within ten days after such amendment, make like examination of the amended petition, and attach thereto his certificate of the result. If then insufficient, or if no amendment was made, he shall return the petition to one of the persons desig-

nated thereon as filing it, without prejudice, however, to the filing of a new petition for the same purpose.

SECT. 92. If the petition or amended petition shall be found and certified by the city clerk to be sufficient, he shall submit the same with his certificate to the board of aldermen without delay, and the board of aldermen shall, if the officer sought to be removed does not resign within five days thereafter, thereupon, order an election to be held on a Tuesday fixed by it, not less than thirty nor more than forty-five days after the date of the city clerk's certificate that a sufficient petition is filed: *provided, however*, that if any other municipal election is to occur within sixty days after the date of said certificate, the board of aldermen, may, in its discretion, postpone the holding of the removal election to the date of such other municipal election. If a vacancy occurs in said office after a removal election has so been ordered, the election shall nevertheless proceed as in this section provided.

SECT. 93. Any officer sought to be removed may be a candidate to succeed himself, and unless he requests otherwise in writing, the city clerk shall place his name on the official ballot without nomination. The nomination of other candidates, the publication of the warrants for such removal election, and the conduct of the same, shall all be in accord with the provisions of this act, relating to elections.

SECT. 94. The incumbent shall continue to perform the duties of his office until the removal election. If then re-elected, he shall continue in office for the remainder of his unexpired term, subject to recall as before, except as provided in section 95 of this act. If not re-elected in the removal election, he shall be deemed removed upon the qualification of his successor, who shall hold office during the unexpired term. If the successor fails to qualify within ten days after receiving notification of his election, the incumbent shall thereupon be deemed removed and the office vacant.

SECT. 95. No recall petition shall be filed against any officer within three months after his election, nor, in the case of an officer re-elected in a removal election, until three months after that election.

SECT. 96. No person who has been removed from an office by recall, or who has resigned from such office while recall proceedings were pending against him, shall be appointed to any city office within two years after such removal by recall or such resignation.

SECT. 97. The term, "qualified voter," wherever it occurs in sections 89 to 96 both inclusive, of this act, means a voter qualified by law and by section 33 of this act to vote for candidates for the office from which a removal is sought.

SECT. 98. A petition, meeting the requirements hereinafter pro-

New election,  
when held.

Nominations, how  
made, etc.

Effect of recall.

Restriction on  
recall.

Disqualification by  
recall.

Meaning of "quali-  
fied voter."

Initiative petition.

vided and requesting the board of aldermen to pass an ordinance, resolution, order or vote, or requesting the board of education to pass a resolution, order or vote, all of these four terms being hereinafter designated or included in the term "measure," shall be termed an *initiative petition*, and shall be acted upon as hereinafter provided.

How signed and filed.

SECT. 99. Signatures to initiative petitions need not all be on one paper, but one of the signers of every such paper shall make an affidavit thereto that the statements therein contained are true, and that each signature appended to the paper is the genuine signature of the person whose name it purports to be. All such papers pertaining to any one measure shall be fastened together and shall be filed in the office of the city clerk as one instrument, with the indorsements thereon of the names and addresses of three persons designated as filing the same. With each signature to said petition shall be stated the place of residence of the signer, giving the street and number. Within ten days after the filing of said petition the city clerk shall ascertain by examination thereof and of the check-lists and election returns, by what number of qualified voters the petition is signed and what percentage that number is of the last preceding vote cast in the city for all candidates for governor of the state, except as is provided in section 109 of this act, and shall attach thereto his certificate showing the result of such examination. He shall forthwith transmit the measure with the said certificate to the board of aldermen or to the board of education, accordingly as the petition is addressed, and at the same time shall send a copy of said certificate to one or more of the persons designated on the petition as filing the same.

Procedure if petition signed by twenty-five per cent. of last vote.

SECT. 100. If an initiative petition be signed by qualified voters equal in number, except as is provided in section 109 of this act, to at least twenty-five per cent. of the last preceding vote cast in the city for all candidates for governor of the state, the board of aldermen or the board of education to whom such measure is transmitted, *provided* that said measure be one which the respective board, after this act takes effect, have a legal right to pass, shall within twenty days after the date of the city clerk's certificate, either—(a) pass said measure without alteration, subject to the referendum vote provided by this act; or, (b) the board of aldermen shall call a special meeting of the voters to be held on a Tuesday fixed by it not less than thirty nor more than forty-five days after the date of the city clerk's certificate that a sufficient petition has been filed, and shall submit the proposed measure without alteration to a vote of the qualified voters of the city at that meeting: *provided, however*, that if any municipal election is otherwise to occur within ninety days after the date of said certificate, the



board of aldermen may at its discretion omit the special meeting and submit the proposed measure to the voters at such other pending election.

SECT. 101. If an initiative petition be signed by qualified voters equal in number, except as provided in section 109 of this act, to at least five per cent., but less than twenty-five, of the last preceding vote cast in the city for all candidates for governor of the state, as shown in the manner hereinbefore provided, and said proposed measure be not passed without alteration by the board of aldermen or the board of education within twenty days, as provided in section 100 of this act, then such proposed measure, without alteration, shall be submitted by the board of aldermen to a vote of the qualified voters of the city at the next municipal election.

SECT. 102. The board of aldermen may, of its own motion, and shall, upon request of the board of education in case of a measure originating with said board of education and pertaining to the affairs under its administration, submit to a vote of the qualified voters of the city for adoption or rejection at a general or special municipal election, any proposed measure, or a proposition for the repeal or amendment of any measure, which the respective board may, after this act takes effect, have a legal right to pass, in the same manner and with the same force and effect as are herein provided for submission on petition.

SECT. 103. If two or more proposed measures passed at the same election are in conflict in respect of any of their provisions, they shall go into effect in respect of such of their provisions as are not in conflict. In each case of conflicting provisions in such measures, that one of the provisions in conflict shall take effect which was contained in that one of such measures which received the greatest number of affirmative votes, and all others of such conflicting provisions shall be void.

SECT. 104. The enacting clause of any measure adopted by the qualified voters, upon proposal by initiative petition, shall be, Be it ordained by the people of the city of Nashua: and of any measure referred to the people by the board of aldermen of its own motion, or upon request of the board of education, as provided in section 102 of this act, shall be, Be it ordained by the people of the City of Nashua upon referendum of the board of aldermen thereof: *provided*, that for the word "ordained" shall be substituted the word resolved or the word ordered respectively, if the measure is a resolution or order; and for the words "Be it ordained" shall be substituted the word Voted if the measure is a vote.

SECT. 105. The city clerk shall print and distribute at his office to qualified voters sample ballots together with the text of every measure to be submitted to a vote of the qualified voters of the city.

Form of ballots.

SECT. 106. The ballots used when voting upon such proposed measure shall state the nature of the measure in terms sufficient to show the substance thereof. If a majority of the qualified voters voting on any proposed measure, which has been duly submitted to them as herein provided and which falls within the lawful rights and powers of the city, shall vote in favor thereof, the same shall thereupon go into effect.

Same subject.

SECT. 107. Provisions shall be made on each ballot for voting upon all proposed measures submitted at that election; *provided*, that no measures except those which fall entirely within the rights and powers of the board of education shall appear upon the ballots to be cast by women voters.

Information and arguments.

SECT. 108. Provisions not in conflict herewith shall be made by ordinance for supplying the voters with information and arguments *pro* and *con* upon measures submitted to a vote by the qualified voters of the city and for carrying out the purposes of section 98 to 109 inclusive, of this act.

Votes cast by women, when considered.

SECT. 109. For the purposes of this act, in case of proposed measures falling within the rights and powers of the board of education as herein set forth, the number herein specified as that to which shall be applied the percentages herein established for fixing the requisite number of signatures for recall, and initiative petitions, shall be increased, before applying said percentages, by the number of votes cast by women for candidates for members of the board of education at the last election at which that office was filled.

Meaning of "qualified voter."

SECT. 110. The term "qualified voter" wherever it occurs in sections 98 to 109 both inclusive, of this act, means a voter qualified to vote for the elective officers within whose rights and powers the proposed measure would fall under this act.

Prior provisions saved and repealed; ordinances to be revised.

SECT. 111. So much of the original charter of said city, and of the special acts since passed in amendment or supplement thereof as is now in force relative to police court, police commissioners, police force, fire department and other departments and officers as is referred to in section 87 is hereby continued in force, with the exception of such provisions as are inconsistent with this act; but all special legislation relative to the government of said city, inconsistent with the provision of this act is hereby repealed. All general laws relative to the government of cities shall remain in force in said city so far as the same can be applied consistently with the intents and purposes of this act, but shall be deemed superseded as to said city by this act so far as inconsistent herewith. The board of aldermen hereby established shall cause the city ordinances to be thoroughly revised conformably with this act as soon as practicable; pending such revision all existing ordinances and other municipal regulations shall remain in force so far as the same

can be applied consistently with the intents and purposes of this act, but are hereby annulled so far as inconsistent herewith. In all existing laws, ordinances and regulations hereby saved, references to the city councils, board of mayor and aldermen, street commissioner or other bodies or officers hereby abolished or superseded, or to bodies or officers whose constitution or functions are hereby altered, shall be taken to mean the body or officer upon whom jurisdiction of the matter in question is conferred by this act.

SECT. 112. Part 1 of this act shall not take effect until accepted by the voters of the city as herein provided, and if so accepted, it shall take effect for the first municipal election which shall be held on the first Tuesday of December after the first Monday in the year 1914. For all other purposes Part 1 of this act, if accepted, shall take effect at ten o'clock in the forenoon of the first secular day of January, 1915.

## PART 2.

SECTION 1. The inhabitants of the city of Nashua shall continue to be a body politic and incorporate under the name of the "City of Nashua," and as such to enjoy all the rights, immunities, powers and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing property of the city shall remain vested in it, and all its existing debts and obligations shall remain obligatory upon it, under this revised charter.

SECT. 2. The city shall continue to be divided into nine wards as at present constituted, and except as herein otherwise provided, the general laws relative to wards of cities, officers thereof, and voters, checklists, election and jurors therein shall be applicable to such wards.

SECT. 3. The administration of all the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in one principal officer, to be styled mayor, who shall be chosen by the legal voters of said city at large, voting in their respective wards; a board of aldermen and common council, who in their joint capacity, shall be called the city councils.

SECT. 4. All city and ward officers who are to be elected by the legal voters of the city or of any ward therein, except moderators, and supervisors of the checklist, and officers by this act excepted, shall be chosen at elections to be holden on the first Tuesday after the first Monday of November in the year 1914, and biennially thereafter on the Tuesday next following the first Monday of November, beginning in the year 1915. Said elections after the year 1914 shall be called municipal elections.

Existing laws applicable to first election.

SECT. 5. All provisions of the present laws relating to city and ward elections, nominations, preparation and form of ballots, filing with the secretary of state, and the placing of candidates to be voted for on the general ballot as well as returns, inspections and other requirements as now provided, shall apply for the first election under this charter in November, 1914. In municipal elections thereafter, the provisions hereinafter set forth shall apply.

City elections, where held.

SECT. 6. The municipal elections shall be holden at the regular polling place in each ward, or if there be no such regular polling place, at a suitable place in the ward provided and equipped for that purpose by the supervisors of the checklist of the ward at the expense of the city.

Checklists.

SECT. 7. The supervisors of the checklist in each ward shall make, post and correct a checklist for use at each election in a manner in which checklists are by law required to be prepared for use at general biennial elections. All provisions of the Public Statutes and amendments thereto regarding the preparations, use and preservation of checklists used at general biennial elections shall apply to the checklists used at the municipal elections except as otherwise expressly provided herein. No person shall be entitled to vote at any municipal election who would not be entitled to vote in the same ward at a general biennial election holden on the same date.

Elections, by whom conducted; hours for voting.

SECT. 8. The municipal elections shall be conducted by the regular election officers of the wards, and all provisions of the Public Statutes and amendments thereto, penal or otherwise, relating to the warning and manner of conducting general biennial elections, the sealing and return of ballots and tally-sheets, and the record and return of the result of the vote, shall apply to such municipal elections except in so far as they are modified by the provisions of this act. And such municipal elections shall be deemed to be elections within the meaning of all penal statutes relating to offenses against the purity of elections. The polls shall be open at each municipal election from six o'clock in the forenoon to three o'clock in the afternoon in each ward. This shall not apply to the election of 1914 which will be held under the present law on the day of the general state election.

Preparation of ballots.

SECT. 9. The official ballots for use at each election shall be prepared by the city clerk, at the expense of the city, and no other ballot shall be used at such elections.

Nominations, how made.

SECT. 10. Candidates to be voted for at the municipal elections may be nominated at party caucuses duly called and held by party organizations of such parties as polled three per cent. (3%) of the total vote cast at the last preceding state election. The same qualifications to vote at said caucuses shall apply as are hereby made

qualifications to vote at the municipal elections, *provided however*, that party organizations may limit participation in their caucus to voters affiliated with their party. Caucuses for the nomination of candidates to be voted for at large shall be called by the chairman of the city executive committee; those for candidates to be voted for by wards, by the chairman of the ward executive committee of each party.

SECT. 11. Said caucuses shall be held at least ten days before said municipal election; and on or before six o'clock p. m. on the first Wednesday preceding said election, the president and secretary of the city and ward organizations of said parties shall issue and file with the city clerk of said Nashua a certificate by them duly signed of the nomination of candidates for all offices to be elected at said election in the city or said wards. Caucuses, when to be held.

SECT. 12. A plurality of votes east for candidates at said caucuses shall nominate. Plurality to nominate.

SECT. 13. The nomination of candidates to be voted for at said municipal election may be made by petition signed by legal voters, whose names have been registered by the inspectors of checklists. Nomination by petition.

SECT. 14. Such petition shall be substantially according to the following form: Form of petition.

We, the undersigned, registered voters of ward (or city) . . . . .  
. . . . . hereby nominated . . . . . of ward  
. . . . ., for the office of . . . . .  
to be voted for at the forthcoming municipal election, and request his name to be put upon the official ballot as an independent candidate, and we certify that we have not voted in any party caucus nor will we participate in any party caucus, at this municipal election.

SECT. 15. For the nomination of all officers selected by wards, except as provided in section 10, by such petition, fifteen signatures of such registered voters as have not participated in party caucuses, must be obtained from the ward in which the candidate is to be voted for. Signatures required for ward officers.

SECT. 16. For the nomination of all officers elected at large, fifty signatures of such voters as have not participated in any party caucus must be had from voters registered in any or all wards of the city. For officers elected at large.

SECT. 17. Such petitions must be filed with the city clerk at the same time as provided for regular caucus nominees in section 11, together with a certificate from the board of inspectors of checklists that the names subscribed thereto are duly registered and thereupon the city clerk shall put such nominees upon the official ballot in an independent column. How and when filed.

Official ward  
ballots.

SECT. 18. Thereupon the city clerk shall make record and keep on file said certificate, and shall forthwith prepare and cause to be printed at the expense of the city, official ward ballots to be used in said municipal elections, placing under proper party emblems in separate columns the candidates nominated as herein before prescribed, and no other ballot shall be used at said election.

Form of ballots,  
sample ballots,  
etc.

SECT. 19. The official ballots prepared by the city clerk for use at the municipal elections shall conform as nearly as may be in form and manner of folding to the ballot prepared by the secretary of state for use at general biennial elections. All provisions of the Public Statutes and amendments thereto defining the duty of the secretary of state with reference to the printing and distribution of ballots, sample ballots, cards of instruction and other material for use at general biennial elections, shall be followed by the city clerk in providing like material for use at the municipal elections, except so far as rendered inapplicable by the provisions of this act.

How printed and  
marked.

SECT. 20. Said ballots shall be printed on white paper and be plainly marked, Official Ballot, Municipal Election, and subscribed by the facsimile of the signature of the city clerk.

Inspection of  
ballots cast.

SECT. 21. Said municipal election shall be conducted by the duly constituted officers of the regular biennial election, next preceding said municipal election, in accordance with and subject to all statutory enactments for the conduct of said biennial elections, so far as not inconsistent with this charter. If any person for whom a vote was cast and recorded for any office at a municipal election, before the expiration of seven (7) days shall apply in writing to the city clerk for an inspection of ballots given in for all persons for such office and state in his application the names of the opposing candidates, the city clerk shall appoint a time for this inspection within seven (7) days after receipt of the application. Such inspection shall take place in the city hall and the city clerk shall order the applicant to give notice thereof by giving to each of the opposing candidates or leaving at his place of abode a copy of the application and order of notice thereon at least five (5) days prior to the date so appointed for such inspection. At the time and place so appointed the city clerk shall produce the ballots and they shall be open to the inspection of the candidates and their counsel under such reasonable rules as the city clerk shall prescribe, and such inspection shall be public.

Preservation of  
ballots, etc.; re-  
turn, how made;  
result, how  
declared.

SECT. 22. The ballots and tally-sheets used at each municipal election shall be sealed up in a manner by law provided in case of general biennial elections, and returned by the ward clerk within twenty-four hours to the city clerk. A return of the results of the vote in each ward for all officers to be chosen at such election, certified by the moderator, supervisors of the checklist and ward clerk,

shall be made to the city clerk within the same time on blanks provided by him for that purpose; and the city clerk shall immediately record all such returns, and the same, together with his record thereof, shall be open to the inspection of any citizen. He shall submit his record of the returns of each municipal election to the city councils in joint convention, at a meeting to be holden at seven o'clock in the afternoon on the Tuesday next following such election, and the city councils shall canvass the returns and declare the result. Such declaration shall be duly recorded by the city clerk and, except by law now provided, shall be conclusive as to the right of the person declared elected to hold the offices to which they are so declared elected.

SECT. 23. In case of any municipal election two or more candidates for an office elected at large shall receive the largest and an equal number of votes, a supplementary election for such office shall be held on the third Tuesday after such municipal elections, which supplementary election shall be warned and conducted in all respects as municipal elections are by this act required to be warned and conducted, except that only seven days' warning thereof shall be required. The official ballot to be provided by the city clerk for use at such supplementary election shall contain only the names of those candidates who, at the municipal election, received the largest and an equal number of votes.

Supplementary  
election in case  
of tie vote.

SECT. 24. At such first municipal election there shall be chosen a mayor to serve for one year, and one alderman from each ward to serve one year, one councilman for one year and one councilman for three years. At each succeeding municipal election there shall be chosen a mayor to serve for two years, one alderman from each ward to serve for two years, and one councilman to serve for four years. The mayor, aldermen and councilmen so chosen shall hold their respective offices from the first secular day of January next following their election, for the terms above specified and until their successors are chosen and qualified.

Mayor, aldermen,  
and councilmen,  
how chosen.

SECT. 25. The mayor and city councils so chosen shall meet at ten o'clock in the forenoon on the first secular day of January next following their election, in their capacity as the city councils, for the purpose of taking their respective oaths of office, organizing, adopting rules for the transaction of business by such boards, election of such officers as are by law or ordinance required to be elected, and transacting any other business required by law or ordinance to be transacted at such meeting. The members of the board of education, board of assessors, board of inspectors of check-lists, and all other officials who are required to take an oath of office shall meet in convention with the city councils at said time and take their respective oaths of office.

Organization of  
city councils, etc.

Absence or disability of mayor.

SECT. 26. Whenever the mayor shall be absent, or shall be disabled by sickness or otherwise, the president of the board of aldermen shall act as mayor, and he shall have all the powers and perform all the duties of the mayor during his absence or disability.

Vacancy in office of mayor, how filled.

SECT. 27. In case a vacancy occurs in the office of mayor, by death, resignation, or otherwise, the president of the board of aldermen, shall act as mayor and shall have all the powers and perform all the duties of mayor until the vacancy shall be filled by election and qualification of a mayor. As soon as may be after such vacancy shall occur the city councils shall meet and declare the existence of such vacancy and the cause thereof, whereupon said city councils may provide for a special election to fill such vacancy.

General powers and duties of mayor.

SECT. 28. The mayor shall be the chief executive officer of the city, and cause its laws and ordinances to be executed and enforced; shall exercise a general supervision over the conduct of all subordinate officers and cause violations or neglects of duty by them to be punished; may call meetings of the board of aldermen, whenever in his opinion there is occasion; shall from time to time communicate to each of said boards and to all subordinate officers, such information and recommendations relating to matters within their respective jurisdiction as, in his judgment, the interest of the city may require; and shall have and perform such other powers and duties, not inconsistent with the provisions of this act, as now or hereafter may be conferred or imposed upon him by municipal ordinance or upon mayors of cities by general law.

Veto power of mayor.

SECT. 29. He shall have a negative upon all ordinances, resolutions and votes passed by the city councils, except such as relate (1) to the time, manner or order of its session or procedure, (2) to the filling of vacancies in its own membership, the choice of incumbents of other municipal offices or the filling of vacancies therein, or (3) to the determination of the nomination, election or qualification of candidates or officers elected at municipal elections, the determination of the fitness of applicants for licenses, the removal of municipal officers for cause, the assessment of land damages or other matters of a judicial nature. He may exercise such negative in the case of an ordinance, or of a resolution containing an appropriation or contemplating an expenditure of money, by written declaration filed with the city clerk within seven days thereafter, stating the grounds of his disapproval, and no ordinance, and no such resolution, shall take effect until the expiration of such seven days unless first signed by him. In the case of an ordinance or resolution containing distinct appropriations or other severable provisions, he may veto one or more of such appropriations or provisions and approve the remainder of the bill, plainly specifying above his signature thereto the items disapproved, whereupon the



bill shall take effect in accordance with its terms except as to such items. No ordinance, resolution or vote, or part thereof by him vetoed conformably to this section, shall take effect unless, on reconsideration, the same shall be passed over his veto by affirmative vote of at least two thirds of each body on roll call.

SECT. 30. The mayor shall be chairman of all boards of which by this act he is a member, and shall receive in full payment for all services the annual salary of fifteen hundred dollars, payable in equal monthly payments. Salary of mayor.

SECT. 31. The board of aldermen and the common councils shall choose from their respective members a president to preside over their respective boards. Said president shall have the appointment of all committees by law now provided for these respective boards. Appointment of committees.

SECT. 32. All powers exercised by the mayor as a member of the board of mayor and aldermen, and as presiding officer of the board of aldermen and common council acting jointly are hereby abrogated. And all powers now exercised by law by the board of mayor and aldermen, except as herein repealed, shall be vested in the board of aldermen. Certain powers of mayor abrogated.

SECT. 33. The president of the board of aldermen shall preside at all joint meetings of the board of aldermen and common council. Presiding officer at joint meetings.

SECT. 34. Biennially, beginning on the first day of January, 1915, the city councils shall by major vote elect a city clerk, a city treasurer whose duties shall include the collection of taxes, a city solicitor, a city physician, a board of health, a purchasing agent, whose duties shall include the care of the city poor, a city sealer, an inspector of petroleum and a city messenger. All of said officers shall hold their respective offices for two years or until their successors are elected and qualified, unless sooner removed for sufficient cause by majority vote and after hearing; and if any vacancy shall occur in any of said offices, the same may be filled by election as in the first instance. Sundry officers, election and tenure of office.

SECT. 35. In addition to the duties now or hereafter prescribed for the city clerk by law or ordinance, he shall serve as clerk of all committees selected by the city councils, or either branch thereof, at such additional salary as the city councils may from time to time provide. Additional duties of city clerk.

SECT. 36. There shall be in the city a board of public works commissioners composed of the mayor, *ex officio*, and two members to be chosen by the qualified voters of the city at large, voting in their respective wards. At the first election to be holden under this act, there shall be elected from candidates nominated as provided in sections 10 and 14, two members of the board of public works commissioners, one for a term of three years and one for a term of one year, and at each subsequent municipal election there shall be elected one member for the full term of four years, and the members Board of public works commissioners, how chosen; meaning of terms; powers and duties of board.

so chosen shall hold their respective offices from the first of January next following their election for the term specified and until their successors are chosen and qualified.

The term "board" as hereinafter used shall mean the board of public works hereby created.

The term "city yards" shall include all yards or premises, the property of the city used by the board in carrying on the business contemplated under this act, with all structures, appliances and buildings that are or may be constructed or erected thereon.

The term "highways" shall include all public avenues, streets, roads, thoroughfares, sidewalks, lanes, alleys, bridges and culverts.

The term "public utility" shall include every corporation, company, association, joint stock association, partnership, and person, their assignees, lessees, trustees or receivers, appointed by any court whatsoever, owning, operating or managing any plant or equipment or any part of the same, for the conveyance of persons or property for a compensation; for the transmission of telephone or telegraph messages; for the manufacture or furnishing of light, heat or power for the public.

The term "sewers" shall include all public sewers and drains comprising the city sewerage system.

The term "street cleaning" shall mean the cleaning, sweeping and washing of highways, the collecting, removing and disposing of garbage, ashes, refuse (excepting dead animals), waste, and snow and ice.

The board shall have full charge, supervision, management and control of the building, constructing, repairing and maintaining of all city yards, and the maintaining and carrying on of street cleaning; they shall have the expenditures of all appropriations which the city councils shall from year to year vote for such purposes, and all bills and payrolls for expenditures from the appropriations voted from year to year by said city councils for such purposes, shall be approved by said board of public works commissioners before the same are paid by the city treasurer. They shall further have the power to regulate the traffic and travel upon, the placing of encumbrances in, and the moving of buildings through the highways of said city, the construction and maintenance in, over, under and along the highways of said city of all wires, pipes, poles and all other structures belonging to individuals, firms, corporations or public utilities, which now or hereafter may be permitted by vote of the board of mayor and aldermen to be placed in, over, under or along said highways.

Said board shall annually in the month of February transmit to the city councils, an estimate of the appropriations required for the maintenance of parks, city yards and street cleaning, for the con-

structing, repairing and maintaining of highways and sewers in said city for the ensuing year, and they shall make a detailed report to the city councils of the doings of said board, for the year ending December 31 of each year. The board shall make such rules and regulations governing the conduct of the business contemplated under this act as they may deem expedient, and they shall for the carrying out of the purposes of this act have all the powers and the various city departments and officials of said city now having control of the matters covered in this act.

Said board shall appoint a civil engineer as agent of said board, for a term of four years from the first Tuesday of January, 1915, and thereafter in every fourth year, to hold office until his successor is appointed and qualified, the official title of said agent shall be engineer. The duties of the board shall be advisory in nature, they shall prescribe or lay out beforehand the work contemplated under this act. The duties of the engineer shall be administrative and executive in nature, and to him shall be committed the carrying into effect or to completion all the work prescribed or laid out by the board; to this end said board shall delegate to him authority in the management and control of the office, horses, wagons, machinery, tools, equipment, buildings and other property provided for carrying out the work contemplated under this act, the authority to employ, appoint, or hire, to dismiss or discharge such subordinate officers, agents, clerks and other persons as he may deem expedient. Said board shall adopt a schedule of grades of relative positions, to include all subordinate officers, agents, clerks and other persons who are employed or may be employed in carrying into effect or to completion the work contemplated under this act. The engineer shall act as clerk of the board, without a vote, and shall perform all the duties heretofore pertaining to the office of the chief engineer of the city. For their services the commissioners and all agents as aforesaid shall receive such compensation as the city councils may from time to time determine.

SECT. 37. There shall be in the city a board of police commissioners composed of the mayor, *ex officio*, and two members to be chosen by the qualified voters of the city at large, voting in their respective wards. At the first election to be holden under this act, there shall be elected from candidates nominated, as provided in sections 10 and 14, two members of the board of police commissioners, one for a term of three years and one for a term of one year, and at each subsequent municipal election there shall be elected one member for the full term of four years, and the members so chosen shall hold their respective offices from the first of January next following their election for the term specified and until their successors are chosen and qualified.

Board of police commissioners, how chosen; powers and duties; police force, how constituted.

The said commission shall have full power and control of the police department including the appointment and removal, uniforming and organizing of police officers, and shall make all rules for the government of the police force and shall enforce their authority either by suspension or expulsion. They shall elect one of their number who shall act as clerk, and keep a record of all proceedings, issue all notices and attest all such papers and orders as said board shall desire. They shall make a detailed report of their doings quarterly to the city councils. The records of said board shall at all times be open to the inspection of any member of the city councils.

The police force of said city shall consist of a city marshal, assistant city marshal, captain of the night watch, who shall devote their whole time to their said duties and who shall not be engaged or engage in any other business or occupation, or hold any state, county, or other municipal office, and policemen not exceeding eighty, all of whom shall be appointed by the police commissioners, and who shall serve during good behavior and while competent to discharge the duties of the office. The police commissioners shall have the right to remove any member of the police force at any time for good and sufficient cause and after a due hearing, and such cause shall be expressed in the order of removal.

The police commissioners shall have full power to make all rules for the government of the police force, and to enforce said rules, either by suspension or expulsion from the force, as they see fit.

The said board shall elect one of their number who shall act as clerk and keep a record of all proceedings, issue all notices, and attest all such papers and orders, as said board shall desire.

The compensation of the commissioners and all members of the police force shall be fixed from time to time by the city councils and the total amount expended for the maintenance of said police force shall at no time exceed the amount appropriated for that purpose by the city councils.

The said board of police commissioners shall annually, in the month of February, send to the city councils an estimate in detail of the appropriations required for the maintenance of the police department during the financial year. All of the expenditures from the appropriation for the police department shall be approved by the board of police commissioners before they are paid by the city treasurer.

The powers of the mayor, as defined in section 23 of the city charter, shall not be impaired by this act.

SECT. 38. There shall be in the city a board of fire commissioners composed of the mayor, *ex officio*, and two members to be chosen by the qualified voters of the city at large, voting in their respective wards. At the first election to be holden under this act, there shall

Board of fire commissioners, how chosen; powers and duties; fire department, how constituted.

be elected from candidates nominated, as provided in sections 10 and 14, two members of the board of fire commissioners, one for a term of three years and one for a term of one year, and at each subsequent municipal election there shall be elected one member for the full term of four years, and the members so chosen shall hold their respective offices from the first of January next following their election for the term specified and until their successors are chosen and qualified.

The fire commission shall have full power and control of the fire department including the appointment and removal, uniforming and organizing of firemen, and shall make all rules for the government of the firemen and shall enforce their authority either by suspension or expulsion. They shall elect one of their number who shall act as clerk, and keep a record of all proceedings, issue all notices and attest all such papers and orders as said board shall desire. They shall make a detailed report of their doings quarterly to the city councils. The records of said board shall at all times be open to the inspection of any member of the city councils.

The fire department of the city of Nashua shall consist of a chief engineer, who shall have control of the fire-alarm telegraph, and four assistant engineers, and such engine-men and other members as the board of fire commissioners may deem necessary, not exceeding one hundred and twenty men.

The fire commissioners shall make such rules and regulations for their own government and for the government of all other officers and members of the fire department, also all buildings and apparatus and horses now used for the transportation of apparatus in case of fire (and the said horses so used are hereby transferred to the fire department), as they may deem expedient. For their services the fire commissioners shall receive such compensation as the city councils may from time to time determine.

The board of engineers, the janitor, and all permanent men shall be appointed by said board to serve during good behavior, and so long as they are competent to discharge the duties of their respective positions.

The said board of fire commissioners and engineers shall annually, in the month of February, send to the city councils an estimate in detail of the appropriations required for the maintenance of the fire department during the financial year. All bills for expenditures from the appropriation for the fire department shall be approved by the fire commissioners before they are paid by the city treasurer, and the salaries of the engineers, janitors, and other permanent men and all members of the fire department shall be regulated by the city councils.

The board of engineers shall have all powers possessed by firewards in the extinguishment of fires.

Board of sinking fund trustees, how chosen; duties.

SECT. 39. There shall be a board of sinking fund trustees in said city consisting of three members, one of whom shall be the mayor, who shall be chairman thereof.

On the first day of January, 1915, the city councils shall by major vote elect two members of the board of sinking fund trustees, one to serve for one year and one for three years from said date, and until their successors are chosen and qualified; and thereafter, biennially, beginning on the first day of January, 1916, the city councils shall by major vote elect one member of said board to serve for four years from said date and until his successor is chosen and qualified.

This board shall perform such duties as are now prescribed by law or such as may from time to time be prescribed and shall receive for their services such compensation as the city councils may by ordinance allow.

Purchasing agent; duties.

SECT. 40. On the first day of January, 1915, and biennially thereafter, the city councils shall by major vote choose a purchasing agent, whose duties shall include the care of the city poor, to serve for two years from said date and until his successor is chosen and qualified. Said officer shall be known as the purchasing agent and overseer of the poor, and shall have an office at the city hall. His duties shall, in addition to the care of the city poor, be to contract for and purchase all supplies for the several departments in amounts in excess of ten dollars upon order furnished him by the departments. Whenever the amount to be purchased exceeds in value fifty dollars, he shall submit same to competitive bidding in open market whenever feasible. He shall keep a duplicate of all orders issued by him for supplies and submit same to the finance committee of the city councils.

He shall perform such duties and receive such compensation in full for his services as the city councils may from time to time by ordinance prescribe.

Contracts over which, by law or ordinance now in force, the city councils have jurisdiction shall not be subject to the terms of this section.

Board of education, how chosen; duties.

SECT. 41. There shall be continued in said city a school committee which shall be styled the board of education, which shall consist of twelve members.

John H. Field, Charles W. Howard, Arthur K. Woodbury and Arthur L. Wallace shall continue to hold the offices they now hold until December 31, 1914; John D. Gardiner, Frank P. Rideout, Ernest W. Gray and Walter F. Norton until December 31, 1915;

and Samuel Dearborn, Albert J. McKean, Frank B. Clancy and James L. Bickford until December 31, 1917.

At the election to be holden under this act in 1914 four members of said board shall be chosen by the qualified voters of the city, voting in their respective wards, to serve for five years, beginning January 1, 1915, and until their successors are chosen and qualified; and biennially, beginning in the year 1915, at the municipal election there shall be chosen by the qualified voters of the city, voting in their respective wards, four members of said board to serve for six years from January 1 subsequent to said election and until their successors are chosen and qualified.

Said board shall perform such duties as are prescribed now by law or such as may from time to time be prescribed. They shall elect one of their members as president and one as clerk for the term of two years from their biennial organization, and no member shall receive compensation for his services except the clerk who shall receive such remuneration as the city councils by ordinance may from time to time prescribe.

SECT. 42. There shall be in the city a board of assessors consisting of three members, who shall have all the powers and be subject to all the liabilities by law conferred or imposed on assessors of taxes in cities, and perform such further duties as the city councils may from time to time by ordinance prescribe. The first members of such board of assessors shall be chosen by vote of the qualified voters of the city, voting in their respective wards, on the first Tuesday next following the first Monday in November, 1915, to serve respectively one for two years, one for four years, and one for six years from the first day of January, 1916, and until their successors are chosen and qualified; and biennially thereafter on the first Tuesday next following the first Monday of November the qualified voters of the city, voting in their respective wards shall choose one assessor to serve for six years from January 1 following said election and until his successor be chosen and qualified.

Board of assessors,  
how chosen;  
duties.

Charles H. Runnells, Arthur Cotton, Wilfred Robichaud, Henry H. Davis, Daniel D. Coffey and James H. Waters shall hold their respective offices until December 31, 1915, and shall receive for their services the salary now provided by law.

The board hereby created shall receive such compensation and be governed by such rules as the city councils may by ordinance provide.

SECT. 43. On the first day of January, 1915, the city councils shall choose a board of health consisting of three members, two of whom shall be physicians and the third a layman, all citizens of Nashua, to serve one for two, one for four, and one for six years, from said date and until their successors are elected; and biennially

Board of health,  
how chosen;  
duties.

thereafter one member shall be chosen by the city councils for six years, and until his successor is chosen and qualified. Said board shall have cognizance and control of all matters relating to health now vested by law in the board of health. They shall select a health officer who shall be milk inspector and perform all duties by said board ordained and by the city councils by ordinance from time to time prescribed. For such services the health inspector shall receive such compensation as the city councils provide. Said board shall serve without compensation.

Compensation of city officials and employees.

SECT. 44. The compensation of all city officials and employees not herein otherwise provided for shall be fixed from time to time by the city councils, and the total amount expended for the maintenance of any department shall at no time exceed the amount appropriated for that purpose by the city councils without their sanction by vote expressly given.

Recall, how exercised.

SECT. 45. Any city official elected by the qualified voters of a ward or city, voting in their respective wards, and aldermen and councilmen may be recalled.

For the recall of an official elected by the voters of the city at large there shall be required a petition addressed to the city councils demanding the same, signed by at least forty per cent. of the registered voters of the city as shown by the records of the board of inspectors at the election preceding the presentation of said petition; for the recall of an alderman or councilman there shall be required a petition addressed to the body of which the one to be recalled is a member, demanding the same, signed by at least forty per cent. of the registered voters of the ward from which said official was elected, as shown by the records of the board of inspectors at the election preceding said demands. Said petition shall bear the certificate of the board of inspectors showing that the names attached are of voters duly qualified to sign as above set forth.

Upon the fulfillment of the above requirements, the city councils or either board as above provided shall forthwith decree that an election be held within thirty days under the same requirements as are provided for at the municipal election, except that seven days' notice to the public of the same shall be sufficient. At such election the successful candidate shall be elected to fill out the unexpired term.

All city officials elected by the city councils under this act may be removed for cause after hearing by a majority vote of said councils.

Certain offices incompatible.

SECT. 46. No alderman or councilman shall, during his term as such, be eligible to hold any other municipal office except acting mayor, and no board or commission established in the city and



empowered to select subordinates shall, except where expressly authorized by the law or ordinance creating it, select one of its own members for any position to which a salary or other emolument is attached.

SECT. 47. No member of the city councils or other officer shall, during his term of office, sell to or buy from the city any goods or commodities otherwise than by open, competitive public bid; no member of the board of assessors shall participate in the appraisal for taxation of any property in which he is interested, either alone or with others, as owner, trustee, administrator, agent or attorney or which is owned by a person, firm or corporation employing him or by a corporation in which he is a stockholder; and no member of the city councils or any other municipal body invested by law or ordinance with discretionary powers and duties, shall vote therein relative to any matter in which he is interested otherwise than as a citizen and taxpayer.

Unless otherwise provided by this act or by other statutes not hereby repealed or superseded, the compensation for services of all other city and ward officers, may be fixed by ordinance or determined in such manner as the city ordinances may prescribe.

SECT. 48. So much of the original charter of said city, and of the special acts since passed in amendment or supplement thereof as is now in force relative to police court, and other public officers is hereby continued in force, with the exception of such provisions as are inconsistent with this act; but all special legislation relative to the government of said city, inconsistent with the provision of this act is hereby repealed. All general laws relative to the government of cities shall remain in force in said city so far as the same can be applied consistently with the intents and purposes of this act, but shall be deemed superseded as to said city by this act so far as inconsistent herewith. The city councils hereby established shall cause the city ordinances to be thoroughly revised conformably with this act as soon as practicable; pending such revision all existing ordinances and other municipal regulations shall remain in force so far as the same can be applied consistently with the intents and purposes of this act, but are hereby annulled so far as inconsistent herewith. In all existing laws, ordinances and regulations hereby saved, references to the city councils, board of mayor and aldermen, street commissioner or other bodies or officers hereby abolished or superseded, or to bodies or officers whose constitution or functions are hereby altered, shall be taken to mean the body or officer upon whom jurisdiction of the matter in question is conferred by this act.

Dealings of officials restricted, etc.

Prior provisions saved and repealed; ordinances to be revised.

Present incumbents continued in office.

SECT. 49. The incumbents, when this act takes effect, of all municipal offices not hereby abolished or superseded shall continue to hold the same until their successors are chosen and qualified or such offices are abolished or superseded by lawful ordinances.

Takes effect when.

SECT. 50. So much of this act as relates to the preliminaries for, and the holding and conduct of, the first municipal election and to the duties of the existing city councils in relation to such election, shall take effect upon its passage. For all other purposes this act shall take effect on the first secular day of January, 1915.

Same subject.

SECT. 51. Part 2 of this act shall not take effect until accepted by the voters of the city as herein provided, and if so accepted, it shall take effect for the first municipal election which shall be held on the first Tuesday after the first Monday in November in the year 1914. For all other purposes Part 2 of this act shall take effect at ten o'clock in the forenoon of the first secular day of January, 1915.

### PART 3.

Act to be submitted to voters.

SECTION 1. This act shall be submitted to the registered voters of the city of Nashua at the special election provided for in this act, Tuesday, June 10, 1913.

Ballot.

SECT. 2. A ballot such as is provided for in section 4 of part 3 of this act shall be provided by the city clerk at the expense of the city.

Questions to be voted upon.

SECT. 3. At the said special election the qualified voters shall vote primarily on the following question, namely: Shall the present charter of the city of Nashua be repealed? And secondarily on the following question, namely: If the present charter of the city is repealed, shall the new charter of the city be Plan 1 or Plan 2? If on a majority of the ballots cast at said meeting, the voters shall be for a repeal of the present charter of the city of Nashua, the plan receiving the larger number of votes on the secondary question shall be adopted as the charter of the city, but should there be a tie vote on the secondary question the present charter shall remain in force. Plan 1 shall include all the provisions of Part 1 of this act, and if said Plan is adopted, Part 2 of this act shall be inoperative. Plan 2 shall include all the provisions of Part 2 of this act, and if Plan 2 is adopted, Part 1 of this act shall be inoperative. If on any ballot, the voter shall vote for both Plan 1 and Plan 2, so much of said ballot as refers to the second question shall not be counted.

Form of ballots.

SECT. 4. The ballots shall be substantially of this form:

City of Nashua, Special Election on the 10th day of June, 1913.

### FIRST QUESTION.

Shall the present charter of the city of Nashua be repealed?  
(Make a cross, (X) opposite and to the right of either the word YES or the word NO in this ballot.)

YES	
NO	

(After making a cross, (X) as above directed, indicate by a cross, (X) your vote upon the following question:)

### SECOND QUESTION.

If the present charter of the city is repealed, shall the new charter be

Plan 1 (Single board, Non-Partisan)	
Plan 2 (Dual board, Partisan)	

(Do not vote but one way on the latter question, that is, vote either for Plan 1 or Plan 2. Do not vote for both.)

SECT. 5. So much of this act as provides for its submission to the voters of the city of Nashua shall take effect upon its passage. Provision takes effect on passage.

SECT. 6. The selectmen of the several wards in said city shall warn the meeting in their respective wards to pass upon the adoption of this act in the manner required for the warning of regular biennial elections. They shall insert in their warrant an article providing for taking the sense of the qualified voters upon the two questions herein stated in this Part 3 of this act, namely: First; Shall the present charter of the city of Nashua be repealed? Second; If the present charter of the city is repealed, shall the new charter be Plan 1 (single board, non-partisan) or Plan 2 (dual board, partisan)? Meetings, how warned.

Ballots, preparation and distribution of; conduct of election; return, how made; result, how declared; provision for recount.

SECT. 7. It shall be the duty of the city clerk at the expense of the city to cause to be prepared, printed and authenticated, as provided by the constitution and laws of the state and as required in Part 3 of this act, a sufficient number of suitable ballots to take the sense of the voters upon the questions to be submitted to them, as specified in Part 3 of this act, which ballots shall be furnished by him to the proper ward officers of each ward as required in the case of general elections. Said election shall be conducted by the regular election officers in each ward, and all laws applicable to regular biennial elections with reference to the correcting, revising, use and preservation of checklists, the preparation of voting places, the manner of conducting the election, the counting, record and return of votes, the sealing and preservation of ballots and tally-sheets, and the duties of election officers, shall apply to and govern said election, except as herein expressly modified. The polls shall be open for the reception of ballots in each ward from 9 o'clock in the forenoon until 3 o'clock in the afternoon. The official return of the vote, and the ballots and tally-sheets, duly sealed up, shall be delivered by the ward clerk to the city clerk within twenty-four hours after the close of said election. The city clerk shall seasonably furnish to the several ward clerks suitable blanks for making such returns. The city councils and the mayor shall meet at 2 o'clock in the afternoon of Thursday, June 12, 1913, at the council chambers. The city clerk shall at that time open and lay before them the returns of the votes in the several wards, and they shall canvass the returns and declare the results, which shall be duly recorded by the city clerk. Ten or more legal voters of the city may within one week after such canvass file with the city clerk a petition in writing requesting a recount of the votes cast at said election. In such case the city clerk shall within three days thereafter in the council chamber open the packages containing the ballots used at said election in the presence of the mayor and the city councils and such others as may choose to attend. The mayor and city councils shall thereupon recount the ballots and declare the results which shall be duly recorded by the city clerk and shall be conclusive as to the result of the said election. Said election shall be deemed to be an election within the meaning of all penal statutes of the state relating to offenses against the purity of elections, the conduct of elections, and the duties of supervisors of checklists, moderators, ward clerks, selectmen, inspectors of elections, and all other persons having any duties to perform with reference to said election.

[Approved May 21, 1913.]

STATE OF NEW HAMPSHIRE.

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OFFICE OF SECRETARY OF STATE.

CONCORD, September 1, 1913.

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.

EDWARD N. PEARSON,

*Secretary of State.*



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