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LAWS
OF THE
STATE OF NEW HAMPSHIRE
PASSED JANUARY SESSION, 1945
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ADJOURNED MAY 18

CONCORD, N. H.
1945
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Manchester, N. H.

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Neal Printing and Binding Co.
Dover, N. H.
STATE OFFICERS

Governor .............................. Charles M. Dale
                      James C. MacLeod
                      Joshua Studley
Councilors ............................ Peter R. Poirier
                      Thomas J. Leonard
                      George Albert Wooster
Adjutant General ........................ Charles F. Bowen
Aerial Tramway Commission, N. H.
                      Managing Director ...................... Roland E. Peabody
Aeronautics Commission, N. H.
                      Director ................................ W. Russell Hilliard
                      Commissioner of ............................ Andrew L. Felker
Athletic Commission, State .............. Cleon E. Bartlett
                      Carlton C. Buckman
                      Ruel N. Colby
Attorney General ........................ Frank R. Kenison
                      Acting Attorney General .................... Harold K. Davison
                      Assistant Attorney General ............... Ernest R. D'Amours
Bank Commissioner ........................ Clyde M. Davis
                      George W. Boynton
                      Joseph W. Eply
                      Ralph E. Miller, M. D.
                      George C. Wilkins, M.D.
Cancer Commission, State .................. Arthur E. Bean
                      Assistant Comptroller ....................... Clark R. Hartford
Comptroller ................................ Arthur E. Bean
Education, State Board
                      Commissioner of ............................. James N. Pringle
                      Deputy Commissioner ......................... Walter M. May
                      Director of Trade Schools .................... John E. Grastorf
Employees' Retirement System, State
                      Secretary .................................. Robert Jewell
Fish and Game Department
                      Director ................................... Ralph G. Carpenter, 2nd
Forestry and Recreation Department
                      State Forester .............................. John H. Foster
                      Director of Recreation ...................... Russell B. Tobey
Health Department, State
                      State Health Officer ....................... Alfred L. Frechette, M.D.
                      Acting Deputy .............................. Mary M. Atchison, M.D.
                      Registrar of Vital Statistics .............. Marion G. Maloon
Highway Commissioner ..................... Frederic E. Everett
                      Assistant Commissioner .................... J. Harold Johnson
State Officers

Insurance Commissioner .................. Donald Knowlton
Deputy ................................... Simon M. Sheldon
Labor Commissioner ...................... William H. Riley
Unemployment Compensation Division
   Director ................................. Edward J. Haseltine
   Administrator .......................... William C. Chamberlin
Employment Service, State
   Director ................................. Abby L. Wilder
                                      Amos N. Blandin, Jr.
                                      Ottis E. Mercer
                                      Curtis H. Page
                                      Addie E. Towne
                                      Mabel B. Wyeth
Library Commission, State .............
State Librarian .......................... Mildred Peterson McKay
   Assistant Librarian .................. Catharine Pratt
Liquor Commission .......................
                                      William A. Jackson
                                      Leo L. Osborne
                                      Ray E. Tarbox
Motor Vehicle Commissioner ............ Virgil D. White
   Deputy Commissioner ................. Charles H. Magown
   Director of Safety .................... Malcolm L. Wilkins
   Road Toll Administrator ............. Frederick W. Clarke
Planning and Development, State
   Publicity Director .................... Donald D. Tuttle
   Executive Director ................... Thorsten Kalijarvi
Police, State
   Superintendent ........................ Ralph W. Caswell
Probation, Board of
   Director ............................... Richard T. Smith
   Acting Director ....................... Francis C. Reagan
                                      Edgar H. Hunter
                                      Claude H. Swain
                                      Edward R. Thornton
Public Service Commission .............
Public Welfare
   Commissioner of ....................... Elmer V. Andrews
Purchasing Agent ....................... Harold Cheney
                                      Charles A. Allen
                                      George W. Conway
                                      Emmet J. Kelley
Racing Commission, State ..............
   Secretary of State .................... Enoch D. Fuller
   Deputy ................................. Harry E. Jackson
   Acting Deputy ......................... Mary M. Jenkins
State Buildings and Grounds
   Superintendent ........................ Charles W. Howard
STATE OFFICERS

Tax Commission, State .......... Louis C. Chesley
                                 George H. Duncan
                                 John R. Spring
Treasurer, State ................ F. Gordon Kimball
                                      Ann N. Durepo
Deputy .......................... John D. Cantin
                                    Leonard C. Hardwick
                                      Raymond C. Hildreth
Veterans' Council, State ......... Harold E. Trombley
State Veterans' Officer ..........
Water Resources Board
Chairman .......................... John Jacobson, Jr.
                                      Walter G. White
                                      John J. Henson
Acting Chairman .................
Weights and Measures
Commissioner of .................

SUPREME COURT

Chief Justice .................... Thomas L. Marble
                                      Oliver W. Branch
                                      Henri A. Burque
                                      Francis W. Johnston
                                      Elwin L. Page

Associate Justices ...............

SUPERIOR COURT

Chief Justice .................... Amos N. Blandin, Jr.
                                      Laurence I. Duncan
                                      John R. Goodnow
                                      John E. Tobin
                                      Stephen M. Wheeler

Associate Justices ...............
THE LEGISLATURE OF 1945

SENATE

President—Donald G. Matson, Concord, r.
Clerk—Benjamin F. Greer, Grasmere, r.
Assistant Clerk—Frank M. Ayer, Alton, r.
Sergeant-at-Arms—Raymond B. Lakeman, Laconia, r.
Messenger—Donald W. Moore, Alstead, r.
Assistant Messenger—Clarence Bartlett, Epsom, r.
Doorkeeper—Frank D. Gay, Hillsborough, r.
Telephone Messenger—J. Russell Bickford, Northwood, r.

SENATORS

Emmet J. Kelley, Berlin, d.
Curtis C. Cummings, Colebrook, r.
Harold E. Haley, Holderness, r. and d.
Scott C. W. Simpson, Bartlett, r. and d.
Earl S. Hewitt, Enfield, r.
Lewis H. Wilkinson, Laconia, d.
Henry J. Proulx, Franklin, d.
Henry S. Richardson*, Claremont, r.
Donald G. Matson, Concord, r.
Harold O. Pierce, Walpole, r.
Charles M. Mills, Jaffrey, r. and d.
Erwin E. Cummings, Lyndeborough, r.
Aldege A. Noel, Nashua, d. and r.
Robert Matheson, Goffstown, r.
Stewart Nelson, Concord, r.
Wilmot G. Merrill, Manchester, d.
Marye Walsh Caron, Manchester, d.
C. Edward Bourassa, Manchester, d.
Origene E. Lesmerises, Manchester, d.
Edmond J. Marcoux, Rochester, d.
J. Guy Smart, Durham, r. and d.
Augustus F. Butman, Derry, r. and d.
Byron E. Redman, Hampton, r.
Rae S. Laraba, Portsmouth, r.

HOUSE OF REPRESENTATIVES

Speaker—Norris Cotton, Lebanon, r.
Clerk—Cyril J. Fretwell, Concord, r.
Assistant Clerk—Robert L. Stark, Goffstown, r.
Sergeant-at-Arms—Clarence A. Dubois, Concord, r.
Chaplain—Bernard N. Lovgren, Concord, r.
Custodian of Mail and Supplies—Herbert M. Thyng, Barnstead, r.
Doorkeeper—Lennie C. Twombly, Hill, r.
Doorkeeper—Sherman L. Greer, Manchester, r.
Doorkeeper—Joseph J. Comi, Concord, r.
Doorkeeper—Annette M. Leclerc, Berlin, r.

* Died
ROCKINGHAM COUNTY

Auburn, George E. Spofford, d.
Brentwood, Margery W. Graves, r.
Cania, Harold E. Walker, r.
Chester, Edwin P. Jones, r.
Deerfield, Carl M. Fogg, d.
Derry, William B. Cushing, r.
   Harold W. Corson, r.
   Harry E. Clark, r.
   Fred L. George, r.
Epping, Thomas W. Fecteau, d.
Exeter, Helen D. Bourn, r.
   Paul A. Bretschneider, r.
   Charles B. Osgood, r.
   Maude B. Richards, r.
Fremont, Moses H. Sanborn, r.
Greenvil, Arthur J. Sewall, r.
Hampstead, Doris M. Spollett, r. and d.
Hampton, Raymond L. Goding, r. and d.
   Dean B. Merrill, r. and d.
Kingston, Warren S. Keay, r.
Londonderry, Draper W. Parmenter, r.
Newmarket, Arthur A. Labranche, d.
   F. Albert Sewall, d.
Newton, William K. Davis, r. and d.

North Hampton, Paul W. Hobbs, r.
Northwood, Robert A. Johnson, r. and d.
Plaistow, Frank J. Gifford, r.
Pembroke,
   Ward 1, Andrew J. Barrett, d.
   Mary C. Dondero, d.
   Patrick J. Kittredge, d.
   Ward 2, Harry H. Foote, r.
   Renick H. Laighton, r.
   John H. Yeaton, r.
   Ward 3, John Leary, Jr., d.
   James T. Whitman, d.
   Ward 4, Frederick Schlegel, r.
   Ward 5, John F. Gallagher, d.
Raymond, Lewis W. Holmes, r.
Rye, Ernest A. Tucker, r. and d.
Salem, Walter F. Haigh, r.
   Leonard B. Peever, r.
Sandown, Henry E. Rand, r.
Seabrook, Ernest L. Crandall, Sr., r.
South Hampton, Edith L. Brown, r.
Stratham, W. Douglas Scamman, r.
Windham, Myron C. Wheeler, r. and d.

STRAFFORD COUNTY

Barrington, Ralph J. Boodey, d. and r.
Dover,
   Ward 1, Hubert C. Stanley, d.
   John F. Hartnett, d.
   Ward 2, Albert Courchene, d.
   James M. Jackson, d.
   Joseph Marcotte, Jr., d.
   Ward 3, Ray Kennard, r.
   Levi F. Felker, r.
   Ward 4, Edwin L. Corson, r.
   George J. Leighton, r.
   William M. Stearns, r.
   Ward 5, Edward L. Cassily, d.
Durham, Oren V. Henderson, r.
Farmington, Ned L. Parker, r.
   Frank E. Webster, r.
Madbury, Leeman B. Wormhood, r.
Milton, John E. Horne, r.
   * Died

North Hampton, Paul W. Hobbs, r.
Northwood, Robert A. Johnson, r. and d.
Plaistow, Frank J. Gifford, r.
Pembroke,
   Ward 1, Andrew J. Barrett, d.
   Mary C. Dondero, d.
   Patrick J. Kittredge, d.
   Ward 2, Harry H. Foote, r.
   Renick H. Laighton, r.
   John H. Yeaton, r.
   Ward 3, John Leary, Jr., d.
   James T. Whitman, d.
   Ward 4, Frederick Schlegel, r.
   Ward 5, John F. Gallagher, d.
Raymond, Lewis W. Holmes, r.
Rye, Ernest A. Tucker, r. and d.
Salem, Walter F. Haigh, r.
   Leonard B. Peever, r.
Sandown, Henry E. Rand, r.
Seabrook, Ernest L. Crandall, Sr., r.
South Hampton, Edith L. Brown, r.
Stratham, W. Douglas Scamman, r.
Windham, Myron C. Wheeler, r. and d.
The Legislature of 1945

Belknap County

Alton, Oliver R. Shattuck, r.
Barnstead, Joseph H. Cotton, r.
Belfast, Samuel P. Philbrick, r.
Center Harbor, Clarence E. Nichols, r. and d.
Gilford, Arthur H. Lord, r. and d.
Gilman, Richard F. Varney, r. and d.
Laconia, Ward 1, Walter G. Stafford, r. and d.
Ward 2, Fortunat A. Normandin, r. and d.
Alfred L. Guay, d. and r.

Carroll County

Bartlett, Fred J. Perkins, r.
Conway, George W. Russell, r.
Leslie C. Hill, r.
Perley W. Mudgett, r.
Effingham, Richard Dearborn, r.
Freedom, Reuben S. Moore, r. and d.
Jackson, Winifred G. Wild, r. and d.
Madison, Guy W. Nickerson, r.
Moultonborough, Edith D. Banfield, r. and d.

Merrimack County

Allenstown, Alphonse Couture, d.
Andover, Victor E. Phelps, d.
Boscawen, Harold L. Holmes, r.
Bow, Carroll W. Flanders, r. and d.
Bradford, Reuben S. Moore, r. and d.
Canterbury, Sterling A. Hurtle, r.
Chichester, Leon A. Sanborn, r.
Concord, Ward 1, Charles P. Coakley, d. and r.
Ward 2, Ralph W. Jones, r.
Ward 3, Elmer M. Anderson, r. and d.
Ward 4, Charles H. Cheney, r.
Sara E. Otis, r.
Leon C. Stewartson, r.
Ward 5, J. Benton Caldon, r.
George H. Nash, r.
Ward 6, George H. Corbett, r.
Lawrence J. Moynihan, r.
Donald W. Saltmarsh, r. and d.

Ward 3, Elmer S. Tilton, r. and d.
Ward 4, Elwin A. Doyle, r.
Frank B. Shannon, r.
Ward 5, Forrest A. Bucklin, r. and d.
Truman S. French, d.
Ward 6, John M. Ewing, r. and d.
Charles O. Hopkins, r.

Meredith, Guy U. Horne, r.
J. Frank Neal, r.
New Hampton, Archibald H. Matthews, r.
Sanbornton, Marion H. Atwood, r. and d.
Tilton, Ned C. Rogers, d.

Ossipee, Harry P. Smart, r.
Sandwich, Perley C. Knox, r.
Tamworth, Earle H. Remick, r.
Tuftonboro, Carl D. Hayes, r.
Wakefield, Ansel N. Sanborn, r.
Wolfeboro, Harold H. Hart, r.
Clayton M. Wallace, r.

John C. Tilton, r.
Ward 7, Shirley Brunel, r. and d.
Marjorie M. Greene, r. and d.
Ward 8, Harold W. Ford, r.
Ward 9, Emmett A. Nawn, r.
John Swenson, r.
Dunbarton, Roy K. Sargent, r.
Epsom, Laura Y. Bickford, r. and d.
Franklin, Ward 1, Malcolm W. Conant, r.
Ward 2, Eusebe P. Lemire, d.
Frederick G. Moody, d.
Ward 3, Frederick J. Condon, d.
Louis H. Doupheinet, d.
Henniker, Lester E. Connow, r.
Hooksett, Edward M. DuDevoir, d.
Rene H. DuFort, r. and d.
Hopkinton, Lewis A. Nelson, r.

† Resigned
<table>
<thead>
<tr>
<th>Merrimack County—Continued.</th>
<th>Hillsborough County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northfield, Albert A. Carr, r.</td>
<td>Salisbury, Fred W. Holmes, r.</td>
</tr>
<tr>
<td>Pembroke, George Chickering, d.</td>
<td>Sutton, Benjamin H. Yerxa, r. and d.</td>
</tr>
<tr>
<td>Romeo Plourde, d.</td>
<td>Warner, John P. H. Chandler, Jr., r.</td>
</tr>
<tr>
<td></td>
<td>Webster, Adam E. Mock, r. and d.</td>
</tr>
</tbody>
</table>

| Amherst, Theodore E. Boardman, r. | John F. Shea, d. |
| Antrim, William H. Hurlin, r. and d. | Ward 6, Denis F. Casey, d. |
| Bedford, Ralph M. Wiggin, r. | Edward J. Cavanaugh, d. |
| Bennington, George E. Edwards, r. | Edward D. Clancy, d. |
| Brookline, Grover C. Farwell, d. | Peter E. Harlan, Sr., d. and r. |
| Deering, Arthur O. Ellisworth, d. | Daniel J. Healy, d. |
| Francestown, Ernest L. Johnson, r. | Michael J. Thornton, d. |
| Goffstown, Sumner E. Boulle, r. | Ward 7, Joseph C. Gaumont, d. |
| Austin H. Reed, r. | Mark J. Gorham, d. |
| Nathan A. Tirrell, r. | James J. Hogan, Jr., d. |
| Greenfield, Hobart M. Adams, r. | Charles J. Leclerc, d. |
| Greeneville, Bernadette E. Charois, d. and r. | John P. Tessler, d. |
| Hancock, William Weston, r. and d. | Ward 8, George N. Constant, d. |
| Hillsborough, George W. Boynton, r. and d. | Eugene H. Delisle, Sr., d. |
| Robert G. Bruce, r. and d. | Edward P. Leclerc, d. |
| Hollis, Helen Worcester Bell, r. and d. | Alpha J. Letendre, d. |
| Hudson, Ned Spaulding, r. and d. | Ward 9, Patrick J. Egan, d. |
| Charles A. Daniels, r. | Michael J. Fahey, d. |
| Litchfield, John A. Reid, r. | Ward 10, Albert G. Charron, d. |
| Manchester, | Oscar E. Getz, Sr., d. |
| Ward 1, Harry W. Bergholtz, r. | Medora Gilmartin, d. |
| Chester W. Jenks, r. | Ward 11, William H. Clear, d. |
| J. Walker Wiggin, r. | Patrick J. Kenney, d. |
| Ward 2, Perley W. Gage, r. | Joseph J. Roukey, d. |
| William J. Gauthier, r. | Ward 12, Raoul J. Lalumiere, d. |
| Victor C. Johnson, r. | George A. Hebert, d. |
| Charles V. Kimball, r. | George E. Laflamme; d. |
| Lawrence C. Thornton, d. | Ward 13, Rolland Chapdelaine, d. |
| Walter J. Duda, d. | Paul H. Daniel, d. |
| Walter B. Connor, d. | Eugene J. Gelinas, d. |
| Ward 4, Dominick J. Kean, d. | Arthur E. Thibodeau, d. |
| Thomas J. McGowan, d. | Ward 14, Michael J. Cannon, d. and r. |
| Patrick J. Sullivan, d. | Michael S. Donnelly, d. and r. |
| Ward 5, James P. Barry, Jr., d. | William J. Ronan, d. and r. |
| George E. Houle, d. | Milford, William M. Falconer, r. |
| Martin L. Mahoney, d. | George F. Jewett, r. |
| John C. O'Brien, d. | Fred T. Wadleigh, r. |
Hillsborough County—Continued.
Mont Vernon, Arvid G. Erlandso, Ind.
Nashua,
Ward 1, Blaylock Atherton, r.
   Mabel Thompson Cooper, r.
   Alice L. Ramsdell, d.
Ward 2, Francis LaFlamme, d.
   J. Leonard Sweetey, d.
Ward 3, Agenor Belcourt, d.
   Wilbur D. Maynard, d.
Ward 4, Arthur J. Garrity, d.
   George D. Spalding, d.
Ward 5, Delphis E. Chasse, d.
   Emile E. Marquis, d.
   Albert Maynard, d.
Ward 6, Louis W. Paquette, d. and r.
   Albert D. Richard, d. and r.
   Peter Sweetey, d. and r.

Carters, Guy S. Neal, r.
Chesterfield, Walter J. Post, r. and d.
Dublin, Charles R. Thomas, r.
Fitzwilliam, George F. Miller, r. and d.
Hinsdale, Abbie H. Robertson, r.
Jaffrey, George H. Duncan, d.
   Philip C. Tremblay, d.
Keene,
Ward 1, Ben O. Aldrich, r. and d.
   Richard B. Donovan, d.
   E. James Winslow, r. and d.
Ward 2, Wilfred L. Duchesneau, r.
   Verne C. Swan, r.
Ward 3, Frank J. Bennett, r.
   James C. Hilton, r.

Ward 7, Alfred Betters, d.
   Daniel J. Hagerty, d.
   William J. Lavoie, d.
Ward 8, Thomas A. Chamberland,
   and r.
   Alfred P. Grandmaison, d.
   Honore D. LeBlanc, d.
   Leonard G. Velishka, d.
Ward 9, David Dion, d.
   Raymond E. Girouard, d.
New Boston, Albert E. Shedd, r.
New Ipswich, William T. Thompson, r.
Pelham, Ernest Q. Bigelow, r. and d.
Peterborough, William H. Caldwell, r.
   George A. Myhaver, r.
Wear, Frank H. Peaslee, r. and d.
Wilton, David J. Barry, d.

CHESHIRE COUNTY

Ward 4, Howard E. Page, Jr., r.
   Robert M. Sayers, Sr., d.
Ward 5, Clesson J. Blaisdell, d.
   Lawrence M. Pickett, d. and r.
Marlborough, Benjamin G. Hall, r. and d.
   Marlow, Roxie A. Forbes, r. and d.
   Nelson, Francis W. Tolman, r.
   Rindge, Henry M. Hale, r. and d.
   Swanzey, Ralph A. Blake, r.
   Mark H. Carlton, d. and r.
   Troy, Franklin L. Lang, d.
   Walpole, Harold T. Killeen, r.
   Harry J. Jennison, r.
   Westmoreland, Oscar W. Billings, r.
   Winchester, Frederick H. Ingham, r.
   Luman R. Nelson, r.

SULLIVAN COUNTY

Grantham, Allen W. Walker, d.
   Langdon, Frances E. Pelton, r.
Lempster, Thomas C. Smith, r. and d.
   Newport, Elsie C. Bailey, d.
   Maurice H. Cummings, d.
   Frank M. Farmer, d.
   John R. Kelley, r.
Plainfield, Lena A. Read, r. and d.
Springfield, Edith B. Gardner, r.
Sunapee, T. Oliver Russell, r. and d.
Unity, George S. Callum, r.
Washington, David E. Williams, r. and q.
Grafton County

Alexandria, Orlo Erland Wadhams, r. and d.
Ashland, William A. Brown, d. and r.
Bath, Amos N. Blandin, d. and r.
Bethlehem, William H. Aiken, d. and r.
Bristol, Glenn L. Wheeler, r.
Campton, Bertram W. Pulsifer, r.
Canaan, Joseph L. Graham, r.
Enfield, Emmett Stewart, r.
Franconia, Richard A. Bowles, r. and d.
Grafton, George L. Aldrich, r. and d.
Hanover, Grace F. Batchelder, r.
                  Charles A. Holden, r.
                  Howard N. Kingsford, r.
Haverhill, William J. Clough, r.
                  Norman A. McMeekin, r.
                  Wesley G. White, r.
Holderness, Edmund W. Ogden, r. and d.
Londonderry, Roscoe J. Oakes, d.

Lebanon, Daniel E. Butler, d.
    Norris Cotton, r. and d.
    Ernest R. Coutermarsh†, d.
    George H. Edson, d.
    Matthew S. Gile, d.
    Frank X. Guay, d.
Lincoln, William J. Canton, r. and d.
Lisbon, James E. Collins, r.
    Arthur L. Hamilton, r.
Littleton, Mabel M. Downing, r.
    Frederick E. Green, r.
    Fred Kelley, r.
Lyman, Clara K. Birch, r.
Lyne, Martha E. Lamphere, r. and d.
Orford, Charles L. Cushman, r.
Plymouth, Kenneth G. Bell, r. and d.
    Harry A. Merrill, d. and r.
Rumney, Jesse A. Barney, r. and d.
Warren, Charles F. Little, r.
Woodstock, Harry D. Sawyer, d. and r.

Coos County

Berlin,
   Ward 1, Oliver Dussault, d.
       Edward F. Hinchey, d.
       Elisabeth H. Mason, d.
       Henry M. Moffett, d.
   Ward 2, Dieudonne A. Boulay, d.
       Harry L. Henderson, d.
       Clara A. Lazure, d.
   Ward 3, Hilda C. F. Brungot, r.
       Marie A. Christensen, r.
       Joseph C. McGill, d.
   Ward 4, Esther C. Bixby, d. and r.
       Arthur A. Bouchard, d. and r.
       Alphonse M. Dagas, d.
       Fred G. Hayes, Jr., d.
Colebrook, Bushrod H. Hicks, r.
       Walter E. Hicks, r.

   Dalton, Amos J. Whitcomb, d.
   Dunster, Chester H. Elkins, r.
   Gorham, Charles A. Chandler, d.
       James A. Fraser, d. and r.
   Jefferson, Raymond G. Kimball, r. and d.
   Lancaster, Arthur C. Cryan, r.
       Edward S. Munro, r.
   Milan, Lloyd E. Fogg, r. and d.
   Northumberland, Elmer R. Nugent, d.
       Nelson D. Rich, d.
   Pittsburg, Fay C. Merrill, r.
   Stark, Grace M. Phelan, r. and d.
   Stewartstown, George B. Currier, r.
   Stratford, True G. Martin, d. and r.
   Whitefield, Carl E. Taylor*, r. and d.

* Died
† Resigned
CHAPTER 1.

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

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

1. **Apportionment.** 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:

<table>
<thead>
<tr>
<th>Town</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rockingham County</td>
<td>$119.44</td>
</tr>
<tr>
<td>Atkinson</td>
<td>$0.81</td>
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<tr>
<td>Auburn</td>
<td>$1.12</td>
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<tr>
<td>Brentwood</td>
<td>$0.72</td>
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<td>Candia</td>
<td>$1.09</td>
</tr>
<tr>
<td>Chester</td>
<td>$1.25</td>
</tr>
<tr>
<td>Danville</td>
<td>$0.55</td>
</tr>
<tr>
<td>Deerfield</td>
<td>$1.04</td>
</tr>
<tr>
<td>Derry</td>
<td>$8.94</td>
</tr>
<tr>
<td>East Kingston</td>
<td>$0.60</td>
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<tr>
<td>Epping</td>
<td>$1.57</td>
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<td>Exeter</td>
<td>$11.64</td>
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<td>Fremont</td>
<td>$0.88</td>
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<td>Laconia</td>
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Meredith, five dollars and sixty-four cents $5.64
New Hampton, two dollars and seventy cents 2.70
Sanbornton, one dollar and thirty-six cents 1.36
Tilton, four dollars and eight cents 4.08

**Carroll County, $35.25**

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**Merrimack County, $126.21**

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<td>Bradford</td>
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<td>Canterbury</td>
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<td>Chichester</td>
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<td>Concord</td>
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<tr>
<td>Dunbarton</td>
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<td>Epsom</td>
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<td>Franklin</td>
<td>14.04</td>
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<td>Henniker</td>
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<td>Hill</td>
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<td>Hooksett</td>
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<td>Hopkinton</td>
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<td>Loudon</td>
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Newbury, two dollars and one cent .................. $2.01
New London, three dollars and sixty-seven cents .. 3.67
Northfield, one dollar and ninety-four cents .......... 1.94
Pembroke, three dollars and forty-four cents .......... 3.44
Pittsfield, three dollars and eighteen cents .......... 3.18
Salisbury, seventy-three cents .................................. .73
Sutton, one dollar and eight cents .................. 1.08
Warner, one dollar and ninety-five cents ............ 1.95
Webster, one dollar and seventeen cents ............ 1.17
Wilmot, fifty-seven cents .................................. .57

**Hillsborough County, $287.90**

Amherst, two dollars and nine cents ............. $2.09
Antrim, two dollars and sixteen cents .............. 2.16
Bedford, three dollars and thirteen cents .......... 3.13
Bennington, one dollar and seventy-two cents ......... 1.72
Brookline, eighty-three cents .......................... .83
Deering, seventy-one cents .............................. .71
Francetown, one dollar and one cent .................. 1.01
Goffstown, six dollars and fifty-one cents .......... 6.51
Greenfield, one dollar and one cent .................. 1.01
Greenville, one dollar and ninety-nine cents ......... 1.99
Hancock, one dollar and ninety cents ................. 1.90
Hillsborough, four dollars and forty-nine cents ...... 4.49
Holdis, one dollar and ninety cents .................. 1.90
Hudson, three dollars and forty-two cents .......... 3.42
Litchfield, seventy-five cents .......................... .75
Lyndeborough, ninety-four cents ........................ .94
Manchester, one hundred fifty-four dollars and thirty-seven cents ................. 154.37
Mason, forty-six cents .................................. .46
Merrimack, two dollars and forty-six cents .......... 2.46
Milford, seven dollars and thirty-two cents .......... 7.32
Mont Vernon, eighty-nine cents ........................ .89
Nashua, sixty-eight dollars and sixty cents .......... 68.60
New Boston, one dollar and twenty-nine cents .......... 1.29
New Ipswich, one dollar and eighty-seven cents .......... 1.87
Pelham, one dollar and sixty-one cents .............. 1.61
Peterborough, seven dollars and ninety-four cents .......... 7.94
Sharon, thirty-one cents .................................. .31
Temple, eighty-two cents .................................. .82
Weare, one dollar and seventy-six cents ............. 1.76
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**Cheshire County, $80.95**

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<td>Dublin</td>
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<td>Gilsum</td>
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<td>Hinsdale</td>
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<td>Jaffrey</td>
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<td>Keene</td>
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<td>Marlborough</td>
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<td>Marlow</td>
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<td>Swanzey</td>
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<td>Troy</td>
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<td>Walpole</td>
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<td>Westmoreland</td>
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<td>Winchester</td>
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**Sullivan County, $49.60**

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<td>Cornish</td>
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<td>Goshen</td>
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<td>Grantham</td>
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<td>Springfield</td>
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Washington, seventy-two cents ........................................ $0.72

**Grafton County, $104.58**

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<td>Benton</td>
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<tr>
<td>Bridgewater</td>
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<tr>
<td>Bristol</td>
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<tr>
<td>Campton</td>
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<tr>
<td>Canaan</td>
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<td>Dorchester</td>
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<td>Easton</td>
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<td>Enfield</td>
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<td>Franconia</td>
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<td>Landaff</td>
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<td>Lincoln</td>
<td>one dollar and eighty-seven cents</td>
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<td>Lisbon</td>
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<td>Wentworth</td>
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Chapter 1

Coos County, $70.80

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<td>Clarksville, ninety-one cents</td>
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<tr>
<td>Colebrook, three dollars and seventy-three cents</td>
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<td>Columbia, eighty-four cents</td>
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<tr>
<td>Dalton, seventy-five cents</td>
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<tr>
<td>Dummer, fifty-six cents</td>
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<tr>
<td>Errol, one dollar and one cent</td>
<td>1.01</td>
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<tr>
<td>Gorham, six dollars and seventy-three cents</td>
<td>6.73</td>
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<tr>
<td>Jefferson, one dollar and forty-six cents</td>
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<tr>
<td>Lancaster, six dollars and seven cents</td>
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<tr>
<td>Milan, one dollar and ten cents</td>
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<tr>
<td>Northumberland, four dollars and two cents</td>
<td>4.02</td>
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<tr>
<td>Pittsburg, three dollars and eighty-five cents</td>
<td>3.85</td>
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<tr>
<td>Randolph, ninety-seven cents</td>
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<td>Shelburne, one dollar and thirty-four cents</td>
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<td>Stark, sixty-two cents</td>
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<tr>
<td>Stewartstown, one dollar and forty-five cents</td>
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<tr>
<td>Stratford, one dollar and fifty-one cents</td>
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<td>Wentworth's Location, eighteen cents</td>
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Unincorporated Places, $2.83

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<td>Erving's Grant, two cents</td>
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<tr>
<td>Gilmanton and Atkinson Academy Grant, five cents</td>
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<td>Green's Grant, nine cents</td>
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<td>Hale's Location, one cent</td>
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<td>Odell, twenty-nine cents</td>
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<td>Thompson and Meserve Purchase, ten cents</td>
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2. **Limitation.** 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.

3. Takes Effect. This act shall take effect upon its passage.

[Approved January 31, 1945.]

CHAPTER 2.

AN ACT RELATING TO THE APPOINTMENT OF TAX COLLECTORS.

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

1. Time of Appointment. Amend section 28 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: 28. Compensation of Collectors. Each town, at the annual meeting, may determine the rate or amount of compensation to be allowed the collector of taxes for his services. Whenever the selectmen appoint the collector, such appointment shall be made prior to April first and they shall make a written contract with him in relation to his compensation.

2. Takes Effect. This act shall take effect upon its passage.

[Approved January 31, 1945.]

CHAPTER 3.

AN ACT RELATING TO PERSONS LIABLE TO LEGACY AND SUCCESSION TAXES.

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

1. Legacy and Succession Taxes. Amend section 1 of chapter 87 of the Revised Laws by inserting after the word “wife” in the ninth line the words, father, mother, so that said section as amended shall read as follows: 1. Taxable Property and Tax Rate.* All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to inhabitants of the state, and all real estate within the state, or any interest therein, belonging to persons who

* See chapter 144, s. 1, post.
are not inhabitants of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother, lineal descendant, or adopted child of a decedent, or for the care of cemetery lots, or to a city or town in this state for public purposes, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

2. **Application to Estates.** This act shall not apply to the estates of persons deceased prior to the date when it takes effect, nor to property of such decedents passing by deed, grant, bargain, sale or gift, as set forth in section 1, but such estates, persons and property shall remain subject to the provisions of the laws in force prior to the passage of this act.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved January 31, 1945—10.01 A. M.]

CHAPTER 4.

AN ACT RELATIVE TO VEHICLES OWNED BY THE GOVERNMENT, THE STATE AND MUNICIPALITIES.

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

1. **Powers of the Commissioner.** Amend chapter 118 of the Revised Laws by inserting after section 11 the following new section: **11-a. Rules and Regulations.** The commissioner of motor vehicles shall have the authority to prescribe special rules and regulations relative to registration of motor vehicles owned and operated by the government of the United States, the state, or by any county, city, or town, and may issue permanent number plates for such vehicles. Said vehicles displaying said number plates shall be deemed to be properly registered under the provisions of this title and may be operated upon the highways of the state without further registration or subsequent number plates.
2. Takes Effect. This act shall take effect upon its passage.

[Approved January 31, 1945.]

CHAPTER 5.

AN ACT RELATIVE TO CHANGING THE NAMES OF CERTAIN PUBLIC WATERS IN THE TOWN OF BARNSTEAD.

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

1. Upper and Lower Suncook Lakes. The body of water in the town of Barnstead known as Upper Suncook Pond shall hereafter be known and called Upper Suncook Lake. The body of water in the town of Barnstead known as Lower Suncook Pond shall hereafter be known and called Lower Suncook Lake.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 6, 1945.]

CHAPTER 6.

AN ACT IN RELATION TO TIME OF DELIVERY OF POLL TAX WARRANTS.

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

1. Time of Delivery. Amend section 10 of chapter 77 of the Revised Laws by striking out the words “after April first” and inserting the words, before June first, so that said section as amended shall read as follows: 10. List of Poll Taxes. Before June first 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.
2. Takes Effect. This act shall take effect upon its passage.

[Approved February 6, 1945.]

CHAPTER 7.

AN ACT IN RELATION TO THE BONDS OF TOWN OFFICERS.

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

1. Town Officers. Amend section 42 of chapter 59 of the Revised Laws by striking out said section and inserting in place thereof the following: 42. Bonds of Town Clerks, Treasurers, Tax Collectors and Deputy Tax Collectors. Each town clerk and treasurer shall furnish a bond of a reputable surety company in the form required by the tax commission, and each tax collector and deputy tax collector shall furnish a bond of a reputable surety company in the form and amount required by the tax commission. The premiums shall be paid by the town.

2. Tax Collectors. Amend section 42 of chapter 80 of the Revised Laws by striking out said section and inserting in place thereof the following: 42. Deputies. Any collector, being authorized by vote of the town, may appoint deputies, with the approval of the selectmen, who shall be sworn, have the powers of collectors, may be removed at the pleasure of the collector, and before entering upon the duties of his office, give bond as provided in section 42 of chapter 59.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 6, 1945.]

CHAPTER 8.

AN ACT RELATIVE TO THE FORM OF OFFICIAL PRIMARY BALLOTS.

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

1. Official Primary Ballots. Amend section 28 of chapter 33 of the Revised Laws by inserting after the words "'Vote for'" in the fifth line the words, not more than, so that said
section as amended shall read as follows: 28. **Preparation.** At least ten days before any primary is to be held an official ballot for each political party shall be prepared by the secretary of state, and shall be as nearly as is practicable in the same form as ballots used at elections. Below the name of each office shall be printed in small but easily legible letters the words "Vote for not more than" followed by a spelled number designating how many persons are to be voted for.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved February 6, 1945.]

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**CHAPTER 9.**

AN ACT RELATIVE TO INSTRUCTIONS AS TO ABSENTEE VOTING AND MARKINGS ON BALLOTS.

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

1. **Absentee Voting.** Amend section 74 of chapter 34 of the Revised Laws by striking out the word "presidential" in the sixth line and inserting in place thereof the word, biennial, so that said section as amended shall read as follows: 74. **Instructions; Information.** The secretary of state shall prepare for the use of election officials, city and town clerks and registrars of voters and supervisors of the check-list such printed information and instructions, subject to approval by the attorney-general, as he may deem proper to facilitate the operation hereof. Such printed matter shall be transmitted to said officials prior to each biennial election. The secretary of state is further authorized to prepare and distribute subject to like approval, such general information relative hereto as he may deem expedient.

2. **Ballots.** Amend section 78 of said chapter 34 by striking out the word and figure "and 59" and inserting in place thereof the following, 59 and 68, so that said section as amended shall read as follows: 78.* **Prohibited Marking.** No mark of any nature shall be placed on the ballot by election officials except as provided in sections 51, 59 and 68.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved February 8, 1945.]

* See also chapter 166, post.
CHAPTER 10.
AN ACT IN RELATION TO REPORTS TO STATE AND COUNTY TREASURERS.

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

1. Return Discontinued. Section 6, chapter 77, Revised Laws, requiring return to the state and county treasurers of the name of the collector, the date of his warrant, and the amount and time of payment of taxes, is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 8, 1945.]

CHAPTER 11.
AN ACT RELATIVE TO VIOLATIONS OF THE MUNICIPAL BUDGET LAW.

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

1. Municipal Budget Law. Amend section 6 of chapter 52 of the Revised Laws by striking out the words “the preceding section” and inserting in place thereof the words, section 5, so that said section as amended shall read as follows: 6. Penalty. Any person or persons violating the provisions of section 5 shall be subject to removal from office on proper petition brought before the superior court. Such petition shall take precedence of other actions pending in said court, and shall be heard and decided as speedily as possible.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 8, 1945.]

CHAPTER 12.
AN ACT RELATIVE TO JURISDICTION OF THE COURT TO GRANT A DEGREE OF NULLITY.

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

1. Void Marriages. Amend chapter 339 of the Revised Laws by inserting after section 2 the following new section:
2-a. Jurisdiction. In any proceedings for annulment for any cause whether under statute or under common law, the court shall have jurisdiction to declare an annulment of a marriage entered into in this state even though neither party has been at any time a resident herein.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 13, 1945.]

CHAPTER 13.

AN ACT RELATIVE TO THE PROBATE OF WILLS.

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

1. Witnesses. Amend section 12 of chapter 351 of the Revised Laws by adding after the word "cause" in the second line the words, or if the court determines that the testimony of such witnesses is unavailable under the circumstances, so that said section as amended shall read as follows: 12. If Witness Becomes Incompetent or Unavailable. If the attesting witnesses, after the execution of a will, become incompetent from any cause, or if the court determines that the testimony of such witnesses is unavailable under the circumstances, the will may be proved and allowed upon other satisfactory evidence.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 13, 1945.]

CHAPTER 14.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A CONSERVATOR, UNDER CERTAIN CIRCUMSTANCES, FOR PROPERTY OF PERSONS SERVING IN OR WITH THE ARMED FORCES OF THE UNITED STATES.

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

1. Missing Military Personnel. Amend the Revised Laws by inserting after chapter 342 the following new chapter:
Chapter 342-A
Appointment of Conservator

1. Appointment of Conservator. Whenever a person, hereinafter referred to as an absentee, serving in or with the armed forces of the United States, or a person serving as a merchant seaman, has been reported or listed as missing, or missing in action, or interned in a neutral country, or beleaguered, besieged, or captured by an enemy, has an interest in any form of property in this state or is a legal resident of this state and has not provided an adequate power of attorney authorizing another to act in his behalf in regard to such property or interest, then, the probate court of the county of such absentee's legal domicile or of the county where such property is situated, either on the court's own motion or upon petition alleging the foregoing facts and showing the necessity for providing care of the property of such absentee made by any person who would have an interest in the property of the absentee were such absentee deceased, after notice to, or on receipt of proper waivers from, the heirs and next of kin of the absentee as provided by law for the administration of an estate, and upon good cause being shown, may, after finding the facts to be as aforesaid, appoint a conservator to take charge of the absentee's estate, under the supervision and subject to the further orders of the court.

2. Bond; Powers of Conservator. The court shall have full discretionary authority to appoint any suitable person as such conservator and may require such conservator to post an adequate surety bond and to make such reports as the court may deem necessary. The conservator shall have the same powers and authority as the guardian of the property of a minor or incompetent and shall be considered as an officer or arm of the court.

3. Termination of Conservatorship. At any time upon petition signed by the absentee, or on petition of an attorney-in-fact acting under an adequate power of attorney granted by the absentee, the court shall direct the termination of the conservatorship and the transfer of all property held thereunder to the absentee or to the designated attorney-in-fact. Likewise, if at any time subsequent to the appointment of a conservator it shall appear that the absentee has died and an executor or administrator has been appointed for his estate, the court shall direct the termination of the conservatorship
and the transfer of all property of the deceased absentee held thereunder to such executor or administrator.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 13, 1945.]

CHAPTER 15.

AN ACT RELATIVE TO THE UNIFORM ACKNOWLEDGMENT LAW AND VALIDATION OF CERTAIN ACKNOWLEDGMENTS.

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

1. Acknowledgment by Custom. Amend section 1 of chapter 382-A of the Revised Laws as inserted by chapter 97 of the Laws of 1943 by inserting after the word "laws" the words, and customs, so that said section as amended shall read as follows: 1. Acknowledgment of Instruments. Any instrument may be acknowledged in the manner and form as otherwise provided by the laws and customs of this state, or as provided by this chapter.

2. Validity of Acknowledgments. All acknowledgments of written instruments made since March 30, 1943, pursuant to existing custom in this state are hereby declared to be valid.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 13, 1945.]

CHAPTER 16.

AN ACT RELATING TO THE BENEFIT YEAR FOR UNEMPLOYMENT COMPENSATION.

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

1. Benefit Year. Amend subsection C of section 1 of chapter 218 of the Revised Laws by striking out the same and inserting in place thereof the following: C. "Benefit year" with respect to any individual means the year beginning with the first day of April of every calendar year and ending on the last day of March of the following calendar year, provided, however, that the current benefit year shall be extended to in-
clude the month of March, 1945, and shall terminate on the last day of March, 1945.

2. Takes Effect. This act shall take effect upon its passage.
[Approved February 13, 1945.]

CHAPTER 17.

AN ACT RELATIVE TO WAR SERVICE BY MEMBERS OF THE POLICE RETIREMENT SYSTEM.

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

1. Continuous Service. Amend chapter 221 of the Revised Laws by inserting after section 11 the following new section: 11-a. War Service. In case of a break in a policeman's continuous service by reason of military or federal law enforcement service directly attributable to war, the board shall construe as a period of continuous service the total service of such policeman before the break, his military or federal law enforcement service and his service after the break.

2. Takes Effect. This act shall take effect upon its passage.
[Approved February 13, 1945.]

CHAPTER 18.

AN ACT RELATIVE TO DESTRUCTION OF PAPERS BY THE COMPTROLLER.

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

1. Comptroller. Amend chapter 23 of the Revised Laws by adding at the end thereof the following new section: 17. Disposal of Papers. The comptroller may destroy, at the end of six years from the time of filing, any records, reports or miscellaneous papers filed in his office which, in his opinion, are no longer of any value to the state.

2. Takes Effect. This act shall take effect upon its passage.
[Approved February 13, 1945.]
CHAPTER 19.

AN ACT RELATIVE TO ASSIGNMENTS OF ACCOUNTS RECEIVABLE AND OTHER CHOSES IN ACTION.

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

1. Assignment of Accounts. Amend the Revised Laws by inserting after chapter 263 the following new chapter:

Chapter 263-A

Assignments of Accounts Receivable

1. Definitions. For the purposes of this chapter:

I. “Account” means an account receivable. It includes sums owing, although not yet payable, under an existing contract, but not sums to become due for goods not yet completed or services not yet rendered. It excludes a judgment, note, draft, acceptance, life insurance policy, conditional sale contract and other instruments for the payment of money, the assignment of which is usually made by endorsement on or delivery of the instrument and sums due for personal services of an employee.

II. “Assignment” includes any transfer, sale, pledge, or mortgage of an account, or of a part thereof.

III. “Assignor” includes transferor, sellor, pledgor and mortgagor.

IV. “Assignee” includes transferee, purchaser, pledgee, mortgagee and persons with rights acquired from or through such assignee.

V. “Account debtor” means a person obligated to pay an account.

VI. “Subsequent assignee” means a later assignee of an account, mediatly or immediately claiming under an assignor who has previously assigned such account.

VII. “Value” means any consideration sufficient to support a simple contract, including an antecedent debt or liability, whether an account is taken in satisfaction thereof or as security therefor.

2. Assignments Valid when Made. An assignment of an account transfers from the date of its making all rights which the assignor has power to transfer and shall be and be deemed to be valid and fully perfected as of the date it is made, if (a) it is in writing; (b) the assignee has given value therefor; (c) the assignee takes the assignment in good faith;
and (d) whether or not notice of the assignment is given to the account debtor or the account debtor assents to said assignment. After the making of such an assignment no existing or future creditor of the assignor and no subsequent assignee shall or can acquire any right, title, lien or interest in or to such account, or any proceeds thereof, or any judgment, instrument, token or writing given as evidence thereof or in substitution therefor, equal or superior to or in diminution of the rights of the assignee under such assignment.

3. Rights of Account Debtor. Whenever, prior to notice to him of an assignment of an account, the account debtor shall have, while acting in good faith (a) made payment of the account, in whole or in part; or (b) given a negotiable instrument in payment or as evidence, in whole or in part thereof; or (c) effected a novation in respect thereto; or (d) become liable upon a final judgment thereon; such payment or the assumption or suffering of such substitute liability shall, to the extent thereof, be a good and valid discharge of the account debtor's liability upon such account. Further, nothing in this chapter shall deprive the account debtor of any valid defense to which he would otherwise be entitled or any valid right existing under the contract from which the assigned account arose or of any right of set-off or counterclaim against the assignor existing at the time the account debtor receives notice of the assignment.

4. Accountability of Certain Persons to Assignee. If an account is assigned as provided in section 2, the assignor and any subsequent assignee of the account and any creditor of such assignor, other than a creditor realizing on a lien acquired prior to such assignment, shall be liable and accountable to the assignee under such assignment for all sums thereafter received by such assignor, subsequent assignee or creditor in payment, in whole or in part, of such account; and any such assignor, subsequent assignee or creditor who after the date of such assignment obtains an instrument, token or writing in payment or as evidence, in whole or in part, of such account, or effects a novation with respect thereto, or obtains an order, judgment or decree for the payment of such account, shall be deemed to have received, effected or obtained the same for the use and benefit of the assignee under such assignment and shall be liable and accountable to him therefor and
for the proceeds thereof; provided, however, that any action to enforce any rights under this section 4 against any party other than the assignor may be brought within one year from the date such funds are received, such novation is effected, or such instrument, token, writing, order, judgment or decree is obtained, as the case may be, and not afterward.

5. Returned Property; Adjustments. If, in the case of any assigned account, merchandise sold, or any part thereof, is returned to or recovered by the assignor from the account debtor and is thereafter dealt with by the assignor as his own property, or if the assignor grants credits, allowances or adjustments to the account debtor, the right to or lien of the assignee upon any balance remaining owing on such account and his right to or lien upon any other account assigned to him by the assignor shall not be invalidated, irrespective of whether the assignee shall have consented to, or acquiesced in, such acts of the assignor.

6. Assignment of Claims Against the United States. This chapter shall not apply to the rights of the United States in any case of an assignment of a claim against the United States but shall apply to the rights of all other persons interested in such an assignment.

2. Takes Effect. This act shall take effect on its passage and shall apply only to assignments executed and delivered after its effective date.

[Approved February 20, 1945.]

CHAPTER 20.

AN ACT TO GUARANTEE REEMPLOYMENT OF VETERANS BY TOWNS AND OTHER POLITICAL SUBDIVISIONS OF THE STATE.

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

1. Veterans Guaranteed Reemployment. Each county, town, city, precinct, school board or other political subdivision of the state shall reemploy a veteran of any branch of the military service of the United States who has been placed on inactive status or been given a discharge other than dishonorable and who, within ninety days after being so made inactive or discharged, in writing, notifies the treasurer or
other fiscal agent of such political subdivision that he desires
to be reinstated in the position he held with such political
subdivision at the time he entered said military service.

2. Compensation; Term of Employment. Such political
subdivision shall, upon receiving the foregoing notification and
being satisfied that the applicant has been placed on inactive
status or holds a discharge other than dishonorable, reinstate
such veteran in the position he held at the time of entering
the military service as of the date when said notification is
received and shall pay said veteran not less than and as
frequently as he was paid when he entered the service. Such
employment shall be for a period of not less than one year,
provided such veteran shall be of good behavior and wishes
to remain so long employed. A veteran giving the notice
required by section 1, upon being notified in writing by such
political subdivision that it is satisfied he has been placed on
inactive status or holds said discharge, shall present himself
forthwith for said reemployment and failing so to do he may
be considered as not of good behavior.

3. Equitable Treatment of Civilians. In the event that
the position held by said veteran at the time he entered the
service is held by another when the notification required under
section 1 is received, the political subdivision may continue to
pay the person whom the veteran replaces for such time as is
reasonable under the circumstances.

4. Discontinued Offices. In the event the position held by
said veteran at the time he entered the service has been
abolished or discontinued the political subdivision shall re-
employ such veteran as provided hereunder and assign to him
duties as nearly comparable as circumstances permit.

5. Optional Provisions. Nothing herein shall be construed
to prevent a political subdivision from paying a veteran
more than he was receiving upon entering the service nor em-
ploying him, if he wishes, in a different capacity provided he
is paid at least as much and as often.

6. Subdivision Borrowings. Any political subdivision lack-
ing an appropriation providing funds from which to carry out
the terms of this act, may borrow the amount necessary from
the state paying, therefor, interest at the rate of one per cent
per annum. The state treasurer shall advance the sums
necessary from time to time to enable a political subdivision
to carry out the provisions hereof upon receiving from its
treasurer or other fiscal agent his certificate and the note of the political subdivision signed by him. All such notes shall be binding obligations of the political subdivision payable at its pleasure but in any event within five years from the date thereof.

7. Jurisdiction of Superior Court. This act shall be liberally construed in favor of a veteran and the superior court shall have original jurisdiction on any question arising hereunder.

8. Constitutionality. The provisions of this act are declared to be severable and if any provision hereof or the application thereof to any persons or circumstances is held invalid, that shall not affect the other provisions or applications hereof which can be given effect.

9. Takes Effect. This act shall take effect upon its passage.

[Approved February 20, 1945.]

CHAPTER 21.

AN ACT RELATIVE TO COURT RECORDS OF MOTOR VEHICLE VIOLATIONS.

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

1. Motor Vehicle Violations. Amend section 25 of chapter 118 of the Revised Laws by inserting after the word "nature" in the seventh line the words, and date, so that said section as amended shall read as follows: 25. Records; Reports. A full record shall be kept by every court or justice in this state of every case in which a person is charged with a violation of any of the provisions of any law relative to motor vehicles, and an abstract of the record in cases of conviction shall be sent within five days by the court or justice to the commissioner. Said abstracts shall be made upon forms prepared by the commissioner and shall include all necessary information as to the parties to the case, the nature and date of the offense, the date of the hearing, the plea and the judgment, and shall be certified by the clerk of the court or by the justice. The commissioner shall keep such records in his office and they shall be open to the inspection of any person.
2. Takes Effect. This act shall take effect upon its passage.

[Approved February 20, 1945.]

CHAPTER 22.

AN ACT RELATIVE TO PROCEDURE IN CASE OF THE DEATH OF CANDIDATES AT PRIMARIES AND GENERAL ELECTIONS.

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

1. Election Procedure. Amend section 67 of chapter 33 of the Revised Laws by striking out the words, "proper committee as the law provides," and inserting in place thereof the words, party committee of the state, county, town or ward, as the case may require, so that said section as amended shall read as follows: 67. Death of Candidate. In case of the death of any candidate to be voted for at any primary or general election, between the date of nomination or filing and the day of election, a new candidate may be substituted under the authority of the party committee of the state, county, town or ward, as the case may require, whose name shall be printed upon the ballots if they have not been printed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 21, 1945.]

CHAPTER 23.

AN ACT RELATING TO MOTOR VEHICLE PROSECUTIONS.

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

1. Limitation. Amend section 26 of chapter 132 of the Revised Laws by striking out said section and inserting in place thereof the following: 26. Authority Limited. This chapter shall not be construed:

I. As authorizing any public officer, agent or representative in carrying out any of the provisions hereof to take charge of any child over the objection of either of the parents
of such child or of the person standing in loco parentis to such child, except pursuant to a court order;

II. As applying in the case or cases of persons under the age of eighteen years who are charged with the violation of a motor vehicle law.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 21, 1945.]

CHAPTER 24.

AN ACT RELATING TO HAWKERS AND PEDDLERS.

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

1. Sale by Veterans' Organizations. Amend section 19, chapter 188 of the Revised Laws by inserting after the word "Legion" in the sixth line the words, the Disabled American Veterans, so that said section as amended shall read as follows:

19. Permission Granted. The mayor and aldermen of a city, or the selectmen of towns, may, in their discretion, authorize from time to time the sale or the offering for sale on the streets, or any other place frequented by the public in said city or town, of artificial flowers or miniature flags by the Grand Army of the Republic and organizations affiliated with it, the American Legion, the Disabled American Veterans, the Veterans of Foreign Wars, United Spanish War Veterans, and other recognized charitable, fraternal, labor or military organizations; provided, however, that nothing in this section shall be construed to prohibit the sale or the offering for sale by bona fide merchants in their stores or other business establishments of such merchandise as herein named.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 21, 1945.]

CHAPTER 25.

AN ACT IN RELATION TO HOLDING TAX SALES.

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

1. Real Estate; Tax Sales. Amend chapter 80, Revised Laws, by adding after section 22 the following new section:
22-a. Sale by Agent. In case it shall appear to the selectmen that the collector, after having advertised a sale will be prevented by sickness or other unavoidable cause from holding said sale at the advertised time they may upon application for, and issuance of, a certificate of emergency by the tax commission, appoint some person as agent who shall have authority to conduct the sale and make the statutory return thereof, or who may adjourn the sale, as the collector could do, if present.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]

CHAPTER 26.

AN ACT TO PENALIZE THE UNLAWFUL WEARING OF MILITARY AND OTHER OFFICIAL UNIFORMS.

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

1. Penalty. Amend chapter 143 of the Revised Laws by adding at the end thereof the following new section: 107. Unauthorized Wearing of Official Uniforms. Any person who, without authority under the laws of the United States or of this state, wears the uniform or a distinctive part thereof or a uniform or a part thereof similar to the uniform of the national guard of this state, or of another state, or naval militia of another state, or of the United States army, navy, marine corps, coast guard, or any auxiliary thereof, shall be fined not more than three hundred dollars or imprisoned for not more than six months, or both. As used in this section, the terms "uniform" or "part" or "distinctive part" of a uniform shall not include such articles of wearing apparel as shoes, socks, shirts, ties, scarves, trousers, overalls, raincoats, field jackets, and headgear, from which the service buttons, insignia, or other distinctive markings have been removed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]
CHAPTER 27.

AN ACT RELATING TO CLERK HIRE IN THE PROBATE OFFICE OF GRAFTON COUNTY.

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

1. Grafton County Probate Office. Amend section 22 of chapter 347 of the Revised Laws, as amended by chapters 63 and 125 of the Laws of 1943, by striking out the word “three” in the eleventh line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

22. Clerk Hire. Registers of probate shall be allowed the following sums annually for clerk hire, payable monthly by the county:

   In Rockingham county, one thousand three hundred dollars.
   In Strafford county, five hundred dollars.
   In Merrimack county, one thousand dollars.
   In Hillsborough county, three thousand two hundred twenty dollars.
   In Cheshire county, five hundred dollars.
   In Sullivan county, five hundred dollars.
   In Grafton county, five hundred dollars.
   In Coos county, one hundred fifty dollars.

2. Takes Effect. This act shall take effect as of January 1, 1945.

[Approved February 27, 1945.]

CHAPTER 28.

AN ACT RELATIVE TO DATE FOR EXAMINATION AND APPROVAL OF BONDS OF SHERIFFS.

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

1. Change in Date. Amend section 6 of chapter 46 of the Revised Laws by striking out the word “March” in the second line and inserting in place thereof the word, December, so that said section as amended shall read as follows: 6. Sheriff’s Bond. The clerk of the superior court for each county shall annually, before December first, lay before the
court the sheriff's bond to the county, the sufficiency of which and of the sureties thereon shall be considered by the court, and a record of the sufficiency or insufficiency thereof shall be entered upon the docket.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]

CHAPTER 29.

AN ACT RELATIVE TO JURISDICTION OF THE COURT OVER CHILDREN.

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

1. Neglected and Delinquent Children. Amend section 1 of chapter 132 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. Age. This chapter shall apply only to those children under the age of eighteen years and any jurisdiction acquired by the court or the commissioner of public welfare, under order of the court, over a neglected child shall cease when said child arrives at the age of eighteen, provided, however, that in the case of a delinquent child over whom the court has acquired jurisdiction hereunder said jurisdiction shall continue until said child arrives at the age of twenty-one years of age unless he is previously discharged by the court, or jurisdiction over him released to the superior court.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]

CHAPTER 30.

AN ACT RELATIVE TO INVESTMENTS BY GUARDIANS.

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

1. Approved Investments by Guardians. Amend section 22 of chapter 342 of the Revised Laws by adding at the end
thereof the following new paragraph:  

V. In such bonds or stocks or other securities as a prudent man would purchase for his own investment having primarily in view the preservation of the principal and the amount and regularity of the income to be derived therefrom; provided, however, that not less than fifty per cent of the inventory or the cost value of the assets of the trust shall be invested in classes of property which qualify under paragraphs I, II, and III of this section.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]

CHAPTER 31.

AN ACT RELATIVE TO MANNER OF TAKING DEER IN THE TOWN OF MONT VERNON.

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

1. Taking Wild Deer. Amend section 4, chapter 242 of the Revised Laws, as amended by section 1, chapter 135 of the Laws of 1943, by inserting after the word "Wilton" in the eighth line the words, Mont Vernon, so that said section as amended shall read as follows: 4.* Shotguns. Wild deer shall not be taken by the use of any firearm other than a shotgun loaded with a single ball or loose buckshot within the counties of Hillsborough, Merrimack, Belknap or Rockingham, with the following exceptions: the towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield, New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason, Wilton, Mont Vernon and Peterborough in the county of Hillsborough; the towns of Andover, Chichester, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Pembroke, Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield, the eastern part of the town of Hooksett bounded on the northeast by Allenstown, east by Deerfield, southeast by Candia, and west by the old Portsmouth Railroad, and Henniker in the county of Merrimack; the towns of Sanbornton, Alton, Gilmanont, Barnstead, Belmont, Meredith, Center Harbor, and

* See also chapter 69, post.
New Hampton in the county of Belknap; and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond and Epping in the county of Rockingham.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]

CHAPTER 32.

AN ACT PROVIDING FOR A FISCAL AGENT FOR THE COUNTY OF COOS AND PROVIDING FOR A REFERENDUM WITH RESPECT THERETO.

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

1. Fiscal Agent. The governor, with the advice and consent of the council, is hereby authorized and directed to appoint a fiscal agent for the county of Coos who shall serve during their pleasure and shall have the powers and duties set forth in this act.

2. Qualifications; Salary; Bond. The fiscal agent shall be a citizen of the state of New Hampshire. Before entering upon his duties he shall give such bond in the penal sum of ten thousand dollars as the governor shall approve. He shall be paid such salary, not exceeding three thousand, five hundred dollars per annum, as the governor and council shall prescribe and, in addition, shall be allowed his necessary traveling expenses while engaged in official business, provided, however, that he resides in Coos county during his term of office. His salary and expenses shall be paid by the county of Coos.

3. Powers and Duties. The fiscal agent shall supervise and direct the incurring of obligations against and the expenditure of all funds which may be raised and appropriated for the benefit of said county. No obligation of said county shall be incurred by an officer thereof and no funds of said county shall be expended without the approval of said fiscal agent. He shall countersign all warrants or orders for the payment of any money drawn upon any funds held by the treasurer of Coos county, and said treasurer shall pay out no money unless upon warrant or order countersigned by such
fiscal agent. The fiscal agent shall have all powers and duties of the county commissioners of Coos county and he, with the approval of the superior court (a) may borrow such sums as shall be deemed necessary to meet the demands upon the county treasury and give the note of the county therefor, provided, however, that if the sum borrowed under the provisions hereof, when added to the taxes of the same fiscal year that shall have been collected, shall be in excess of one hundred and ten per cent of the total appropriations made for such year by the county convention, the authorization of the county convention, in addition to the approval of the superior court, shall be required for such excess borrowings; (b) may borrow from time to time such sums as he shall deem necessary for the purpose of refunding existing notes and issue in place thereof serial notes payable within seven years from their respective dates of issue. All notes issued under the provisions of this act shall be signed by the fiscal agent and countersigned by the county treasurer. The clerk of the superior court for the county of Coos shall attest and record all such notes.

4. Reports. The fiscal agent shall submit a quarterly report in writing to the governor and council, to the chairman of the county convention and to each member of the delegation covering all financial transactions including an itemized account of all personal expenses for the preceding quarter.

5. County Commissioners. The fiscal agent shall use the services of the county commissioners so far as it shall be practicable and advisable in the carrying on of the affairs of the county. No moneys, however, shall be paid out except on the warrant or order of the fiscal agent.

6. Inconsistent Laws. All powers and duties of county commissioners and county treasurers granted and imposed by any other acts or parts of acts which are inconsistent with the provisions of this act are made inoperative so far as they apply to the county commissioners and the county treasurer of the county of Coos.

7. Takes Effect; Referendum. This act shall be effective from April 1, 1945 to April 1, 1947. The secretary of state is hereby directed to insert on the official ballots for the city and towns in Coos county at the election in November, 1946, the following question: "Do you approve of the extension of the act providing for a fiscal agent for the county of Coos?" The
secretary of state is further directed to insert said question in an appropriate place in the right-hand column of said ballot in a location separate and apart from any other question appearing on said ballot. The clerks of said city and towns are hereby directed to forward to the secretary of state within two days after such election the result of the vote on the above question in their respective city or towns. The secretary of state shall canvass the votes as returned to him and shall report to the legislature of 1947 the result of the voting on said question.

[Approved February 27, 1945.]

CHAPTER 33.

AN ACT RELATIVE TO MOTOR VEHICLE FINANCIAL RESPONSIBILITY.

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

1. Motor Vehicle Financial Responsibility. Amend section 7 of chapter 122 of the Revised Laws by striking out said section and inserting in place thereof the following: 7. Application of Security. Security furnished in compliance with the requirements hereof shall be applicable only to the payment of a judgment against the depositor for damages arising out of the accident in question in an action at law in a court of this state begun not later than one year thereafter; and such deposit, or any balance thereof, after the expiration of such year, shall be returned to the depositor or his personal representative unless the commissioner shall have received a written notice from the aggrieved person or his representative that suit has been brought.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]
CHAPTER 34.

AN ACT RELATIVE TO AUXILIARY TANKS ON COMMERCIAL VEHICLES.

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

1. Prohibition. Amend chapter 120 of the Revised Laws, as inserted by chapter 65 of the Laws of 1943, by inserting after section 22 the following new section: 22-a. Auxiliary Tanks. No commercial motor vehicle or truck, except such vehicles or trucks owned or operated by distributors duly licensed hereunder or by persons regularly engaged in the transportation of petroleum products for sale, shall be operated upon the highways of this state equipped with or containing any fuel tank other than the ordinary standardized equipment fuel tank attached to and forming a part of said motor vehicle as furnished by the manufacturer of said motor vehicle, except as authorized by the commissioner. Whoever violates any of the provisions of this section shall be fined not more than one hundred dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]

CHAPTER 35.

AN ACT EXTENDING THE TIME FOR THE ESTABLISHMENT OF CAPITAL RESERVE FUNDS OF TOWNS, DISTRICTS, WATER DEPARTMENTS, AND COUNTIES.

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

1. Extension of Time. Amend section 13 of chapter 160 of the Laws of 1943 by striking out the figure "1945" in the fifth line and inserting in place thereof the figure, 1947, so that said section as amended shall read as follows: 13. Takes Effect; Limitation. This act shall take effect upon its passage, provided, however, that no appropriations for such capital reserves shall be made, nor shall any town, district, water department or county transfer to any such reserve any of its surplus funds, after July 1, 1947.
2. Increase in Authorized Amounts. Amend section 6 of chapter 160 of the Laws of 1943 by striking out the word "one-tenth" in the third line and inserting in place thereof the word, one-half, so that said section as amended shall read as follows:

6. Limitations on Appropriations. No town or village district shall raise and appropriate in any one year for such reserve an amount in excess of one-half of one per cent of the last assessed valuation of said town or district; no county shall raise and appropriate for such reserve an amount in excess of one hundredth of one per cent of the last assessed valuation of said county.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 1, 1945.]

CHAPTER 36.

AN ACT RELATIVE TO NONRESIDENT STUDENTS AT THE UNIVERSITY OF NEW HAMPSHIRE.

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

1. University of New Hampshire. The provisions of section 23 of chapter 222 of the Revised Laws placing restrictions upon the number of new students entering the university from certain states are hereby suspended for two years from the date of taking effect of this act.

2. Takes Effect. This act shall take effect as of July 1, 1945.

[Approved March 6, 1945.]

CHAPTER 37.

AN ACT RELATIVE TO CIVIL ACTIONS FOR RECOVERY OF EXPENSES INCURRED BY THE STATE OR TOWNS IN EXTINGUISHING FIRES.

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

1. Extinguishment of Fires. Amend section 36 of chapter 233 of the Revised Laws by inserting after the word
"town" in the fourth line the words, or the state or both, so that said section as amended shall read as follows: 36. Liability for Fires without Permit. Any person causing or kindling a fire without permit of the forest fire warden, when such permit is required, and any person by whose negligence or the negligence of his agents any fire shall be caused, shall be liable in a civil action for the payment to the town, or the state or both, of the expenses incurred by the forest fire warden or deputy warden in attending or extinguishing such fire. The items of expense of said fire shall be approved in writing by the state forester.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 38.

AN ACT RELATING TO THE EXPEDITION OF TRIALS IN CRIMINAL CASES.

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

1. Criminal Cases. Amend chapter 427 of the Revised Laws, by adding after section 1 the following new sections:

1-a. Waiving Indictment. Any person who has been bound over or committed under the provisions of section 5, or section 7, of chapter 421 of the Revised Laws, for trial in the superior court upon a complaint charging a crime not punishable by death, and who desires to waive indictment, may apply in writing to the superior court for prompt arraignment upon such complaint. Upon the filing of such an application, the county solicitor may, with the approval of the court, proceed against the defendant by complaint, and in such case he shall be held to answer and the court shall have as full jurisdiction of the complaint as if an indictment had been found. The arraignment of the defendant shall be at such time as the court may designate. Every person when so committed or bound over upon such a complaint shall be notified by the court of his right to apply for waiver of indictment and prompt arraignment as aforesaid.

1-b. Other Charges. If the county solicitor desires to charge a defendant making application hereunder with a crime
or crimes not punishable by death, other than a crime charged in the complaint upon which he has been so committed or bound over, the county solicitor may, before consenting to such application, prepare a complaint or complaints charging such other crime or crimes and serve the same upon the defendant in order that he may have an opportunity to waive indictment upon such other charges. If an application for waiver of indictment as to any such other charge is subsequently filed, the court shall, before approving such application, require an affidavit of service upon the defendant as part of the record of the case. The superior court shall by rule establish forms for application to waive indictment hereunder and may by rule make such other regulations of procedure hereunder as justice may require.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 39.

AN ACT RELATIVE TO PUBLISHED NOTICE OF SPECIAL MEETINGS OF TOWNS, VILLAGE DISTRICTS AND SCHOOL DISTRICTS.

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

1. Town Meetings. Amend chapter 57 of the Revised Laws, by inserting after section 3 the following new section: 3-a. Special Meetings. The selectmen when calling a special town meeting shall, within one week after posting the warrant therefor, cause copy of said warrant to be published once in a newspaper of general circulation in said town.

2. Village Districts. Amend chapter 70 of the Revised Laws, by inserting after section 13 the following new section: 13-a. Special Meetings. The commissioners when calling a special district meeting shall, within one week after posting the warrant therefor, cause a copy of said warrant to be published once in a newspaper of general circulation in said district.

3. School Districts. Amend chapter 139 of the Revised Laws, by inserting after section 7 the following new section: 7-a. Special Meetings. The school board when calling a
special meeting shall, within one week after posting the warrant therefor, cause a copy of said warrant to be published once in a newspaper of general circulation in said district.

4. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 40.

AN ACT RELATIVE TO DESTRUCTION OF RECORDS BY THE BANK COMMISSIONER.

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

1. Bank Commissioner. Amend chapter 307 of the Revised Laws by adding at the end thereof the following new section: 15. Disposal of Papers. The commissioner may destroy, at the end of six years from the time of filing, any records, reports or miscellaneous papers filed in his office which, in his opinion, are no longer of any value to the state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 41.

AN ACT RELATING TO PAYMENT TO TOWNS FOR FLOOD CONTROL.

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

1. Flood Control. Amend section 4 of chapter 4 of the Revised Laws by striking out the word "five" in the seventh line and inserting in place thereof the word, ten, so that said section as amended shall read as follows: 4. Reimbursement to Cities and Towns Authorized. On or before the first day of October of each year, the state treasurer shall pay to each town and city in which any land or interest therein is acquired hereunder by the United States a sum equal to the taxes which would have been assessed against said lands or interest therein in such town if the same had been included in the list
of taxable property for such year, at the assessed valuation of the same as determined for the tax year 1939, for a period of ten years next ensuing the year said lands or interest therein becomes exempt from taxation, less any amount paid or due that town for that year by or from the United States or any agency thereof because of loss of taxable valuation, the amount of said payment to be determined by the tax commission and certified by it to the state treasurer on or before the fifteenth day of September of each year for which such reimbursement is to be made; and the governor is authorized to draw his warrant for the payment thereof out of any money in the treasury not otherwise appropriated. Provided, however, that no payments shall be made or required on account of reimbursement for loss of taxes on any structure which may be erected on such premises in connection with the construction or use of said project, or on account of any railroad or other public utility which may be relocated as a result of such acquisition and which thereafter is included in the list of taxable property in said town when relocated.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 42.

AN ACT RELATIVE TO THE OPEN SEASON AND BAG LIMIT ON PHEASANTS.

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

1. Open Season; Bag Limit. Amend section 2, chapter 243 of the Revised Laws, by striking out said section and inserting in place thereof the following: 2. Pheasants. Pheasants may be taken and possessed from October fifteenth to November sixteenth. No person shall take more than two pheasants in any one day, of which not more than one shall be a hen pheasant. No person shall take more than ten pheasants in any one calendar open season, or have in his possession at one time more than two days' bag limit of pheasants.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]
CHAPTER 43.

AN ACT RELATIVE TO QUALIFICATIONS FOR OLD AGE ASSISTANCE.

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

1. Institutional Care. Amend subsection (a) of section 12 of chapter 126 of the Revised Laws by adding the word, public, between the words "continued" and "institutional" in the third line, so that said subsection as amended shall read as follows: (a) For the purposes hereof a person shall be eligible for aid to the aged who is sixty-five years of age; is not on account of his physical condition in need of continued public institutional care; is a citizen of the United States and has been a resident of the state for at least five years within the nine years immediately preceding his application for such aid and has resided in the state continuously for one year immediately preceding said application.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 44.

AN ACT RELATIVE TO INFORMATION TO BE FURNISHED TO THE COMMISSIONER OF MOTOR VEHICLES RELATIVE TO LICENSES OF OPERATORS.

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

1. Motor Vehicles. Amend section 1 of chapter 116 of the Revised Laws by striking out the words, "Such application shall be sworn to before a justice of the peace, notary public, town or city clerk, or selectman" in the eighth and ninth lines and inserting in place thereof the words, Such application shall contain the words, This application is signed under penalty of perjury, so that said section as amended shall read as follows: 1. Application. Application for the registration of motor vehicles may be made by the owner thereof by mail or otherwise to the commissioner, upon blanks prepared under his authority. The application shall contain, in addition to such other particulars as may be required by the commis-
sioner, a statement of the name, residence, and street address of the applicant, with a brief description of the motor vehicle, including the name of the maker, the number, if any, affixed by the maker, and the character of the motor power. Such application shall contain the words, "This application is signed under penalty of perjury." The proper fee shall be deposited before the application is granted.

2. Notification Required. Amend chapter 116 of the Revised Laws by inserting after section 1 the following new section: 1-a. Change of Name or Address. Whenever the owner of a motor vehicle, which has been duly registered in the state, shall change his legal name or his permanent residence, he shall immediately notify the commissioner in writing of such change.

3. Operators' Licenses. Amend section 1 of chapter 117 of the Revised Laws by striking out the words "Such application shall be sworn to before a justice of the peace, notary public, town or city clerk, or selectman" in the fifth and sixth lines, and inserting in place thereof the words, Such application shall contain the words, "This application is signed under penalty of perjury" so that said section as amended shall read as follows: 1. Application. Except as herein otherwise provided, no person shall operate a motor vehicle within this state until he shall have obtained a license for that purpose. Applications for such license may be made by mail or otherwise to the commissioner on blanks prepared under his authority. Such application shall contain the words, "This application is signed under penalty of perjury." The proper fee shall be deposited before the application is granted.

4. Notification Required. Amend chapter 117 of the Revised Laws by adding after section 1 the following new section: 1-a. Change of Name or Address. Whenever any person who has been duly licensed to operate a motor vehicle within this state shall change his legal name or his permanent residence he shall immediately notify the commissioner in writing of such change.

5. Takes Effect. This act shall take effect upon its passage.

[Approved March 7, 1945.]
CHAPTER 45.
AN ACT TO PROVIDE RECIPROCAL PRIVILEGES IN THE OPERATION OF MOTOR VEHICLES.

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

1. Operation Without Registration; Reciprocity. Amend section 35 of chapter 116 of the Revised Laws by striking out the whole thereof and substituting therefor the following:

35. Operation Without Registration; Reciprocity. A motor vehicle, trailer or semi-trailer owned by a nonresident and duly registered for the current year in the state, district or country of which the owner is a resident may be operated upon the highways of this state without registration under this chapter to the extent, as to period of operation and otherwise, that the state, district or country of registration grants similar privileges for the operation of such vehicles owned by residents of this state and registered under its laws. The commissioner for the purposes of this section shall determine the nature and extent of the privileges for the operation of motor vehicles granted by other states, districts or countries to residents of this state and his determination shall be final.

2. Repeal. Sections 30, 31, 32, 33, 34, 38 and 41 of chapter 116 of the Revised Laws are hereby repealed.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 7, 1945.]

CHAPTER 46.
AN ACT RELATING TO THE TAKING OF BEAVER.

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

1. Beaver. Amend section 6 of chapter 244 of the Revised Laws, as amended by section 1, chapter 64 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 6. Open Season. In any county, or part thereof, during any part of the months of March and April the director, with the approval of the commission, may declare an open season on beaver if he deems that beaver are
detrimental to fishing or hunting or to lumber operations, or if he receives written complaint from a water company or a landowner that beaver are polluting a water supply or doing actual and substantial damage to property.

2. Bag Limit. Amend section 8 of chapter 244 of the Revised Laws by adding at the end thereof the following: No person shall take more than five beaver in any one such open season, so that said section as amended shall read as follows:

8. Trapping; Bag Limit. During said open season any resident of the state holding a trapping license may take and possess beaver by means of traps only. No person shall take more than five beaver in any one such open season.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 14, 1945.]

CHAPTER 47.

AN ACT RELATING TO RECOUNTS AFTER BIENNIAL ELECTIONS.

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

1. Requests for Recounts. Amend section 104 of chapter 34 of the Revised Laws, as amended by section 1 of chapter 2 of the Laws of 1943, by striking out said section, and inserting in place thereof the following: 104. Biennial Elections. If any candidate, excepting candidates for county offices and excepting as otherwise provided in this section, for whom a vote was cast and recorded for any office at a biennial election shall, before the expiration of ten days thereafter, apply in writing to the secretary of state for a recount of all the ballots cast and recorded for such office and shall state in his application the names of all opposing candidates, the secretary of state shall appoint a time for the recount not earlier than ten days after the receipt of the application. No person shall be entitled to a recount upon his own application unless the difference between the vote cast for him and the vote cast for his closest opposing candidate who received sufficient votes to be declared elected shall be one per cent or less of the total vote so cast for such office or for such candidates. If such difference is greater than one per cent the application of a person shall require the number of signatures
of qualified voters as provided by section 64 of chapter 33 for nomination papers, and in the same manner and form as provided in section 62 of said chapter 33, except that in no event shall the number of signatures so required exceed ten per cent of the total vote so cast, or, in lieu of the signatures herein required, a person may agree in writing with the secretary of state to pay the full expense of such recount, in which event he shall deposit with said secretary an amount of money reasonably estimated to cover such expense, which shall be subject to an accounting at the conclusion of said recount or a full refund if said person is declared elected by reason of said recount. All contested elections for county offices shall be determined in accordance with the provisions of chapter 45.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 15, 1945.]

CHAPTER 48.

AN ACT RELATIVE TO USE OF AGRICULTURAL VEHICLES AND TRUCKS.

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

1. Transportation of Animals and Agricultural Products for Exhibition Purposes. Amend paragraph IV of section 1, chapter 118 of the Revised Laws, by inserting after the word "operated" in the ninth line the words, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, so that said paragraph as amended shall read as follows: IV. For each tractor used for agricultural purposes only, each vehicle of the tractor type used for agricultural purposes only and used to draw another vehicle in such a way that a part of the load is carried on such towing vehicle, each tractor used for power purposes only that does not haul loads on the public highways, except as hereinbefore provided for tractor type vehicles, each tractor or truck used only on snow and each snowmobile, two dollars. Each commercial vehicle or truck used for agricultural purposes only and used on the public highways within a radius of five miles from the main entrance of the farm
upon which said vehicle is operated, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, two dollars, provided that said vehicle under such limited registration shall not be used for the purpose of transporting produce or goods for sale or for hire.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 15, 1945.]

CHAPTER 49.

AN ACT RELATING TO INSPECTION OF SCHOOL BUSES.

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

1. School Busses. Amend section 14 of chapter 119 of the Revised Laws by inserting after the word "children" in the third line the words, to any public school, further amend by adding at the end thereof the following: Said inspection shall be made before any motor vehicle transporting ten or more school children to any public school is used for said transportation. The commissioner shall cause to be issued some identification if such vehicle is approved as a school bus, so that said section as amended shall read as follows: 14. Inspection of School Buses. The commissioner shall have authority, through his duly authorized agents, to inspect any motor vehicle used for the purpose of transporting school children to any public school to determine its fitness for such purpose, and if he finds that such vehicle is unfit, he may refuse to permit it to be designated as a school bus. Said inspection shall be made before any motor vehicle transporting ten or more school children to any public school is used for said transportation. The commissioner shall cause to be issued some identification if such vehicle is approved as a school bus.

2. Takes Effect. This act shall take effect July 1, 1945.

[Approved March 15, 1945.]
CHAPTER 50.
AN ACT RELATING TO THE TAXATION OF REAL ESTATE OF THE UNITED STATES.

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

1. Taxation. Amend section 7 of chapter 73 of the Revised Laws by striking out the words "United States" as they appear in lines 3 and 4 of said section, so that said section as amended shall read as follows: 7. Real Estate. Real estate, whether improved or unimproved, and whether owned by residents or others, is liable to be taxed, except houses of public worship, schoolhouses, seminaries of learning, real estate of the state, county, or town used for public purposes, and as otherwise provided.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 15, 1945.]

CHAPTER 51.
AN ACT RELATING TO RECORDS IN THE BUREAU OF LABOR.

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

1. Disposal of Records. Amend chapter 210 of the Revised Laws by adding the following new section after section 6: 6-a. Disposal of Papers. The commissioner may destroy, at the end of ten years from the time of filing, reports, records, and other documents which are, in his opinion, no longer of any value to the state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 15, 1945.]

CHAPTER 52.
AN ACT RELATIVE TO RECORDING MORTGAGES OF PERSONAL PROPERTY.

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

1. Recording Mortgages. Amend chapter 262 of the Revised Laws by inserting after section 3 the following new
section: 3-a. **Buildings on Land of Separate Owners.** Where the mortgaged property consists of any building situated on land not belonging to the owner of the building, the mortgage thereon shall be recorded in the office of the clerk of the town in which the building is situated and also in the office of the register of deeds for the county in which the land is situated.

2. **In Unorganized Places.** Amend section 5 of said chapter 262 by striking out the same and inserting in place thereof the following: 5. **If No Clerk.** If there is no such clerk, the mortgage shall be recorded in the office of the register of deeds for the county in which such unorganized place is located.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1945.]

**CHAPTER 53.**

AN ACT RELATIVE TO COURT FEES FOR SHERIFFS AND DEPUTIES.

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

1. **Court Fees.** Amend paragraph VI of section 28 of chapter 380 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: VI. For each day of any session of the superior court, the sheriff, five dollars a day; for each day's actual attendance at the superior court by order thereof, each deputy, seven dollars a day; for each day's actual attendance at the supreme court by order thereof, the sheriff and each deputy, seven dollars a day; in addition, the sheriff and each deputy, traveling expenses to attend any court; said fees and expenses to be audited and allowed by the court, to be paid out of the county treasury. For attending before a justice or municipal court, on trials where his presence is required, each day, one dollar.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1945.]
CHAPTER 54.

AN ACT RELATIVE TO TOWN APPROPRIATIONS FOR MEMORIALS FOR VETERANS.

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

1. Town Appropriations. Amend paragraph X of section 4, chapter 51, of the Revised Laws by adding in the fifth line after the word "Legion" the words, the Disabled American Veterans, so that said paragraph as amended shall read as follows: X. MEMORIALS. To procure and establish a monument, memorial building, or testimonial to the services of soldiers and sailors of such town; to celebrate their return and to provide, or defray the expense of procuring, a suitable meeting place in the town for a post of the Grand Army of the Republic, United Spanish War Veterans, American Legion, the Disabled American Veterans, or Veterans of Foreign Wars.

2. Disabled American Veterans. Amend paragraph XI of said section 4 by inserting after the word "Legion" in the fifth line the words, the Disabled American Veterans, so that said paragraph as amended shall read as follows: XI. MEMORIAL DAY. 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 six hundred dollars yearly, to be given to and expended by committees appointed by the Grand Army of the Republic, the United Spanish War Veterans, the American Legion, the Disabled American Veterans, or the Veterans of Foreign Wars, so long as they shall continue the services of Memorial day as originally established and now observed, and thereafter to such persons or organizations as shall continue such services in the several towns.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 15, 1945.]
CHAPTER 55.

AN ACT TO PROVIDE FOR THE RECEIVING, AS PRIMA FACIE EVIDENCE IN ANY COURT, OFFICIAL FINDINGS OF DEATH, PRESUMED DEATH, MISSING OR OTHER STATUS, OF MISSING PERSONS.

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

1. Evidence of Death or Other Status. Amend the Revised Laws by adding after chapter 352 the following new chapter:

352-A

Evidence of Death or Other Status

1. Official Findings of Death; Effect of. A written finding of presumed death, made by the secretary of war, the secretary of the navy, or other officer or employee of the United States authorized to make such finding, pursuant to the Federal Missing Persons Act (56 Stat. 143, 1092, and P. L. 408, Ch. 371, 2d Sess. 78th Cong.; 50 U. S. C. App. Supp. 1001-17), as now or hereafter amended, or a duly certified copy of such finding, shall be received in any court, office or other place in this state as prima facie evidence of the death of the person therein found to be dead, and the date, circumstances and place of his disappearance.

2. Missing in Action. An official written report or record, or duly certified copy thereof, that a person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy, or is dead, or is alive, made by an officer or employee of the United States authorized by the act referred to in section 1 or by any other law of the United States to make same, shall be received in any court, office or other place in this state as prima facie evidence that such person is missing, missing in action, interned in a neutral country, or beleaguered, besieged or captured by an enemy, or is dead, or is alive, as the case may be.

3. Prima Facie Evidence of Signature. For the purposes of sections 1 and 2 hereof any finding, report or record, or duly certified copy thereof, purporting to have been signed by such an officer or employee of the United States as is described in said sections, shall prima facie be deemed to have been signed and issued by such an officer or employee pursuant to law, and the person signing same shall prima facie be
Chapter 56

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

1. Optometry Board. Amend section 2 of chapter 253 of the Revised Laws, as amended by chapter 138 of the Laws of 1943, by striking out the word “four” in the second line and inserting in place thereof the word, five, and by striking out the words in the same line “and one oculist” so that said section as amended shall read as follows: 2. Eligibility. There shall be a board of registration in optometry consisting business in the state. No person shall be eligible to serving of five skilled optometrists of good repute residing and doing said board unless he shall have been engaged in the practice of his profession for a period of not less than six years previous to his appointment.

2. Takes Effect. This act shall take effect as of July 1, 1945.

[Approved March 16, 1945.]
CHAPTER 57.
AN ACT RELATIVE TO NOTICE OF RECOUNTS AFTER BIENNIAL ELECTIONS.

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

1. Recounts after Biennial Elections. Amend section 105 of chapter 34 of the Revised Laws by striking out said section and inserting in place thereof the following: 105. Notice. Such recount shall take place in the state house, and the secretary of state, not less than seven days prior to the date of the recount, shall give notice thereof to the applicant and each of the opposing candidates.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 16, 1945.]

CHAPTER 58.
AN ACT RELATIVE TO EMPLOYMENT EXCLUSIONS UNDER THE UNEMPLOYMENT COMPENSATION LAW.

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

1. Employment Exclusions. Amend section 1 of chapter 218 of the Revised Laws by adding after subparagraph (4) (n) a new subparagraph to read as follows: (o) Service performed in any calendar quarter by an individual in the employ of a labor organization exempt from income tax under section 101 of the Federal Internal Revenue Code, if the remuneration for such service during such calendar quarter does not exceed forty-five dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 59.
AN ACT RELATING TO THE IMPORTATION OF DOMESTIC ANIMALS.

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

1. Importations. Amend section 54, chapter 229 of the Revised Laws by striking out the word "accredited" in the
Chapter 60  [1945]

sixth line so that said section as amended shall read as follows: 54. **Importations.** In no case shall compensation be allowed for any animals destroyed which may have contracted, or been exposed to, such disease in a foreign country, or on the high seas, or which have been brought or shipped into this state, within three months previous to showing evidence of such disease, except animals that have been imported directly from tuberculosis or Bang's disease free herds, and are accompanied by properly approved health charts certifying to same; and the owner or person in possession thereof shall furnish satisfactory evidence as to the time during which such animals have been owned in the state.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 60.

AN ACT RELATIVE TO POWERS OF CERTAIN WAR VETERANS WHO ARE MINORS.

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

1. **Rights of Minors.** Any war veteran as defined in the United States Servicemen's Readjustment Act of 1944 and amendments thereto, known as the "G. I. Bill of Rights," who is under twenty-one years of age, of sound mind and who has been discharged other than dishonorably from said war service, may mortgage real estate owned by him, may buy real estate and execute a mortgage to cover the purchase money, or execute a deed for the sale of the real estate so purchased, or to sign notes, secured or unsecured, as provided in said act, in the same manner and effect as though he were twenty-one years of age. Any mortgage or note so contracted by such veteran shall become his legal obligation to the same extent that it would be if he were twenty-one years of age and the holder of any such mortgage shall have the same rights of foreclosure as he would have were said veteran twenty-one years of age. If any such veteran is under guardianship and wishes to take advantage of the provisions of this act he shall file in probate court a certificate of such election and describe

* See chapter 178, post.
the real or personal estate which he is to mortgage, buy or sell, and said certificate shall be construed by said court as relieving the guardian of care and management of that portion of said estate and said court shall allow the filing of such amended inventory as may be just and authorize the adjustment of the bond of said guardian.

2. Takes Effect. This act shall take effect upon its passage and shall terminate ten years thereafter unless previously terminated by legislative act.

[Approved March 20, 1945.]
CHAPTER 62.

AN ACT TO FIX THE STANDARD WEIGHTS OF CONTAINERS FOR WHEAT AND CORN FLOURS, CORN MEALS, HOMINY, AND HOMINY GRITS.

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

1. Weights and Measures. Amend chapter 192 of the Revised Laws by inserting after section 30 the following new section: 30-a. Flour and Meal Containers. It shall be unlawful for any person to pack for sale, sell, offer or expose for sale in this state any of the following commodities except in containers of net avoirdupois weights of two, five, ten, twenty-five, fifty, and one hundred pounds, and multiples of one hundred pounds: Wheat flour, self-rising wheat flour, phosphated wheat flour, bromated flour, enriched flour, enriched self-rising flour, enriched bromated flour, corn flour, corn meals, hominy and hominy grits; provided, however, that the provisions of this section shall not apply to (a) the retailing of flours, meals, hominy and hominy grits direct to the consumer from bulk stock, or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred pounds, or (c) flours, meals, hominy and hominy grits packed in cartons the net contents of which are less than five pounds, or (d) the exchange of wheat for flour by mills grinding for toll.

2. Fines. Amend section 31 of said chapter 192 by inserting after the figure "29" the words and figure, or section 30-a, so that said section as amended shall read as follows: 31. Penalty. Any person violating section 29 or section 30-a shall be fined not less than twenty nor more than two hundred dollars.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]
CHAPTER 63.
AN ACT RELATIVE TO REVOCATION OF FISH AND GAME LICENSES FOR SHOOTING ACCIDENTS.
Be it enacted by the Senate and House of Representatives in General Court convened:

1. Fishing Licenses. Amend section 35 of chapter 241 of the Revised Laws by striking out the words "for a period of five years"; further amend by adding at the end thereof the words: At the discretion of the director and the commission his license may be returned or a special license for fishing only may be issued to said person upon payment of the same fee as for a hunting and fishing license, so that said section as amended shall read as follows: 35. Shooting Human Beings in Mistake. Any person who shall shoot at a human being in mistake for game or any wild animal, and through such shooting shall wound or kill such human being, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both, and in addition thereto his license shall be revoked. At the discretion of the director and the commission his license may be returned or a special license for fishing only may be issued to said person upon payment of the same fee as for a hunting and fishing license.

2. Takes Effect. This act shall take effect upon its passage.
[Approved March 20, 1945.]

CHAPTER 64.
AN ACT RELATIVE TO STANDARDS FOR FARM PRODUCTS.
Be it enacted by the Senate and House of Representatives in General Court convened:

1. Farm Products. Amend section 31 of chapter 223 of the Revised Laws by striking out said section and inserting in place thereof the following: 31. Use Restricted. After the establishment of grades and standards and the determination of the design of the brands or labels as herein provided, it shall be unlawful to use said brand or label to identify farm products as being of a grade or standard established as aforesaid without authorization for its use, or after the re-
vocation of the right to use such brand or label by the commissioner. For the purpose of further protecting the grades as officially established and promulgated by him, or any grades established under an act of congress by the United States Department of Agriculture on the same products it shall be unlawful to use the officially designated grade words, titles or names for the purpose of identifying, advertising, designating or describing any lots of such products unless such products fully meet the requirements of the official grade indicated. When in the opinion of the commissioner or his representative it is believed that any lot or lots of such products so identified, advertised, designated or described may not be of the grade indicated, he shall cause inspections of such products to be made for the purpose of determining the actual grade thereof.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 65.

AN ACT RELATING TO FINES COLLECTED BY A MUNICIPAL COURT.

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

1. Fines Collected. Amend section 30 of chapter 118 of the Revised Laws by adding at the end thereof the following: Provided, however, that ten per cent of the amount of all such fines collected by a municipal court shall be deducted and the same shall be forwarded to the town treasurer of the town where said court is located. The sums so paid into the town treasury shall be used for the expenses of the municipal court and any balance thereof shall be for the use of the town; so that said section as amended shall read as follows: 30. Disposal of Fees, etc. All fees and fines received by any person under the provisions of any laws of the state relative to the use and operation of motor vehicles, shall be paid to the commissioner within five days after the receipt thereof, and all moneys received by the commissioner shall be paid monthly to the state treasurer. Provided, however, that ten per cent of the amount of all such fines collected by a municipal court shall be deducted and the same shall be forwarded to the town
treasurer of the town where said court is located. The sums so paid into the town treasury shall be used for the expenses of the municipal court and any balance thereof shall be for the use of the town.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 66.

AN ACT RELATIVE TO THE COMPENSATION OF THE COMMISSIONERS AND TREASURER OF CARROLL COUNTY.

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

1. Carroll County. Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by striking out the words "Carroll and Coos counties" in the twelfth line and inserting in place thereof the words, Coos county, and by inserting after the word "provided" in the fourteenth line the words; In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided, so that said section as amended shall read as follows: 27. Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

- In Rockingham, ten hundred dollars.
- In Strafford, twelve hundred dollars.
- In Belknap, twelve hundred dollars.
- In Merrimack, ten hundred dollars.
- In Hillsborough, twenty-four hundred dollars.
- In Cheshire, one thousand dollars.
- In Sullivan, ten hundred dollars.
- In Grafton, ten hundred dollars.

In Coos county each commissioner, when employed in the business of the county, shall receive five dollars a day, payable as hereinbefore provided. In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a

* See chapter 163, post.
reasonable sum for all necessary expenses, upon order of the county auditors.

2. Compensation of Treasurer. Amend section 13 of chapter 48 of the Revised Laws by striking out the word "four" in the seventh line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

13. Salaries. The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.
In Strafford, four hundred dollars.
In Belknap, three hundred dollars.
In Carroll, five hundred dollars.
In Merrimack, four hundred dollars.
In Hillsborough, twelve hundred dollars.
In Cheshire, two hundred dollars.
In Sullivan, four hundred dollars.
In Grafton, three hundred dollars.
In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 67.

AN ACT TO PREVENT THE NETTING OR SEINING OF STRIPED BASS.

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

1. Regulations. Amend chapter 245 of the Revised Laws by inserting after section 59 the following new section: 59-a. Striped Bass. No person shall take striped bass by the use of a seine, weir or net.

2. Fines. Amend section 65 of said chapter 245 by striking out the word and figure "and 59" in the second line and by inserting in place thereof the word and figures, 59 and 59-a, so that said section as amended shall read as follows: 65.
Penalties. A person who violates a provision of this subdivision shall be fined as follows: For each violation of sections 57, 58, 59 and 59-a, not more than fifty dollars; of sections 60 to 62 inclusive, not more than ten dollars.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 21, 1945.]

CHAPTER 68.

AN ACT RELATIVE TO DISBURSEMENT OF TOWN TRUST FUNDS.

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

1. Town Trust Funds. Amend section 22, chapter 51, Revised Laws, as amended by section 1, chapter 70, Laws of 1943, by adding at the end of said section the words, and shall require a voucher before making any disbursement of funds from said trusts, so that said section as amended shall read as follows: 22. Trustees. All such trusts shall be administered by a board of three trustees. One trustee shall be elected by ballot at each annual town meeting for a term of three years. Vacancies shall be filled by the selectmen for the remainder of the term. In cities said trustees shall be chosen and hold their office for such term as shall be provided for by city ordinance. Trustees shall organize by electing one of their number treasurer, who shall keep the records and books of the trustees, and shall require a voucher before making any disbursement of funds from said trusts.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 21, 1945.]

CHAPTER 69.

AN ACT RELATIVE TO TAKING WILD DEER IN THE CITY OF FRANKLIN.

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

1. Wild Deer; Taking. Amend section 4 of chapter 242 of the Revised Laws, as amended by section 2, chapter 135, Laws
of 1943, and by section 1, chapter 31, Laws of 1945, by inserting after the word "Henniker" in the sixteenth line the words, and the city of Franklin, so that said section as amended shall read as follows: 4. Shotguns. Wild deer shall not be taken by the use of any firearm other than a shotgun loaded with a single ball or loose buckshot within the counties of Hillsborough, Merrimack, Belknap or Rockingham, with the following exceptions: the towns of Windsor, Hillsborough, Bennington, Deering, Francestown, Weare, Antrim, Hancock, Greenfield, New Boston, Lyndeborough, Temple, Sharon, New Ipswich, Greenville, Mason, Wilton, Mont Vernon, and Peterborough in the county of Hillsborough; the towns of Andover, Chichester, Wilmot, Danbury, Canterbury, Hill, New London, Sutton, Bradford, Warner, Salisbury, Newbury, Webster, Allenstown, Pembroke, Loudon, Pittsfield, Epsom, Boscawen, Hopkinton, Dunbarton, Bow, Northfield, the eastern part of the town of Hooksett bounded on the northeast by Allenstown, east by Deerfield, southeast by Candia, and west by the old Portsmouth Railroad, and Henniker and the city of Franklin in the county of Merrimack; the towns of Sanbornton, Alton, Gilmanton, Barnstead, Belmont, Meredith, Center Harbor, and New Hampton in the county of Belknap, and the towns of Candia, Auburn, Deerfield, Northwood, Nottingham, Raymond and Epping in the county of Rockingham.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 22, 1945.]

CHAPTER 70.

AN ACT RELATING TO POSTAGE EXPENSES IN SMALL CLAIMS LITIGATION.

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

1. Postage Expense. Amend section 4 of chapter 378 of the Revised Laws by striking out the word "twenty-one" in the second line and inserting in place thereof the words, plus the amount, so that said section as amended shall read as follows: 4. Disposition of Fees. Of the amount of the
entry fee the justice shall be allowed the sum of one dollar for his services, plus the amount to be used for postage for notice to the defendant, twenty-five cents for the use of the town in which the court is established and twenty-five cents for the clerk of the court, provided that in towns where there is no clerk of the municipal court in addition to the one dollar the justice shall be allowed twenty-five cents for his services as such clerk.

2. Small Claims. Amend section 3 of chapter 378 of the Revised Laws by striking out the word "seventy-one" in the fifth line and inserting in place thereof the word, fifty, and by adding at the end thereof the words, plus the amount for postage as provided in section 4, so that said section as amended shall read as follows: 3. Process. A plaintiff or his authorized attorney hereunder shall state the substance of his claim to the justice or clerk of the municipal court having jurisdiction thereof who shall briefly record the nature of the claim and set a date for hearing. The plaintiff or his authorized attorney shall at the same time pay an entry fee of one dollar and fifty cents, plus the amount for postage as provided in section 4.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 22, 1945.]

CHAPTER 71.

AN ACT RELATING TO TAXES ON INSURANCE COMPANIES.

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

1. License Fees. Amend section 24 of chapter 323 of the Revised Laws by striking out the words "a foreign" and inserting in place thereof the words, every insurance, so that said section as amended shall read as follows: 24. Fees. Every insurance company shall pay a fee of two dollars for every such license and for each renewal thereof.

2. Annual Statements. Amend section 37 of chapter 323 of the Revised Laws by striking out said section and inserting in place thereof the following: 37. Reports. Every insurance company doing business in this state shall, on or before
the first of March each year, make and transmit to the commissioner a statement, under oath of its president and secretary, in accordance with blanks to be furnished by him, showing the amount of its capital stock, assets, liabilities, outstanding risks, premium notes, receipts, expenditures, losses, assessments, salaries and emoluments, and any other information calculated to fully disclose the condition and method of management of the company for the year ending the preceding December thirty-first, which statement shall include the whole amount of premiums written during the preceding year for insurance on property or risks located or persons resident in this state. The commissioner may require a like statement or further information at any other time.

3. Later Filings. Amend chapter 323 of the Revised Laws by inserting after section 37 the following new section: 37-a. Extension of Time. The commissioner may extend the time for filing such statement for cause shown for a period of not more than sixty days. Life insurance companies shall not be required to file that part of their annual statement known as the gain and loss exhibit until the succeeding May first.

4. Fees and Taxes. Amend chapter 323 of the Revised Laws, as amended by chapter 105 of the Laws of 1943, by adding at the end thereof the following new subdivision:

Company Fees and Taxes

57. Fees. Every insurance company shall, for the privilege of doing business in this state, pay to the commissioner the sum of thirty-five dollars upon the filing of its application for admission herein and a like sum annually thereafter, on or before April first. Said sum shall cover all fees, including that for filing, charter and by-laws, annual statement, application for license, including renewal thereof, and all other statements, bonds, documents or papers, except fees for agents' licenses and renewals thereof.

58. Tax; Fire, etc. Companies. Every fire, marine, fidelity, and casualty insurance company shall pay to the state treasurer, within one month after receiving notice from the commissioner of the amount thereof, a tax of two per cent upon all gross direct premiums written, less return premiums, upon property or risks located or persons resident in this state, during the year ending on the preceding December thirty-first as assessed by the commissioner, and a further deduction in the case of all fire, marine, fidelity, and casualty insurance
companies, taxable under the provisions of this section, of the
amount of all unabsorbed premium deposits actually returned
or credited to policyholders upon business in this state during
the year for which the tax is determined.

59. Exemption. The provisions of section 24 of chap-
ter 323 of the Revised Laws and sections 57 and 58 of said
chapter shall not apply to mutual insurance companies that
operate on an assessment plan and require as a condition for
granting insurance the signing of a premium deposit note by
the insured, which note is given for the purpose of establish-
ing a limit of liability to assessment, while their total receipts
from policyholders is less than ten thousand dollars per year.

60. Tax; Life Companies. Every life insurance company
shall pay to the state treasurer, within one month after re-
ceiving notice from the insurance commissioner of the amount
thereof, a tax of two per cent upon the gross direct premiums
received by it from residents of the state during the preceding
year, less dividends actually returned or credited to policy-
holders upon business in this state during the year for which
the tax is determined.

61. Tax Effective. The taxes assessed under this sub-
division shall be held to apply to the business reported by in-
surance companies for the year ended December 31, 1944 and
for each year thereafter.

62. Relief Fund. Four thousand dollars of the amount
received as such tax shall annually be set apart by the state
treasurer, and kept distinct from all other funds, and shall be
known as the firemen's relief fund.

63. Expenditure. Such fund, in the month of May after
its receipt, shall be paid over, upon the order of the governor,
to the treasurer of the New Hampshire State Firemen's Asso-
ciation, as trustee, and shall be devoted to, and paid out for, the
relief of any fireman injured or disabled in the discharge of his
duty as fireman, who is a member in good standing in any
regularly organized town or city fire company in this state
belonging to said association and who is himself a member of
said association, and for the relief of the dependent parent,
widow or children of such fireman whose death was occasioned
by injuries received in the line of his duty as a fireman; said
sum of four thousand dollars to be in full for any appropri-
ation for any one year.
64. Additional Relief. In addition to said firemen's relief fund, in the event of the depletion of the treasury of the New Hampshire State Firemen's Association below the amount necessary to meet its obligations, the state treasurer shall, having received a certified statement of such condition from the treasurer of said association, upon the order of the governor, pay to the treasurer of said association as trustee a sum not to exceed two thousand dollars annually.

65. Exemption. The money due a fireman, or in case of his death his parents, widow or children, by reason of any rule or by-law of said association, shall be exempt from attachment or trustee process.

66. Regulations; Reports. The New Hampshire State Firemen's Association shall make and observe just and equitable rules, by-laws and regulations for the proper apportionment and disbursement of such fund, subject to the approval of the governor and council. It shall, through its president and treasurer, make a full and detailed report of its disposal of such fund and file the same with the secretary of state in the month of May annually.

67. Definitions. The word "fireman" as used in the subdivision shall be construed to include any woman member of such fire company and of such association, and the word "widow" as used therein shall be construed to include the widower of any such woman member.

5. Severability. If any provisions of this act, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

6. Repeal; Takes Effect. Sections 60 to 72, inclusive, of chapter 325 of the Revised Laws and chapter 169 of the Laws of 1943 are hereby repealed and this act shall take effect upon its passage.

[Approved March 22, 1945.]
CHAPTER 72.

AN ACT RELATIVE TO REAL ESTATE MORTGAGES.

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

1. Real Estate Mortgages. Amend chapter 261 of the Revised Laws by inserting after section 3 a new section 3-a as follows: 3-a. Subsequent Advances for Repairs and Improvements. Any sum or sums which shall be loaned by the mortgagee to the mortgagor at any time after the execution of any mortgage hereafter made, for making repairs, additions or improvements to the mortgaged premises, shall be equally secured with and have the same priority as the original indebtedness, to the extent that the aggregate amount outstanding at any one time when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the mortgage.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]

CHAPTER 73.

AN ACT RELATIVE TO REPORTS BY CO-OPERATIVE MARKETING ASSOCIATIONS.

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

1. Co-operative Marketing Associations. Amend section 40 of chapter 273 of the Revised Laws by inserting after the word "prescribe" in the second line the word, such; further amend by inserting after the word "associations" in the third line the words, as will provide information for rendering adequate reports; further amend by striking out in the ninth, tenth, eleventh, twelfth and thirteenth lines the following, "provided, that a request for such investigation has been filed with the department, signed by at least twenty per cent of the members or stockholders in the case of associations of less than five hundred members or stockholders and by at least one hundred members in the case of associations of five hundred or more members or stockholders," so
that said section as amended shall read as follows: 40. Commissioner of Agriculture. The commissioner of agriculture may by general or specific order prescribe such comprehensive systems of accounting for such associations as will provide information for rendering adequate reports and may require any such association to render reports, in form indicated by him, which shall state the nature and volume of business, resources, liabilities, profits, losses, and any other facts bearing upon the financial condition of the association. The commissioner may investigate the management of any such association and may make the facts, relating to said management, available to the members or stockholders of the association. He may give assistance in the organization, or reorganization, of cooperative associations and may, by general or specific order, require any such association doing business in this state or in the process of organization to file with the department a report of its promotion and organization expenses. He may require any such association to file with the department a certified copy of its by-laws and a certified copy of any marketing contract or agreement between the association and its members or patrons.

2. Loss of Charter. Amend chapter 273 of the Revised Laws by adding after section 40 the following new sections:
40-a. Forfeiture. If any such association shall neglect or refuse to render to the commissioner of agriculture any report required by him under the provisions of section 40, the charter of such association shall be liable to forfeiture, and it shall be the duty of the commissioner of agriculture to enforce such forfeiture by appropriate proceedings. 40-b. Forbearance. The commissioner of agriculture may forbear or discontinue such proceedings at any time, upon being satisfied that the delinquency was not wilful and upon the rendering by the association of such reports as he may deem necessary.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]
CHAPTER 74.

AN ACT TO PROHIBIT SNARING OF WILD ANIMALS.

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

1. Wild Animals; Taking. Amend section 9, chapter 241 of the Revised Laws, by inserting after the word "hunting" in the fourth line thereof the words, or trapping, and inserting after the word "any" in the fifth line the word, snare, so that said section as amended shall read as follows: 9. Prohibited Devices. Tip-ups, set and trap lines, spears, grappling hooks, naked hooks, snatch hooks, eel wires, eel pots and nets, shall not be used in any fresh waters of the state to take fish, unless otherwise specifically permitted. No person shall have in his possession, while hunting or trapping any wild bird, or wild animal, including bear, any snare, jack or artificial light, swivel, pivot or set gun, except as otherwise permitted. Any person convicted of illegal night hunting shall forfeit such firearms, jacks or other equipment used or usable in the illegal night hunting at the time of such violation.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]

CHAPTER 75.

AN ACT RELATIVE TO PAYMENT OF BONUS FOR WAR SERVICE.

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

1. Recognition of War Service. Amend section 1 of chapter 201 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 1. Qualification for Bonus. Each person, man or woman, who actively served for a total period of more than ninety days in any capacity as a member of the armed forces of the United States during the present war, who is discharged, released or has a certificate of service, therefrom under conditions other than dishonorable, and who at the time he entered upon such active military service was a bona fide resident of the state of New Hampshire, shall be entitled to the benefits provided hereunder.
Retired commissioned officers and enlisted men of the regular United States army or navy, being subject to recall to active duty and not having been discharged, shall not be eligible for benefits but other commissioned officers or enlisted members of the armed forces during the present war who are placed on inactive military status shall be entitled to benefits.

2. Distribution of Payments. Amend section 4 of chapter 201 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 4. Bonus Payment. In recognition of the services performed by the persons designated as eligible under section 1 of this act, hereinafter referred to as the resident or residents, the state treasurer, when such names are certified to him as provided in the preceding section, and when application is made therefor, shall pay to each such qualified resident or, if such resident dies before payment has been made to him, to such resident's surviving spouse or if none, to his child or children in equal shares; and if he has no surviving spouse or children, then in equal shares to his surviving parents; a sum equal to ten dollars per month for each month of such active military service, pro-rated for fractions of a month according to the number of days involved in the particular month, but not exceeding in any event the sum of one hundred dollars; and said treasurer shall take such formal receipt as he shall prescribe. If such resident is legally incompetent, payment may be made to his legally appointed representative only. If such resident dies while in active service, or dies subsequent to his discharge therefrom as a result of disability received while in service, the sum of one hundred dollars shall be paid without regard to the length of time such resident was in service. No application shall be certified for payment unless written evidence is presented indicating that any person or persons herein described as having a prior right to benefits shall have deceased; and provided further that if, prior to the date upon which this act takes effect, benefits under the provisions of this chapter have been paid to the father or mother of a resident, who at the time had a child or children, the rights to benefits shall not in addition accrue to said child or children as a result of the provisions of this act. The term spouse means a lawful wife or husband. The term child includes a legitimate child, a child legally adopted, and a stepchild. The term parent includes a father and mother, stepfather and step-
mother, father and mother through adoption, and those who stood in loco parentis. Payment shall not be made to more than two parents. Preference will be given to the parent or parents who actually exercised parental control at the time of or most nearly prior to date of resident’s entry into service. Proof of the relationship in loco parentis shall be established by sworn statement of the applicant, together with supporting affidavits of two disinterested persons.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]

CHAPTER 76.

AN ACT RELATIVE TO THE RECORDATION OF CORPORATE TRUST MORTGAGES.

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

1. Corporate Trust Mortgages. Amend chapter 262 of the Revised Laws, as amended by sections 1 and 2 of chapter 52 of the Laws of 1945, by inserting after section 6 the following new section: 6-a. Recordation of Corporate Trust Mortgages. The provisions of sections 3, 3-a, 4, 5 and 6 shall not apply to a trust mortgage of a domestic or foreign corporation to secure the payment of its bonds, notes or other evidence of indebtedness which includes both real and personal property, when recorded in the registry of deeds in the county in which the real or personal property lies. Any discharge of such a mortgage shall be recorded in such registry within thirty days after such mortgage is satisfied.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]
CHAPTER 77.

AN ACT RELATIVE TO THE SALE OF SHELL BEANS AND CUCUMBERS.

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

1. Shell Beans; Cucumbers. Amend paragraph I of section 26 of chapter 192 of the Revised Laws by inserting after the words and figure "string beans, 24," in the eleventh line the words and figure, shell beans, 24, further amend said paragraph by inserting after the word and figure, "spinach, 12" in the twelfth line the word and figure, cucumbers, 48, so that said paragraph as amended shall read as follows: 1. Bushel by Weight. Except where the parties shall expressly agree to sale by some other standard than by weight, a bushel shall contain the number of pounds hereinafter set forth: Dried apples, 25; beets, 60; small white beans, 60; soy beans, (glycine Hispida), 58; barley, 48; bran, 20; buckwheat, 48; Indian corn, 56; corn meal, 50; cracked corn, 50; cranberries, 32; carrots, 50; clover seed, 60; flaxseed, 56; herds grass or timothy seed, 45; Japanese barnyard millett, (P. crusgalli), 35; lime, 70; oats, 32; onions, 52; pears, 58; peaches, 48; dried peaches, 33; peas, 60; parsnips, 45; roasted peanuts, 20; green peanuts, 22; Irish potatoes, 60; sweet potatoes, 54; quinces, 48; rye, 56; rye meal, 50; coarse salt, 70; fine salt, 50; shorts, 20; tomatoes, 56; turnips, 55; wheat, 60; string beans, 24; shell beans, 24; unshelled green peas, 28; beet greens, 12; dandelions, 12; parsley, 8; spinach, 12; cucumbers, 48; and for fractional parts of a bushel like fractional parts of the above weights shall be required.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]
CHAPTER 78.

AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION AS TO WEEKLY BENEFIT AMOUNT FOR TOTAL UNEMPLOYMENT AND MAXIMUM TOTAL AMOUNT OF BENEFITS PAYABLE DURING ANY BENEFIT YEAR.

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

1. **Amount of Benefits.** Amend paragraphs (1) and (2) of subsection B of section 2, chapter 218 of the Revised Laws, as amended by section 5, chapter 56 of the Laws of 1943, by striking out said paragraphs and inserting in place thereof the following: (1) Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection.

<table>
<thead>
<tr>
<th>A Total Annual Earnings In Base Period</th>
<th>B Weekly Benefit Amount</th>
<th>C Maximum Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200.00 - $349.99</td>
<td>$6</td>
<td>$120</td>
</tr>
<tr>
<td>350.00 - 449.99</td>
<td>7</td>
<td>140</td>
</tr>
<tr>
<td>450.00 - 549.99</td>
<td>8</td>
<td>160</td>
</tr>
<tr>
<td>550.00 - 649.99</td>
<td>9</td>
<td>180</td>
</tr>
<tr>
<td>650.00 - 749.99</td>
<td>10</td>
<td>200</td>
</tr>
<tr>
<td>750.00 - 849.99</td>
<td>11</td>
<td>220</td>
</tr>
<tr>
<td>850.00 - 949.99</td>
<td>12</td>
<td>240</td>
</tr>
<tr>
<td>950.00 - 1049.99</td>
<td>13</td>
<td>260</td>
</tr>
<tr>
<td>1050.00 - 1199.99</td>
<td>14</td>
<td>280</td>
</tr>
<tr>
<td>1200.00 - 1349.99</td>
<td>15</td>
<td>300</td>
</tr>
<tr>
<td>1350.00 - 1499.99</td>
<td>16</td>
<td>320</td>
</tr>
<tr>
<td>1500.00 - 1649.99</td>
<td>17</td>
<td>340</td>
</tr>
<tr>
<td>1650.00 - 1799.99</td>
<td>18</td>
<td>360</td>
</tr>
<tr>
<td>1800.00 - 1999.99</td>
<td>19</td>
<td>380</td>
</tr>
<tr>
<td>2000.00 - and over</td>
<td>20</td>
<td>400</td>
</tr>
</tbody>
</table>
If at any time the fund shall fail to equal or fail to exceed eight million dollars and shall be maintained at less than that figure for a period of two consecutive calendar months, each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The schedule delineated in this paragraph shall take effect on the first day of the month immediately following the two-month period in this paragraph above mentioned.

<table>
<thead>
<tr>
<th>A</th>
<th>Total Annual Earnings In Base Period</th>
<th>B</th>
<th>Weekly Benefit Amount</th>
<th>C</th>
<th>Maximum Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>$200.00 - $399.99</td>
<td>$6</td>
<td>$84</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>400.00 - 499.99</td>
<td>7</td>
<td>98</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>500.00 - 599.99</td>
<td>8</td>
<td>112</td>
<td></td>
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<tr>
<td>600.00 - 699.99</td>
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<tr>
<td>700.00 - 799.99</td>
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<tr>
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<tr>
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<td>224</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1300.00 - and over</td>
<td>15</td>
<td>240</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. **Effective Date.** This act shall take effect April 1, 1945 provided that benefits for all payable weeks ending after the effective date of said act shall be paid and treated in all respects in accordance with the provisions of the unemployment compensation law as amended by this act.

[Approved March 27, 1945.]
CHAPTER 79.

AN ACT RELATIVE TO THE REARING STATION FOR FISH AT SUMMER BROOK IN OSSIEPEE.

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

1. Appropriation Extended. The appropriation provided for by paragraph (f) of section 2 of chapter 181 of the Laws of 1941 and as extended by chapter 171 of the Laws of 1943, relative to the acquisition and construction of a rearing station for fish at Summer Brook in Ossipee, or any balance of said appropriation, shall not lapse but shall be available for the purposes as stated in said paragraph at any time prior to July 1, 1947.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]

CHAPTER 80.

AN ACT RELATING TO THE TAKING OF A MOTOR VEHICLE WITHOUT THE OWNER'S CONSENT.

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

1. Motor Vehicles. Amend chapter 119 of the Revised Laws by adding after section 51 a new section to read as follows: 52. Taking Without Owner's Consent. If any person shall wilfully, or mischievously take, drive, ride, or use any motor vehicle without the consent of the owner or person having control thereof, but not with intent to steal the same, he shall be fined not more than one hundred dollars or imprisoned not more than one year, or both.

2. Penalties. Amend section 36 of chapter 442 of the Revised Laws by striking out the words "or any automobile or motorcycle," in the third and fourth lines so that said section as amended shall read as follows: 36. Taking Boat, etc. If any person shall wilfully, mischievously and without claim of right take or use any boat or vehicle, or shall take, drive, ride, or use any horse or other driving or draught animal, without
the consent of the owner or person having control thereof, but not with the intent to steal the same, he shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]

CHAPTER 81.

AN ACT RELATING TO THE MUNICIPAL PERMIT FEE FOR FARM TRACTORS.

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

1. Farm Tractors. Amend section 20, chapter 116 of the Revised Laws, by adding at the end thereof the words, provided, further, that the fee collected hereunder for a farm tractor shall be two dollars, so that said section as amended shall read as follows: 20. Fees. The treasurer of each city, or such other person as the city government may designate, and the town clerk of each town shall collect fees for such permits as follows: On each motor vehicle offered for registration a sum equal to seventeen mills on each dollar of the maker's list price for the current year of manufacture, twelve mills for the first succeeding year, nine mills for the second succeeding year, five mills for the third succeeding year, three mills for the fourth and succeeding years, provided, however, that the fee collected hereunder for a commercial vehicle or truck, used for agricultural purposes only and used on the public highways within a radius of five miles from the main entrance of the farm upon which said vehicle is operated which said commercial vehicle or truck is not used for the purpose of transporting produce or goods for sale or for hire, shall be two dollars; provided, further, that the fee collected hereunder for a farm tractor shall be two dollars.

2. Takes Effect. This act shall take effect March 31, 1945. [Approved March 29, 1945.]
CHAPTER 82.
AN ACT IN RELATION TO FARM TRACTORS.

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

1. Farm Tractors Excluded. Amend paragraph III, section 16, chapter 73 of the Revised Laws, by adding at the end thereof the words, provided, however, that farm tractors shall not be regarded as vehicles, so that said paragraph as amended shall read as follows: III. Vehicles. Vehicles, other than motor vehicles, in excess of the aggregate value of one hundred dollars; provided, however, that farm tractors shall not be regarded as vehicles.

2. Takes Effect. This act shall take effect March 31, 1945.
[Approved March 29, 1945.]

CHAPTER 83.
AN ACT RELATIVE TO FREE TRANSPORTATION FOR MEMBERS OF THE ARMED FORCES.

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

1. Free Transportation. Nothing contained in chapters 292 and 304 of the Revised Laws shall prohibit the giving of free transportation within the limits of any city or town in this state by a railroad corporation or a carrier of passengers for hire to any member of any branch of the armed forces in the United States during the present war, who is on leave or furlough.

2. Takes Effect. This act shall take effect upon its passage.
[Approved April 3, 1945.]

CHAPTER 84.*
AN ACT TO ENLARGE THE POWERS OF SAVINGS BANKS AND TRUST COMPANIES IN MAKING LOANS TO SERVICEMEN.

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

1. Legal Investments; Guaranteed Loans to Servicemen. Amend paragraph I of section 3, chapter 310 of the Revised

* See chapter 164, post.
Laws by adding thereto the following: In determining whether any loan exceeds seventy per cent of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title, and amend paragraph II of said section 3 by adding at the end of the first sentence the following: and those wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, so that as amended said paragraphs I and II of said section 3 shall read as follows:

I. NEW HAMPSHIRE REAL ESTATE. Those directly secured by first mortgage on real estate situated within this state or within any county contiguous to the town in which the loaning bank is situated; but no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured and not exceeding seventy-five per cent of the deposits shall be so invested, except by permission of the bank commissioner. No loan on a mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered, and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of not more than five years so long as they are mortgaged to the corporation. If at the time of such revaluation the amount of the loan is in excess of seventy per cent of the value of the premises mortgaged, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan within said seventy per cent. In determining whether any loan exceeds seventy per cent of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title.
II. LOANS INSURED BY THE FEDERAL HOUSING ADMINISTRATOR; OTHER GUARANTEED LOANS. Those secured by mortgage on real estate situated within or without this state and without respect to the value of such real estate if the federal housing administrator has insured, or made commitment to insure, such notes and bonds, provided the laws of the United States entitle the mortgagee to receive payment of such insurance in cash or the debentures hereafter described, and such debentures issued by the federal housing administrator as are fully guaranteed as to principal and interest by the United States and those wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time. The authority to invest in loans described in paragraph I and this paragraph shall be so exercised that the total amount invested in such loans shall not exceed seventy-five per cent of the deposits.

2. Trust Companies; Guaranteed Loans. Amend section 31 of chapter 313 of the Revised Laws by striking out the words "except that the limitation as to the percentage of the value of the security shall not apply to mortgage loans insured by the federal housing administrator, and further provided that such loans entitle the holder to receive cash or securities which are fully guaranteed as to principal and interest by the United States" and by inserting in place thereof the following: except that in applying the foregoing limitations no consideration shall be given to such portion of any note as may be guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as the same may be amended from time to time or insured by the federal housing administrator provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; to advance or loan on notes wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or wholly insured by the federal housing administrator, provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; so that as amended said section shall read as follows: 31. In General. Such corporation may be authorized and empowered to receive on deposit, storage, or otherwise, money, securities,
jewelry, documents, evidences of debt, and other personal property of a similar character, for safe keeping, upon such terms or conditions as may be agreed upon, which said deposits may be made by corporations and persons acting individually or in any fiduciary capacity; to collect and disburse the income and principal of said property when due; to advance or loan money or credits on personal security or property; to advance or loan not exceeding twenty-five per cent of its capital and surplus on notes secured by first mortgage of real estate situated in the New England states, but no such loan shall exceed seventy per cent of the value of the security except that in applying the foregoing limitations no consideration shall be given to such portion of any note as may be guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as the same may be amended from time to time or insured by the federal housing administrator provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; to advance or loan on notes wholly guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or wholly insured by the federal housing administrator, provided that such insurance is payable in cash or in debentures guaranteed as to principal and interest by the United States; to negotiate, purchase, and sell stocks, bonds, and other evidences of debt; to do a general banking business; and to conduct a savings bank business.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 85.

AN ACT WITH RELATION TO TRUSTEES OF TRUST FUNDS.

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

1. Single Trustee. Amend chapter 51 of the Revised Laws by inserting after section 22 as amended by section 1, chapter 70, Laws of 1943, a new section which shall be numbered 22-a and shall read as follows: 22-a. Single Trustee. A
town wherein the total book value of trust funds is less than fifteen thousand dollars, acting under an appropriate article in the warrant for any annual town meeting, may vote that the board shall consist of one trustee only, in which case said trustee shall be chosen by ballot at the same and each succeeding annual town meeting; and such vote may be rescinded in like manner. All the duties and obligations imposed by law upon a board of trustees shall devolve upon the trustee so chosen; vacancies shall be filled by the selectmen for the remainder of the year; and said trustee shall receive from the town treasury such compensation as the town meeting may determine and his actual expenses.

2. Investments Restricted. Further amend said chapter 51 of the Revised Laws by inserting after section 23 a new section which shall be numbered 23-a and shall read as follows: 23-a. Investments by Single Trustee. In towns which have chosen a single trustee of trust funds such funds shall be invested only by deposit in some savings bank or in the savings department of a national bank or trust company in this state, or in shares of any building and loan association or cooperative bank incorporated and doing business under the laws of this state, or in the shares of any federal savings and loan association located and doing business in this state, or in bonds, notes or other obligations of the United States government, or in state, county, town, city, school district, water and sewer district bonds and the notes of towns or cities in this state; and when so invested the trustee shall not be liable for the loss thereof. The trustee may retain investments as received from donors until the maturity thereof.

3. Bond. Amend section 29, chapter 51 of the Revised Laws by inserting after the word “trustees” in the first line and in the sixth line of said section the words, or the trustee provided for in section 22-a, so that said section as amended shall read as follows: 29. Bond. The trustees or the trustee provided for in section 22-a shall give bond in such amount and in such form as the state tax commission shall prescribe, and any trustee who shall make any payment of income or principal from trust funds before the approval of his bond in writing by the tax commission shall be personally liable to the town for any loss resulting from such payment, to be recovered for the town at the suit of any citizen. The expenses of said trustees or the trustee provided for in sec-
tion 22-a and the expense of their bond shall be charged as incidental town charges.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 86.

AN ACT RELATIVE TO TIME POLLS SHALL BE OPEN FOR ALL CITY ELECTIONS.

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

1. City Elections. Amend section 12 of chapter 62 of the Revised Laws by striking out said section and inserting in place thereof the following: 12. Time Polls Open. In all elections by the voters in their wards the polls shall be open not less than four hours and may be opened not earlier than six o'clock in the forenoon of the day of election, nor later than eight o'clock in the evening, as the city councils in said cities shall determine, at least thirty days prior to elections; and but one ballot shall be had during the day for each officer to be voted for.

2. Biennial Elections and Primaries. Amend chapter 34 of the Revised Laws by inserting after section 36 the following new section: 36-a. Time Polls Open. At all biennial elections and primaries in cities the polls shall be open not less than four hours and may be opened not earlier than six o'clock in the forenoon of the day of election, nor later than eight o'clock in the evening, as the city councils in said cities shall determine at least thirty days prior to said election or primary.

3. Presidential Primary. Amend section 3 of chapter 38 of the Revised Laws by striking out said section and inserting in place thereof the following: 3. Time Polls Open. In towns the polls shall be 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 do so, and until the voters present shall vote to close the polls. In cities the polls shall be open not less than four hours and may be opened not earlier than six o'clock in the forenoon of the day of the
primary, nor later than eight o'clock in the evening, as the city councils in said cities shall determine at least thirty days prior to said primary.

4. Inconsistent Provisions. The provisions of this act shall apply to all cities, and any special statutes or ordinances inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

5. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 87.

AN ACT TO FACILITATE ABSENTEE VOTING BY CHANGING THE DATE OF THE PRIMARY.

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

1. 1946 Primary Election. A primary conducted by the regular election officers shall be held at the regular polling places in each town and ward in the state on Tuesday, August 6, 1946, for the nomination of all candidates to be voted for at the November, 1946, biennial election. Said primary shall be governed by the provisions of chapter 33 of the Revised Laws except as hereinafter otherwise provided.

2. Notice of the Primary. On or before June 17, 1946, the secretary of state shall prepare and transmit to each town and ward clerk in the state a notice in writing, designating the offices for which candidates are to be chosen and delegates to the state convention to be elected.

3. Primary Declarations. The name of a candidate shall not be printed upon the official ballot for said primary unless not earlier than June 17, 1946, a declaration of candidacy shall have been filed by such candidate and the filing fee shall have been paid or the required number of primary petitions shall have been filed.

4. Primary Petitions. The name of any person shall be printed upon the primary ballot of any party, without the filing of a declaration or the payment of a fee, as a candidate for nomination by that party for any office indicated in the requisite number of primary petitions, as hereinafter pro-
vided, made by members of the party in the following form and filed in place of such declaration, together with the written assent of such person to the printing of his name on said ballot as requested in said petitions:

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 6th day of August, 1946, 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 .................................

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

5. Supplementary Petitions. Supplementary primary petitions may be filed, but not later than six o'clock in the afternoon of July 1, 1946, for those to be filed with the secretary of state, and for all others not later than six o'clock in the afternoon of June 28, 1946.
6. **Filing Declarations.** Declarations of and assents to candidacy and primary petitions to be filed with the secretary of state shall be filed not later than six o'clock in the afternoon of July 1, 1946, and all others not later than six o'clock in the afternoon of June 27, 1946, except as provided for supplementary petitions in the preceding section.

7. **Sessions of the Supervisors.** The supervisors shall be in session for the alteration of the registration of party members and for making additions to such registration before said primary. The sessions shall be on two days, at least, and shall not be later than June 21, 1946, nor earlier than June 12, 1946.

8. **Party Registration.** Whenever names are added to the check-list the supervisors shall register the party membership of the voter if he desires such membership registered; but if such voter has already been registered in any town or ward in this state as a member of any party he shall not be registered as a member of a different party later than June 21, 1946. The party membership of each voter may be registered by writing in ink, after the name of such voter, the first three letters of the name of the party with which he registered.

9. **Change of Registration.** Any person whose party membership has been registered may change such registration by appearing in person before the supervisors of the check-list for his town or ward not later than June 21, 1946, and stating to them, under oath or affirmation, if required, that he intends to affiliate with and generally supports the candidates of the party with which he offers to register. He may also change such registration at the 1946 primary, upon making oath or affirmation to the same effect, if challenged, but he shall not be permitted in such case to vote the ballot of any party at such primary.

10. **Filling Vacancies.** Vacancies upon any party ticket occurring after the 1946 primary shall be filled by the party committee of the state, county, town or ward, as the case may require, and such committee shall file notice of the appointment made with the secretary of state before six o'clock in the afternoon of August 20, 1946. The names of persons so appointed shall be placed upon the official November election ballot. "Vacancies" for the purpose of this section shall mean only those cases where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination.
11. State Conventions, Date, Call and Purposes. Not earlier than August 13, 1946, nor later than August 27, 1946, upon the call of the chairman of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, representatives and state delegates elected shall meet in state convention for the purpose of adopting the platform of their party, and effecting an organization for the following two years.

12. Nomination Papers. Nomination papers for the November election, 1946, shall be filed with the secretary of state on or before six o'clock in the afternoon of August 20, 1946, for all candidates for any office.

13. Appointment of Ballot-Law Commission. On or before June 1, 1946, the governor, with the advice of the council, shall appoint two persons from the two different political parties casting the largest number of votes at the preceding biennial election, who, with the attorney general, shall constitute a board of ballot-law commissioners.

14. Campaign Receipts and Expenditures; Penalties. Any person who violates the provisions of sections 20 to 27, inclusive, of chapter 42 of the Revised Laws, shall be fined not more than five hundred nor less than one hundred dollars and imprisoned not less than thirty nor more than ninety days. Any person who alleges that any of the provisions of said sections relating to the primary has been violated may, not later than August 23, 1946, bring a proceeding in equity in the supreme court against the person alleged to have violated said provisions. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has violated any of such provisions, a decree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed and published as provided in said sections.

15. Laws Suspended. Such provisions of chapter 33 of the Revised Laws and any other provisions of law relative to nomination of candidates inconsistent with the provisions hereof are hereby suspended during the effective dates hereof.
Chapter 88

16. Recounts. The secretary of state shall fix a time for any recount after the 1946 primary not earlier than five days after the receipt of an application therefor and shall notify the opposing candidates thereof, and, as soon after the expiration of said five days as circumstances will permit, such recount shall be held and conducted as recounts of votes cast at elections are.

17. Takes Effect. This act shall take effect upon its passage and shall continue in effect until July 1, 1947.

[Approved April 3, 1945.]

CHAPTER 88.

AN ACT RELATING TO BURIAL EXPENSES OF WAR VETERANS.

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

1. Veterans' Aid. Amend section 16 of chapter 124 of the Revised Laws, as amended by chapter 102 of the Laws of 1943, by striking out in the sixteenth line the words "three months" and inserting in place thereof the words, one year; and by striking out the words "department of public welfare" where they occur in said section and inserting in place thereof the words, state veterans' council, so that said section as amended shall read as follows: 16. Burial Expenses. Whenever any honorably discharged soldier of the United States army or sailor or member of the coast guard or other person serving in the navy or marine corps in any war in which the United States was engaged dies, and the commander and adjutant of the Grand Army post of which he was a member, or the like officers of any other war veterans' organization to which he belonged, or a majority of the board of selectmen of the town or the mayor of the city in which such veteran died, if he was not a member of any such organization, shall certify under oath to the state veterans' council that such veteran did not leave sufficient estate to pay the expenses of his funeral, the governor shall draw a warrant in favor of the commander of such Grand Army post or other commanding officer, selectmen or mayor, for a sum not exceeding one hundred dollars to defray such burial expenses. Within one year from the time of burial of said veteran an
account, verified by vouchers, of the sums so spent for said burial expenses shall be sent to the state veterans' council by said commander, commanding officer, selectmen, or mayor. Whoever neglects or refuses to furnish said account shall be fined ten dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 89.

AN ACT RELATING TO THE COMPENSATION OF ATTACHES.

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

1. Legislature. Amend section 23 of chapter 9 of the Revised Laws by striking out the figures "$2.50" in the fifth line and inserting in place thereof the figure, $4, so that said section as amended shall read as follows: 23. Attaches; Compensation. The compensation of the following attaches of the senate and house of representatives shall be: sergeant-at-arms, $4.50 a day; messengers, assistant messengers, doorkeepers, telephone messengers, custodians of mails and supplies, wardens and assistant wardens, library messengers and chaplain, $4 a day; pages, $4 a day; each for six days a week.

2. Takes Effect. This act shall take effect as of January 3, 1945.

[Approved April 3, 1945.]

CHAPTER 90.

AN ACT RELATING TO OPERATORS OF SCHOOL BUSES.

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

1. School Busses. Amend chapter 119 of the Revised Laws by inserting after section 14 the following new section: 14-a. Operator of School Bus. The owner of any motor vehicle transporting ten or more school children to any public
school shall submit to the school board in the town or city which pays for said transportation a list of the names of the persons who are to operate the busses to be used in such transportation. Such board shall make an investigation as to the motor vehicle operator's record, character and responsibility of each such person and if it finds him qualified to bear the responsibility of the transportation of such children shall so certify. Such board may revoke any such certificate for just cause.

2. Exceptions. Amend chapter 119 of the Revised Laws by inserting after section 14-a, as hereinbefore inserted, the following new section: 14-b. Prohibitions. No person shall operate a school bus, as provided in sections 13 and 14, unless he is eighteen years of age or over and has been certified for said operation by the school board, as provided in section 14-a.

3. Takes Effect. This act shall take effect on July 1, 1945. [Approved April 3, 1945.]

CHAPTER 91.

AN ACT PROVIDING FOR AN AERIAL SURVEY OF THE STATE OF NEW HAMPSHIRE.

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

1. Aerial Survey. The governor, with the advice and consent of the council, is hereby authorized to provide for making an aerial survey of the state of New Hampshire in such manner and of such character as best may serve the interests of the state and its people.

2. Custody of Survey. The negatives of such aerial survey shall be placed in the custody of the secretary of state who shall act as agent of the state in distribution of prints therefrom.

3. Disposal of Prints. The governor, with the advice and consent of the council, shall make rules and regulations governing the distribution of prints resulting from the aerial survey to such departments of the state government, political subdivisions of the state and others as may seem desirable at prices which ultimately will return to the state treasury the initial cost of said survey.
4. **Fund Established.** The secretary of state shall establish a fund, known as the "Aerial Survey Fund," to which shall be credited all receipts from the sale of prints, and the same shall be covered monthly into the state treasury.

5. **Cooperation with Other Agencies.** The governor, with the advice and consent of the council, is hereby authorized to accept the cooperation of agencies of the state government and agencies of the government of the United States in making said aerial survey and may accept loans and grants of equipment and materials for the purposes hereof.

6. **Appropriation; Bonds or Notes Authorized.** The sum of twenty-five thousand dollars is hereby appropriated for the purpose of said aerial survey, and to provide funds for said appropriation the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding twenty-five thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall be paid and the time or times of issue. Such bonds or notes 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 proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds or notes shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

7. **Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of sale and the date of maturity.
8. Short-Term Notes. Prior to the issuance of the bonds or notes hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of bonds or notes hereunder, provided, how- ever, that at no time shall the indebtedness of the state on such short-term loans exceed the sum of twenty-five thousand dollars.

9. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 92.

AN ACT RELATIVE TO THE REGISTER OF PUBLIC TRUSTS.

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

1. Exceptions. Amend section 13-i of chapter 24 of the Revised Laws, as inserted by chapter 181 of the Laws of 1943, by striking out the words “appointed by a court” in the fourth line and inserting in place thereof the words, required to file accounts in any court, so that said section as amended shall read as follows: 13-i. Reports by Trustees of Public Trusts. Any fiduciary holding property subject to equitable duties to deal with such property for charitable or community pur- poses, excepting fiduciaries not required to file accounts in any court, shall annually, on or before July first, unless otherwise directed by the attorney general, make to him a written re- port for the last preceding fiscal year of such trust showing the property so held and administered, the receipts and ex- penditures in connection therewith, the names and addresses of the beneficiaries thereof and such other information as he may require; provided, that if such fiduciary is required by law or court order to file annually with the probate court an account or report containing the information herein required, the attorney general shall accept a copy thereof in lieu of the report herein required. Failure for two successive years to file such a report shall constitute a breach of trust and the attorney general shall take such action as may be appropriate to compel compliance herewith.
2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 93.

AN ACT RELATIVE TO NUMBER OF INSPECTORS OF ELECTIONS.

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

1. Inspectors of Elections. Amend section 25 of chapter 34 of the Revised Laws, by striking out said section and inserting in place thereof the following: 25. Appointment. The mayor and board of aldermen of each city and the selectmen of each town, at some time between the first and tenth days of October preceding the biennial election, shall appoint, as additional election officers to act with the clerk, moderator, and selectmen at each polling place, four inspectors. Provided that, if the number of voters qualified to vote at such polling place shall exceed two thousand, the mayor and board of aldermen of each city and the selectmen of each town may appoint for such polling place two additional inspectors for each additional two thousand qualified voters or fraction thereof. If the number of voters qualified to vote at any polling place shall exceed four thousand they may appoint such additional inspectors as they may deem necessary for the efficient conduct of the election, so long as they do not appoint inspectors who will make a total of more than twenty-four election officials.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 94.

AN ACT PROVIDING FOR THE TAXATION OF GOATS.

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

1. Taxable Property. Amend paragraph VI of section 16 of chapter 73 of the Revised Laws by striking out said para-
1945] Chapter 95 89

graph and inserting in place thereof the following: VI. SHEEP, GOATS AND HOGS. Sheep and goats over one year old and hogs over six months old; but two such hogs and two such goats to each family shall be exempt from taxation.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 95.

AN ACT RELATING TO STATE TREASURER AND STATE ACCOUNTS.

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

1. State Moneys. Amend section 11 of chapter 22 of the Revised Laws by inserting after the word "fees" in the fourth line, the words, and fines, so that said section as amended shall read as follows: 11. Application of Receipts. Moneys received by the state treasurer, as provided in section 10, shall be available for general revenue of the state with the following exceptions: Moneys received by the fish and game department, which shall be credited to the fish and game fund; fees and fines from the motor vehicle department, which, after deducting the amount allowed by the legislature for maintaining said department and one hundred and fifty thousand dollars annually for maintaining in part the department of state police, shall be credited to the highway department for maintenance of highways; fines and costs from the department of state police which shall be credited to the highway department for maintenance of highways; revenues from fees, rentals and the sale of products from lands under the jurisdiction of the forestry and recreation commission which shall be credited as provided for in chapter 234; and the fees collected by the public service commission of railroads and public utilities for money paid out by the commission to experts and assistants not in its regular employ, which fees shall be appropriated to reimburse the state for money so paid out. The full amount allowed for the maintenance of each institution and department shall be appropriated by each legislature for the biennial period next following, and the money derived from the sale of farm and minor industrial products
of institutions shall be credited to the appropriation for the institution from which derived.

[Approved April 3, 1945.]

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CHAPTER 96.

AN ACT RELATIVE TO MEDICAL SERVICE CORPORATIONS.

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

1. Medical Service Corporations. Amend paragraph II of section 3 of chapter 334-A of the Revised Laws, as inserted by chapter 166 of the Laws of 1943, by adding after the word "state" in the third line the words, except as provided by section 13, so that said paragraph as amended shall read as follows: II. RESTRICTION. No medical service corporation organized under the laws of any other state or country shall be licensed to do business in this state except as provided by section 13. No license shall be issued to any medical service corporation until evidence is furnished the insurance commissioner that at least fifty per cent of the eligible physicians in New Hampshire, or the area in which the corporation operates, are participating physicians.

2. Foreign Corporations. Amend said chapter 334-A of the Revised Laws, as inserted by said chapter 166 of the Laws of 1943, by adding at the end thereof the following new section: 13. Reciprocity. Any corporation organized under the laws of another state or country which except as to the state of organization is a medical service corporation as defined by section 1, and which the insurance commissioner finds has fully complied with the laws of such other state or country, shall be entitled to do business within this state subject to the provisions of this chapter, after obtaining a license as provided by section 3; provided, however, that no such corporation organized under the laws of another state or country shall be entitled to such license, or to do business in this state unless such other state or country grants substantially similar rights and privileges to medical service corporations organized under the laws of this state. The insurance commissioner shall determine whether rights and privileges granted
by other states or countries are substantially similar to those granted by this state, and his determination shall be final.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 5, 1945.]

CHAPTER 97.

AN ACT RELATING TO THE LIENS OF CLEANERS AND OTHERS.

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

1. Liens and Enforcement. Amend chapter 264 of the Revised Laws by adding after section 40 the following new sections:

41. Liens for Cleaning, Pressing, Glazing, Laundering or Dyeing. Every person who maintains an establishment for cleaning, pressing, glazing, laundering or dyeing who shall do any work on any article of personal property at the request of the owner or legal possessor of such property shall have a lien for such service, and may retain possession of such article until the charges for such work have been paid.

42. Sale for Service Lien. If such lien remains undischarged for a period of sixty days after work has been completed and such property is not to be placed in storage by agreement with the owner, the lienholder may sell such article at public or private sale, and the proceeds, after first paying the expenses of sale and the expense of storage after the expiration of said sixty days, shall be applied in payment of the debt, and the balance, if any, shall be paid over to the treasurer of the county where the sale is held, in trust for the owners.

43. Notice and Record. Notice of such sale shall be given as provided in section 37, and record shall be made as provided in section 10.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 5, 1945.]
CHAPTER 98.

AN ACT RELATIVE TO PROCEDURE FOR REAL ESTATE TAX SALES.

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

1. Proceedings Against Real Estate. Amend section 19 of chapter 80 of the Revised Laws, as amended by section 3, chapter 33 of the Laws of 1943, and section 1, chapter 134 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 19. Notice of Sale. The collector shall give notice of every sale by posting advertisements thereof in two or more public places in the town at least twenty-five days before the sale, exclusive of the day of posting and the day of the sale, in which shall be stated the name of the owner or of the person to whom the same was taxed, the description of the property as recorded by the selectmen, the amount of the tax, interest due thereon and costs and fees incident to advertising and posting, and the place, day and hour of the sale. He shall also, at the same time, send a like notice by registered mail to the last known postoffice address of the owner or of the person against whom the tax was assessed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 5, 1945.]

CHAPTER 99.*

AN ACT RELATING TO THE TAKING OF LAKE TROUT AND SALMON.

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

1. Open Season. Salmon and lake trout may be taken by trolling and fly fishing from the passage of this act to September first, 1945, except that the prohibition as to trolling with aid of a boat propelled by mechanical power after July first as provided in section 15 of chapter 245 of the Revised Laws shall remain in effect.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 5, 1945.]

* See chapter 124, post.
AN ACT FOR THE ESTABLISHMENT OF A COMMISSION TO STUDY AND REPORT ON THE FINANCES OF THE STATE OF NEW HAMPSHIRE.

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

1. Organization. There is hereby created an interim commission to study and report on the finances of the state of New Hampshire, consisting of five members to be appointed by the governor with the advice and consent of the council. No more than three of said members shall belong to the same political party and the chairman of said commission shall be designated by the governor. Vacancies shall be filled in the same manner as original appointments. It shall be the duty of the commission to investigate, study and examine the entire financial structure of the state of New Hampshire, the laws relating to the control of finances and the operation of such laws, and to recommend such changes and revision of laws as appear desirable. The report of the commission shall be filed with the secretary of state prior to the biennial legislative session of 1947 and such distribution of said report shall be made as the governor may order. The authority of said commission shall terminate on filing said report. The members of said commission shall serve without pay but shall be allowed actual expenses incurred in the performance of their duties.

2. Appropriation. There is hereby appropriated for the purposes hereof, the sum of one thousand dollars or so much thereof as may be necessary, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]
CHAPTER 101.

AN ACT RELATIVE TO ABSENTEE VOTING.

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

1. Absentee Voting; Forms. Prior to the biennial election of 1946 the secretary of state shall prepare in such quantities as he may deem necessary the following papers:

I. Official absent voting ballots similar in form to the official ballot to be used at said election, and similarly endorsed, but printed on paper differing in color from that used for official or sample ballots.

II. Blank forms of application for such ballots worded as follows:
   a. (To be used by absentee voters whose names are on the check-list)
   To the city or town clerk of ................. I, ...........
   ................. hereby apply for an official absent voting ballot. I am a duly qualified voter, and as I believe, entitled to vote in ward ......., city or town .................
   b. (To be used by absenees who wish to be registered)
   To the city or town clerk of ................. I, ...........
   ................. hereby apply for an official absent voting ballot. I believe I am entitled to be registered as a duly qualified voter in ward ......., city or town .................
   ................. I am a citizen of the United States having been born in the city or town of ................. in the state of ................. on the ................. day of ................. in the year ................. or having been naturalized on the ................. day of ................. in the year .................
   at ................. in the state of .................
   and my legal residence is and has been since ................. number ................. on ................. street in the city or town of ................. I can read and write or I was a legal voter of this state on January 1, 1904.

   Mail absent voter’s ballot to
   (Signature) .................
   (Street and number) .................
   (City or town, state) .................

In case of a voter physically disabled, the applicant will also fill out the following:
On account of physical disability, I am unable to vote in person.

(Signature) ...........................................

We, the undersigned, a majority of the registrars of voters or supervisors of the check-list of the .......................................................... hereby certify that to the best of our knowledge and belief, said .......................................................... is a duly qualified voter in said ward, city or town ..........................................................

..........................................................

Registars of voters or supervisors of the check-list of the ..........................................................

III. Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed the oaths provided for in paragraphs IV and V.

IV. All persons voting by absentee ballot shall subscribe and take one of the following oaths:

a. (To be used by registered absentee voters)
State of .............................................
County of ........................................... ss.
I, .................................................. do solemnly swear (or affirm) that I am the identical person whom I represent myself to be; that I am a duly qualified voter in the city or town of ............................................., New Hampshire, in ward ........., that I have a legal voting residence therein; and that I can read and write, or that I was a legal voter of said state on January 1, 1904. So help me God.

(Signature). .................................

b. (To be used by absentee voters who are not registered)
State of .............................................
County of ........................................... ss.
I, .................................................. do solemnly swear (or affirm) that I am the identical person whom I represent myself to be; that I am entitled to be registered and vote in the city or town of ............................................., New Hampshire, in ward .........; that I am a citizen of the United States having been born in the city or town of ............................................. in the state of ................. on the ......... day of ............ in the year ............ or having been naturalized on the ................. day
of ................................ in the year .............. at ..........
 ................................ in the state of.......................;
that my legal residence is, and has been since ..................
 ................................, number ........... on ............
street in the city or town of ....................................;
that I can read and write. So help me God.

(Signature) ..........................................................

V. All persons voting by absentee ballot shall also sub-
scribe and take the following oath: I, ....................
 ................................ do solemnly swear (or affirm) that I will
be absent on election day from the city or town in which I am
qualified to vote, or because of physical disability I will be
unable to vote in person at said election; that I have marked,
enclosed and sealed the within ballot as stated hereon by the
person taking my oath. So help me God.

(Signature) ..........................................................

Subscribed and sworn to before me by the above affiant
this ......................... day of .................. 19....
in the city or town of ..........................................
state of ........................................... and I hereby certify
that when I was alone with the affiant, the affiant in my
presence marked the ballot without my seeing how he marked
it, after which he sealed said ballot in this envelope. I had no
communication with the affiant as to how he was to vote.

(Seal if any)

Name ..........................................................

Official Title ..................................................

(Physician's Certificate)

I, ................................................. of (address)...........
 ........................................ hereby certify that I am the attend-
ing physician of the affiant, that I have made a careful ex-
amination and am satisfied that he is unable by reason of
physical disability to vote in person.

(Signature) ..........................................................

VI. Envelopes of size sufficient to contain the preceding,
addressed to the clerks of the several cities and towns within
the state, upon which shall be printed, Enclosed is the ballot
of an absent voter, and at the top thereof blank spaces for the
name, address and voting place of the sender, with the words,
Name, Address and Ward appropriately printed thereon.

VII. Copies of this section and other laws relative to
absentee voting with such explanatory matter and in-
structions as the secretary of state, with the approval of the attorney general, shall deem appropriate to carry into effect the purposes hereof.

2. Registration; Supervisors’ Certificate. When an application for an official absent voting ballot is received by the clerk of a city or town, he shall transmit it to the registrars of voters or supervisors of the check-list of said city or town, who shall examine the same and, if they believe the signer to be a duly qualified voter, shall place his name upon the check-list unless he is already registered, and shall execute the certificate thereon and return the application to said clerk. Said clerk shall deliver or mail the papers described in section 1 hereof to all persons whose applications are certified as herein provided and shall keep lists of the names and addresses, arranged by voting places, of all persons to whom official absent voting ballots have been sent. Copies of said lists shall be open to inspection and shall be posted at the polling places during the day of election.

3. Limitations. Notwithstanding the provisions of section 2, no name shall be placed upon the check-list under absentee voting ballot application after the close of the last session of the supervisors for correction of check-lists.

4. Laws Suspended. Such provisions of chapter 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

5. Takes Effect. This act shall take effect upon its passage and continue in effect until July 1, 1947.

[Approved April 10, 1945.]

CHAPTER 102.

AN ACT RELATIVE TO DOGS WHICH HAVE SERVED IN THE WAR.

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

1. Licensing of Dogs. Amend chapter 180 of the Revised Laws by inserting after section 9 the following new section:

9-a. Exemption from Fees. No fee shall be required for the registration and licensing of a dog which has served with the forces of the United States during the present war and which has received an honorable discharge therefrom.
2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]

CHAPTER 103.

AN ACT RELATING TO LICENSE FOR TRANSPORTING LIVESTOCK BY MOTOR VEHICLE.

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

1. Transporting Livestock. Amend section 8 of chapter 230 of the Revised Laws, as inserted by chapter 172 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 8. License. Upon application, the commissioner of agriculture may, if he is satisfied with the responsibility and character of the applicant, issue a license to such applicant, upon payment of the fee as provided in section 8-a, to transport livestock by motor vehicle upon any public highway in this state. Said license shall be for the current calendar year and may be renewed, upon payment of the renewal fee, so long as the commissioner is satisfied as to the responsibility and character of the applicant. It shall be carried by the licensee or be in his motor vehicle when said vehicle is being used for such transportation.

2. Requirements for License. Amend said chapter 230 by adding after section 8 the following new section: 8-a. Fees. The fee for each license shall be fifty cents. All fees received hereunder shall be paid to the commissioner of agriculture for the payment of expenses incurred hereunder.

3. Violations. Amend section 11 of said chapter 230 by striking out the words “one thousand” and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows: 11. Penalty. Any person violating the provisions of this subdivision shall be fined not exceeding five hundred dollars, or imprisoned not exceeding one year, or both.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]
CHAPTER 104.

AN ACT CONCERNING CONDITIONAL SALES AND TO MAKE UNIFORM THE LAW RELATING THERETO.

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

1. Uniform Conditional Sales Law. Amend the Revised Laws by adding after chapter 262-A, as inserted by chapter 161 of the Laws of 1943, the following new chapter:

Chapter 262-B

Uniform Conditional Sales Law

1. Definition of Terms. In this chapter "Conditional sale" means (1) any contract for the sale of goods under which possession is delivered to the buyer and the property in the goods is to vest in the buyer at a subsequent time upon the payment of part or all of the price, or upon the performance of any other condition or the happening of any contingency; or (2) any contract for the bailment or leasing of goods by which the bailee or lessee contracts to pay as compensation a sum substantially equivalent to the value of the goods, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming the owner of such goods upon full compliance with the terms of the contract.

"Buyer" means the person who buys or hires the goods covered by the conditional sale, or any legal successor in interest of such person.

"Recording district" means the subdivision of the state in which conditional sale contracts are required by this chapter to be recorded.

"Goods" means all chattels personal other than household goods and things in action and money, and includes emblements, industrial growing crops, and things attached to or forming a part of land which are agreed to be severed before sale or under the conditional sale.

"Performance of the condition" means the occurrence of the event upon which the property in the goods is to vest in the buyer, whether such event is the performance of an act by the buyer or the happening of a contingency.

"Person" includes an individual, partnership, corporation, and any other association.
“Purchase” includes mortgage and pledge.
“Purchaser” includes mortgagee and pledgee.
“Seller” means the person who sells or leases the goods covered by the conditional sale, or any legal successor in interest of such person.
“Recorded” and “Recording” shall include “Filed for record” and “Filing for record” wherever the context will permit.
Automobiles, busses, trucks, tractors, trailers and other automotive and appurtenant vehicles and machinery and equipment on wheels and intended for use from time to time in different places, shall be considered as “kept for use” or “kept” at the place or places where they are principally garaged or kept when not in actual use.

2. **Primary Rights of Buyer.** The buyer shall have the right when not in default to retain possession of the goods, and he shall also have the right to acquire the property in the goods on the performance of the conditions of the contract. The seller shall be liable to the buyer for the breach of all promises and warranties, express or implied, made in the conditional sale contract, whether or not the property in the goods has passed to the buyer.

3. **Primary Rights of Seller.** The buyer shall be liable to the seller for the purchase price, or for installments thereof, as the same shall become due, and for breach of all promises made by him in the conditional sale contract, whether or not the property in the goods has passed to the buyer.

4. **Conditional Sales Valid Except as Otherwise Provided.** Every provision in a conditional sale reserving property in the seller after possession of the goods is delivered to the buyer, shall be valid as to all persons, except as hereinafter otherwise provided.

5. **Conditional Sales Void as to Certain Persons.** Every provision in a conditional sale reserving property in the seller, which is required to be recorded hereunder, shall be void as to any purchaser from or creditor of the buyer, who, without notice of such provision, purchases the goods for value or acquires by attachment or levy a lien upon them, before the contract shall be recorded as hereinafter provided, unless such contract is so recorded within twenty days after the making of the conditional sale.
6. **Place of Recording.** The conditional sale contract shall be recorded in the office of the clerk in the town, city or place, if any, in which the goods are first kept for use in this state by the buyer after the sale, or if so kept in any town or place having no clerk, in the registry of deeds for the county in which such town or place is located. It shall not be necessary to the validity of such conditional sale contract, or in order to entitle it to be recorded, that it be acknowledged or attested. This section shall not apply to the contracts described in section 8.

7. **Fixtures.** If the goods are so affixed to realty, at the time of a conditional sale or subsequently as to become a part thereof and not to be severable wholly or in any portion without material injury to the freehold, the reservation of property as to any portion not so severable shall be void after the goods are so affixed, as against any person who has not expressly assented to the reservation. If the goods are so affixed to realty at the time of a conditional sale or subsequently as to become part thereof but to be severable without material injury to the freehold, the reservation of property shall be void after the goods are so affixed as against subsequent purchasers of the realty for value and without notice of the conditional seller's title, unless the conditional sale contract, together with a statement signed by the seller briefly describing the realty and stating that the goods are or are to be affixed thereto, shall be recorded before such purchase in the registry of deeds for the county in which the realty is situated. As against the owner or prior mortgagee of realty the reservation of the property in goods by a conditional seller shall be void when such goods are to be so affixed to the realty as to become part thereof but to be severable without material injury to the freehold, unless the conditional sale contract, together with a statement signed by the seller briefly describing the realty and stating that the goods are to be affixed thereto, shall be recorded before they are affixed, in the registry of deeds for the county in which the realty is situated.

8. **Railroad Equipment or Rolling Stock.** No conditional sale of railroad, or street or interurban railway equipment or rolling stock shall be valid as against the purchasers and creditors described in section 5, unless the contract shall be executed with the formalities of a deed of real property and
recorded in the office of the secretary of state; and unless when any engine or car so sold is delivered there shall then be plainly marked upon each side thereof the name of the seller, followed by the word "owner."

9. Conditional Sale of Goods for Resale. When goods are delivered under a conditional sale contract and the seller consents in writing that the buyer may resell them prior to performance of the condition, the reservation of property shall be void against purchasers from the buyer for value in the ordinary course of business, and as to them the buyer shall be deemed the owner of the goods, even though the contract shall be recorded according to the provisions of this chapter.

10. Recording. The recording officer shall indorse upon the instrument filed with him the day and hour and place of recording and shall keep a proper index of all conditional sale contracts and all cancellations thereof recorded in his office. Fees for recording and indexing the records of conditional sales and cancellations thereof and other items under this chapter shall be the same as provided for registers of deeds for recording and indexing the records of mortgages and discharges thereof.

11. Recording Period and Extensions Thereof. The recording of conditional sale contracts provided for in sections 5, 6, 7 and 14 shall be valid for a period of three years only. The recording of the contract provided for by section 8 shall be valid for a period of fifteen years only. The validity of the recording may in each case be extended for successive additional periods of one year from the date of expiration of any period by recording in the proper recording district within thirty days next preceding the expiration of any period, a statement signed by the seller, showing that the contract is in force and the amount remaining to be paid thereon.

12. Cancellation of Contract. After the performance of the condition, upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods, the seller shall execute and deliver to the demandant a statement that the condition in the contract has been performed. If for ten days after receipt of such demand the seller fails to mail or deliver such a statement of satisfaction, he shall forfeit to the demandant five dollars and be liable for all damages suffered. Upon presentation of such statement of satisfaction the recording officer shall record the
same which record or a reference thereto shall appear on the margin of the page where the contract has been recorded.

13. **Prohibition of Removal or Sale Without Notice.** Prior to the performance of the condition, no buyer shall remove the goods from a recording district in which the contract is recorded, except for temporary uses for a period of not more than thirty consecutive days, unless the buyer not less than five days before such removal shall give the seller personally or by registered mail written notice of the place to which the goods are to be removed, the approximate time of such intended removal and the length of time during which he intends to keep such goods in any recording district to which they are to be removed; nor prior to the performance of the condition shall the buyer sell, mortgage or otherwise dispose of his interest in the goods, unless the seller shall consent thereto in writing. If any buyer does so remove the goods, or does so sell, mortgage or otherwise dispose of his interest in them without such notice or consent, the seller may retake possession of the goods and deal with them as in case of default in payment of part or all of the purchase price. The provisions of this section regarding the removal of goods shall not apply, however, to automobiles removed for vacation purposes or to the goods described in section 8.

14. **Re-recording on Removal.** When, prior to the performance of the condition, the goods are removed by the buyer from a recording district in this state and are to be kept for more than thirty days in another recording district in this state in which such contract is not recorded, or are removed from another state and are to be kept for more than thirty days in a recording district in this state where such contract is not recorded, the reservation of the property in the seller shall be void as to the purchasers and creditors described in section 5, unless the conditional sale contract shall be recorded in the recording district to which the goods are so removed, within twenty days after the seller has received notice of the recording district to which the goods have been so removed. The provisions of this section shall not apply, however, to automobiles removed for vacation purposes or to the goods described in section 8.

15. **Fraudulent Injury; Concealment; Removal or Sale.** When, prior to the performance of the condition (1) any buyer or conditional purchaser of any personal property
maliciously or with intent to defraud, shall injure, destroy or conceal the goods or other personal property, or (2) any buyer with such intent shall remove the goods to a recording district where the contract is not recorded, without having given the notice required by section 13, or (3) any buyer or conditional purchaser of any personal property shall sell, mortgage, or otherwise dispose of such goods under claim of full ownership, he shall be imprisoned for not more than one year or be fined not more than five hundred dollars, or both.

16. Retaking Possession. When the buyer shall be in default in the payment of any sum due under the contract, or in the performance of any other condition which the contract requires him to perform in order to obtain the property in the goods, or in the performance of any promise, the breach of which is by the contract expressly made a ground for the retaking of the goods, the seller may retake possession thereof. Unless the goods can be retaken without breach of the peace, and with the consent of the buyer, they shall be retaken by legal process, and nothing herein shall be construed to authorize a breaking and entering of a private dwelling or other violation of the criminal law.

17. Notice of Intention to Retake. Not more than forty nor less than twenty days prior to the retaking, the seller, if he so desires, may serve upon the buyer personally or by registered mail a notice of intention to retake the goods on account of the buyer’s default. The notice shall state the default and the period at the end of which the goods will be retaken and shall briefly and clearly state what the buyer’s rights under this chapter will be in case they are retaken. If the notice is so served and the buyer does not perform the obligations in which he has made default before the day set for retaking, the seller may retake the goods and hold them subject to the provisions of sections 19, 20, 21, 22, 23 and 25 regarding resale, but without any right of redemption.

18. Redemption. If the seller does not give the notice of intention to retake described in section 17, he shall retain the goods for ten days after the retaking (1) at some place within the state in which they were located when retaken, or (2) if retaken outside of the state of New Hampshire, at some place in the state in which they were retaken, or in a town or city, if any, within the state of New Hampshire in which the original seller or his successor in interest maintains a prin-
cipal place of business, during which period the buyer, upon payment or tender of the amount due under the contract at the time of retaking and interest, or upon performance or tender of performance of such other condition as may be named in the contract, as precedent to the passage of the property in the goods, or upon performance or tender of performance of any other promise for the breach of which the goods were retaken, and upon payment of the expenses of retaking, keeping and storage, may redeem the goods and become entitled to take possession of them and to continue in the performance of the contract as if no default had occurred. Upon written demand delivered personally or by registered mail by the buyer, the seller shall furnish to the buyer a written statement of the sum due under the contract and the expense of retaking, keeping and storage. For failure to furnish such statement within a reasonable time after demand, the seller shall forfeit to the buyer ten dollars and also be liable to him for all damages suffered because of such failure. If the goods are perishable so that retention for ten days as herein prescribed would result in their destruction or substantial injury, the provisions of this section shall not apply, and the seller may remove the goods to any place and resell them at public auction or private sale immediately upon their retaking. The provision of this section requiring the retention of the goods within the state where they are retaken or at some particular place in this state during the period allowed for redemption shall not apply to the goods described in section 8.

19. Compulsory Resale by Seller: If the buyer does not redeem the goods within ten days after the seller has retaken possession, and the buyer has paid at least fifty per cent of the purchase price at the time of the retaking, the seller shall sell them at public auction (1) at some place within the state in which they were located when retaken, or (2) if retaken outside of the state of New Hampshire, at some place in the state in which they were retaken, or in a town or city, if any, within the state of New Hampshire where the original seller or his successor in interest maintains a principal place of business, such sale to be held not more than thirty days after the retaking. The seller shall give to the buyer not less than ten days' written notice of the sale, either personally or by registered mail, directed to the buyer at his last known place
of business or residence. The seller shall also give notice of the sale by at least two notices posted in different public places within the town, city or other place where the goods are to be sold, at least five days before the sale. The seller may bid for the goods at the resale. If the goods are of the kind described in section 8, the parties may fix in the conditional sale contract the place where the goods shall be resold.

20. Resale at Option of Parties. If the buyer has not paid at least fifty per cent of the purchase price at the time of the retaking, the seller shall not be under a duty to resell the goods as prescribed in section 19, unless the buyer serves upon the seller, within ten days after the retaking, a written notice demanding a resale, delivered personally or by registered mail, and shall within such ten-day period pay or tender payment to the seller of the sum of twenty-five dollars or an amount equal to ten per cent of all amounts paid on the purchase price, whichever is greater, to be applied with the proceeds of the resale as provided in section 21. If such notice is served and such payment made or tendered, the resale shall take place within thirty days after the service, in the manner, at the place and upon the notice prescribed in section 19. The seller may voluntarily resell the goods for account of the buyer on compliance with the same requirements.

21. Proceeds of Resale. The proceeds of the resale shall be applied (1) to the payment of the expenses thereof, (2) to the payment of the expenses of retaking, keeping and storing the goods, (3) to the satisfaction of the balance due under the contract. Any sum remaining after the satisfaction of such claims shall be paid to the buyer.

22. Deficiency on Resale. If the proceeds of the resale are not sufficient to defray the expenses thereof, and also the expenses of retaking, keeping and storing the goods and the balance due upon the purchase price, the seller may recover the deficiency from the buyer, or from anyone who has succeeded to the obligations of the buyer.

23. Rights of Parties When There is No Resale. When there is no resale, the seller may retain or dispose of the goods as his own property and the rights of the parties shall be determined by the provisions of section 25.

24. Election of Remedies. Neither the bringing of an action by the seller for the recovery of the whole or any part of the price, nor the recovery of judgment in such action, nor
the collection of a portion of the price, shall be deemed inconsistent with a later retaking of the goods as provided in section 16. But such right of retaking shall not be exercised by the seller after he has collected the entire price, or after he has claimed a lien upon the goods, or attached them, or levied upon them as the goods of the buyer.

25. **Recovery of Part Payments.** If the seller fails to comply with the provisions of section 18 when applicable or with the provisions of sections 19, 20 and 21 after retaking the goods, the buyer may recover from the seller his actual damages, if any; and regardless of the final disposition of any goods retaken because of any default mentioned in section 16, the seller may recover any loss which he suffers by reason of the fact that goods so retaken are insufficient to pay the balance of the purchase price and all reasonable expenses incurred within thirty days after the retaking for retaking, storing and selling the same.

26. **Waiver of Statutory Protection.** No act or agreement of the buyer before or at the time of the making of the contract, nor any agreement or statement by the buyer in such contract, shall constitute a valid waiver of the provisions of sections 18, 19, 20, 21, 23 and 25; except that the contract may stipulate that on such default of the buyer as is provided for in section 16, the seller may rescind the conditional sale, either as to all the goods or as to any part thereof for which a specific price was fixed in the contract. If the contract thus provides for rescission, the seller at his option may retake such goods without complying with or being bound by the provisions of sections 17 to 25 inclusive, as to the goods retaken, upon crediting the buyer with the full purchase price of these goods. So much of this credit as is necessary to cancel any indebtedness of the buyer to the seller shall be so applied, and the seller shall repay to the buyer on demand any surplus not so required.

27. **Loss and Increase.** After the delivery of the goods to the buyer and prior to the retaking of them by the seller, the risk of injury and loss shall rest upon the buyer. The increase of the goods and all additions, improvements and accessories attached thereto shall be subject to the same conditions as the original goods.

28. **Act Prospective Only.** This chapter shall not apply to conditional sales made prior to the time when it takes effect.
29. Rules for Cases not Provided for. In any case not provided for in this chapter the rules of law and equity, including the law merchant, and in particular those relating to principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall continue to apply to conditional sales.

30. Recording; Copies. The recording provisions of this chapter may be complied with by recording the original contract or a copy thereof duly certified by the seller.

31. Uniformity of Interpretation. This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

32. Short Title. This chapter may be cited as the Uniform Conditional Sales Law.

2. Inconsistent Laws Repealed. Except as to conditional sales made prior to the time when this act takes effect, Revised Laws, chapter 262, sections 29 to 42 inclusive and chapter 168 of Laws of 1943 are hereby repealed.

3. Takes Effect. This act shall take effect July 1, 1945. [Approved April 10, 1945.]

CHAPTER 105.

AN ACT TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE CITIZENS OF ANY CITY BY PROVIDING FOR THE ADOPTION OF STANDARDS FOR THE DESIGN AND CONSTRUCTION OF BUILDINGS AND FIRE PROTECTION INCIDENT THERETO BY REFERENCE.

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

1. Building Codes; Adoption by Reference. Amend chapter 66 of the Revised Laws by adding at the end thereof the following new subdivision:

Building Codes

18. Grant of Power. The board of mayor and aldermen, or the corresponding governmental body of any city, is hereby empowered and authorized in the passing and adopting of ordinances, establishing codes, rules and regulations for the construction of buildings, relating to the installation of plumbing; the use of concrete, masonry, metal, iron and wood,
and other building material, the installation of electric wiring, and fire protection incident thereto to adopt any nationally recognized code, rules and regulations to develop good engineering practice and safety that have been printed as a code in book form or such portions thereof by reference thereto in such ordinance; provided, that upon adoption of such ordinance wherein such code, rules and regulations or portions thereof have been incorporated by reference, there shall be filed three copies of such code, rules and regulations in the office of the building inspector and three copies in the office of the city clerk. All copies of any code, rules and regulations filed as provided herein, shall be for use and examination by the public.

19. Amendment. Any such ordinance may be amended or supplemented in like manner, provided, that three copies of such ordinance, as amended or supplemented, shall be filed, as provided in section 1, in the office of the building inspector and three copies filed in the office of the city clerk for use and examination by the public.

20. Exception. The provisions of the preceding sections shall not be construed to permit the adoption by reference of penalty clauses which may be part of any nationally recognized code, rules and regulations. The said city councils shall have power to annex penalties deemed necessary, not exceeding one thousand dollars, for the breach of any violation of any such ordinance.

21. Examination by Public. At least thirty days prior to the adoption of any such ordinance or any amendment or supplement thereto, not less than three copies of such code or regulation referred to shall have been filed in the office of the building inspector, and three copies in the office of the city clerk for the use and examination of the public.

22. Public Hearing; Notice. No such ordinance or amendments or supplements thereto, as hereinbefore set forth, shall become effective or be altered until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a paper of general circulation in the state at least fifteen days before the holding of said hearing.

23. Constitutionality. If any provision of this subdivision, or the application of such provision to any person or
circumstance, shall be held invalid, the remainder of said subdivision, or the application of such provisions to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]

CHAPTER 106.

AN ACT RELATIVE TO TOWN APPROPRIATIONS FOR ADVERTISING.

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

1. Town Appropriations. Amend paragraph XIX of section 4 of chapter 51 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: XIX. ADVERTISING. To issue and distribute or contribute toward the issuance and distribution through other agencies of circulars and other written or printed matter and to contribute through other agencies toward publicity by other means and toward promotional activities calling attention to the resources and natural advantages of the town.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]

CHAPTER 107.

AN ACT RELATING TO THE SHIPMENT OF LIVESTOCK.

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

1. Restrictions for Shipment. Amend section 4 of chapter 230 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. Diseased Animals. Cattle which have reacted to the tuberculin or agglutination test for Brucellosis or any animal or animals infected with a contagious or infectious disease, shall not be shipped, transported, received for transportation or otherwise
moved for immediate slaughter unless the following conditions and restrictions are complied with: I. The cattle shall be shipped, transported or moved to an establishment or a public stockyard where state or federal inspection is maintained, and shall there be slaughtered under such inspection. II. The cattle shall be marked for identification by branding and tagging as provided in section 67 of chapter 229. III. The cattle shall be accompanied to destination by a certificate issued by the state commissioner on domestic animals or the bureau of animal industry. IV. Transportation companies shall plainly write or stamp upon the face of waybills, conductors’ manifests and memoranda pertaining to such shipment the words, Diseased Animals. V. All trucks, vehicles or equipment used for the transportation of diseased animals shall be properly cleaned after each shipment.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]

CHAPTER 108.

AN ACT RELATIVE TO RULES FOR THE MEASUREMENT OF ROUND TIMBER.

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

1. Rules for Measurement. Amend section 5 of chapter 201 of the Revised Laws by striking out said section and inserting in place thereof the following: 5. Round Timber. Unless the parties shall otherwise agree in writing the following shall be the rule for measuring round timber, where quantity is estimated by the thousand: A stick of timber sixteen inches in diameter and twelve inches in length shall constitute one cubic foot, and the same ratio shall apply to any other size and quantity. Each cubic foot shall constitute ten feet of a thousand.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]
CHAPTER 109.

AN ACT ESTABLISHING REFORESTATION WEEK.

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

1. Proclamation. The governor shall annually proclaim May first to seventh, inclusive, as reforestation week and shall request the citizens of the state to observe said anniversary by planting and caring for young forest trees.

2. Takes Effect. This act shall take effect May 1, 1945.

[Approved April 10, 1945.]

CHAPTER 110.

AN ACT RELATIVE TO TERM OF OFFICE OF A FIRE CHIEF.

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

1. Town Officers. Amend chapter 175 of the Revised Laws, by inserting after section 5 the following new section: 5-a. Chief Fireward or Engineer. The chief fireward or engineer, in any town which has adopted the provisions hereof, shall be appointed for an indefinite period of time and his tenure of office shall depend upon his good conduct and efficiency. Said chief or engineer shall be technically qualified by training or experience and shall have ability to command men and hold their respect and confidence. He shall be removed only for just cause and after hearing with reasonable notice in writing of the charges against him. Any town may adopt the provisions hereof at any annual meeting by an article in the warrant calling for such action.

2. Powers of City Councils. Amend chapter 66 of the Revised Laws by adding after section 9 the following new section: 9-a. Fire Chief; Deputy Chief. The city councils of any city shall have the power to pass an ordinance which shall provide that the chief, or any deputy chief, of the fire department of said city shall be appointed for an indefinite period of time, that no person shall be appointed to said office except one technically qualified by training or experience, and that said appointee shall be removed only for just cause and after
hearing with reasonable notice in writing of the charges against him.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 10, 1945.]

CHAPTER 111.

AN ACT RELATIVE TO EMERGENCY APPROPRIATIONS.

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

1. Authority Conferred. In case the appropriations for the ensuing biennium for any state institution or department or for any war-time emergency should be insufficient for the needs of such institution or department or for any war-time activity essential to the welfare of the people or to meet any additional cost incidental to the return to a peace-time program, the governor and council are hereby authorized to provide for such necessities in an amount not to exceed two hundred and fifty thousand dollars for each of the two years, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The sums which may be allowed for any such purpose shall be in addition to appropriations otherwise made for such needs.

2. Bonds Authorized. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state, for the purpose of carrying into effect the provisions of this act, not more than two hundred and fifty thousand dollars for each of the two years, and for that purpose may issue bonds and notes as may, in their opinion, be to the best advantage of the state of New Hampshire in the name of and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council at the time of approval of the issue. The maturity dates of such bonds and notes shall not be later than December 31, 1956. Such bonds and notes shall be in such form and such denominations and with such provisions for call or redemption as the governor and council may determine, may be registerable as to both principal and interest, and
shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

3. **Short-Term Notes.** Prior to the issuance of the bonds hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of the bonds hereunder, provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of two hundred and fifty thousand dollars.

4. **Takes Effect.** This act shall take effect July 1, 1945.

[Approved April 10, 1945.]

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**CHAPTER 112.**

AN ACT PROVIDING FOR ISSUANCE WITH STATE GUARANTEE OF EMERGENCY NOTES AND BONDS BY TOWNS, CITIES AND COUNTIES.

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

1. **Emergency Town, City and County Notes.** Section 8 of chapter 63, Laws of 1933, as amended by chapter 39, Laws of 1935, chapter 1, Laws of 1937, chapter 38, Laws of 1939, chapter 8, Laws of 1941, and chapter 69, Laws of 1943, imposing a time limitation upon issuance of certificates of emergency and the state guarantee of payment of loans of towns, cities and counties, is hereby repealed.

2. **Takes Effect.** This act shall take effect as of April 4, 1945.

[Approved April 10, 1945.]

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**CHAPTER 113.**

AN ACT EXTENDING THE AUTHORITY OF THE GOVERNOR AND COUNCIL TO MAKE LOANS TO PROTECT CERTAIN STATE BONDS.

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

1. **Extension of Time,** Amend section 3 of chapter 61 of the Laws of 1943, by striking out the figure “1945” and insert-
ing in place thereof the figure, 1947, so that said section as amended shall read as follows:

3. **Limitation.** The authority granted to the governor and council to make the loans herein authorized shall expire June 30, 1947.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 10, 1945.]

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**CHAPTER 114.**

AN ACT RELATIVE TO INSPECTION OF DAIRIES.

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

1. **Commissioner of Agriculture.** Amend section 57 of chapter 194 of the Revised Laws by inserting before the word “shall” in the tenth line the words, or any instruction issued under the provisions of this section, and by inserting after the word “fined” the words, not more than, so that said section as amended shall read as follows: 57. **Inspection, Dairies.** If the commissioner, or his deputy, has reason to believe that milk or cream, or part thereof, is produced or kept under unsanitary conditions he shall inspect the dairy and premises of the producer thereof, and shall issue such instructions as in his judgment will effect improvement to a satisfactory standard. In case his instructions are not complied with he may order, in writing, the owners, operators or managers of any station receiving such milk or cream and of neighboring receiving stations, to refuse to receive such milk or cream until permitted so to do by order of the commissioner. Whoever disobeys such order or any instruction issued under the provisions of this section shall be fined not more than fifty dollars.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 12, 1945.]
CHAPTER 115.

AN ACT RELATING TO LICENSES TO OPERATE MOTOR VEHICLES.

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

1. Motor Vehicle Operators. Amend section 13 of chapter 117 of the Revised Laws by striking out in the sixth line the words "he resides" and inserting in place thereof the words, the motor vehicle is registered; further amend by striking out in the seventh line the words "of his residence" and inserting in place thereof the words, where said motor vehicle is registered, so that said section as amended shall read as follows: 13. Nonresident Privileges. Whenever a motor vehicle of a nonresident may be operated on the ways of this state, without registration, or is operated under a neutral zone registration, such vehicle may be operated by its owner or by his chauffeur or employee without a license from the commissioner if the operator or chauffeur is duly licensed under the laws of the state, district, or country in which the motor vehicle is registered, or has complied fully with the laws of the state where said motor vehicle is registered respecting the licensing of motor vehicle operators; provided, that said state, district, or country grants like privileges to residents of this state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 12, 1945.]

CHAPTER 116.

AN ACT RELATING TO FEDERAL SURPLUS COMMODITIES.

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

1. Purchase of Federal Surplus Property. The state purchasing agent may enter into any contract with the United States of America or with any agency thereof for the purchase, lease or other acquisition of any equipment, supplies or materials whenever, in his opinion, it is to the best interest of the state to do so, and without regard to any provision of law requiring competitive bids.
2. Acceptance of Donations. The state purchasing agent on behalf of the state, the county commissioners on behalf of a county, the mayor on behalf of a city, and the selectmen on behalf of a town, may accept donations or gifts from the federal government of federal surplus commodities.

3. Purchases for Counties, Cities and Towns. Whenever the governing body of any county, city or town so desires and notifies the state purchasing agent in writing to that effect, the state purchasing agent may purchase from the federal government on behalf of such county, city or town any equipment, supplies or materials designated by said governing body.

4. Inconsistent Laws. Any laws, ordinances, rules or regulations inconsistent with the provisions of this act are hereby suspended to the extent of such inconsistency.

5. Takes Effect. This act shall take effect upon its passage and shall remain in effect only until five years from the date of termination of the present war.

[Approved April 12, 1945.]

CHAPTER 117.

AN ACT RELATIVE TO PARI MUTUEL POOLS AT RACE MEETS.

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

1. Horse Racing. Amend section 15 of chapter 171 of the Revised Laws, as amended by chapter 83 of the Laws of 1943, by striking out the figure "1946" in the sixth line and inserting in place thereof the figure, 1950; by inserting after the word "eleven" in the seventh line the words, and one-half, and by striking out the words "four and one-half" in the fourteenth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: 15. Pari Mutuel Pools. Within the enclosure of any race track where is held a race or race meet licensed and conducted under this chapter, but not elsewhere, the sale of pari mutuel pools by the licensee under such regulations as may be prescribed by said commission is hereby permitted and authorized during the calendar years 1941 to 1950, inclusive. Commissions on such pools shall in no event and at no track exceed eleven and one-half per cent of each dollar wagered, plus the odd cents
of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of ten, known as "breakage," one half of which breakage shall be retained by the licensee and the balance shall be paid to the state treasurer for the use of the state in accordance with the provisions of section 2. Said maximum shall include the five per cent tax hereinafter prescribed.

2. Distribution of Funds. Amend section 16 of chapter 171 of the Revised Laws by striking out the words "four and one-half" in the third line and inserting in place thereof the word, five, and by striking out the words "one-quarter" in the sixth line and inserting in place thereof the words, three-quarters, so that said section as amended shall read as follows: 16. Tax. Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall pay to the state treasurer a sum equal to five per cent of the total contributions to all pari mutuel pools conducted or made at any race or race meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to four and three-quarters per cent of said total contributions shall be distributed in accordance with the provisions of section 2, and a sum equal to one quarter of one per cent of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture. Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of two hundred and fifty dollars for each day of racing, provided, said person, association, or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association, or corporation has a license to conduct races or race meets for less than said eight days, the said per diem fee shall be determined by the commission.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 18, 1945.]
CHAPTER 118.
AN ACT RELATING TO CLERK HIRE IN THE OFFICE OF SHERIFF FOR HILLSBOROUGH COUNTY.

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

1. Hillsborough County Sheriff's Office. Amend section 28, chapter 380 of the Revised Laws, by adding after section 28 the following new section: 28-a. Clerk Hire. The sheriff for Hillsborough county shall be allowed the sum of twelve hundred dollars annually for clerk hire payable weekly by said county.
2. Takes Effect. This act shall take effect upon its passage.
[Approved April 18, 1945.]

CHAPTER 119.
AN ACT RELATIVE TO COMPENSATION OF CLERKS OF THE COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY.

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

1. Hillsborough County Commissioners. Amend section 28 of chapter 47 of the Revised Laws by striking out the words "The salary of each such clerk shall not exceed twenty-five dollars a week, payable weekly." so that said section as amended shall read as follows: 28. Clerks. The commissioners of Hillsborough county shall employ such number of clerks and agents as said commissioners deem necessary.
2. Takes Effect. This act shall take effect upon its passage.
[Approved April 18, 1945.]

CHAPTER 120.
AN ACT RELATIVE TO AUTHORITY OF TOWNS AND COUNTIES TO OPERATE RECREATIONAL ACTIVITIES.

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

1. Recreational Activities. Amend section 34 of chapter 51 of the Revised Laws by inserting after the word "build-
ings” in the seventh line the words, may establish, maintain and conduct a system of public recreation and in connection therewith may construct, equip and operate any buildings necessary therefor, so that said section as amended shall read as follows: 34. Establishment and Management. Any town may take land within the municipal limits in fee by gift, purchase, or right of eminent domain, or may lease the same; and may prepare, equip and maintain it, or any other land belonging to the municipality and suitable for the purpose, as a public playground and may authorize the collection of admission fees for amateur athletic contests thereon; may conduct and promote thereon play and recreation activities; may equip and operate neighborhood center buildings; may establish, maintain and conduct a system of public recreation and in connection therewith may construct, equip and operate any buildings necessary therefor; may operate public baths and swimming pools and charge reasonable admission and bathhouse fees in connection with the operation thereof; and may employ such play leaders, playground instructors, supervisors, recreation secretary, or superintendent and other officials as it deems best.

2. Counties. Amend chapter 44 of the Revised Laws by inserting after section 1 the following new section: 1-a. Recreational Activities. Any county as may be authorized by the county convention, may take land within its limits in fee by gift, purchase or right of eminent domain as a site for recreational activities; may prepare, equip and maintain it for such purposes; may conduct and promote thereon such activities; may charge, or authorize others to charge, reasonable admission and service fees; and may employ such supervisors, instructors and other officials as may be necessary.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 18, 1945.]
CHAPTER 121.

AN ACT RELATIVE TO DISPOSAL OF COUNTY JAILS.

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

1. Repeal. Section 3 of chapter 461 of the Revised Laws relative to closing, selling or otherwise disposing of county jails is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 18, 1945.]

CHAPTER 122.*

AN ACT RELATIVE TO REINSTATEMENT OF STATE EMPLOYEES AFTER MILITARY SERVICE.

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

1. Definition. Amend section 6-a of chapter 218 of the Laws of 1941, as inserted by section 2 of chapter 72 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 6-a. Military Service Defined. The term "military or naval service" as used in this chapter shall be construed to include all branches of the armed forces of the United States and women's auxiliaries thereof, the members of which are subject to and under military law.

2. Reinstatement. Further amend chapter 218 of the Laws of 1941 by inserting after section 6-b, as inserted by chapter 203 of the Laws of 1943, the following new section: 6-c. Reinstatement of Employees. Any state employee who left or leaves to enter military or naval service shall be reinstated after such military or naval service, unless his term of office has expired, provided he makes application therefor within ninety days after his discharge from such service. No such person shall be entitled to reinstatement in the event of his dishonorable discharge from such military or naval service. An employee reinstated under the provisions of this chapter shall be entitled to all increases in compensation to which he would have been entitled had he continued in state service during the time of his military or naval service. If

* See chapter 180, post.
during the absence of such persons from the state service there has been any change in the status or compensation of the position which he formerly held the governor and council shall determine to what position he shall be assigned, if re-instated, and they may make rules and regulations to effectuate the purposes hereof.

3. **Repeal.** Section 4-a of chapter 218 of the Laws of 1941, as inserted by section 1, chapter 72 of the Laws of 1943, relative to state employees in military or naval service of the United States is hereby repealed.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved April 18, 1945.]

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**CHAPTER 123.**

AN ACT RELATIVE TO HOURS OF SERVICE OF PERMANENT POLICE OFFICER OR OFFICERS.

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

1. **One Day Rest in Eight.** Amend chapter 59 of the Revised Laws by inserting after section 42 the following new section: 42-a. **Permanent Police Officer or Officers.** In any town which has full time permanent police officer or officers, the selectmen, or other governing body, shall allow said officer or officers one day rest in eight, without loss of pay.

2. **Application.** The provisions of this act shall not affect the provisions of any city charter.

3. **Takes Effect.** This act shall take effect thirty days after its passage.

[Approved April 19, 1945.]

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**CHAPTER 124.**

AN ACT RELATING TO A TEMPORARY OPEN SEASON FOR FISHING.

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

1. **Repeal.** Chapter 99 of the Laws of 1945 providing a temporary open season for the taking of salmon and lake trout is hereby repealed.
2. Takes Effect. This act shall take effect upon its passage.

[Approved April 19, 1945.]

CHAPTER 125.

AN ACT RELATIVE TO FLOUR AND BREAD ENRICHMENT.

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

1. Powers of State Board of Health. Amend chapter 164 of the Revised Laws by inserting after section 12 the following new section: 12-a. Flour and Bread Enrichment. No person shall, within the state, distribute, manufacture, bake, mix or compound for sale, offer for sale, have in possession with intent to sell or sell for human consumption, any flour, white bread or rolls unless the same conforms to the definition and standard of identity then in effect for enriched flour, enriched rolls or enriched buns, fixed and established by order of the state board of health.

I. DEFINITIONS. When used in this section the following words shall mean as follows: (a) The term "Flour" includes and shall be limited to the foods defined as flour, white flour, wheat flour, plain flour, bromated flour, self-rising flour, self-rising white flour, self-rising wheat flour, phosphated flour, phosphated white flour and phosphated wheat flour in standards of identity as promulgated by the state board of health, but does not include whole wheat flours or special flours not used for bread, rolls, bun or biscuit baking, such as specialty cake, pancake and pastry flours. (b) "White bread" means any bread made with flour as defined in (a), whether baked in a pan or on a hearth or screen which is commonly known or usually represented and sold as white bread, including, but not restricted to, Vienna bread, French bread and Italian bread. (c) "Rolls" includes plain white rolls and buns of the semi-bread dough type, such as soft rolls, hamburger, hot dog, Parker House, etc., hard rolls, such as Vienna, Kaiser, etc., all made without fillings or icings but shall not include yeast-raised sweet rolls or sweet buns, cinnamon rolls or buns, butterfly rolls, etc. (d) The term "Enriched" means the addition to flour of the vitamins and other
nutritional ingredients necessary to make it conform to the standard of identity of enriched flour or enriched bromated flour, or enriched self-rising flour, as fixed and established by the state board.

II. ENFORCEMENT RULES AND REGULATIONS. The state board of health is charged with the enforcement of this section. Said board may make rules and regulations for the proper enforcement thereof, including as a part of said rules and regulations when not inconsistent with existing laws, the adoption of such definitions and standards of identity as may from time to time be promulgated by federal authorities pursuant to the provisions of any federal act governing such flour and bread.

III. INSPECTIONS. Said board shall cause inspections to be made and all inspectors and other employees appointed by said board shall be permitted access at all reasonable hours to all places of business concerned in the manufacture, production, transportation, distribution, and sale of flour, white bread or rolls; shall have power to open and examine any package or container of any kind containing, or believed to contain, any such flour, bread or rolls which may be manufactured, distributed, sold or possessed for sale, in violation of the provisions of this section.

IV. PUBLICATION. All rules and regulations adopted by the state board pursuant to this section shall be published at least once in at least one daily newspaper of general circulation, printed and published in this state, and said rules and regulations shall become effective upon such date as the board shall fix.

V. EXCEPTION. Provided, however, that this section shall not apply to flour sold to distributors, bakers or other processors, if the purchaser furnishes to the seller a certificate in such form as the state board of health shall by regulation prescribe, certifying that such flour will be (1) resold to a distributor, baker or other processor, or (2) used in the manufacture, mixing or compounding of flour, white bread or rolls enriched to meet the requirements of this section, or (3) used in the manufacture of products other than flour, white bread or rolls. It shall be unlawful for any such purchaser so furnishing any such certificate to use or resell the flour so purchased in any manner other than as prescribed herein.
2. Takes Effect. This act shall take effect six months after cessation of present hostilities.

[Approved April 19, 1945.]

CHAPTER 126.

AN ACT TO PROVIDE AN ADDITIONAL RETIREMENT ALLOWANCE FOR TEACHERS AND FOR ASSESSMENTS TO SUPPORT THE SAME.

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

1. Additional Retirement Allowance. Amend chapter 136 of the Revised Laws by inserting after section 13 the following new section: 13-a. Additional Retirement Allowance. Any teacher who was a member of the retirement association on December 31, 1944, or who becomes a member before December 31, 1945, shall receive upon retirement, subject to the provisions of section 11, an additional annual retirement allowance for the remainder of his natural life, payable in installments as determined by the board, equal in amount to such annuity as would be provided on the basis of the mortality table adopted by said board at the interest rate determined by it under the provisions of section 10, for the teacher's age at retirement or age seventy, whichever is the less, by a sum of money, computed as hereinafter provided. Such sum of money shall be computed by first determining the amount which would be produced by annual investment at interest at the rate of three per cent per annum compounded annually, for the number of years of service of the retiring teacher in this state not exceeding thirty prior to June 30, 1944, of eight per cent of the average annual salary of such teacher during the five years ending June 30, 1944, or during the total number of years of service prior to said date in the event of appointment during said five years; and by adding to the amount so determined, interest at the rate determined by the board under section 9, from January 1, 1945 to the date of retirement or to the date at which the retiring teacher reaches age seventy, whichever is the earlier; provided, nevertheless, that in computing said sum of money no part of an average annual salary in excess of twenty-five hun-

*See chapter 167, post.
dred dollars shall be considered; and provided, further, that the sum of such additional retirement allowance and the annual retirement allowance provided by section 13, shall not exceed one-half of the average annual salary of the retiring teacher for the five years next preceding the date of retirement.

2. Assessments Upon Towns, Cities and Districts. Amend section 8 of said chapter 136 by adding to said section the following new paragraph: IV. At the beginning of each fiscal year the retirement board shall assess upon the various cities, towns and districts in the state employing teachers, who have made application for the benefits of this chapter, two per cent of the payroll of the teachers of such cities, towns and districts who are entitled to such benefits; provided nevertheless that, if the board shall find that the annual payments of member teachers, together with such assessments upon the towns, cities and districts, and the contribution from the state will be insufficient to keep this retirement system in sound financial condition, the board may assess such further sums against said cities, towns, and districts, not exceeding an additional four per cent of the payroll of the teachers of such cities, towns or districts who are entitled to such benefits, as in the judgment of the board may be necessary for said purpose. It shall be the duty of the treasurer or other disbursing officers of said cities, towns or districts to pay to the retirement board the sums so assessed against said cities, towns or districts, and said cities, towns or districts are hereby authorized to appropriate the sums necessary for the payment of such assessments.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 20, 1945.]

CHAPTER 127.

AN ACT RELATIVE TO CONSTRUCTION OF NEW SCHOOL BUILDINGS.

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

1. School Buildings. Amend section 1 of chapter 141 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. Location and Construction
by District. The district may decide upon the location of its schoolhouses by vote or by a committee appointed for the purpose, provided, however, that all plans, specifications, and the selection of site for any new school building for any school district within the state shall be approved by the school board of the district in which it is proposed to construct such a building. Before approving such buildings and locations the school board shall consult the state board of education who may make recommendations to the school board as to any changes it deems necessary. The provisions of this section shall apply to all new construction of public school buildings, including those constructed by grant or loans of funds from state, the federal government, or other sources.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 24, 1945.]

CHAPTER 128.

An Act to Provide for Absentee Voting for Persons in the Armed Forces and Civilians Serving Therewith.

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

1. Members of the Armed Forces and Civilians Serving Therewith. Any war absentee as hereinafter defined voting as herein permitted may substitute for the jurat required by chapter 34 of the Revised Laws and transmit with the sealed ballot a written statement in such form as the secretary of state shall prescribe, setting forth the facts required, made before any commissioned officer, non-commissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the administrator of the war shipping administration.

2. Definition of War Absentee. The term "war absentee" as used herein shall be construed to mean:
   I. Members of the armed forces and the merchant marine of the United States;
   II. Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots and
the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States. The term "members of the merchant marine of the United States" shall mean persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States war shipping administration.

3. War Ballots. The secretary of state shall prepare war ballots similar to the official ballot for the use of war absentees in such quantities as he may deem necessary together with envelopes upon which shall be printed the affidavits prescribed by chapter 101 of the Laws of 1945. He shall determine their size, weight, type and color of paper. The secretary of state shall retain for his own use so many of the papers provided for in this chapter as he may deem sufficient, and shall supply each city and town clerk in the state with as many of them as he may deem necessary.

4. Applications. Applications for war ballots for war absentees may be made in any form to the secretary of state by the war absentee or any one on his behalf, provided his name, service organization, service address and legal residence are disclosed. Upon receipt of any such application the secretary of state shall forward it by mail to the clerk of the town or city of the voting place indicated. The town or city clerks shall forward by mail a war ballot with the necessary envelopes to such war absentee.

5. Information Furnished. The registrars of voters or supervisors of the check-list are hereby required to furnish to the town or city clerks upon their request any information relative to persons entitled to vote in their ward or town which may be necessary to enable them to determine the proper ballot to be sent to a war absentee. Whoever violates any provision of this section shall be fined not more than fifty dollars.

6. Voting Procedure. A war absentee who has received a war ballot may vote by mailing or causing to be delivered to the secretary of state such ballot marked and sworn to as follows: He shall deliver said ballot to any official authorized by law to administer oaths, or any officer described in section 1 hereof, for examination, who shall satisfy himself that it is unmarked and the voter shall not allow said official or officer to see how he marks it, and said voter shall mark said ballot
in the presence of said official or officer and no other person. Said official or officer shall hold no communication with the voter, nor he with said official or officer, as to how he is to vote; provided, however, that in the case of any war absentee who, because of blindness, or other physical disability, is unable to mark his ballot, such official or officer may assist him to mark his ballot as directed by said voter. Such official or officer shall certify on the outside thereof that it was so marked with his assistance, and shall thereafter give no information regarding the same. After marking the ballot, the voter shall enclose and seal the same in the envelope provided for that purpose. He shall then execute before said official or officer the affidavit on said envelope and shall enclose and seal the envelope containing the ballot in the return mailing envelope, endorse thereon his name and voting place, and shall then mail the envelope or cause it to be delivered to the secretary of state.

7. Procedure by Secretary of State. Upon receipt of the envelope containing the war ballot the secretary of state shall send it to the clerk of the city or town of the voting place indicated on the envelope.

8. Registration of Voters. Upon receipt of the envelope containing a war ballot the clerk of the city or town shall open and retain the mailing envelope and deliver the voting envelope to the registrars of voters or supervisors of the checklist of the voting place indicated thereon who shall examine the same. The affidavit appearing on the outside of the envelope, if properly executed, shall be prima facie evidence of the voter’s qualifications to become a voter. The registrars or supervisors of the check-list shall then return the envelopes unopened to the city or town clerk who shall see that they check in number with the mailing envelopes. Said clerk shall attach the two corresponding envelopes and shall deliver them to the moderator before the hour for the closing of the polls upon election day to be counted. No war ballot shall be rejected by a moderator for the lack of an attached application.

9. Conformity with Federal Legislation. The secretary of state and all other appropriate officials or boards are hereby authorized to perform all acts which he or they may be authorized to perform by any federal statute affecting voting by those to whom the statute is applicable and to accept any federal funds which may be made available to defray any ex-
pense in connection therewith, in so far as the same may not be repugnant to the constitution of this state.

10. Federal Ballots. If a war absentee has properly complied with the provisions of any federal statute affecting voting by war absentees and has cast his ballot under such statute, said ballots shall be accepted by the secretary of state and counted by the moderator provided the voter is registered or eligible to be registered in this state but has been unable, due to the emergency conditions of the war, to cast a state war ballot. The fact that a state war ballot is not received by the secretary of state in time to be counted shall be evidence that he is unable to cast such ballot. No federal ballot shall be counted, however, if the state war ballot has been received.

11. Laws Suspended. Such provisions of chapter 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

12. Takes Effect. This act shall take effect upon its passage and continue in effect until July 1, 1947.

[Approved April 24, 1945.]

CHAPTER 129.

AN ACT RELATIVE TO THE REGISTRAR OF VITAL STATISTICS.

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

1. State Department of Health. Amend section 4 of chapter 147 of the Revised Laws, as amended by chapter 15 of the Laws of 1943, by striking out the words, "he shall be the registrar of vital statistics for the state," so that said section as amended shall read as follows: 4. State Health Officer. The board shall appoint a state health officer, who shall hold office during their pleasure, shall make a fair and correct record of their proceedings and shall act as secretary of the board. Said state health officer shall be a physician and a person with knowledge of, and experience in, public health work and sanitary science. Said officer shall serve as the executive and administrative officer of the state health department and shall be responsible for its management. He shall appoint such personnel, except the heads of the various
divisions within the department, as may be necessary for the efficient performance of the duties of his office and shall prescribe the duties of all the personnel of the department.

2. Appointment of Registrar. Amend section 8 of chapter 147 of the Revised Laws by striking out said section and inserting in place thereof the following: 8. Vital Statistics. The board shall appoint the registrar of vital statistics for the state who, under the supervision of the state health officer, shall have charge of the vital statistics of the state and shall enforce the provisions of law in relation to them.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1945.]

CHAPTER 130.

AN ACT RELATIVE TO COUNTY JAILS.

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

1. County Jails. Amend section 8 of chapter 461 of the Revised Laws by inserting at the end thereof the words: The commissioners shall, within one month after each such inspection, make a written report to the attorney general of their findings and action thereon, so that said section as amended shall read as follows: 8. Inspection; Report. The county commissioners, at the beginning of each term of the superior court, shall inquire into the condition of the county jails and the security, treatment, and condition of the prisoners, and shall take all necessary precautions against escapes, sickness, or infection. The commissioners shall, within one month after each such inspection, make a written report to the attorney general of their findings and action thereon.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1945.]
CHAPTER 131.
AN ACT RELATIVE TO TAKING FOX AT ANY TIME.

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

1. Definitions. Amend the definition of fur-bearing animals in section 1 of chapter 241 of the Revised Laws by striking out the word "fox" so that said definition as amended shall read as follows: Fur-Bearing Animals: Beaver, otter, marten, sable, mink, fisher or fisher cat, raccoon, skunk and muskrat.

2. Repeal. Section 2 of chapter 244 of the Revised Laws relative to an open season for the taking of fox is hereby repealed.

3. Penalties. Amend section 19 of chapter 244 of the Revised Laws by striking out the words "or fox" in the fourth line so that said section as amended shall read as follows: 19. Fines. A person who violates a provision of this chapter shall be fined as follows: For each violation of sections 1 to 5, inclusive, and sections 12 to 14, inclusive, not more than ten dollars and not more than five dollars additional for each otter, mink, muskrat, skunk, raccoon, taken or possessed contrary to the provisions thereof, and not more than fifty dollars additional for each sable, marten or fisher so taken or possessed; for each violation of sections 15 and 16, not more than five hundred dollars, and such person shall be liable for twice the amount of the damage caused by his act, to be recovered by the person or his estate sustaining the injury or loss; and for each violation of section 17, not more than fifty dollars.

4. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1945.]

CHAPTER 132.
AN ACT FOR THE PROTECTION OF THE CLAM INDUSTRY IN THE STATE.

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

1. Clams and Clam Worms. Amend section 63 of chapter 245 of the Revised Laws, as inserted by chapter 124 of
the Laws of 1943, by inserting after the word "clams" in the third, fourth, fifth and eighth lines the words, and clam worms, and by inserting after the words "limits of said town" in the eighth line the words: Said regulations, however, shall in no case prohibit a resident citizen of this state from taking clam worms for his own use and not for resale, without a permit therefor, so that said section as amended shall read as follows: 63. Town Regulations. Any town may, at any annual or special meeting, vote to regulate the taking of clams and clam worms within its limits, may make reasonable rules and regulations restricting the taking, sale or consumption of clams and clam worms, requiring a permit for taking clams and clam worms, and establishing fees therefor, or any other regulations deemed by said town necessary for the proper protection, propagation and conservation of clams and clam worms within the limits of said town. Said regulations, however, shall in no case prohibit a resident citizen of this state from taking clam worms for his own use and not for resale, without a permit therefor. If a town shall adopt rules and regulations in accordance with the authority herein granted the selectmen shall enforce the provisions of said rules and regulations.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1945.]

CHAPTER 133.

AN ACT RELATING TO REGISTERS FOR HOTELS AND OTHER PUBLIC PLACES.

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

1. Hotels; Lodging Houses; etc. Amend section 7 of chapter 208 of the Revised Laws by striking out in the second and third lines thereof the words "and cause to be entered the name of each guest accommodated," and inserting in place thereof the words, or card system and cause each guest to sign therein his own legal name or name by which he is commonly known; further amend by inserting after the word "book" in the third line thereof the words, or card system,
so that said section as amended shall read as follows:  
7. Register, Open to Inspection. All hotel keepers and all persons keeping public lodging houses, tourist camps, or cabins shall keep a book or card system and cause each guest to sign therein his own legal name or name by which he is commonly known. Said book or card system shall at all times be open to the inspection of the sheriff or his deputies and to any police officer. The term "public lodging house" as here used shall mean a lodging house where more than two rooms are habitually let for less than a week at a time for the accommodation of transients. Whoever violates any provision of this section shall be fined not more than twenty dollars or be imprisoned not more than thirty days.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 25, 1945.]

CHAPTER 134.

AN ACT RELATIVE TO CONVENING OF THE LEGISLATURE IN SPECIAL SESSIONS.

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

1. The General Court. Amend the Revised Laws by inserting after chapter 9 the following new chapter:

Chapter 9-A
Legislative Sessions

1. Powers. During any recess the general court may convene itself in special session in the manner herein provided.

2. Petition. There shall be filed with the secretary of state a petition for the calling of a special session of the general court which petition shall be signed by not less than fifty members of the house of representatives, not more than ten of whom shall reside in the same county, and signed by not less than eight members of the senate. Said petition shall state the reason or reasons why the public welfare requires a special session of the general court.

3. Notice. Upon receiving such petition, the secretary of state shall forthwith mail a copy thereof to each member
of the general court together with a ballot upon which shall be stated the following question: "Are you of the opinion that the general court should meet in special session?"

4. Vote Required. If within ten days after the date of the mailing of said ballot by the secretary of state a majority of the members of the house and a majority of the members of the senate shall return said ballot marked in the affirmative, the general court shall be called in special session.

5. Calling. Upon receipt of the affirmative votes above required, the secretary of state shall set a day for the convening of the general court which day shall be not more than fifteen days thereafter and notice thereof shall be sent by the secretary of state to each member of both houses.

6. Postponement. In the event that the governor pro-rogues the reassembly of the general court under the provisions of Article 50, Part II of the constitution, the general court shall reassemble the Tuesday following the expiration of the time of such postponement, unless the majority of the membership of each house shall have filed with the secretary of state not less than seven days prior thereto a statement in writing that a special session no longer is desired. In either event the secretary of state shall give notice thereof to each member.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 26, 1945.]

CHAPTER 135.

AN ACT PROVIDING FOR VOLUNTARY CALFHOOD VACCINATION OF BOVINE ANIMALS.

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

1. Bovine Animals. Amend chapter 229 of the Revised Laws by inserting after section 46 the following new section: 46-a. Brucellosis. Upon application of any owner of bovine animals the state shall vaccinate said bovine animals between the ages of four and eight months against Brucellosis (Bang's disease) with strain 19 or other approved vaccine. The cost of said vaccination including the cost of the vaccine shall be
borne by the state. The vaccination shall be done by a licensed graduate veterinarian under the direction of the state commissioner and all animals vaccinated shall be properly and permanently identified.

2. Examination of Carcasses. Amend section 51 of said chapter 229 by adding after the word "condemned" in the second line the words, for bovine tuberculosis, so that said section as amended shall read as follows: 51. Examination; Report, etc. The carcass of every animal duly condemned for bovine tuberculosis and slaughtered under the provisions of this chapter shall be examined by a veterinarian or physician designated by the commissioner, for the purpose of determining whether or not disease existed in such animal. Such post-mortem examination shall be under rules prescribed by the commissioner, and the report thereof shall show conditions found upon such examination duly verified by the person making such examination. Such report shall be filed with the commissioner, and a copy thereof shall be sent or delivered to the owner or person in possession of the animal so examined.

3. Takes Effect. This act shall take effect upon its passage.

[Approved April 27, 1945.]

CHAPTER 136.

AN ACT RELATIVE TO FILLING VACANCIES IN THE BOARD OF SUPERVISORS.

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

1. Supervisors of the Check-list. Amend section 4 of chapter 32 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. Vacancies. Vacancies in the board may be filled by the remaining members. If not filled by them seasonably for the performance of the duties of the office, or if there is only one member of the board, or if the whole board shall be vacant, the selectmen shall make the appointments. In all cases appointments shall be made in writing and be recorded, and the appointees shall hold office for the unexpired term. Provided further that in
filling any such vacancy the appointee shall be of the same political party as the supervisor whose place he is filling.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 27, 1945.]

CHAPTER 137.

AN ACT RELATIVE TO INDEMNITY FOR CONDEMNED DOMESTIC ANIMALS.

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

1. Domestic Animals; Indemnity. Amend section 57 of chapter 229 of the Revised Laws by striking out the word "twenty-five" in the fourth line and inserting in place thereof the word, fifty, and by striking out the word "fifty" in the fifth line and inserting in place thereof the word, seventy-five, so that said section as amended shall read as follows:

57. Payment. The state shall pay the owner, after he has filed such certificate or certificates as the commissioner may direct, one-third of the appraised value on all horses condemned and killed and for all bovine animals condemned and killed an amount not to exceed fifty dollars for a grade animal and seventy-five dollars for a registered pure bred animal providing that the amount received from salvage, from the federal government, and from the state shall not exceed the appraised value thereof.

2. Bonds and Notes Authorized. The state treasurer is hereby authorized, with the consent of the governor and council, to borrow such sums as are needed from time to time, not to exceed six hundred thousand dollars, upon the credit of the state, and for that purpose may issue bonds or notes, in the name and on behalf of the state of New Hampshire, at a rate of interest to be so determined at the time of consent to the issue, and said interest to be payable semi-annually. Such bonds or notes shall be in such form and such denominations as the governor and council may determine, may be registerable as to both principal and interest, and shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.
3. Records and Accounts. The secretary of state and the state treasurer shall keep accounts of the bonds and notes issued under the provisions of section 2 as they are required to keep for the bonds and notes authorized by chapter 159 of the Laws of 1939. The treasurer shall negotiate and sell such bonds or notes in the same manner as provided in said chapter 159.

4. Short-Time Notes. Prior to the issuance of serial bonds or notes hereunder the treasurer, with the consent of the governor and council, may for the purposes hereof borrow money from time to time on short-time loans which may be refunded by the issuance of bonds or notes hereunder provided, however, that at no time shall the indebtedness of the state on such short-time loans and said bonds or notes exceed the said sum of six hundred thousand dollars.

5. Appropriation. The proceeds of the sale of the bonds or notes issued and sold under the provisions hereof are hereby appropriated for the department of agriculture for use in eradicating Brucellosis (Bang's disease) and for indemnities for bovine tuberculosis as provided for in chapter 229 of the Revised Laws, as amended by section 1 of this act, and unexpended portions of said proceeds remaining in the treasury at the end of the fiscal year shall not lapse, but shall be available only for the eradication of Brucellosis (Bang's disease) and for indemnities for bovine tuberculosis. The governor, with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of sums due or expended for the purposes authorized hereunder.

6. Takes Effect. This act shall take effect as of April 28, 1945.

[Approved April 30, 1945.]

CHAPTER 138.

AN ACT RELATIVE TO UNEMPLOYMENT COMPENSATION.

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

1. Unemployment Compensation. Amend paragraph (3), of subsection H. section 1 of chapter 218 of the Revised Laws,
by inserting after the word "unit" in the first line the words, (whether or not an employing unit at the time of acquisition), so that said paragraph as amended shall read as follows:

(3) Any employing unit (whether or not an employing unit at the time of acquisition) which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter.

2. Employer. Amend paragraph (4), of subsection H, section 1 of said chapter 218, by inserting after the word "unit" in the first line the words, (whether or not an employing unit at the time of acquisition), so that said paragraph as amended shall read as follows: (4) Any employing unit (whether or not an employing unit at the time of acquisition) which acquired the organization, trade or business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter.

3. Employment Exclusions. Amend subparagraph (a), paragraph (4), subsection I, section 1 of said chapter 218, by adding thereto the words, as defined in subsection S of this section, so that said subparagraph as amended shall read as follows: (a) Agricultural labor, as defined in subsection S of this section.

4. Insurance Agent. Amend subparagraph (m), paragraph (4), subsection I, section 1 of said chapter 218, by striking out the word "person" wherever it appears in said subparagraph and inserting in place thereof the words, employing unit, so that said subparagraph as amended shall read as follows: (m) Service performed by an individual for an employing unit as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such employing unit is performed for remuneration solely by way of commission.

5. Employment Office. Amend subsection J, section 1 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: J. "Employment office" means a free public employment office or branch thereof operated by this or any other state as a part of a state-controlled system of public employment offices or by a federal
agency or any agency of a foreign government charged with the administration of an unemployment compensation program or free public employment offices.

6. Wages. Amend the first paragraph of subsection P, section 1 of said chapter 218, by striking out the word "employer" and inserting in place thereof the words, employing unit, so that said paragraph as amended shall read as follows: P. "Wages" means every form of remuneration for personal services paid or payable to a person directly or indirectly, by his employing unit, including salaries, commissions, bonuses, and the reasonable value of board, rent, housing, lodging, payment in kind and similar advantages estimated and determined in accordance with the rules of the commissioner.

7. Agricultural Labor. Amend section 1 of said chapter 218, by inserting at the end thereof the following new subsection S: S. "Agricultural Labor" includes all services performed:

(1) On a farm, in the employ of any employing unit, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wild life.

(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

(3) In connection with the production or harvesting of syrup or maple sugar or any commodity defined as an agricultural commodity in section 15 (g) of the Federal Agricultural Marketing Act, as amended, or in connection with the raising or harvesting of mushrooms, or in connection with the hatching of poultry, or in connection with the operation or maintenance of ditches, canals, reservoirs or waterways used exclusively for supplying and storing water for farming purposes.

(4) In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any
agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

As used in this subsection, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

8. Benefit Eligibility Conditions. Amend paragraph (2), subsection D, section 3 of said chapter 218, as amended by section 4, chapter 56, Laws of 1943, by inserting before the word "two" the words, not less than, so that said paragraph as amended shall read as follows: (2) Unless he has annual earnings of not less than two hundred dollars within the base period in accordance with subsection P (2) of section 1.

9. Disqualifications for Benefits. Amend subsection B, section 4 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: B. For the week in which he has been discharged for misconduct connected with his work, if so found by the commissioner, and for the three weeks which immediately follow such week, in addition to the waiting period. Whichever is the lesser of three times the individual's benefit rate, or such amount as remains unpaid for the benefit year in which such event occurs shall be deducted from his maximum benefits, but no change shall be made in his weekly benefit amount because of this deduction.

It is further provided that an unemployed individual who has been discharged for arson, sabotage, felony, or dishonesty, connected with his work, shall not be entitled to any benefits that have accrued under this chapter prior to such dismissal.

It is further provided that an unemployed individual who has been discharged for intoxication of such degree and rate of occurrence as to seriously hamper or interfere with the individual's work, shall not be entitled to any benefits that have accrued under this chapter prior to such dismissal.
10. Disqualifications for Benefits. Amend paragraph (5), subsection E, section 4 of said chapter 218, by striking out the words "or old age assistance payments under any state laws," so that said paragraph as amended shall read as follows: (5) Primary insurance payments under Title II of the Social Security Act, as amended, or similar payments under any act of Congress; or

11. Initial Determination. Amend subsection B, section 5 of said chapter 218, by striking out in the twenty-first line the words "or commissioner" and by further striking out in the twenty-third and twenty-fourth lines the words "or the commissioner affirms a decision of an appeal tribunal or deputy" so that said subsection as amended shall read as follows: B. Initial Determination. A representative designated by the commissioner, and hereinafter referred to as a deputy, shall promptly examine the claim of an individual, and on the basis of the facts found by him, shall either determine whether or not such claim is valid, and if valid, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration thereof, or shall refer such claim or any question involved therein to an appeal tribunal, which shall make its decision with respect thereto in accordance with the procedure described in subsection C of this section. The deputy shall promptly notify the claimant and any other interested parties of the decision and the reasons therefor. The deputy may for good cause reconsider his decision or any part thereof and shall promptly notify the claimant and such other interested parties of the denial of such application or of the change and the reasons therefor, as the case may be. No such redetermination shall be made after six months from the date of the original determination. Unless the claimant or any such interested party, within five calendar days after the delivery of the deputy's notification, or within seven calendar days after such notification was mailed to his last known address, files an appeal from such decision, such decision shall be final and benefits shall be paid or denied in accordance therewith. If an appeal is duly filed, benefits with respect to the period prior to the final decision of the appeal tribunal shall be paid only after such decision; provided that if an appeal tribunal affirms a decision of a deputy allowing benefits, such benefits shall be paid regardless of any appeal which may thereafter be taken, but if such decision is finally
reversed, no employer's account shall be charged with benefits so paid.

12. Appeals. Amend subsection C, section 5 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: C. Appeals. Unless such appeal is withdrawn, an appeal tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm or modify the findings of fact and decision of the deputy. The parties shall be duly notified of such tribunal’s decision, together with its reasons therefor. Such decision shall be deemed to be the final decision of the commissioner, unless within ten days after the date of notification or mailing of such decision, further appeal is initiated pursuant to subsection G of this section.

It being further provided that the commissioner or a representative duly authorized to act in his behalf, upon the written request of an interested party or upon his own initiative, on the grounds of fraud, mistake, newly discovered evidence or change in conditions, shall, in any case in which a final decision such as hereinabove provided in this section has been rendered by an appeal tribunal, direct the tribunal which rendered such final decision to reopen the case and to grant a rehearing for the purpose of reconsidering the case in the light of such added factors. No such request shall be made after one year from the date of the appeal tribunal’s original decision. In the event that the appeal tribunal is so directed, said appeal tribunal shall proceed in exactly the same manner as though an appeal in said case were being taken from a decision of a deputy, provided, however, that the rehearing shall be limited to the introduction of evidence relative to and concerning such added factors as constitute the basis or grounds for such rehearing.

13. Separate Accounts. Amend subsection C, section 6 of said chapter 218, as amended by chapter 178, Laws of 1943, by striking out the words “six months” wherever they appear in said subsection and inserting in the place thereof the words, thirty days, also by striking out in the second paragraph thereof the word “said” and inserting in the place thereof the word, such, so that said subsection as amended shall read as follows: C. Separate Accounts. The commissioner shall maintain a separate account for each employer and shall credit his account with all contributions paid by him or on his
behalf. But nothing in this chapter shall be construed to grant any employer or individuals in his service prior claims or rights to the amounts paid by him into the fund either on his own behalf or on behalf of such individuals. Benefits paid to an eligible individual shall be charged against the account of his most recent employer. If it is proven to the satisfaction of the commissioner that an individual after voluntarily leaving the employment of an employer, without good cause attributable to such employer, but before the beginning of a compensable week, works within or without the state and earns in employment not subject to this chapter in any one week wages computed to the nearest dollar equal to or in excess of two dollars more than his weekly benefit amount and that such subsequent employment was not given expressly for the purpose of evading the benefit charges, then, there shall be no charge against that last employer, and benefits paid to the individual shall be charged against the fund. Benefits paid to an unemployed woman during the period of uninterrupted unemployment next ensuing after childbirth shall not be charged to the last employer, but shall be charged against the fund. Any charges which are made against the account of any employer under this section, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received within thirty days after such notification has been mailed to the employer's last known address.

Any charges which have heretofore been made against the account of any employer for merit rating purposes, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received within thirty days after the effective date of this section.

If objections to such charges are received, any redetermination of the amounts charged against an employer’s account, of which the employer has been notified, shall be considered correct for all purposes unless objections to such charges are received within thirty days after such notification has been mailed to the employer’s last known address. The commissioner shall, by general rules, prescribe the manner in which benefits shall be charged against the accounts of several employers for whom an individual performed employment at the same time.
14. General Experience Rating. Amend subsection D, section 6 of said chapter 218, by adding thereto the following new paragraph: Furthermore, no employer shall be entitled to an experience rating under this subsection for any calendar year beginning on or after January 1, 1946, unless he has properly and duly submitted reports and contributions required and due under the provisions of this chapter; so that said subsection as amended shall read as follows: D. General Experience Rating. The commissioner may for each calendar year estimate the total sum to be paid as benefits and the pay roll which will be reported by employers, and may establish contribution rates for individual employers not exceeding 2.7 per centum which shall yield an amount equal to or in excess of the benefits to be paid.

In assessing the individual employer rate under this subsection the commissioner shall classify employers in accordance with their actual experience in the payment of contributions on their own behalf and with respect to benefits charged against their accounts with a view to fixing an individual contribution rate which will reflect the employment experience of the individual employer.

If on July 1 of any calendar year it is determined that the contribution rates thus established will not maintain or will unduly increase the established reserve the commissioner may redetermine the individual contribution rate previously determined under this subsection and the redetermined rate shall be effective as of July 1 of such calendar year.

If a deficit or surplus results at the end of the calendar year, such deficit or surplus shall be considered in determining the contribution rates for the next calendar year.

No employer shall be entitled to an experience rating under this subsection for any calendar year unless and until the balance in the unemployment compensation fund as of January 1 of such calendar year equals or exceeds five million dollars; and further provided that no employer shall be entitled to the experience rating granted under this section unless and until there shall have been three consecutive calendar years immediately preceding the computation date throughout which the account of such employer was chargeable with benefits.

Should the commissioner determine at any time that the solvency of the fund would not permit the adoption of in-
dividually reduced contribution rates under this subsection he shall, for the purposes of this subsection, set a standard rate for all employers of 2.7 per centum per annum.

Furthermore, no employer shall be entitled to an experience rating under this subsection for any calendar year beginning on or after January 1, 1946, unless he has properly and duly submitted reports and contributions required and due under the provisions of this chapter.

15. Merit Ratings. Amend subsection E, section 6 of said chapter 218, by adding at the end thereof the following new paragraph (7): (7) No employer shall be entitled to a merit rating under this subsection for any calendar year beginning on or after January 1, 1946, unless he has properly and duly submitted reports and contributions required and due under the provisions of this chapter.

16. Successorship. Amend section 6 of said chapter 218, by adding at the end thereof the following new subsection F:

F. Successorship. For the purposes of subsections D and E of this section, an employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an employing unit within the meaning of section 1-G of this chapter prior to such acquisition), and who intends to continue such organization, trade or business, immediately shall notify the commissioner thereof, and shall assume, for the purpose of liability, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and annual pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the commissioner to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to such separate account.
No rate of less than 2.7 per cent shall be permitted an employing unit succeeding to the experience of another employing unit pursuant to this subsection for any period subsequent to such succession except in accordance with regulations prescribed by the commissioner, which regulations shall be consistent with federal requirements for additional credit allowance in section 1602 of the Internal Revenue Code, and consistent with the provisions of this chapter, except that such regulations may establish a computation date for any such period different from the computation date generally prescribed by this chapter.

Unless hereinafter specifically provided the provisions of this subsection shall apply to acquisition prior, as well as subsequent, to the date this subsection becomes effective, and any employing unit which so acquired the trade, organization or business of any employer, or substantially all the assets thereof, prior to said effective date shall notify the commissioner within sixty days thereafter; provided, however, that in the case of acquisition prior to the date this subsection becomes effective, any new rate or rates obtained or acquired by virtue of this subsection shall be effective and controlling as of said effective date and not before.

17. Termination of Employer's Coverage. Amend subsection B, section 7 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: B. Except as otherwise provided in subsection C of this section, an employing unit shall cease to be an employer subject to this chapter, as of the first day of January of any calendar year, only if it files with the commissioner, prior to the first day of July of such year, a written application for termination of coverage, and the commissioner finds that there were no twenty weeks within the preceding calendar year, within which such employing unit employed four or more individuals in employment subject to this chapter; provided, however, that the commissioner may, for good cause, waive the requirement for filing application for termination of coverage. For the purposes of this subsection the two or more employing units mentioned in paragraphs (3), (4), or (5), of subsection H, section 1, shall be treated as a single employing unit.

18. Termination of Employer's Voluntary Coverage. Amend paragraph (1), subsection C, section 7 of said chapter 218, by
adding thereto the following words, or the commissioner, on his own motion, has given notice of such termination of such coverage, so that said paragraph as amended shall read as follows: (1) An employing unit not otherwise subject to this chapter which files with the commissioner its written election to become an employer subject hereto for not less than two calendar years, shall, with the written approval of such election by the commissioner, become an employer subject hereto to the same extent as all other employers, as of the date stated in such approval, and shall cease to be subject hereto as of January 1 of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January, it has filed with the commissioner a written notice to that effect, or the commissioner, on his own motion, has given notice of such termination of such coverage.

19. Termination of Employer's Voluntary Coverage. Amend paragraph (2), subsection C, section 7 of said chapter 218, by adding thereto the following words, or the commissioner, on his own motion, has given notice of such termination of such coverage, so that said paragraph as amended shall read as follows: (2) Any employing unit for which services that do not constitute employment as defined in this chapter are performed, may file with the commissioner a written election that all such services performed by individuals in its employ in any or all of its places of business shall be deemed to constitute employment for all the purposes of this chapter for not less than two calendar years. Upon the written approval of such election by the commissioner, such services shall be deemed to constitute employment subject to this chapter from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January 1 of any calendar year subsequent to such two calendar years, only if at least thirty days prior to such first day of January such employing unit has filed with the commissioner a written notice to that effect, or the commissioner, on his own motion, has given notice of such termination of such coverage.

20. Records and Reports. Amend subsection G, section 9 of said chapter 218, by striking out the whole of the same and inserting in place thereof the following: G. Records and Reports. Each employing unit shall keep true and accurate work records, for such periods of time and contain-
ing such information as the commissioner may, by regulation, prescribe. Such records shall be open to inspection and be subject to being copied by the commissioner or his authorized representatives at any reasonable time and as often as may be necessary. The commissioner may, at his discretion, notify any employer of the prospective benefit rights of any employee. The commissioner and the chairman of any appeal tribunal may require from any employing unit any sworn or unsworn reports, with respect to persons employed by it, which either of them deems necessary for the effective administration of this chapter. Information thus obtained or obtained from any individual pursuant to the administration of this chapter shall be held confidential and shall not be published or be open to public inspection (other than to employers and public employees in the performance of their public duties) in any manner revealing the individual's or employing unit's identity, but any claimant (or his legal representative) at a hearing before an appeal tribunal or the commissioner shall be supplied with information from such records to the extent necessary for the proper presentation of his claim. Any employee or member of an appeal tribunal or any employee of the commissioner who violates any provision of this section shall be fined not less than twenty dollars nor more than two hundred dollars, or imprisoned for not more than ninety days, or both.

The commissioner may cause to be made such summaries, compilations, photographs, duplications, or reproductions of any records, reports, or transcripts thereof as he may deem advisable for the effective and economical preservation of the information contained therein, and such summaries, compilations, photographs, duplications, or reproductions, duly authenticated, shall be admissible in any proceeding under this chapter if the original record or records would have been admissible therein.

The commissioner may by regulation order the destruction, after reasonable periods, of any and all records, reports, transcripts or reproductions thereof or other papers kept pursuant to the administration of the unemployment compensation law which are not considered by him as necessary to the administration of this chapter.

21. Collection, Civil Action. Amend subsection B, section 11 of said chapter 218 by adding at the end of the first
sentence thereof the following words, together with all other costs of collection, so that said subsection as amended shall read as follows: B. Collection, Civil Action. If, after due notice, any employer defaults in any payment of contributions or interest thereon, the amount due shall be collected by civil action in the name of the commissioner and the employer adjudged in default shall pay the costs of such action as in all other civil actions together with all other costs of collection. Civil actions brought under this section to collect contributions or interest thereon from an employer shall be heard by the court at the earliest possible date and shall be entitled to preference upon the calendar of the court over all other civil actions except petitions for judicial review under this chapter and cases arising under the workmen's compensation law of this state.

22. Adjustments and Refunds. Amend subsection F, of section 11 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: F. Adjustments and Refunds. If not later than three years from the last day of the period with respect to which a payment of any contributions or interest thereon was made, or one year from the date on which such payment was made, whichever shall be the later, an employing unit or employer who has paid such contribution or interest thereon, shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the commissioner shall determine that such contributions or interest or any portion thereof was erroneously collected, the commissioner shall allow such employing unit or employer to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made, the commissioner shall refund said amount, without interest, from the fund. For like cause and within the same period, adjustment or refund may be so made on the commissioner's own initiative. Nothing in this chapter or in any part thereof, shall be construed to authorize any refund or credit of moneys due and payable under the law and regulations in effect at the time such moneys were paid.

23. Penalties. Amend paragraph (2), subsection E, section 13 of said chapter 218, by striking out the whole of the same and inserting in the place thereof the following: (2) Any
individual who has been convicted of falsifying claims under this chapter shall be deemed ineligible to receive benefits from the date of the falsification for which said individual shall be convicted and shall further be deemed ineligible to receive benefits for one year from the date of his conviction.

24. Takes Effect. This act shall take effect upon its passage.

[Approved April 30, 1945.]

CHAPTER 139.

AN ACT RELATING TO VEHICLE PERMITS AND THE TRANSPORTATION OF BEVERAGES.

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

1. Alcoholic Beverages. Amend section 85 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: 85. Transportation. A person may transport or deliver beverages in this state without a permit therefor provided said beverages were obtained as authorized by this chapter and provided such beverages are for consumption only and not for resale purposes. Permittees may transport and deliver to their place of business beverages purchased as authorized under this chapter, and, except on-sale permittees, may transport and deliver anywhere in the state beverages ordered from and sold by them in vehicles operated under the control of themselves or of their employees or agents; provided that the owner of such vehicles shall have obtained from the commission, for such vehicle, a vehicle permit for the transportation and delivery of beverages. Every person operating such a vehicle when engaged in such transportation or delivery shall carry the vehicle permit for the vehicle so operated, and shall carry such evidence as the commission by regulation may prescribe showing the origin and destination of the beverages being transported or delivered. Upon demand of any law enforcement officer, agent or employee of the commission, the person operating such vehicle shall produce for inspection the vehicle permit and the evidence required by this section. Failure to produce such permit or evidence shall constitute prima facie
evidence of unlawful transportation. Except as otherwise provided herein beverages may be transported within the state only by a railroad or steamboat corporation or a person regularly and lawfully conducting a general express or trucking business, and in each case holding a valid carrier's permit issued by the commission.

2. Vehicles; Permits. Amend section 71 of chapter 170 of the Revised Laws by inserting after the words "for each vehicle permit one dollar" the words, which shall cover all rolling stock and vehicles of such permittee, so that said section, as amended, shall read as follows: 71. Fees. The annual fees required for permits issued pursuant to the provisions of this subdivision shall be as follows: For each on-sale permit one hundred dollars and for each off-sale permit fifty dollars, provided that the commission may in its discretion remit such part of said annual fee as it shall determine to permittees operating only during the summer season; for each manufacturer's permit two thousand dollars; for each wholesaler's permit five hundred dollars; for each solicitor's permit five dollars; for each vehicle permit one dollar, which shall cover all rolling stock and vehicles of such permittee; for each carrier permit twenty-five dollars, which shall cover all rolling stock and vehicles of such permittee; for each vessel permit twenty-five dollars; for each dining-car permit one hundred dollars, which shall be issued to the railroad corporation and for each special permit one dollar. The required fee shall accompany the application. A permit other than a special permit, shall expire May thirty-first unless sooner revoked for cause by the commission. Permits shall not be transferred except with the consent of the commission and each permit, except a solicitor's permit, shall designate the place of business for which it is issued.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1945.]
CHAPTER 140.

AN ACT RELATING TO BUILDING AND LOAN ASSOCIATIONS.

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

1. Building and Loan Associations. Amend section 10 of chapter 314 of the Revised Laws by striking out the same and inserting in place thereof the following: 10. Loans. Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate, or on buildings in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding twenty years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

2. Surplus or Reserve Fund. Amend section 25 of said chapter 314 by inserting after the word "fund" in the third line the words, surplus or other reserve fund, so that said section as amended shall read as follows: 25. Division of Profits. The interest, premiums, fines, and profits received by the corporation, less losses and the amount paid for the necessary expenses of the business and set aside for the guaranty fund, surplus or other reserve fund, shall be equitably distributed among the shares and added to the dues paid by the shareholders at least once a year, until the value of each share in the series reaches two hundred dollars, when it shall be paid to the shareholder and the share shall be retired.
3. Single-Payment Shares. Amend section 36 of said chapter 314 by striking out after the word "withdrawal" in the eleventh line the words "and the association shall retain as a penalty for such withdrawal one-fourth of the amount by which the value at the time of the withdrawal exceeds the initial payment," also by changing the word "certificates" to "shares" as it appears in line seven and omitting the word "certificate" as it appears in line eight so that said section as amended shall read as follows: 36. Authority to Issue; Value; Rights. Such associations may issue single-payment shares of an ultimate value of two hundred dollars each. Such single-payment shares shall be issued for the consideration of the initial payment only and no further payment shall be accepted on account thereof. Profits and dividends accruing thereon shall be added to the initial payment until the value of each share reaches two hundred dollars, when it shall be paid to the shareholder and the share shall be retired or paid-up share issued therefor under section 31. A holder of a single share shall have the right of withdrawal prescribed by sections 26 and 28 subject to the limitations therein set forth but such withdrawal must be exercised as to the whole of the value of the share at the time of withdrawal. Single-payment shares may be paid off at any time at the option of the board of directors provided thirty days’ notice of the payment date shall have been given to the holder. The said notice may not be waived. No person shall hold more than twenty-five single-payment shares.

4. Repeal. Sections 15 and 16 of said chapter 314, relative to loans, are hereby repealed.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1945.]

CHAPTER 141.

AN ACT RELATING TO THE DISABLED AMERICAN VETERANS.

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

1. Disabled American Veterans. Amend section 24, chapter 73 of the Revised Laws by inserting after the word
"Legion" in the eighth line the words, the Disabled American Veterans, so that said section as amended shall read as follows:

24. Institutional Exemptions. The personal property of institutions devoted to educational purposes, charitable and religious societies, and of temperance societies, incorporated or organized within this state, and the real estate owned and occupied by them, their officers, or their students for the purposes for which they are established, parsonages occupied by pastors of churches, and personal property owned and real estate owned and occupied by the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, or the American National Red Cross, 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. No institution shall be deemed an educational institution for the purpose hereof unless it conducts regular courses of instruction, under a curriculum approved by the state board of education, for at least six months of each calendar year; and no institution, except it be a regularly recognized and constituted denomination, sect, or creed, shall be deemed a religious institution for the purpose hereof, unless it conducts religious services in this state for at least six months of each calendar year. This limitation, however, does not apply to property of any institution or organization exempted from taxation by special act of the legislature.

2. Exemptions. Amend section 28, chapter 73 of the Revised Laws by inserting after the word "Legion" in the tenth line the words, the Disabled American Veterans, so that said section as amended shall read as follows: 28. Application of Provisions. The exemptions referred to in sections 23, 26, and 27 of this chapter, as regards real estate hereafter acquired by such institutions, shall apply only to subsequent improvements therein and thereon, and the real estate so acquired shall be assessed and taxed as other similar land and real estate in the vicinity is assessed and taxed. This section shall not apply to real estate owned by religious societies incorporated or organized within this state and occupied by their pastors or clergy in active service or to real estate owned and occupied by the Grand Army of the Republic, the United
Spanish War Veterans, Veterans of Foreign Wars, the American Legion, the Disabled American Veterans, the American National Red Cross, or to real estate acquired and used in substitution for property in this state theretofore exempt from taxation.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1945.]

CHAPTER 142.

AN ACT RELATIVE TO FOREST FIRE CONTROL AND THE APPOINTMENT OF SPECIAL DEPUTY FOREST FIRE WARDENS.

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

1. Forest Fire Control. Amend chapter 233, Revised Laws, by adding after section 16 the following new section: 16-a. Special Deputy Forest Fire Wardens. The state forester may appoint as special deputy forest fire wardens persons in the employ of the forestry and recreation commission and such other persons as may be in a position to assist him in preventing and suppressing fires. Said appointees shall have the same powers and duties as the town forest fire wardens but the said powers and duties shall be exercised and performed only in emergencies or in the absence of a regularly appointed forest fire warden or deputy forest fire warden. Said appointees shall be allowed for their services such compensation as may be fixed by the commission and the state forester, and said compensation shall be deemed to be an expense of fighting forest and brush fires and a charge upon the municipality and the state, as provided in section 24.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 1, 1945.]
CHAPTER 143.

AN ACT RELATING TO THE DISSOLUTION OF LITIGANT CORPORATIONS.

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

1. Dissolution of Corporations; Pending Actions. Amend section 97 of chapter 274 of the Revised Laws by striking out the first two words of said section, and substituting therefor the words, Any corporation dissolved by decree of the superior court as provided by section 96, and any business corporation dissolved by act of the legislature; and by adding to said section the following: provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action, so that said section as amended shall read as follows: 97. Continuance. Any corporation dissolved by decree of the superior court as provided by section 96, and any business corporation dissolved by act of the legislature shall nevertheless continue as a body corporate for the term of three years, for the purpose of prosecuting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or action.

2. Limited Corporations; Dissolution. Amend section 98 of chapter 274 of the Revised Laws by striking out the words "of three years for the purposes named in" and substituting therefor the words, or periods as provided in, so that said section as amended shall read as follows: 98. Limited Incorporation. The corporate existence of a business corporation formed for a limited term shall in like manner continue for a further period or periods as provided in section 97, but shall cease ipso facto for all other purposes at the expiration of the term for which it was organized, unless such term shall previously have been extended by amendment of the articles of agreement under section 40.
3. Takes Effect. This act shall take effect upon its passage.

[Approved May 2, 1945.]

CHAPTER 144.

AN ACT RELATIVE TO THE TAXATION OF LEGACIES AND SUCCESSIONS.

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

1. Persons Taxable. Amend section 1 of chapter 87 of the Revised Laws, as amended by chapter 3 of the Laws of 1945, by striking out the word "inhabitants" where it occurs in the second, third and fourth lines and inserting in place thereof the word, domiciliaries, and by adding before the word "purposes" in the tenth line the word, municipal, so that said section as amended shall read as follows: 1. Taxable Property and Tax Rate. All property within the jurisdiction of the state, real or personal, and any interest therein, belonging to domiciliaries of the state, and all real estate within the state, or any interest therein, belonging to persons who are not domiciliaries of the state, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, bargain, sale or gift, made in contemplation of death, or made or intended to take effect in possession or enjoyment at or after the death of the grantor or donor, to any person, absolutely or in trust, except to or for the use of the husband, wife, father, mother, lineal descendant, or adopted child of a decedent, or for the care of cemetery lots, or to a city or town in this state for public municipal purposes, shall be subject to a tax of eight and one-half per cent of its value, for the use of the state.

2. Repeal. Section 2 of said chapter 87, relative to definitions, is hereby repealed.

3. Information Required. Amend said chapter 87 by adding after section 15 the following new section: 15-a. Report of Gifts and Transfers. Every executor and administrator so far as the same shall come to his knowledge shall within six months from the date of his appointment file with the assistant attorney general upon a form prescribed by the assistant
attorney general a report of all transfers of real or personal property to other than the decedent’s husband, wife, father, mother, lineal descendant or adopted child made by the decedent (1) in contemplation of death, (2) to take effect in possession or enjoyment at or after death, (3) during the last three years of the decedent’s life if the property transferred have a value of over three hundred dollars, except bona fide sales for an adequate consideration in money or money’s worth.

4. **Domiciliary.** Amend section 27 of said chapter 87 by striking out the words “an inhabitant of” in the second line and inserting in place thereof the words, domiciled in, and by striking out the word “resident” in the ninth line and inserting in place thereof the word, domiciliary, so that said section as amended shall read as follows: 27. **Real Estate of Non-resident.** When real estate within the state, or any interest therein, belonging to a person who is not domiciled in the state, shall pass by will or otherwise so that it may be subject to tax under the provisions hereof, and an executor or administrator of the estate of said decedent is appointed by a probate court of this state upon ancillary proceedings, or otherwise, such executor or administrator shall, for the purposes of this chapter, have the same powers, and be subject to the same duties and liabilities with reference to such real estate, as though the decedent had been a domiciliary of this state.

5. **Gains or Losses on Sales.** Amend section 33 of said chapter 87 by inserting after the word “death” in the second line the words, and gains or losses on sales made afterward for any purpose shall be disregarded, except as evidence of true value at time of death, and by striking out the words “state treasurer” in the third line and inserting in place thereof the words, assistant attorney general, so that said section as amended shall read as follows: 33. **Assessment.** Said tax shall be assessed upon the actual market value of the property at the time of the decedent’s death, and gains or losses on sales made afterward for any purpose shall be disregarded, except as evidence of true value at time of death. Such value shall be determined by the assistant attorney general and notified by him to the person or persons by whom the tax is payable, and such determination shall be final unless the value so determined shall be reduced by proceedings as herein provided.
6. **Appeals From Assessment.** Amend section 40 of said chapter 87 by striking out the words “or grantee” in the first line and inserting in place thereof the words, grantee, or donee, and by striking out the words “state treasurer” in the second line and inserting in place thereof the words, assistant attorney general, so that said section as amended shall read as follows: **40. By Executor, etc.** An executor, administrator, trustee, grantee, or donee, who is aggrieved by the assessment of any tax by the assistant attorney general, under the provisions hereof may, at any time within three months after notice of such assessment, appeal therefrom to the probate court having jurisdiction of the settlement of the estate of the decedent, which court shall, subject to appeal as in other cases, hear and determine all questions relative to said tax.

7. **Abatement or Repayment.** Amend section 41 of said chapter 87 by striking out in lines two and three the words “state treasurer” and in line four the word “treasurer” and inserting in place thereof the words, assistant attorney general, and by striking out in line four the words “one year” and inserting in place thereof the words, three years, so that said section as amended shall read as follows: **41. Application after Payment.** An executor, administrator, trustee or grantee, who is aggrieved by any such determination of the assistant attorney general and who pays the tax assessed or demanded without appeal, may, within three years after the payment of such tax to the assistant attorney general, but not afterwards, apply to the probate court having jurisdiction of the estate of the decedent for the abatement or repayment of said tax or any part thereof.

8. **Settlement Without Local Administration.** Amend section 44 of said chapter 87 by striking out the words “state treasurer” in the second line and inserting in place thereof the words, assistant attorney general, by inserting after the word “grantee” in the fourth line the words, or donee, and by inserting after the word “grantee” in the sixth line the words, or donee, so that said section as amended shall read as follows: **44. Estate of Nonresident.** In the absence of administration in this state upon the estate of a nonresident, the assistant attorney general may, at the request of an executor or administrator duly appointed and qualified in the state of the decedent’s domicile, or of a grantee, or donee under a con-
veyance made during the grantor’s lifetime, and upon satisfactory evidence furnished him by such executor, administrator or grantee, or donee, or otherwise, determine whether or not any real estate of said decedent within this state is subject to tax under the provisions of this chapter, and if so may determine the amount of such tax and adjust the same with such executor, administrator or grantee, and for that purpose may appoint an appraiser to appraise said property as provided in section 20; and the expense of such appraisal shall be a charge upon said real estate in addition to the tax.

9. Payment of Taxes. Amend section 51 of said chapter 87 by striking out the word “and” in the first line, by inserting after the word “grantees” in the first line the words, and donees, and by striking out the comma after the word “conveyance” in the second line so that said section as amended shall read as follows: 51. Liability. Administrators, executors, trustees, grantees, and donees under a conveyance made during the grantor’s life and taxable hereunder, shall be liable for such taxes, with interest, until the same have been paid.

10. Grantee or Donee Liability. Amend section 54 of said chapter 87 by striking out the word “or” in the first line and by inserting after the word “trustee” in the same line the words, grantee, or donee, so that said section as amended shall read as follows: 54. Collection. An executor, administrator, trustee, grantee or donee holding property subject to said tax shall deduct the tax therefrom, or collect it from the legatee or person entitled to said property, and he shall not deliver property or a specific legacy subject to said tax until he has collected the tax thereon.

11. Compromise of Tax. Amend section 63 of said chapter 87 by striking out the same and inserting in place thereof the following: 63. Who May Adjust. In every case where there shall be a devise, descent, or bequest liable to a tax under the provisions of this chapter, conditioned upon the happening of a contingency or dependent upon the exercise of a discretion, or where the right of the assistant attorney general to recover the tax is in question, or where he deems it advisable, the assistant attorney general may effect such settlement of the tax as he may deem to be for the best interests of the state, and the payment of the sum so agreed upon shall be a full satisfaction of such tax.
12. Adjustment. Amend sections 64 and 65 of said chapter 87 by striking out said sections and inserting in place thereof the following: 64. Unascertained Appointees. In all cases of a bequest or devise of property for life or for a term of years, which gives to the tenant for life or term of years the power of appointing by deed or will, or both, the further disposition of such property or any part thereof, the assistant attorney general may effect such settlement of the tax on the interest of any unascertained appointees under such power, or any unascertained person who may take in default of appointment under such power, as he shall deem to be for the best interests of the state; and payment of the sum so agreed upon shall be a full satisfaction of such tax. 65. Dispute as to Domicile. Where the assistant attorney general claims that a decedent was domiciled in this state at the time of his death and the taxing authorities of another state or states make a similar claim with respect to their state or states, the assistant attorney general may enter into a written agreement with such taxing officials and with the executor or administrator that a certain sum shall be accepted in full payment of the tax, together with interest and penalties, imposed by this chapter, provided that said agreement also fixes the amount to be paid to such other state or states in full payment of the legacy and succession taxes thereof. Full power and authority is hereby conferred upon the executor or administrator to enter into the agreement provided for herein. Upon the filing of such agreement or duplicate thereof with the probate court which would have jurisdiction over the estate if said decedent had died domiciled in this state, an order fixing the tax shall be made in accordance with such agreement, and such order shall finally and conclusively fix and determine the amount of tax imposed by this chapter. The provisions of this section shall apply only to cases in which all the states involved have substantially similar laws.

13. Deposit Boxes. Amend section 69 of said chapter 87 by striking out the words "state treasurer in person, or by the" so that said section as amended shall read as follows: 69. Examination. Upon receipt of such notice the assistant attorney general or other representative, may examine such securities, deposits, assets, or the records of such safe deposit company, trust company, corporation, bank or other institution or person, relative thereto, and shall as soon as possible
notify the holder of the property whether or not a tax will be claimed upon its transfer, and may by an instrument in writing consent to the immediate transfer of such property if, in his judgment, the transfer is not subject to tax.

14. Disposition of Property. Amend section 70 of said chapter 87 by striking out the words "state treasurer" in the first line and inserting in place thereof the words, assistant attorney general, and by striking out the word "treasurer's" in the fifth line of said section so that said section as amended shall read as follows: 70. Delivery. If a tax is claimed by the assistant attorney general under the provisions of this chapter the property shall be delivered to the resident executor or administrator of the deceased, or held until the tax has been assessed and paid, as the circumstances of the case may require, unless the claim is overruled by the court in appropriate proceedings.

15. Joint Deposits. Amend section 71 of said chapter 87 by striking out the word "residence" in the third line of said section and inserting in place thereof the word, domicile, and by striking out the words "state treasurer" in the fourth line and inserting in place thereof the words, assistant attorney general, so that said section as amended shall read as follows: 71. Joint Deposits. Savings banks, trust companies and all other similar institutions shall, when receiving deposits in more than one name, ascertain and record the place of domicile of the parties, and shall, upon request of the assistant attorney general, furnish him with a list of all such deposits, together with the names and addresses of the depositors, and such other information as he may require and the institution is able to furnish.

16. Hearings. Amend section 74 of said chapter 87 by striking out said section and inserting in place thereof the following: 74. Investigation. At any time after the expiration of fifteen months from the date of the death of any person upon the transfer of whose estate the tax has not been determined, or upon which no tax has been paid, the assistant attorney general may require the executor or administrator, or any person or corporation interested in the succession, to appear at his office, at such time as he may designate, and then and there to produce for the use of the assistant attorney general in determining whether or not the estate is subject to said tax and the amount of such tax, if any, all books, papers
or securities which may be in the possession or within the control of such executor, administrator or beneficiary relating to such estate or tax, and to furnish such other information relating to the same as he may be able and the assistant attorney general may require.

17. Transfer of Powers and Duties. All powers, duties, and obligations granted to or imposed upon the state treasurer by sections 7, 8, 16, 17, 18, 20, 23, 24, 25, 26, 28, 29, 32, 34, 37, 39, 45, 46, 61, 68, 72, 75, 76, 77, 78 of chapter 87 of the Revised Laws are hereby transferred to and imposed upon the assistant attorney general.

18. Transfer Tax; Nonresident Decedents. All powers, duties, and obligations granted to or imposed upon the state treasurer by chapter 89 of the Revised Laws are hereby transferred and imposed upon the assistant attorney general.

19. Takes Effect. This act shall take effect upon its passage.

[Approved May 2, 1945.]

CHAPTER 145.

AN ACT RELATIVE TO ACCEPTANCE OF THE POLICE RETIREMENT ACT.

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

1. Acceptance of Act. Amend section 4 of chapter 221 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. Acceptance of Chapter. All permanent policemen in this state who accept the provisions of this chapter by making application to the board and by agreeing to abide by such rules and regulations as it may prescribe pursuant hereto, are entitled to the benefits hereof. Each permanent policeman accepting the provisions hereof shall give notice of such acceptance to the treasurer or other disbursing officer of the state, city, town, village or precinct which employs him. All permanent policemen who were appointed prior to June 11, 1941, and all permanent policemen who have been appointed subsequent to that date and who were under thirty-five years of age on the date of their appointment, may within three months from the date of the
passage of this act, accept the provisions of this chapter as otherwise provided except, however, that no permanent policemen who accept the provisions of this chapter under the extension of time herein provided shall retire until six months from the date of the passage of this act and excepting further that no such policeman may voluntarily retire until two and one-half years from the date of the passage of this act. Those permanent policemen who are prevented from accepting the provisions of this chapter under the extension of time herein provided by reason of military service in the armed forces of the United States or in law enforcement agencies of the United States may accept the provisions hereof within three months from the date of their reemployment as permanent policemen, providing such reemployment occurs within one year from the date of their discharge from such service, subject to the same limitations as to retirement before mentioned, except that such limitations shall commence from the date of their reemployment. Any person not a permanent policeman on the date of the passage of this act but who thereafter becomes a policeman shall make application to the board not later than six months after becoming a permanent policeman. No new permanent policeman added to the police force after the date of the passage of this act shall be eligible to the benefits of this chapter who is over thirty-five years of age at the time he so becomes a permanent policeman. Those permanent policemen who accept the provisions of this act under the extension of time herein provided shall pay back assessments with interest at five per cent from the date of the passage of this amendment until such acceptance, excepting those who accept the provisions hereof at a later date by reason of military or federal law enforcement service shall pay back assessments with interest at five per cent from the date of their reemployment until such acceptance and all new permanent policemen shall pay back assessments with interest at five per cent from the date of their appointment until their acceptance of this chapter.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 2, 1945.]
CHAPTER 146.

AN ACT TO REGULATE THE METHOD OF TAKING GAME.

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

1. **Use of Certain Rifles in Taking Game.** Amend section 3, chapter 241 of the Revised Laws, by inserting after the word "permitted" in the fourth line thereof the following; except that a full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than five cartridges, nor shall a full jacketed metal cased bullet be used, either in its original form or any alteration thereof. The provisions of this section shall not apply to the use of twenty-two caliber rimfire rifles, or to the use of pistols or revolvers, so that said section as amended shall read as follows: 3. **Lawful Methods of Taking.** Game shall be taken in the daytime between one-half hour before sunrise and one-half hour after sunset with a gun fired at arm’s length or bow and arrow, unless otherwise specifically permitted; except that a full automatic rifle shall not be used at any time nor shall a semi-automatic rifle be used to which is attached a magazine or clip holding more than five cartridges, nor shall a full jacketed metal cased bullet be used, either in its original form or any alteration thereof. The provisions of this section shall not apply to the use of twenty-two caliber rimfire rifles, or to the use of pistols or revolvers. A person may take game during the open season therefor with the aid of a dog, unless otherwise specifically prohibited.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 2, 1945.]

CHAPTER 147.

AN ACT RELATING TO TENURE OF OFFICE FOR PERMANENT POLICE OFFICERS AND CONSTABLES.

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

1. **Town Officers.** Amend chapter 59 of the Revised Laws by inserting after section 45 the following new sections:
45-a. Police. Any town at any annual meeting, under an article in the warrant for said meeting, may vote to elect by ballot one or more permanent constables or police officers for full-time duty in said town and may rescind such action in like manner. No election of such permanent constable or police officer shall be held until the next succeeding annual meeting after the vote of the town, as hereinbefore provided, and the rescission of any such vote shall not be effective until the next succeeding annual meeting. 45-b. Tenure of Office. Any permanent constable or police officer elected in conformity to a town vote, as provided in section 45-a, shall continue to hold such office during good behavior unless sooner removed for cause by the selectmen, after notice and hearing, or unless the town has rescinded its action as hereinbefore provided. Any such elected permanent constable or police officer shall be deemed to be a permanent policeman, and entitled to benefits, under the provisions of chapter 221 of the Revised Laws, if otherwise qualified.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 2, 1945.]

CHAPTER 148.

AN ACT ESTABLISHING A STATE EMBLEM.

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

1. Establishment. Amend chapter 13 of the Revised Laws by adding at the end thereof the following new section: 5. State Emblem. The state emblem shall be of the following design: Within an elliptical panel, the longest dimension of which shall be vertical, there shall appear an appropriate replica of the Old Man of the Mountains; surrounding the inner panel, and enclosed within another ellipse, there shall be at the top of the design the words of any state motto which may be adopted by the general court; and at the bottom of the design, between the inner and outer elliptical panels, the words, New Hampshire, appropriately separated from the motto, if adopted, by one star on each side. Said emblem may be placed on all printed or related material issued by the
state and its subdivisions relative to the development of recreational, industrial, and agricultural resources of the state.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 3, 1945.]

CHAPTER 149.

AN ACT RELATING TO FRATERNAL BENEFIT SOCIETIES AND TO MAKE UNIFORM THE LAWS PROVIDING FOR THEIR ORGANIZATION, GOVERNMENT AND REGULATION.

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

1. Uniform Code for Fraternals. Amend the Revised Laws by striking out chapter 333 and inserting in place thereof the following new chapter:

Chapter 333
Fraternal Benefit Societies

1. Fraternal Benefit Societies Defined. Any incorporated society, order or supreme lodge, without capital stock, organized and carried on solely for the benefit of its members and their beneficiaries and not for profit, operating on a lodge system with ritualistic form of work, having a representative form of government, and which shall make provision for the payment of benefits in accordance with this chapter, is hereby declared to be a fraternal benefit society.

2. Lodge System Defined. Any such society having a supreme governing or legislative body and subordinate lodges or branches, by whatever name known, into which members shall be elected, initiated or admitted in accordance with such society's constitution, laws, ritual, rules and regulations, 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.

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
Chapter 149

Beneficiaries.

4. Exemptions. Except as herein provided, and except for sections 52 to 59 inclusive of chapter 325 of the Revised Laws which are herein incorporated and made applicable here-to, such societies shall be governed by this chapter 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.

5. Benefits. Any such society authorized to do business in this state shall provide for the payment of death benefits, in a sum not exceeding five thousand dollars to any person, and may issue to its members term, life, and endowment certificates and combinations thereof, including double indemnity in case of accidental death, and may provide for the payment of benefits in case of temporary or permanent disability as the result of disease or accident; and may grant loans, withdrawal equities, and such nonforfeiture options as its laws may permit, provided such grants shall in no case exceed in value the portion of the reserve to the credit of the certificate on which the same are made. Any such society may provide for monuments or tombstones to the memory of deceased members and may also provide for payment of funeral benefits in a sum not exceeding three hundred dollars to any person equitably entitled thereto by reason of having incurred expense by the burial of the member.

6. Beneficiaries. No beneficiary shall have or obtain any vested interest in the proceeds of any certificate until such certificate has become due and payable in conformity with the provisions of the membership contract. The insured member shall have the right at all times to change the beneficiary or
beneficiaries in accordance with the constitution, by-laws, rules or regulations of the society. Every society may, by its constitution, by-laws, rules or regulations, limit the scope of beneficiaries.

7. Qualifications for Membership. Any society may admit to beneficial membership any person 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, or who has made declaration of insurability acceptable to the society; provided, that any beneficial member of a society who shall apply for additional benefits more than six months after becoming a beneficial member shall pass an additional medical examination, or make an additional declaration of insurability, as required by the society. Any person so admitted prior to attaining the full age of twenty-one years shall be bound by the terms of his or her application and certificate, and by all the laws, rules and regulations of the society, and shall be entitled to all the rights and privileges of membership therein, as fully and to the same extent as though he or she were not a minor at the time of applying for such beneficial membership. Nothing herein contained shall prevent such society from accepting general or social members, who shall have no voice or vote in the management of the insurance affairs of the society, nor from issuing juvenile certificates on the lives of children under the age of twenty-one years.

8. The Contract. Every certificate issued or delivered in this state by any such society shall specify the amount of benefit provided thereby. The certificate, together with any riders or endorsements attached thereto, the charter or articles of incorporation, the constitution and laws of the society, the application for membership, and declaration of insurability (if used in lieu of a medical examination), signed by the applicant, and all amendments to each thereof, shall constitute the agreement between the society and the member, and the certificate shall so state. A copy of the application for membership and of the declaration of insurability (if used in lieu of a medical examination) shall be endorsed upon or attached to the certificate. Copies of each of the aforesaid documents, certified by the secretary of the society, or corresponding officer, shall be received in evidence of the terms and conditions thereof. Any changes, additions or
amendments to said charter or articles of incorporation, consti-
tution or laws duly made or enacted subsequent to the issu-
ance of the certificate, shall bind the member and the bene-
ficiaries, 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; provided, however,
that any society may provide specifically in its certificates that
the rates and benefits shall not be subject to change, in which
case the certificate shall contain a provision that if the
society's reserves shall become impaired, there shall be paid
by the member to the society the amount of the member's
equitable proportion of such deficiency as ascertained by the
society's board of directors, or corresponding body, and if
such payment be not made, same shall stand as an indebted-
ness against the certificate, and draw interest at not to ex-
ceed five per cent per annum.

certificate shall be issued or delivered in this state unless the
same shall contain in substance the following provisions:

(a) In case the age of the member or the age of the
beneficiary is considered in determining the rate of contribu-
tion, then a provision that if it shall be found at any time be-
fore final settlement under the certificate that such age has
been misstated, and the discrepancy and rate of contribution
involved have not been adjusted, the amount payable under
the certificate shall be such as the rate of contribution would
have purchased at the correct age; provided, that if the correct
age was not an insurable age under the society's charter, con-
stitution or laws, only the mortuary payments shall be re-
turned; provided further, that if the age has been overstated,
no additional amount of insurance or other values shall be
granted for any excess payments, but such excess payments
shall be paid without interest to the beneficiary.

(b) In case any withdrawal equities, nonforfeiture
values, loan values, or other options are available under the
certificate, on default in payment of stated periodical contri-
butions by the members, a table showing the same in figures
for each year during at least the first twenty years of the
certificate.

(c) A provision that the member is entitled to a grace
of not less than the full month in which the payment of any
stated contribution, by whatever name known, after the first, may be made. During such grace period the certificate shall continue in full force, but in case the certificate becomes a claim during the said grace period before the overdue contribution is made, the amount of such overdue contribution or contributions may be deducted in any settlement under the certificate.

(d) A provision or provisions which recite fully, or which set forth the substance of, all sections of the charter, constitution, by-laws, rules, or regulations of the society, in force at the time of issuance of such certificate, the violation of which will result in the termination of the insurance or in the reduction of the benefit or benefits payable under such certificate.

(e) A provision stating the amount of payments or other required contributions, by whatever name known, which are payable by the insured under such certificate and requiring that the insured or holder of such certificate shall be obligated to pay, as a condition of the continuance in force of such certificate, additional contributions imposed in accordance with the constitution or by-laws of such society then in force or thereafter lawfully enacted.

(f) Title on the face and on the back of the certificate clearly and correctly describing its form.

II. No certificate shall be issued or delivered in this state containing any of the following provisions:

(a) Any provision limiting the time within which any action at law or in equity may be commenced to less than eighteen months after the cause of action shall accrue.

(b) Any provision by which the certificate shall purport to be issued or take effect more than six months before the original application for the insurance was made, except in cases of transfer from one form of certificate to another in connection with which the member is to receive credit for any reserve accumulation under the form of certificate from which the transfer is made.

(c) Any provision for forfeiture of the certificate for failure to repay any loan thereon or to pay interest on such loan, while the total indebtedness, including interest, is less than the loan value thereof.

(d) Any provision whereby the suspension or expulsion of the insured member, or change of occupation, or any other
violation of the terms and conditions of the insurance contract shall result in the loss or reduction of the cash surrender value or other withdrawal equity, if any, available by the terms of such certificate.

10. Benefits on Lives of Children. I. Every fraternal benefit society authorized to do business in this state may provide in its constitution or by-laws, in addition to other benefits provided for therein, for term, life, endowment and annuity benefits, and combinations thereof, including double indemnity in case of accidental death, on the lives of children under twenty-one years of age at time of application therefor, upon the application of some adult person, and may grant such withdrawal equities and nonforfeiture options, as the by-laws, rules or regulations may provide. Every such society may, at its option, organize and operate branches for such children, and membership in local lodges, and initiation therein shall not be required of such children, nor shall they have a voice in the management of the society.

II. The contributions to be made for death benefits under all juvenile certificates issued after December thirty-first, nineteen hundred forty-five, shall be based upon the Standard Industrial Mortality Table or the American Experience Table of Mortality with Craig’s or Buttolph’s Extension thereof, with interest assumption of not more than four per cent per annum, or the American Men Ultimate Table of Mortality with Bowerman’s Extension thereof, and interest at three and one-half per cent per annum, or upon any other standard approved by the commissioner of insurance.

III. Every society issuing such benefit certificates shall maintain on all such certificates not less than the reserve required by the standard of mortality and interest adopted by the society for computing contributions.

IV. Every society issuing such benefit certificates shall have the right to provide in its by-laws, rules or regulations, for payments on account of the society’s expense or general fund, which payments may be mingled with the general fund of the society. Such society shall have full power to provide for means of enforcing payment of contributions, designation of beneficiaries, and changing such designations, and in all other respects for the regulation, government and control of such certificates and all rights, obligations and liabilities incident thereto and connected therewith.
11. **Funds.** I. Unless otherwise provided in the by-laws, all 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 the by-laws.

II. 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 the periodical or other payments by the members and accretions to said funds, which payments may combine the separate purposes for which made; provided, that after December thirty-first, nineteen hundred forty-five, no society shall be incorporated or authorized to do business in this state which does not provide in all certificates for new insurance thereafter issued, for stated periodical or other contributions that will provide and maintain reserves sufficient for meeting the mortuary obligations contracted when computed upon the basis of the American Experience Table of Mortality with interest assumption of not more than four per cent per annum, or on the basis of the American Men Ultimate Table of Mortality, with an interest assumption of not more than three and one-half per cent per annum, or on the basis of such mortality standards and interest assumptions as may be now or hereafter authorized for use by life insurance companies. No society, domestic or foreign, shall hereafter be incorporated or admitted to write or accept members for temporary or permanent disability benefits, or accidental death benefits, unless the rates therefor are adequate upon the basis of tables based upon reliable experience with an interest assumption not higher than four per cent per annum.

III. Any society may create, maintain, invest, disburse and apply any special fund or funds necessary to carry out any purpose permitted by the laws of such society.

IV. Deferred payments or installments of claims shall be considered as fixed liabilities on the happening of the contingency upon which such payments or installments are thereafter to be paid. Such liability shall be the present value of such future payments or installments upon the mortality and interest basis 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.
12. Investments. Every society shall invest its funds only in the manner 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 section for the investment of funds.

13. Organization. A fraternal benefit society, as defined by this chapter, may be organized in the following manner:

I. Seven or more persons, citizens of the United States, a majority of whom are citizens of this state, who desire to form such a society, may make, sign and acknowledge before some officer, competent to take acknowledgment of deeds, articles of incorporation, in which shall be stated:

(a) The proposed corporate name of the society, which shall not so closely resemble the name of any society or insurance company as to mislead the public or lead to confusion.

(b) The purposes for which it is being formed, and the mode in which its corporate powers are to be exercised. Such purposes shall not include more liberal powers than are granted by this chapter, provided that any lawful social, intellectual, educational, charitable, benevolent, moral, fraternal or religious advantages may be set forth among the purposes of the society.

(c) The names and residences of the incorporators, and the names, residences and official titles of all the officers, trustees, directors, or other persons who are to have and exercise the general control of the 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.

II. (a) Such articles of incorporation, duly certified copies of the constitution and laws, rules and regulations, copies of all proposed forms of certificates, applications therefore, and circulars to be issued by such society, and a bond, conditioned upon the return to applicants of the advanced payments if the organization is not completed within one year, as provided in this section, such bond to be in the sum
of five thousand dollars with sureties approved by the commissioner of insurance, shall be filed with the commissioner of insurance, who may require such further information as he deems necessary. If the purposes of the society conform to the requirements of this chapter, and all provisions of the law have been complied with, the commissioner of insurance shall so certify and retain and file the articles of incorporation, and furnish the incorporators a preliminary certificate authorizing said society to solicit members as hereinafter provided.

(b) 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 commissioner of insurance, upon cause shown, unless the five hundred applicants hereinafter required have been secured and the organization has been completed as herein provided. The articles of incorporation and all other 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 received a certificate of authority to do business as hereinafter provided.

III. Upon receipt of said preliminary certificate from the commissioner of insurance, said society may solicit members for the purpose of completing its organization, 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. No society shall incur any liability other than for the return of such advance payment, nor issue any certificate, nor pay, allow, or offer or promise to pay or allow, any death or disability benefit to any person until:

(a) actual bona fide applications for death benefits have been secured upon at least five hundred lives for at least one thousand dollars each;

(b) all such applicants for death benefits shall have been regularly examined by regularly qualified practicing physicians, or shall have made acceptable declarations of insurability;

(c) certificates of such examinations, or such suitable declarations of insurability have been duly filed and approved by the chief medical examiner of such society;
(d) there have been established ten subordinate lodges or branches into which said five hundred applicants have been admitted;

(e) there has been submitted to the commissioner of insurance, under oath of the president or secretary, or corresponding officer of such society, a list of such applicants, giving their names, addresses, date each was admitted, 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 mortuary obligations contracted, when valued for death benefits upon the basis of the American Experience Table of Mortality, with interest assumption of not more than four per cent per annum, or upon the basis of the American Men Ultimate Table of Mortality with an interest assumption of not more than three and one-half per cent per annum, or upon the basis of such mortality standards and interest assumptions as may be now or hereafter authorized for use by life insurance companies, and for disability benefits, or accidental death benefits, upon tables based upon reliable experience with an interest assumption of not more than four per cent; and

(f) it shall have been shown to the commissioner of insurance, by 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 fund or funds from which benefits are to be paid, and no part of which may be used for expenses. Said advance payments shall be held in trust during the period of organization, and if the organization is not completed within one year, as herein provided, such payments shall be returned to said applicants.

IV. The commissioner of insurance 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 commissioner
of insurance 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.

V. 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. 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.

14. Powers Retained; Incorporation of Voluntary Associations; Reincorporation; Amendments. Any incorporated fraternal benefit society now engaged in transacting business in this state may exercise, after the passage of this chapter, all of the rights and powers conferred hereby including those recited in section 13, 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 chapter, and any existing voluntary fraternal benefit association may incorporate hereunder, but not later than December thirty-first, nineteen hundred forty-six. No society already incorporated shall be required to reincorporate hereunder, and any such society may amend its articles of incorporation from time to time in the manner provided therein or in its constitution and laws, and all such amendments, duly certified by the secretary, or corresponding officer, shall be filed with the commissioner of insurance, and shall become operative upon such filing, unless a later time be provided in such amendments or in its articles of incorporation, constitution or laws.

Any voluntary association now transacting business in this state desiring to incorporate hereunder shall receive from the commissioner of insurance a permanent certificate of incorporation as a fraternal benefit society when it shall have filed articles of incorporation, as provided in the preceding section, and shall have proven to the satisfaction of the commissioner of insurance that it has established ten or more subordinate lodges or branches into which at least five hundred applicants have been initiated, and that it has established rates of stated periodical contributions sufficient to provide for meeting the mortuary obligations contracted,
when valued for death benefits upon the basis of the American Experience Table of Mortality, with an interest assumption of not more than four per cent per annum, or on the basis of the American Men Ultimate Table of Mortality with an interest assumption of not more than three and one-half per cent per annum, or upon the basis of such mortality standards and interest assumptions as may be now or hereafter authorized for use by life insurance companies, and for disability benefits, and accidental death 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; provided, however, that the commissioner of insurance may make such examination and require such further information as he deems advisable. Every such voluntary association so incorporated shall incur the obligations and enjoy the benefits thereof the same as though originally thus incorporated, and such corporation shall be deemed a continuation of such original voluntary association, and the officers thereof shall serve through their respective terms as provided in the original articles of association, but their successors shall be elected and serve as provided in its articles of incorporation. Such incorporation of a voluntary association shall not affect existing suits, claims or contracts.

15. Consolidations and Mergers. No domestic society shall consolidate or merge with any other society unless such consolidation or merger is evidenced by contract in writing setting out in full the terms and conditions of such consolidation or merger, and filed with the commissioner of insurance of this state, together with a sworn statement of the financial condition of each of said societies, by its president and secretary, or corresponding officers, of a date not earlier than the thirty-first day of December next preceding the date of such contract, and a certificate of such officers, duly verified by their respective oaths that such consolidation or merger has been approved by a majority vote 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 commissioner of insurance 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
consolidation or merger is just and equitable to the members of each of said societies, he shall approve said consolidation or merger, issue his certificate to that effect, and said contract of consolidation or merger shall be in full force and effect; provided, however, that if any society, a party to such contract of consolidation or merger, shall be incorporated under the laws of any other state or territory, such consolidation or merger shall not become effective unless and until the same shall have been duly approved as provided by the laws of such state or territory, and a certificate of such approval be filed with the commissioner of insurance of this state. In case such contract is not approved, the fact of its submission and its contents shall not be disclosed by the commissioner of insurance. Upon any such consolidation or merger becoming effective, as hereinabove provided, all the rights, franchises and interests of the societies so consolidated or merged, in and to every species of property, real, personal and mixed, and things in action thereunto belonging, shall be deemed to be and shall be vested in the society resulting from or remaining after such consolidation or merger without any other instrument; except the conveyances of real property shall be evidenced by proper deeds; and the title to any real estate, or any interest therein, under the laws of this state vested in any of the societies so consolidated or merged, shall not revert or be in any way impaired by reason of such consolidation or merger, but shall vest absolutely in the society resulting from or remaining after such consolidation or merger. Where such merger or consolidation is between a fraternal society and a beneficiary association having no lodge system or representative form of government, it may be authorized by the insurance commissioner upon proof that it has been approved by a majority vote of the membership of the beneficiary association and of the general board of directors of the fraternal society.

16. 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 effective date of this chapter, 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, a license so issued shall continue in full force and effect until the new license be issued or specifically refused except that
no unincorporated or voluntary society shall be permitted to transact business in this state after the thirty-first day of December, nineteen hundred forty-six. For each such license or renewal the society shall pay the commissioner of insurance twenty-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 chapter.

17. 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 commissioner of insurance. Any such society may be licensed to transact business in this state upon filing with the commissioner a duly certified copy of its charter or articles of incorporation, a copy of its constitution and laws, certified by its secretary, or corresponding officer, a power of attorney to the 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 commissioner, duly verified by an examination made by the supervising insurance official of its home state or other state satisfactory to the commissioner of insurance of this state, a certificate from the proper official in its home state, province, or country, that the society is legally incorporated and licensed to transact business therein, copies of its certificate forms, and upon furnishing the commissioner with 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, the commissioner 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 chapter, be renewed annually, but in all cases to terminate on the first day of the succeeding April; provided, however, that the license shall continue in full force and effect until the new license be issued or specifically refused. Any foreign society desiring admission to this state shall have the qualifications required of domestic societies organized under this chapter 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 commissioner twenty-five dollars. If the 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 therefor, to the secretary, or other corresponding officer, of the society. Nothing contained in this chapter 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.

18. Service of Process. Each society, whether domestic or foreign, now doing or hereafter admitted to do business in this state, shall appoint, in writing, the commissioner of insurance, and his successors in office, to be its true and lawful attorney upon whom all lawful process in any action or proceeding against it shall be served, and in such writing 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 appointment, certified by said commissioner of insurance, 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 shall only be made upon the commissioner of insurance, or, in his absence, upon the person in charge of his office, shall be made in duplicate, and shall be deemed sufficient service upon such society; provided, however, that no such service shall be valid or binding against any such society when it is required thereunder to file its answer, pleading or defense in less than fourteen days from the date of mailing the copy of such service to such society. When legal process against any such society is served upon the commissioner of insurance, he shall forthwith forward one of the duplicate copies by registered mail, prepaid and directed to the secretary, or corresponding officer. Legal process shall not be served upon any such society except in the manner provided herein.

19. Limitation of Action. No action at law or in equity shall be had or maintained on any certificate or contract issued by a fraternal benefit society unless commenced within
eighteen months after the cause of action shall accrue; pro-
vided, however, that on any cause of action now existing, said
suit or action shall be begun within three years from the time
this chapter takes effect, unless said action would be barred
within a shorter period by contract or statute in effect on the
date of the enactment hereof, in which event said contract or
statute shall be applicable to such suit.

20. Place of Meeting; Location of Office. Any domestic
society may provide that the meetings of its legislative or gov-
erning 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.

21. No Personal Liability. Officers and members of the
supreme, grand or any subordinate body of any such in-
corporated society shall not be individually liable for the pay-
ment of any disability, death or other 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.

22. Waiver. Unless authorized by express provisions of
the constitution and laws of the society, no employee or agent
of the society, or any subordinate body, or any subordinate
officer or member, shall have the power, right or authority to
waive or modify any of the provisions of the constitution,
laws, or any contract of the society; and no custom or course
of dealing on the part of any employee or agent of the society,
or any subordinate body, or any subordinate officer or mem-
ber, shall have the effect of so waiving or modifying any such
provision, and the same shall not be binding upon the society,
or any member thereof, or any beneficiary of any member;
nor shall same constitute a waiver of any of the provisions
of the constitution, laws or any contract of the society, nor
operate as an estoppel.

23. Incontestability. Every certificate for new insurance
hereafter issued shall be incontestable after it has been in
force during the lifetime of the insured for a period of two
years from its date of issue, except for non-payment of stated
periodical contributions, risks limited or not assumed,
violation of the provisions of the certificate relating to mili-
tary or naval service, and violation of the provisions relating
to religion, occupation, suspension or expulsion as substantially set forth in the certificate; and at the option of the society, provisions relating to benefits in the event of total and permanent disability, and provisions which grant additional insurance specifically against death by accident or accidental means, may also be excepted; and such certificate shall be incontestable on the ground of suicide after such certificate has been in force during the lifetime of the insured for a period of five years from date of issue; provided, however, that every such certificate may provide that the society shall have the right to contest a reinstated certificate within a period after date of reinstatement not exceeding the period of contestability prescribed in the original certificate with the same exceptions as herein provided.

24. 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, garnishment or other process, or to 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 any other person who may have a right thereunder, either before or after payment; provided, however, that this section shall not apply to loans or other obligations owing to the society from the member or his beneficiary.

25. Constitution and Laws; Amendments. Every society transacting business under this chapter shall file with the commissioner of insurance 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.

26. Reports and Valuations. I. Every society transacting business in this state shall annually, on or before the first day of March, unless for cause shown such time has been extended by the commissioner of insurance, file with the commissioner, in such form as he may require, a statement under oath of its president, secretary and treasurer, or corresponding officers, of its affairs, condition and operations during the calendar year ending on the thirty-first day of December last preceding, which statement, or the substance thereof, shall be published in the annual report of the commissioner. The
Chapter 149

185

commssioner is authorized and empowered to address any additional inquiries to every such society in relation to its doings or condition, or any other matter connected with its transactions relative to the business contemplated by this chapter, and such officers of such society, as the commissioner may require, shall promptly reply in writing, and under oath, if so required, to all such inquiries.

II. Every domestic society, if it has an official publication or newspaper, shall publish therein a synopsis of its annual statement and valuation report within sixty days after the same have been filed with the commissioner.

III. In addition to the annual report herein required, each society shall annually, on or before the first day of March, file with the commissioner a valuation of its certificates in force on December thirty-first last preceding, provided, however, the commissioner may, in his discretion, for cause shown, extend the time for filing such valuation for not more than two calendar months. Such report of valuation shall show, as reserve liabilities, the difference between the present mid-year value of the promised benefits provided in the contracts of such society in force and the present mid-year value of the future net contributions as the same are in practice actually collected, not including therein any value for the right to make extra assessments, and not including any amount by which the present mid-year value of future net contributions exceeds the present mid-year value of promised benefits on individual certificates. At the option of any society, in lieu of the above, the valuation may show the net tabular value which, in the case of monthly contributions, may be the means of the terminal reserve values for the end of the preceding and of the current certificate years, provided, every society which combines its funds shall maintain all of its reserves on the net tabular basis, and provided, further, that if the contribution or payment (by whatever name known) charged is less than the tabular net contribution according to the basis of the valuation used, an additional reserve equal to the present value of the deficiency in such contributions shall be set up and maintained as a liability, except that a society which has used tabular reserves for a period of ten years preceding the effective date of this act in making its valuation on the basis of the American Experience Table of Mortality with interest at four per cent per annum, and charges net rates of
contribution lower than the tabular net rates on the said valuation basis, may, in lieu of the reserve equal to the present value of the deficiency herein mentioned on all such certificates in force on the effective date of this act, set up an additional reserve to cover the deficiency in such rates calculated on a basis not less than one providing for the accumulation as a pure endowment under a level net annual rate of contribution of a sum at the end of not more than twenty years from the issue of each certificate equal to the present value at that time of the difference between the net rate charged under each certificate and the tabular net rate of contribution used in the valuation of the same certificate. Such tabular reserve values may be computed so as to allow for not more than one year preliminary term insurance, and for certificates issued after December thirty-first, nineteen hundred forty-five, if the contribution charged for term insurance under a limited payment life preliminary term certificate providing for the payment of all contributions thereon in less than twenty years from the date of the certificate, or under an endowment preliminary term certificate exceeds that charged for like insurance under twenty-payment life preliminary term certificates of the same society, the reserve thereon at the end of any year, including the first, shall not be less than the reserve on a twenty-payment life preliminary term certificate issued in the same year at the same age, together with an amount which shall be equivalent to the accumulation of a net level contribution sufficient to provide for a pure endowment at the end of the contribution payment period equal to the difference between the value at the end of such period of such a twenty-payment life preliminary term certificate, and the full net level contribution reserve at such time of such a limited payment life or endowment certificate. The contribution payment period is the period during which contributions are concurrently payable under such twenty-payment life preliminary term certificate and such limited payment life or endowment certificate.

IV. 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. The legal minimum standard of valuation for all death benefits shall be the National Fraternal Congress Table of Mortality, as adopted
by the National Fraternal Congress August twenty-third, eighteen hundred ninety-nine, with interest assumption of not more than four per cent per annum, but the society may, at its option, use a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives, and with interest assumption of not more than four per cent per annum provided, that all death benefits provided in certificates for new insurance issued after December thirty-first, nineteen hundred forty-five, shall be valued according to the American Experience Table of Mortality, with interest assumption of not more than four per cent per annum, or according to the American Men Ultimate Table of Mortality with interest assumption of not more than three and one-half per cent per annum, or according to such mortality standards and interest assumptions as may be now or hereafter authorized for use by life insurance companies; and, provided further, that the minimum basis of valuation of all annuity certificates issued after December thirty-first, nineteen hundred forty-five, shall be the American Annuitants Table with interest assumption of not more than four per cent per annum. The minimum basis of valuation of all disability benefits shall be Hunter's Disability Table with interest assumption of not more than four per cent per annum, except that Class III Disability Experience modified to conform to the contractual waiting period with interest assumption of not more than four per cent per annum shall be the minimum basis of valuation of all benefits presuming that total disability shall be considered to be permanent whenever such disability has existed continuously for a period of six months or less. Accidental death benefits shall be valued upon the basis of tables based upon reliable experience with interest assumption of not more than four per cent per annum. Each such valuation report shall set forth clearly and fully the mortality, disability and interest assumption and the method of valuation used in the computation of all reserve liabilities.

V. If such valuation on the December thirty-first next succeeding the effective date of this chapter shows that the admitted assets of any such society are less than the sum of its required reserves and accrued liabilities, such society shall, within four years following such valuation, except as hereinafter provided, take the necessary action to remove, by December thirty-first, nineteen hundred fifty, any deficiency in
its admitted assets. However, if, in any two consecutive valuations subsequent to December thirty-first next succeeding the effective date of this chapter, a greater degree of deficiency in admitted assets is shown, the commissioner of insurance shall send written notice to such society requiring it to take, within six months from receipt of such notice, the necessary action to remove, within three years from receipt of such notice, all deficiency in its admitted assets. If either of the actions hereinbefore provided be not taken within the time herein specified, the commissioner of insurance shall, in the case of a domestic society, notify the attorney general, who shall institute proceedings for its liquidation, or shall, in the case of a foreign society, cancel its certificate of authority.

27. Examination of Domestic Societies. The commissioner of insurance, or any person he may appoint, shall have the power of visitation and examination into the affairs of any domestic society. He shall cause such an examination to be made at least once in three years. 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 and all valuations, including compensation and actual expense of examiners, shall be paid by the society examined, or whose contracts are valued upon statements furnished by the commissioner of insurance. The compensation of examiners shall in each case be fixed by the commissioner of insurance according to current standard rates. Whenever, after examination, the commissioner is satisfied that any domestic society has failed to comply with any provisions of this chapter, or is exceeding its powers, or is not carrying out its contracts in good faith, or is transacting business fraudulently, or in a way hazardous to its members, creditors, or the public, or whenever any domestic society, after the existence of one year or more, shall have membership of less than four hundred (or shall determine to discontinue business), the commissioner may present the facts relating thereto to the attorney general, who shall, if he deems 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 may 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.

28. Application for Receiver, etc. No proceedings for the dissolution of, or the appointment of a receiver for, any domestic society, or branch thereof, shall be entertained by any court in this state unless the same is made by the attorney general upon request of the commissioner.

29. Examination of Foreign Societies. The commissioner of insurance, or any person whom he may appoint, may examine any foreign society transacting or applying for admission to transact business in this state. The said commissioner may employ assistants, and he, or any person he may appoint, shall have free access to all books, papers and documents that relate to the business 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 compensation and actual expenses of the examiners making any such examination, and for all general or special valuations, shall be paid by the society examined, or whose contract obligations have been valued upon statements furnished by the commissioner of insurance, provided, the fees of the examiners shall not exceed twenty-five dollars per day for each examiner. 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 authority of such society to write new business in the state shall be suspended or license refused until satisfactory evidence is furnished the commissioner relating to the condition and affairs of the
society, and during such suspension the society shall not write
new business in this state.

30. No Adverse Publications. Pending, during or after
an examination or investigation of any such society, either
domestic or foreign, the commissioner of insurance shall
make public no financial statement, report or findings, nor
shall he permit to become public any financial statement, re-
port 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, and such society shall have
been afforded a reasonable opportunity to answer any such
financial statement, report or finding, and to make such show-
ing in connection therewith as it may desire.

31. Revocation or Suspension of License. When the
commissioner of insurance, on investigation, is satisfied that
any society transacting business under this chapter, has ex-
ceeded its powers, or has failed to comply with any provisions
of this chapter, or is conducting business fraudulently, or in a
way hazardous to its members, creditors or the public, 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 suspended or revoked. If on the date named in said
notice such objections have not been removed to the satis-
faction of the said commissioner, or the society does not
present good and sufficient reason why its authority to trans-
act business in this state should not at that time be suspended
or revoked, he may either suspend or revoke the authority of
the society to continue business in this state.

32. Exemption of Certain Societies. I. Nothing con-
tained in this chapter shall be so construed as to affect or
apply to:

(a) grand or subordinate lodges of societies, orders or
associations now doing business in this state which provide
benefits exclusively through local or subordinate lodges;
(b) orders, societies or associations which admit to
membership only persons engaged in one or more crafts or
hazardous occupations, in the same or similar lines of business,
and the ladies' societies or ladies' auxiliaries to such orders,
societies or associations;
(c) domestic societies which limit their membership to
employees of a particular city or town designated firm, busi-
ness house or corporation which provide for a death benefit of not more than four hundred dollars or disability benefits of not more than three hundred fifty dollars to any person in any one year, or both;

(d) domestic societies or associations of a purely religious, charitable or benevolent description, which provide for a death benefit of not more than four hundred dollars or for disability benefits of not more than three hundred fifty dollars to any one person in any one year, or both.

II. Any such society or association described in clauses (c) or (d) of paragraph I which provides for death or disability benefits for which certificates are issued, and any such society or association included in clause (d) which has more than one thousand members, shall not be exempted from the provisions of this chapter, but shall comply with all the requirements thereof.

III. No society which, by the provisions of this section, is exempt from the requirements of this chapter, except any society described in clauses (a) and (b) of paragraph I, shall give or allow, or promise to give or allow to any person any compensation for procuring new members.

IV. Every fraternal benefit society heretofore organized and incorporated, and which provides for benefits in case of death or disability resulting solely from accident, and which does not obligate itself to pay natural death or sick benefits, may be relicensed under the provisions of this chapter, if heretofore authorized, and shall have all of the privileges and be subject to all the applicable provisions and regulations of this chapter except that the provisions thereof relating to medical examination, standard provisions, prohibited provisions, valuations of benefit certificates, and incontestability, shall not apply to such society.

V. The commissioner may require from any society or association, by examination or otherwise, such information as will enable him to determine whether such society or association is exempt from the provisions of this chapter.

33. Taxation. Every fraternal benefit society organized or licensed under this chapter is hereby declared to be a charitable and benevolent institution, and all of its funds shall be exempt from all and every state, county, and municipal tax, other than taxes on real estate and office equipment.
34. Misrepresentations, Misleading Statements and Incomplete Comparisons. I. No agent or representative of any fraternal benefit society authorized to transact the business of life, accident or health insurance in this state, and no other person, firm, association or corporation, shall issue or circulate, or cause or permit to be issued or circulated, any illustration, circular, statement or memorandum misrepresenting the terms, benefits or advantages of any certificate or contract of life, accident or health insurance issued or to be issued in this state, or shall make any misleading estimate as to the dividends or share of surplus to be received in the future on such certificate or contract, or shall make any false or misleading statement as to the dividends or share of surplus previously paid by any such fraternal benefit society on similar certificates or contracts, or shall make any misleading representation, or any misrepresentation, as to the financial condition of any such fraternal benefit society, or as to the legal reserve system upon which such fraternal benefit society operates, or shall make any false or misleading statements of any other kind or nature with reference to any such fraternal benefit society. No such agent, representative, person, firm, association or corporation shall make to any person or persons any incomplete comparison of any certificates or contracts of any fraternal benefit society or societies, with the certificates or contracts of any other fraternal benefit society or societies, or of any other insurer, for the purpose of inducing, or tending to induce such person or persons to lapse, forfeit or surrender any insurance certificate or contract.

II. Any such comparison of the certificates or contracts of any such fraternal benefit society or societies, shall be deemed to be an incomplete comparison, if it does not compare in detail the gross contributions and gross contributions less any dividend or other reduction thereof allowed by the society or societies, at the date of the comparison, and the increase in any cash values and all the benefits provided by each of such certificates or contracts for the possible duration of the certificate or contract to be determined by the life expectancy of the certificate holder. The omission from any such comparison of any benefit or value provided in any such certificate or contract or of any differences as to amount or period of payment of contributions, or of any differences in limitations or conditions or provisions which directly or in-
directly affect the benefits thereunder, shall constitute such comparison an incomplete comparison.

III. In the determination, judicial or otherwise, of the incompleteness or misleading character of any such comparison, it shall not be presumed that the certificate holder knew or knows of any of the provisions, terms or benefits contained in any insurance certificate or contract.

IV. Any agent or representative of a fraternal benefit society, and any other person, firm, association or corporation who, or which, shall violate any of the provisions of this section, or who, or which, shall knowingly receive any compensation or commission by or in consequence of such violation, shall be guilty of a misdemeanor, and shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned for not less than thirty days, nor more than one year, or both, and shall, in addition thereto, be liable for a civil penalty in the amount of three times the sum received, knowingly or otherwise, by such violator as compensation or commission, which penalty may be sued for and recovered in an action of debt by any person or fraternal benefit society aggrieved for his or its own use and benefit.

35. Reinsurance, When Permitted; Effect on Reserves. Any domestic fraternal benefit society may, by a reinsurance agreement, cede all or any part of its risks to another insurer having the power to make such reinsurance and authorized to do business in this state, or, if not so authorized, one that is approved by the insurance commissioner. It may take credit for the reserves on such ceded risks to the extent reinsured.

36. Penalties. I. Any person, officer, member or examining physician of any society authorized to do business under this chapter, who shall knowingly or willfully 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 chapter, shall be guilty of a misdemeanor, and fined not less than one hundred nor more than five hundred dollars, or be imprisoned for not less than thirty days, nor more than one year, or both, in the discretion of the court.

II. Any person who shall willfully 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 willfully make any false statement in any verified report or declaration under oath required or authorized by this chapter 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.

III. 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 shall be fined not less than fifty, nor more than two hundred dollars.

IV. Any society, or any officer, agent or employee thereof, neglecting or refusing to comply with, or violating any of, the provisions of this chapter, the penalty for which neglect, refusal or violation is not specified in this section, shall be fined not exceeding two hundred dollars.

37. Penalty for Refusing or Neglecting to Make Report; Duty of Commissioner of Insurance; Injunction, etc. Any such society refusing or neglecting to make the report, as provided in this chapter, or to appoint the commissioner of insurance as its true and lawful attorney for the purpose of this chapter, shall be excluded from doing business in this state. Said commissioner of insurance must, within sixty days after failure to make such report, or in case any such society shall exceed its powers, or shall conduct its business fraudulently, or shall fail to comply with any of the provisions of this chapter, give notice, in writing, to the attorney general, who shall immediately commence an action against any such society to enjoin the same from carrying on any business. No society so enjoined shall have authority to continue business until such report shall be made or overt act or violation complained of shall have been corrected, nor until the costs of such action be paid by it, provided the court shall find that such society was in default as charged. Whereupon, the commissioner of insurance shall reinstate such society, and not until then shall such society be allowed to again do business in this state. Any officer, agent or person
acting for any society, or subordinate body thereof, in this state, while such society shall be so enjoined or prohibited from doing business pursuant to this chapter, shall be deemed guilty of a misdemeanor, and shall be fined not less than fifty dollars, nor more than two hundred dollars, or imprisoned for not less than thirty days, nor more than one year, or both.

38. Authority to Maintain Hospitals, Asylums, etc.; Provide for Hospitalization, Nursing and Medical Attention. It shall be lawful for any fraternal benefit society, as defined in this chapter, now organized and existing, or hereafter organized under and by virtue of the laws of this state, or any such society organized and existing under and by virtue of the laws of any other state, country, province or territory, and now or hereafter admitted to do business in this state, to create, maintain and operate, for the benefit of its sick, disabled, aged or distressed members and their families and dependents, out of its general or expense fund, and from any voluntary contributions it may receive therefor, and from any bequest and the proceeds of any insurance contract in which it is named as beneficiary, in trust for the purposes mentioned in this section, hospitals, asylums, homes, sanitariums, or other charitable or benevolent institutions, and for such purpose any such society may own, hold or lease personal property or real property located within or without this state, with necessary buildings thereon; provided, that the amount of the general or expense fund to be expended, as herein provided, shall not exceed such amounts as shall have been or shall be from time to time authorized by the legislative or supreme governing body of such society; provided further, that maintenance, treatment and proper attendance in any such institution may be furnished free, or a reasonable charge may be made therefor, but no such institution shall be operated for profit; and provided further, that no part of the cost or expense of creating, maintaining, or operating any such institution shall be defrayed or paid out of the mortuary, sick or disability funds of any such society.

Any such society and any society heretofore organized and incorporated which provides exclusively for benefits in case of death or disability resulting solely from accident and which does not obligate itself to pay natural death or sick benefits, may, in addition to the benefits now or hereafter authorized to be granted by it to its members, make contract
provisions for full or limited hospital, nursing and medical attention, or for one or more of said items.

39. Review. All decisions and findings of the commissioner of insurance made under the provisions of this chapter shall be subject to review by proper proceedings in any court of competent jurisdiction in this state.

2. Uniformity of Interpretation. This chapter shall be so interpreted as to make uniform the laws of those states which enact it.

3. Short Title. This chapter may be cited as the Uniform Fraternal Act.

4. Takes Effect. This act shall take effect upon its passage.

[Approved May 9, 1945.]

CHAPTER 150.

AN ACT RELATING TO COOPERATIVE MARKETING ASSOCIATIONS.

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

1. Cooperative Marketing Associations. Amend section 5 of chapter 273 of the Revised Laws by striking out said section and inserting in place thereof the following: 5. Amendments to Certificate. An association may amend its certificate of organization by the affirmative vote of two-thirds of the members voting thereon at any regular meeting, or at a special meeting called for that purpose, or if the association permits its members to vote on the basis of patronage, by the affirmative vote of a majority of the members and of two-thirds of the patronage, voting thereon. A written or printed notice of the proposed amendment and of the time and place of holding such meetings shall be delivered to each member, or mailed to his last known address as shown by the books of the association, at least thirty days prior to any such meetings. No amendment affecting the preferential rights of any outstanding stock shall be adopted until the written consent of the holders of two-thirds of the outstanding preference shares has been obtained. Amendments to the certificate of organization, when so adopted, shall be filed in accordance with the provisions of the preceding section.
2. Takes Effect. This act shall take effect upon its passage.
[Approved May 9, 1945.]

CHAPTER 151.
AN ACT RELATING TO THE CONSERVATION OF SOIL.

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

1. Soil Conservation District. There is hereby created a soil conservation district throughout the state to be known as the soil conservation district of New Hampshire to provide the means of conservation of soil and soil resources of the state and for the control and prevention of soil erosion.

2. Definitions. As used in this act the following words shall have the following meanings:

I. "Districts" or "soil conservation districts" means the territories included within the boundaries of the state.

II. "Land occupier" or "occupier of lands" includes any person who shall hold title to or who shall be in lawful possession of three or more acres of land in the state whether as owner, lessee, renter, tenant, or otherwise.

III. "Committee" means the state soil conservation committee hereafter established.

3. State Soil Conservation Committee and Advisory Board. There is hereby established to serve as an agency of the state, the state soil conservation committee which shall consist of the following three members: The state commissioner of agriculture, who shall serve as a chairman of the committee, the director of the state agricultural extension service, and the director of the state agricultural experiment station. The following four members shall serve as an advisory board: The state highway commissioner, the state forester, the director of the fish and game department, and the executive director of the state planning and development commission. The members of said committee and said board shall serve without compensation. The committee may adopt rules and regulations necessary for the execution of its functions hereunder and shall keep a record of its official actions. It may employ such employees as it requires and fix their compensation subject
to the approval of the governor and council. It may also consult and advise with any local committees or groups.

4. **Powers of the District.** The committee, with the advice and consent of the governor and council, shall have the following powers:

I. To conduct surveys, investigation and research relating to the soil erosion and the preventive and control measures needed; to publish the results of such surveys, investigations or research, and to disseminate information concerning such preventive and control measures.

II. To carry out measures for the prevention and control of soil erosion within the district, including but not limited to engineering operations, methods of cultivation, the growing of vegetation and the changes in the use of land on lands owned and controlled by the state, or any county, city, town or any other subdivision thereof, with the consent and cooperation of the department or agency of the same, having jurisdiction thereof and any other land within the district upon obtaining the consent of both owner and occupier of such lands or the necessary rights.

III. To cooperate or enter into agreements with any agency, governmental or otherwise, or any occupier of lands within the district and to furnish aid and subject to such conditions as the committee may deem necessary to advance the purposes hereof.

IV. To construct, improve and maintain such erosion control structures as may be necessary or convenient for the performances of any of the provisions hereof.

V. To develop comprehensive plans for the conservation of soil within the district, cropping programs, tillage practices and changes in use of such land, and to publish such plans and information and bring them to the attention of the occupiers of the land within the district.

VI. To accept contributions in money, services, materials or otherwise for carrying out this program from the federal government or from the state or from any other source.

VII. To enter into agreements with land owners or occupiers to carry out the purposes hereof.

VIII. No surveys, investigations, research or plans of or for any particular land shall be undertaken or begun by said committee, nor shall any measures for prevention or control of soil erosion thereon be carried out, until prior approval
therefor has been obtained from both the owner and occupier of such land, and said land owner and occupier may withdraw said approval at any time upon thirty days' notice to the committee.

5. **Cooperation.** Any department or agency of the state, or of any county, city or town may cooperate with the district in the program proposed hereunder.

6. **Separability Clause.** If any of the provisions hereof or the application of any provision to any person or circumstance is held invalid the remainder hereof and the application of such provision to other persons or circumstances shall not be affected thereby.

7. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 10, 1945.]

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**CHAPTER 152.**

**AN ACT ESTABLISHING THE STATE MOTTO.**

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

1. **State Emblems.** Amend chapter 13 of the Revised Laws, as amended by chapter 148, Laws of 1945, by adding at the end thereof the following new section: 6. **State Motto.** The words "Live Free or Die," written by General John Stark, July 31, 1809, shall be the official motto of the state.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 10, 1945.]

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**CHAPTER 153.**

**AN ACT RELATING TO THE CONSTRUCTION AND OPERATION OF RECREATIONAL FACILITIES ON MT. SUNAPEE IN THE TOWN OF NEWBURY.**

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

1. **Recreational Project Authorized.** Amend sections 2 to 5, inclusive, of chapter 190 of the Laws of 1941, by striking out said sections and inserting in place thereof the following:
2. **Recreational Project.** There shall be constructed on Mt. Sunapee in the town of Newbury a tramway, or other lifting device, in accordance with the following provisions.

3. **Approval of Plans; Construction.** The type of structure to be erected hereunder, the time for undertaking such project and the plans and specifications for the erection and construction of said project shall be determined by the governor and council. In making such determination, the governor and council shall approve such plans as will make the project hereunder self liquidating. The construction of the project as determined by the governor and council shall be under the supervision of the highway commissioner.

4. **Powers of Highway Commissioner.** To the extent that it may be necessary to carry out the provisions hereof for the construction of the project, the highway commissioner shall have power to acquire in the name of the state by purchase, condemnation, lease or otherwise, real property and rights of easements therein deemed by him necessary or desirable for the purposes hereof and to acquire personal property for the purposes hereof. The commissioner shall also have power to use and control public lands of the state to the extent that it may be necessary to carry out his duties hereunder. Forthwith, upon the acquisition by the commissioner in the name of the state through purchase, condemnation or otherwise of any real property or interest or easement therein, such property or rights shall without further action and by virtue of this act be and become dedicated to the recreational uses and purposes of the state.

5. **Maintenance and Operation.** Upon completion of the project as hereinbefore provided, the operation and management thereof shall be under the supervision of the forestry and recreation commission, and for the purpose of said operation and maintenance said commission shall have power to (1) charge and collect fees, fares and tolls for carriage and other services made available in connection with said tramway or other lifting device; (2) to make contracts on behalf of the state with the United States, other states, public corporations or bodies existing therein, and private corporations and individuals; (3) to accept grants, permits and cooperation from the United States or any agency thereof in the maintenance and operation of said project and its appurtenances, and to do any and all things necessary in order to avail itself of
such aid and cooperation; (4) to employ such assistants, agents and servants as it shall deem necessary or desirable for its purposes; (5) to exercise any of its powers in the public domain of the United States, unless the exercise of such powers is not permitted by the laws of the United States; (6) to do all things necessary or incidental to the foregoing powers.

2. Extension of Time. The appropriation made for the purposes of chapter 190 of the Laws of 1941, as extended by chapter 155 of the Laws of 1943, shall not lapse but shall be made available for the purposes of said chapter 190, as amended by this act, until June 30, 1949.

3. Bond Issue. The bond issue authorized by section 7 of chapter 190 of the Laws of 1941 shall be deemed to be authorized for the purpose of carrying into effect the provisions of said chapter 190, as amended and extended by this act.

4. Tolls and Charges. Amend section 9 of chapter 190 of the Laws of 1941 by striking out said section and inserting in place thereof the following: 9. Revenue. There shall be collected for carriage upon the tramway or other structure constructed hereunder, and for other services made available therewith, such fares and tolls and charges as the forestry and recreation commission shall deem reasonable. Such sums as are so collected shall be deposited with the state treasurer who shall keep the same in a separate account. Operating expenses, depreciation and upkeep of said project and services shall be charged to or paid from said account and from the balance of said account after the deductions hereby authorized the governor, with the approval of the council, shall pay the interest and principal of the bonds or notes issued hereunder as the same become due and payable. From the balance of said special account after the payment of expenses, depreciation, upkeep and services, and the annual interest and bond or note charges, a sum not to exceed ten thousand dollars for each of the fiscal years ending June 30, 1947, 1948, 1949, and 1950 may be retained in said account and paid out by the commission, with the approval of the governor and council, for permanent improvements and additional facilities at the project. During the construction of the project the governor may, if necessary, draw his warrant upon the general fund to pay the interest due upon any bonds or notes that have been issued in accordance with the provisions hereof, but re-
imbursement for such payments shall be made to the general fund from revenue in the special fund herein created. When the principal and interest of all notes and bonds authorized hereunder have been paid, or sufficient money has accumulated in said special fund to pay the same, the balance of the special fund herein provided, after the payment of charges as herein authorized, shall be paid at such times as the governor and council shall direct into the general funds of the state.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 11, 1945.]

CHAPTER 154.

AN ACT RELATIVE TO WORKMEN’S COMPENSATION.

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

1. Workmen’s Compensation. Amend section 14 of chapter 216 of the Revised Laws by striking out said section and inserting in place thereof the following: 14. Remedial Care. During the first ninety days after an injury to an employee, an employer who has accepted the compensation provisions of this chapter shall furnish to the employee, or cause to be furnished, free of charge, reasonable medical and hospital services or other remedial care when needed, unless the injured employee shall decline or refuse to allow them to be furnished, and the injured employee, if he so chooses, shall have the right of selection of a duly qualified physician or other remedial care upon due notice to the employer. In the event of loss of an eye, limb, or other member by reason of said injury an employer, in addition to the foregoing care, shall, upon request, furnish, free of charge, an appropriate artificial appliance to replace such loss. Such aid shall not be considered under the provisions of section 25.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 11, 1945.]
CHAPTER 155

AN ACT PROVIDING FOR THE CERTIFICATION OF INSPECTED SEED POTATOES.

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

1. Seed Potatoes. Amend the Revised Laws by inserting after chapter 197 the following new chapter:

Chapter 197-A

Certification of Seed Potatoes

1. Definition. The term "certified seed potatoes" as used herein shall include potatoes (Solanum tuberosum) that have been inspected and tested by the commissioner of agriculture, or his authorized agents, and found to be reasonably free from disease and other defects, as specified in the rules and regulations issued by the commissioner of agriculture under the provisions hereof.

2. Application for Inspection. Any grower of potatoes in New Hampshire may make application to the commissioner of agriculture for inspection and certification of his potato crop for seed purposes, under such rules and regulations as he may issue. The commissioner of agriculture, or his authorized agents, shall issue such certificates of inspection, and designate or provide such official tags for marking containers of certified seed and establish such standards of grade and quality, as are necessary to safeguard the privileges and service provided for in this chapter.

3. Prohibitions. No person, in connection with the sale of seed potatoes, shall use the term "certified" or any similar term which may tend to convey that the same has been certified hereunder, either orally or on tags, containers, or labels or in advertising unless said seed potatoes have been inspected and certified hereunder.

4. Rules and Regulations. The commissioner of agriculture is hereby authorized to make all necessary rules and regulations to carry out the provisions hereof.

5. Penalties. Any person, copartnership, association or corporation, and any officer, agent, servant or employee thereof, violating any of the provisions hereof shall be fined not more than two hundred dollars for each offense. If any such person, copartnership, association, or corporation shall be twice convicted of a violation hereof the commissioner of
agriculture may prohibit him from marketing certified seed potatoes for a period of not less than two nor more than four years after such prohibition.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 11, 1945.]

CHAPTER 156.
AN ACT RELATING TO AERONAUTICS.

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

1. Registration of Aircraft, Nonresident Airmen; Exceptions. Amend section 25 of chapter 306 of the Revised Laws by adding the following additional paragraphs:

IV. The registration of an aircraft which has been licensed by a foreign country with which the United States has a reciprocal agreement covering the operations of such licensed aircraft; and provided that such an operation does not constitute an act of air commerce.

V. The registration of an aircraft which is owned by a nonresident of this state who is lawfully entitled to operate such aircraft in the state, district or country of his residence, provided that said state, district or country grants like privileges to residents of this state, and that such an operation does not constitute an act of air commerce.

VI. The registration of a nonresident operating aircraft in this state who is lawfully entitled to operate aircraft in the state, district or country of his residence; provided that said state, district or country grants like privileges to residents of this state, and that such an operation does not constitute an act of air commerce.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 11, 1945.]
AN ACT RELATING TO THE ELIMINATION OF A SPECIAL POLL TAX.

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

1. Statement of Intent. The sole intent of this act is the elimination of a special poll tax provided for in chapter 201 of the Laws of 1943, except for the tax years commencing April first, 1944, and April first, 1945.

2. Veterans Bonus. Amend section 5 of chapter 201 of the Laws of 1943 by striking out said section and inserting in place thereof the following: 5. Special Poll Tax. For the tax years beginning April first, 1944 and April first, 1945, there shall be assessed upon all taxable polls, as now or hereafter defined, within the state, a further tax of three dollars in addition to the poll tax now provided, such additional tax to be assessed, levied and collected in accordance with the laws relating to poll taxes. A separate account of such additional tax shall be kept by the several town or city officers and it shall be paid by the several towns or cities to the state treasurer, on or before the first day of December, and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on said date last mentioned. The state treasurer shall keep all funds accruing from the collection of the special poll tax provided for by this section in a separate account from which he shall pay the indebtedness incurred under the provisions of this act, as the same shall become due. Any balance in said separate account, after making the payments authorized hereunder, shall not be used for any other purposes than for benefits or assistance to veterans to such an extent as the legislature may authorize.

3. Bonds or Notes. Amend section 7 of chapter 201 of the Laws of 1943 by striking out the words: "Said bonds or notes and interest thereon shall be repaid from the collections from the special poll tax provided for in this act" being the last sentence thereof, so that said section as amended shall read as follows: 7. Form; Proceeds of Sale. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by
the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the sum hereinbefore appropriated, for the purposes of this act only.

4. **Short-Term Notes.** Amend section 9 of chapter 201 of the Laws of 1943 by striking out the words “and in anticipation of the collection of revenue hereunder,” in lines two and three thereof so that said section as amended shall read as follows: **9. Short-Term Notes.** Prior to the issuance of the bonds hereunder, the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of the bonds hereunder, provided, however, that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of four million dollars.

5. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 11, 1945.]

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**CHAPTER 158.**

AN ACT RELATIVE TO THE ERECTION OF A MEMORIAL TO FRANKLIN PIERCE.

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

1. **Franklin Pierce Memorial.** A suitable monument of New Hampshire granite properly inscribed to commemorate the service of Franklin Pierce to his country as the fourteenth president of the United States, shall be constructed and erected on the Pierce family lot in Minot Enclosure in Old North Cemetery in Concord. The erection of said memorial shall be under the supervision of the governor and council.

2. **Appropriation.** The sum of five thousand, five hundred dollars ($5,500) is hereby appropriated for the purpose of carrying out the provisions of this act and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.
3. Takes Effect. This act shall take effect upon its passage.
[Approved May 11, 1945.]

CHAPTER 159.

AN ACT RELATIVE TO INDUSTRIAL HEALTH SERVICE.

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

1. State Department of Health. Amend chapter 147 of the Revised Laws by adding after section 12 the following new sections:

12-a. Industrial Health Service. The state board of health shall have authority:

I. To investigate all mines, quarries, foundries and plants and establishments employing five or more engaged in manufacturing or processing of raw materials or goods in process of manufacture where noxious gases, fumes and dust may exist which may be deleterious to the health of employees or present an occupational disease hazard, and make studies to determine the allowable limits of toxic materials and ventilation requirements pertaining to the health of said workmen.

II. To authorize the division of industrial hygiene to have charge of matters under this section.

III. To make such rules and regulations as it may deem necessary for the administration of the provisions of this section.

IV. To have free access for itself or its agents to any such place of employment for the proper discharge of the official duties herein provided.

12-b. Commissioner of Labor. The state board of health shall forward to the commissioner of labor for his information and use copies of any investigations and rules and regulations made under the provisions of section 12-a. The labor commissioner shall adopt the provisions of such rules and regulations in standards established by him under the provisions of chapter 215 of the Revised Laws. The commissioner of labor may request the division of industrial hygiene of the state board of health to visit any other factories. This section and
section 12-a shall not be construed as to prevent the cooperation of the health department with industrial physicians and nurses in the promotion of industrial health.

12-c. Penalty. Any employer who shall neglect or refuse to comply with the provisions of section 12-a or with the provisions of any rules and regulations adopted as provided therein shall be fined not less than ten dollars nor more than twenty-five dollars for each offense, and each day any employer neglects or refuses to comply therewith shall constitute a separate offense.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 15, 1945.]

CHAPTER 160.

AN ACT RELATIVE TO SERVICE IN FIRST-CLASS HOTELS.

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

1. First-Class Hotels. Amend section 20 of chapter 170 of the Revised Laws by striking out said section and inserting in place thereof the following: 20. Special License. The commission may issue a special license to any first-class hotel, licensed under the provisions of section 19, to serve beverages or liquor in any room of said hotel designated by the commission, provided, said room shall not have an immediate entrance upon any public way. Except that no such license shall be issued to any hotel in towns not accepting the provisions of this chapter unless such hotel is classified as a resort hotel by the commission, and sale of liquor in such hotels shall be restricted to bona fide guests. The commission may grant, regulate, suspend, or revoke said special license without affecting any other license which may be granted to said hotel. The fee for such special license shall be one hundred dollars a year.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 15, 1945.]
CHAPTER 161.

AN ACT TO REPEAL THE RESTRICTION UPON THE ISSUE OF LICENSES TO AGENTS OF HOSPITAL SERVICE CORPORATIONS.

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

1. Hospital Service Corporations; Agents. Paragraph III of section 4 of chapter 334 of the Revised Laws, limiting the issuance of licenses as hospital service corporation agents to residents of the state, is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 162.

AN ACT CHANGING THE DISPOSITION OF TOLLS COLLECTED ON HAMPTON HARBOR TOLL BRIDGE AND PROVIDING FOR THE CONSTRUCTION OF A SEA WALL SITUATED IN THE TOWN OF HAMPTON.

WHEREAS it is necessary to relieve the tolls from the Hampton Harbor toll bridge from the payment of certain obligations in order to obtain federal aid for the reconstruction of said bridge, and;

WHEREAS no construction having been started on the sea wall in the town of Hampton as provided for in chapter 86 of the Laws of 1941 and no commitments having been made and no bonds having been issued under the provisions of said chapter, and;

WHEREAS the balance of the appropriation made for improvements at Rye Harbor as provided for in chapter 161 of the Laws of 1941 has lapsed and no bonds having been issued under the provisions of said chapter:

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

1. Repeal. Chapter 86 of the Laws of 1941 as amended by chapter 23 of the Laws of 1943, providing for construction of a sea wall, is hereby repealed.
2. Hampton Harbor Toll Bridge. Amend section 8 of chapter 207 of the Laws of 1939 as amended by section 4 of chapter 87 of the Laws of 1941 by striking out said section and inserting in place thereof the following: 8. Tolls. The provisions of section 6 of chapter 159 of the Laws of 1933, as amended by chapter 50 of the Laws of 1935, relative to tolls shall apply to the collection of tolls upon the reconstructed Hampton Harbor toll bridge. Said tolls shall be collected until (a) the bonds issued under the provisions of said chapter 159 of the Laws of 1933, those issued under the provisions of said chapter 50 of the Laws of 1935, and those issued under the provisions of this chapter have been paid or until sufficient money shall have accumulated to pay said bonds and the interest thereon at maturity, and (b) sufficient funds shall have accumulated from net toll receipts to reimburse the state with respect to principal and interest for any funds paid upon warrant of the governor and council by reason of insufficient sinking fund balances to meet principal and interest payments on said bonds. When the obligations hereunder have been paid or sufficient money shall have accumulated to pay the same, as determined by the governor and council, the tolls upon said reconstructed Hampton Harbor toll bridge shall cease and said bridge shall thereafter be maintained as a free bridge.

3. Rye Harbor Improvements. Section 6-a of chapter 218 of the laws of 1939 as inserted by section 3 of chapter 161 of the Laws of 1941 is hereby repealed.

4. Governor and Council Empowered. The governor, with the advice of the council, is hereby authorized and empowered to construct such sea wall or walls or other structures as may be necessary or desirable to protect the state highway situated in the town of Hampton between Haverhill street and a point opposite the Ashworth Hotel.

5. Construction. The construction of such sea wall or walls or other structures shall be done under the supervision and direction of the highway commissioner.

6. Cost. The cost of the aforesaid construction shall be a charge upon the highway funds.

7. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]
Chapter 163

An Act Relative to Salary of the Commissioners of Hillsborough County.

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

1. Hillsborough County. Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, and by section 1, chapter 66 of the Laws of 1945, by striking out the word "twenty-four" in the eighth line and inserting in place thereof the word, twenty-seven, so that said section as amended shall read as follows: 27. Commissioners. The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:
   In Rockingham, ten hundred dollars.
   In Strafford, twelve hundred dollars.
   In Belknap, twelve hundred dollars.
   In Merrimack, ten hundred dollars.
   In Hillsborough, twenty-seven hundred dollars.
   In Cheshire, one thousand dollars.
   In Sullivan, ten hundred dollars.
   In Grafton, ten hundred dollars.

   In Coos county each commissioner, when employed in the business of the county, shall receive five dollars a day, payable as hereinbefore provided. In Carroll county each commissioner, when employed in the business of the county, shall receive eight dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

2. Takes Effect. This act shall take effect upon its passage.

   [Approved May 16, 1945.]
CHAPTER 164.

AN ACT RELATIVE TO LEGAL INVESTMENTS FOR SAVINGS BANKS.

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

1. Legal Investments of Savings Banks. Amend section 3 of chapter 310 of the Revised Laws by inserting after paragraph I, as amended by section 1, chapter 84, Laws of 1945, the following new paragraph: I-a. Buildings on land at Hampton in the county of Rockingham owned by lessees of real estate owned by the town of Hampton and leased by said town to Hampton Beach Improvement Company and directly to other lessees, together with those owned by sublessee or lessees of Hampton Beach Improvement Company shall be construed to be real estate for the purposes of paragraph I.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 165.

AN ACT RELATIVE TO TRANSFER CARDS FOR LEGAL VOTERS CHANGING THEIR VOTING RESIDENCE.

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

1. Qualifications for Voting. Amend section 8 of chapter 31 of the Revised Laws, as amended by section 1, chapter 187 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 8. Residence; Transfer Cards. No person shall be considered as dwelling or having his home in any town, for the purpose of voting or being voted for at any meeting, unless he shall have resided within such town six months next preceding the day of meeting, except as provided in the following paragraphs:

I. Any legal voter, whose name appears upon the checklist of any town or city and who shall move from said town or city to another town or city within the state, or whose name appears upon the check-list of any ward of any city and who shall remove from said ward to another ward in the same city, within six months next prior to any election,
may vote at such election in the town or city to which he shall have removed, if, prior to or at the last session for correction of the check-list in such town or city, he shall present to the supervisors of the check-list of said town or city a duly issued transfer card as provided in paragraph II. The supervisors of the town or city to which any such voter shall remove shall place the name of such voter upon the check-list of said town or city upon the presentation of said duly issued transfer card prior to or at the last session for the correction of said check-list in such town or city.

II. The supervisors of each city and town shall provide themselves with cards, to be known as transfer cards, in such form as the secretary of state may determine, which shall have printed thereon a schedule to indicate the name of the voter, the town or city of which he is a legal voter, the approximate date of removal therefrom, the town or city to which he removes, and such other information as may be necessary together with spaces for the signatures of a majority of the supervisors. The supervisors shall execute and issue such transfer cards to legal voters whose names appear on the check-list, who apply therefor not more than six months and not less than thirty days next prior to any election and who furnish satisfactory evidence of their intention to remove to another town or city or to remove to another ward in the same city and to vote therein at such election. Upon the issuance of such a transfer card to any voter his name shall be removed from the check-list by the supervisors issuing said card.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 166.

AN ACT RELATING TO ASSISTANCE GIVEN TO VOTERS IN MARKING BALLOTS.

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

1. Manner of Conducting Elections. Amend section 59 of chapter 34 of the Revised Laws by striking out the words
“shall certify on the outside thereof that it was so marked with his or their assistance and” in the fifth and sixth lines, and by striking out the words “shall certify on the outside thereof that it was so marked with his assistance” in the eleventh and twelfth lines, so that said section as amended shall read as follows: 59. Assistance in Voting. Any voter who declares to the moderator, under oath, that he cannot read, or that because of his blindness or other physical disability he is unable to mark his ballot, shall, upon his choice and request, receive the assistance of one or both of the election officers detailed for that purpose by the moderator; and such officer or officers shall thereafter give no information regarding the same. Provided that any voter unable to mark his ballot because of his total blindness may be assisted in such marking by any person, who is a qualified voter in the same town or ward, whom he may designate. Such person so assisting shall be sworn, shall mark the ballot as directed by said voter, and shall thereafter give no information regarding the same.

2. Ballots. Amend section 78 of chapter 34 of the Revised Laws, as amended by chapter 9 of the Laws of 1945, by striking out the figure “59,” that said section as amended shall read as follows: 78. Prohibited Marking. No mark of any nature shall be placed on the ballot by election officials except as provided in sections 51 and 68.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 167.

AN ACT RELATIVE TO RETIREMENT ALLOWANCES FOR TEACHERS WHO SERVED IN THE ARMED FORCES OF THE UNITED STATES.

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

1. Teachers' Retirement System. Amend chapter 136 of the Revised Laws by inserting after section 13-a, as inserted by chapter 126 of the Laws of 1945, the following new section: 13-b. Teachers in Service. Any person who was a teacher and who shall be prevented from becoming a member of the
retirement association on or before December 31, 1945, as provided in section 13-a, by reason of military service in the armed forces of the United States, may become such member within six months from the date of his reemployment as a teacher in this state provided such reemployment occurs within one year from the date of his discharge from such service.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 168.

AN ACT RELATIVE TO TAKING WILD DEER IN CERTAIN COUNTIES OF THE STATE.

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

1. Wild Deer. Amend section 3, chapter 242 of the Revised Laws, as amended by chapter 191 of the Laws of 1943, by striking out said section and inserting in place thereof the following:

3. Taking; Time. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, in the counties of Carroll and Grafton from November fifteenth to December fifteenth; in that part of Coos county lying north of the main highway known as United States Route No. 2 from the Vermont boundary to the Maine boundary through the towns of Lancaster, Jefferson, Randolph, Gorham and Shelburne from October fifteenth to December first; in the remainder of Coos county from November first to December first; and in all other counties in the state from December first to December twenty-first, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]
CHAPTER 169.

AN ACT TO ESTABLISH A JUDICIAL COUNCIL.

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

1. Judicial Council. Amend the Revised Laws by inserting after chapter 381 the following new chapter:

Chapter 381-A
Judicial Council

1. Judicial Council. There is hereby established a judicial council which shall consist of a justice of the supreme court, selected by the justices thereof, a justice of the superior court, selected by the justices thereof, the attorney general, and seven other members appointed by the governor with the advice and consent of the council, of whom not less than four shall be members of the bar of wide experience.

2. Appointment and Tenure of Office. The term of each member, except the attorney general, shall be for three years and until his successor is appointed and qualified. However, in the case of first appointments by the governor and council, two members shall be appointed for one year, two for two years and three for three years. Vacancies shall be filled for the remainder of any term in the same manner as the original appointment. The attorney general shall be a member ex officio.

3. Duties of Council. It shall be the duty of the judicial council:

(a) To survey and study continuously the administration of justice within the state and the organization, procedure, practice, rules and methods of administration and operation of each and all of the courts of the state.

(b) To receive and consider and in its discretion investigate criticisms and suggestions pertaining to the administration of justice in the state.

(c) To devise ways of simplifying judicial procedure, expediting the transaction of judicial business, and of improving the administration of justice.

(d) To recommend to the general court, to the supreme and superior court, to any public official, department or agency, or to the state bar association, either upon request or upon the council's own motion, such changes in the law or in the
rules, organization, operation or methods of conducting the business of the courts, or with respect to any other matter pertaining to the administration of justice, as it may deem desirable.

(e) To collect, compile, analyze and publish statistics and other reports pertaining to the judicial system.

4. Biennial Reports. The council shall report to the governor and council as of December 31st, 1946, and every two years thereafter on its activities and on the organization and business of the courts and shall submit therewith its recommendations for improving the administration of justice. The biennial reports shall, and any and all other reports, studies and recommendations may be, printed and made available to the general court, to the supreme and superior court and to the public.

5. Meetings. The regular meetings of the council shall be held at Concord on the fourth Monday in April and October of each year. Other meetings, regular or special, may be held as provided by the rules and regulations of the council.

6. State and Other Officials; Cooperation. The judges and clerks of the courts of the state, sheriffs, county solicitors and all state, county or municipal officers shall render to the council such reports as it may request of matters within the scope of its duties.

7. Organization of Council; Expenses. The time and place of the first meeting of the council shall be fixed and the members shall be notified thereof by the justice of the supreme court selected to serve on the council. The council shall elect a chairman from among their members and a secretary. The council may make all necessary rules and regulations for its procedure and the conduct of its business. The members of the council shall receive no compensation for their services, but shall be allowed their actual expenses while on business of the council, and the council shall be allowed its expenses to be paid out of any funds appropriated for that purpose.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]
CHAPTER 170.

AN ACT TO REGULATE THE PRACTICES OF PROFESSIONAL ENGINEERING.

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

1. Professional Engineering; Definitions. As used herein the following terms shall be construed as follows:

I. The term "professional engineer" shall mean a person who by reason of his advanced knowledge of mathematics and the physical sciences, acquired by professional education and practical experience, is technically and legally qualified to practice professional engineering as hereinafter defined, and who is registered by the board or otherwise authorized by this act to engage in the practice of professional engineering.

II. The term "engineer-in-training" shall mean a candidate for registration as a professional engineer who, prior to completion of the requisite years of experience in engineering work provided in section 11 hereof, has met the preliminary requirements for registration as a professional engineer, and has been issued a certificate by the board stating that he is an engineer-in-training.

III. The term "practice of professional engineering" shall mean any professional service or creative work requiring the education, training, and experience provided in section 11 hereof, and the application of advanced knowledge of mathematics and physical sciences, involving the constant exercise of discretion and judgment, to such services or work as consultation, investigation, evaluation, planning, design, responsible supervision of construction, and responsible supervision of operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health or property is concerned or involved.

IV. The term "board" shall mean the state board of registration for professional engineers provided for herein.

2. Board; Appointments; Terms. A state board of registration for professional engineers is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of five professional engineers, who shall be appointed by the governor, with the advice and consent of the council. The members of the first board shall be appointed...
within ninety days after the passage of this act, to serve for the following terms: one member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Each member of the board first appointed hereunder shall receive a certificate of registration under this act from said board. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of five years a registered professional engineer. Each member shall hold office until the expiration of the term for which such member is appointed or until a successor shall have been duly appointed and shall have qualified.

3. Qualifications. Each member of the board shall be a citizen of the United States and a resident of this state, and shall have been engaged in the practice of the profession of engineering for at least twelve years, and shall have been in responsible charge of important engineering work for at least five years. Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

4. Compensation and Expenses. Members of the board shall serve without compensation but shall be reimbursed for all actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this act.

5. Removal of Members; Vacancies. The governor and council may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor and council as provided in section 2.

6. Organization and Meetings. The board shall hold a meeting within thirty days after its members are first appointed, and thereafter shall hold at least four regular meetings each year. Special meetings shall be held at such time as the rules of the board may provide. Notice of all meetings shall be given in such manner as the rules may provide. The board shall elect or appoint annually the following officers: A chairman, a vice-chairman, and a secretary. A quorum of the board shall consist of not less than three members.
7. **Powers and Duties.** The board shall have the power to adopt and amend all rules of procedure, not inconsistent with the constitution and laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal. The board may subpoena witnesses and compel their attendance, and also may require the production of books, papers and documents in a case involving the revocation of registration. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the same manner as for refusal to obey any other subpoena.

8. **Receipts and Disbursements.** The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same to the state treasurer, who shall keep such moneys in a separate fund to be known as the "Professional Engineers' Fund." Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only for purposes hereof. All moneys in the fund are hereby specifically appropriated for the use of the board. The secretary of the board shall give a surety bond to the state in such sum as the attorney general may determine. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in section 4. The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which reasonably in the opinion of the board is necessary for the proper performance of its duties under this act, including the expenses of the board's delegates to annual conventions of, and membership dues to, the National Council of State Boards of Engineering Examiners. Under no circumstances shall the total amount of payments made hereunder exceed the amount of the fees collected hereunder.

9. **Records and Reports.** The board shall keep a record of its proceedings and a register of all applications for registration, which register shall show (a) the name, age, and residence of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an exami-
nation was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the board; and (i) such other information as may be deemed necessary by the board. The records of the board shall be *prima facie* evidence of the proceedings of the board set forth therein, and a transcript thereof duly certified under seal by the secretary of the board, shall be admissible in evidence with the same force and effect as if the original were produced. Biennially, as of December thirty-first, the board shall submit to the governor, not later than the following January thirty-first, a report of its transactions of the preceding biennium, and also shall transmit to him a complete statement of the receipts and expenditures of the board.

10. **Roster.** A roster, as of December thirty-first, showing the names and places of business of all registered professional engineers shall be published each January by the secretary of the board. Copies of this roster shall be mailed to each person so registered, placed on file with the secretary of state, and furnished to the public upon request.

11. **General Requirements for Registration.** The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for registration as a professional engineer:

(a) Graduation in an approved engineering curriculum of four years or more from a school or college approved by the board as of satisfactory standing; and a specific record of an additional four years or more of experience in engineering work of a character satisfactory to the board, and indicating that the applicant is competent to practice professional engineering (in counting years of experience, the board at its discretion may give credit, not in excess of one year, for satisfactory graduate study in engineering), provided that in a case where the evidence presented in the application does not appear to the board conclusive nor warranting the issuing of a certificate of registration, the applicant may be required to present further evidence for the consideration of the board, and also may be required to pass an oral or written examination, or both, as the board may determine; or

(b) Successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation in an approved four-
year engineering curriculum; and a specific record of eight years or more of experience in engineering work of a character satisfactory to the board and indicating that the applicant is competent to practice professional engineering; or

(c) A specific record of twelve years or more of lawful practice in professional engineering work of a character satisfactory to the board and indicating that the applicant is qualified to design or to supervise construction of engineering works and provided applicant is not less than thirty-five years of age.

12. Character. No person shall be eligible for registration as a professional engineer, who is not of good character and reputation.

13. Teaching Credits. In considering the qualifications of applicants, engineering teaching may be construed as engineering experience.

14. Education Credits. The satisfactory completion of each year of an approved curriculum in engineering in a school or college approved by the board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of experience in (b) of section 11. Graduation in a curriculum other than engineering from a college or university of recognized standing may be considered as equivalent to two years of experience in said (b); provided, however, that no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications.

15. Work as Contractor. The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be practice in professional engineering.

16. Non-Practicing Applicants. Any person having the necessary qualifications prescribed in this act to entitle him to registration shall be eligible for such registration although he may not be practicing his profession at the time of making his application.

17. Applications and Registration Fees. Applications for registration shall be on forms prescribed and furnished by the board, shall contain statements made under oath, showing the applicant’s education and detail summary of his technical work, and shall contain not less than five references, of whom three or more shall be engineers having personal knowledge
of his engineering experience. The registration fee for professional engineers shall be twenty-five dollars, fifteen dollars of which shall accompany application, the remaining ten dollars to be paid upon issuance of certificate. Application to take the examination in fundamental engineering subjects prior to completion of the requisite years of experience in engineering work shall be accompanied by a fee of seven dollars and fifty cents. This amount shall be credited against the total fee required for registration as a professional engineer. When a certificate of qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for registration as professional engineer shall be ten dollars.

18. Examinations. When oral or written examinations are required, they shall be held at such time and place as the board shall determine. If examinations are required on fundamental engineering subjects (such as are ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his completion of the requisite years of experience in engineering work, and satisfactory passage of this portion of the professional examination by the applicant shall constitute a credit for a period of ten years. The board shall issue to each applicant upon successfully passing the examination in fundamental engineering subjects a certificate stating that he has passed the examination and that his name has been recorded as an engineer-in-training. The scope of the examinations and the methods of procedure shall be prescribed by the board with special reference to the applicant's ability to design and supervise engineering works so as to insure the safety of life, health, and property. A candidate failing an examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the board.

19. Certificates; Seals. The board shall issue a certificate of registration upon payment of registration fee as provided for in this act, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this act. In case of a registered engineer, the certificate shall authorize the practice of "professional engineering." Certificates of registration shall show the full name of the registrant, shall
have a serial number, and shall be signed by the chairman and the secretary of the board under seal of the board. The issuance of a certificate of registration by the board shall be 

prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer, while the said certificate remains unrevoked or unexpired. Each registrant hereunder shall upon registration obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Registered Professional Engineer." Plans, specifications, plats, and reports prepared by a registrant during the life of the registrant's certificate, shall be stamped with the said seal when filed with public authorities, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

20. Expirations and Renewals. Certificates of registration shall expire each year on June thirtieth and shall become invalid on that date unless renewed. It shall be the duty of the secretary of the board to notify every person registered under this act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of July by the payment of a fee of one dollar. The failure on the part of any registrant to renew his certificate annually in the month of July as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of July shall be increased ten per cent for each month or fraction of a month that payment renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

21. Practitioners at Time Act Became Effective. At any time within four years after this act becomes effective, upon due application therefor and the payment of the registration fee of fifteen dollars for professional engineers, the board shall issue a certificate of registration, without oral or written examination, to any professional engineer, who under oath shall submit evidence satisfactory to the board that he is of good character, has been a resident of the state of New Hampshire
for at least one year immediately preceding the date of his application, and was practicing professional engineering if an engineer, at the time this act became effective. After this act shall have been in effect four years the board shall issue certificates of registration only as provided for in section 11 or section 23 hereof.

22. Practitioners in the Armed Forces. At any time within two years after discharge from the armed forces any honorably discharged veteran qualifying under section 21, shall be issued a certificate of registration, provided that said veteran was domiciled in this state at the time of his induction into said armed forces.

23. Interstate Registration. The board may, upon application therefor, and the payment of a fee of ten dollars, issue a certificate of registration as a professional engineer to any person who holds a certificate of qualification or registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any state or territory or possession of the United States, or of any country, provided that the applicant’s qualifications meet the requirements of this act and the rules established by the board.

24. Revocations. The board shall have the power to revoke the certificate of registration of any registrant who is found guilty of: (a) the practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be served personally on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses
appearing against him, and to produce evidence and witnesses in his own defense. If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke the certificate of registration of such registered professional engineer.

25. Reissuance of Certificates. The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, providing three or more members of the board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, and a charge of three dollars shall be made for such issuance.

26. Appeals. Any person who shall feel aggrieved by any action of the board in denying or revoking his certificate of registration may appeal therefrom to the superior court and, after full hearing, said court shall make such decree sustaining or reversing the action of the board as it may deem just and proper.

27. Violations and Penalties. Any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this act, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned for not exceeding three months, or both.

28. Invalid Sections. If any section or sections of this act shall be declared unconstitutional or invalid, this shall not invalidate any other sections of this act.

29. Takes Effect. This act shall take effect July 1, 1945 and shall be permissive, only.

[Approved May 16, 1945.]
CHAPTER 171.

AN ACT RELATIVE TO THE ELECTION OF TOWN OFFICERS.

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

1. Non-Partisan Ballot System. Amend section 114 of chapter 34 of the Revised Laws, as inserted by section 1, chapter 22, Laws of 1943, by adding at the end thereof the following: provided that a candidate for a town office which carries no salary or other compensation shall be entitled to file his declaration without the payment of the filing fee as herein provided, so that said section as amended shall read as follows: 114. Filing; Fee. On or before the closing date for filing declaration of candidacy with the town clerk as provided in section 112 any candidate for any elective town office as defined in the preceding section may file with the town clerk a declaration of candidacy in substantially the following form, which shall be prepared and furnished by the town clerk: I, .................................................., declare that I reside in the town of .............................., and that I am a qualified voter therein; that I am a candidate for the office of ................. and I hereby request that my name be printed on the official non-partisan ballot of the town of .............................. At the time of said filing each candidate shall pay to the town clerk a filing fee of one dollar for the use of the town, provided that a candidate for a town office which carries no salary or other compensation shall be entitled to file his declaration without the payment of the filing fee as herein provided.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 172.

AN ACT RELATIVE TO MEETINGS OF COUNTY EXECUTIVE COMMITTEES.

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

1. County Conventions. Amend section 5 of chapter 44 of the Revised Laws by striking out said section and inserting
in place thereof the following: 5. **Members.** The county convention shall consist of the representatives of the towns of the county. They shall meet on the second Wednesday of each biennial session of the general court, or some other day in the same week, choose a chairman, clerk and an executive committee. The chairman and the clerk of the delegation shall be members of the executive committee *ex officio.*

2. **Meetings.** Further amend said chapter 44 by inserting after section 20 the following new section: 20-a. **Executive Committees.** The chairman of the convention may call a special meeting of the executive committee of such convention to be held at any time either at the state house in Concord or at any place within the respective county. The members of said executive committee shall receive such compensation and travel expenses as they would be entitled to receive under the provisions of section 18 of this chapter, to be paid from the county treasury, provided that no such compensation and expenses shall be allowed when said meeting is held at the state house in Concord.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 16, 1945.]

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**CHAPTER 173.**

AN ACT FOR CONTINUED IMPROVEMENT OF THE APPROACHES TO THE GENERAL JOHN SULLIVAN AND ALEXANDER SCAMMELL BRIDGES.

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

1. **Appropriation.** There is hereby appropriated a sum not exceeding seventy-five thousand dollars ($75,000.00) for the purpose of continuing the improvement of the park and recreational areas adjacent to the General John Sullivan Memorial and the Alexander Scammell bridges, authorized by chapter 124 of the Laws of 1937. Any net income accruing from the operation of said areas shall be used for the payment of the principal or interest upon the bonds hereinafter authorized.

2. **Bonds Authorized.** The state treasurer is hereby authorized, under direction of the governor and council, to
borrow upon the credit of the state not exceeding seventy-five thousand dollars ($75,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds and notes in the name and on behalf of the state of New Hampshire at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue and all bonds shall be callable at any time after twelve years. Such bonds and notes shall be in such form and such denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

3. Accounts; Sale; Proceeds of Sale. The secretary of state shall keep an account of all such bonds and notes countersigned by the governor, showing the number and amount of each bond and note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond and note, 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 date of maturity. The treasurer may negotiate and sell such bonds and notes by direction of the governor and council in such manner as they may determine most advantageous to the state. The proceeds of the sale of such bonds and notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for by this act of all sums expended or due for the purposes herein authorized.

4. Short-Term Notes. Prior to the issuance of bonds hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans to be refunded by the issuance of the bonds hereunder.

5. Soldiers' Memorial Parks. The areas herein designated for improvement shall hereafter be known as Soldiers' Memorial Parks and dedicated to the men and women who served in World War II.
6. Change in Administration. Amend section 3 of chapter 124 of the Laws of 1937 by striking out said section and inserting in place thereof the following: 3. Administration. The Soldiers' Memorial Parks shall be administered by the governor and council who are hereby authorized and empowered to operate and maintain said parks and to make such reasonable charges for their use as in their discretion may be necessary.

7. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]

CHAPTER 174.

AN ACT RELATING TO THE RETIREMENT OF JUSTICES FOR PERMANENT DISABILITY.

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

1. Superior Court; Retired Justices. Amend section 1 of chapter 370 of the Revised Laws by inserting at the end thereof the words, and such justices as may be retired from regular active service because of permanent disability, so that as amended said section shall read: 1. Justices. The superior court shall consist of a chief justice and five associate justices, appointed and commissioned as prescribed by the constitution and such justices as may be retired from regular active service because of permanent disability.

2. Retirement Provisions. Amend chapter 370 of the Revised Laws by inserting after section 1 the following new section: 1-a. Permanent Disability; Appointment of Successor. Any justice of the superior court who shall become unable to perform his duties because of permanent disability shall be retired from regular active service on the bench for the remainder of his term. A justice who desires to retire because of inability to perform his duties shall certify to the governor and council his disability to perform his duties and shall furnish a like certificate of the chief justice, and the governor and council, if they find him unable to perform his duties because of permanent disability, shall order his retirement from regular active service. If a justice who is perma-
nently disabled to perform his duties shall be unable or unwilling to certify his disability, the chief justice and two associate justices shall certify in writing his disability to the governor and council, who shall, if they find him after due notice and hearing, unable to perform his duties because of permanent disability, order his retirement from regular active service. If the chief justice shall be unable to perform his duties the requisite certificate may be furnished by the senior associate and two other associate justices. Any justice retired from regular active service because of permanent disability shall receive during the remainder of his term a salary equal to one-half the salary payable to him on his retirement, except in case of his election to take other retirement benefits as hereinafter provided, and he shall perform such duties as may be assigned to him by the chief justice. The governor and council upon retirement of any justice as provided herein shall appoint his successor. Any justice retired from active regular service under the provisions hereof who is also a member of the state employees' retirement system shall be entitled to retire with disability benefits under said system, upon notification to said retirement board. If, however, said justice elects to take payments under the provisions of this section he shall thereby forfeit all rights to any benefits provided under said employees' retirement system.

3. Supreme Court. Amend section 1 of chapter 369 of the Revised Laws by adding at the end thereof the words, and such justices as may be retired from regular active service because of permanent disability, so that said section as amended shall read as follows: 1. Justices. The supreme court shall consist of a chief justice and four associate justices, appointed and commissioned as prescribed by the constitution, and such justices as may be retired from regular active service because of permanent disability.

4. Retirement Provisions. Amend chapter 369 of the Revised Laws by inserting after section 1 the following new section: 1-a. Permanent Disability; Appointment of Successor. Any justice of the supreme court who shall become unable to perform his duties because of permanent disability shall be retired from regular active service on the bench for the remainder of his term. A justice who desires to retire because of inability to perform his duties shall certify to the governor and council his disability to perform his duties and
shall furnish a like certificate of the chief justice, and the governor and council, if they find him unable to perform his duties because of permanent disability, shall order his retirement from regular active service. If a justice who is permanently disabled to perform his duties shall be unable or unwilling to certify his disability, the chief justice and two associate justices shall certify in writing his disability to the governor and council, who shall, if they find him after due notice and hearing, unable to perform his duties because of permanent disability, order his retirement from regular active service. If the chief justice shall be unable to perform his duties the requisite certificate may be furnished by the senior associate and two other associate justices. Any justice retired from regular active service because of permanent disability shall receive during the remainder of his term a salary equal to one-half the salary payable to him on his retirement, except in case of his election to take other retirement benefits as hereinafter provided, and he shall perform such duties as may be assigned to him by the chief justice. The governor and council upon retirement of any justice as provided herein shall appoint his successor. Any justice retired from active regular service under the provisions hereof who is also a member of the state employees’ retirement system shall be entitled to retire with disability benefits under said system, upon notification to said retirement board. If, however, said justice elects to take payments under the provisions of this section he shall thereby forfeit all rights to any benefits provided under said employees’ retirement system.

5. Takes Effect. This act shall take effect upon its passage.
[Approved May 17, 1945.]

CHAPTER 175.

AN ACT REGARDING LENDING POWERS OF COMMERCIAL DEPARTMENTS OF TRUST COMPANIES.

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

1. Trust Companies. Amend section 37 of chapter 313 of the Revised Laws, as amended by chapter 111 of the Laws of
1934, by inserting at the end of the first sentence the following: The foregoing limitations are also subject to the exceptions contained in section 37-a of this chapter, so that said section as amended [shall read] as follows: 37. Limitations. The total liabilities of a person, firm, or corporation, including in the liabilities of a firm the liabilities of its several members, for money borrowed of the commercial department of a trust company or other corporation of a similar character, whether organized under the provisions of this chapter or otherwise, shall at no time exceed ten per cent of its capital stock actually paid in and surplus, nor shall such corporation purchase or hold, by way of investment, the stocks and bonds of any corporation to an amount in excess of said ten per cent; but the discount of bills of exchange drawn in good faith against actually existing values, and the discount of commercial or business paper actually owned by the person negotiating it, shall not be considered as money borrowed; provided, that this limitation shall not apply to securities described in paragraphs I to IV of section 6, chapter 310; and provided further that the limitations and restrictions of this section shall not apply to liabilities for money borrowed to the extent that they shall be secured, covered, underwritten or protected as to principal and interest by guaranties, or by commitments or agreements to take over or purchase the same, made by or on behalf of any federal reserve bank, or the United States, or any department, bureau, board, commission or establishment of the United States including any corporation wholly owned directly or indirectly by the United States, for the performance of which guaranties, commitments or agreements the faith of the United States is pledged. The foregoing limitations are also subject to the exceptions contained in section 37-a of this chapter. Surplus shall be construed as including only earnings that have actually been transferred to surplus; earnings remaining in undivided profits shall not be considered a part of surplus.

2. Investments. Amend chapter 313 of the Revised Laws by inserting the following new section after section 37: 37-a. Limitations Qualified. The limitation of ten per cent of the capital stock and surplus provided in section 37 shall be increased by fifteen per cent of capital and surplus with respect to certain liabilities hereinafter described when the market value of staples securing the liability is not less than one hun-
dred fifteen per cent of the face amount of the liability, and by an additional five per cent of capital and surplus for each five per cent of the excess of the market value of such staples above said one hundred fifteen per cent. In determining the ratio of the market value of the security to the liabilities of any borrower for the purposes of this section there shall be excepted from such liabilities any liability or obligation of the borrower otherwise legal for investment. In no event shall the increase in limitation authorized by this section be more than forty per cent in addition to the ten per cent prescribed by section 37. The said liabilities shall be those of any person, firm, or corporation in the form of notes or drafts secured by shipping documents, warehouse receipts, or other such documents, transferring or securing title covering readily marketable staples, and, if it is customary to insure such staples, fully covered by insurance. This section shall not apply to liabilities of any one person, firm, or corporation arising from the same transactions and secured upon the identical staples for more than ten months.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]

CHAPTER 176.

AN ACT RELATING TO MAYORS OF CITIES.

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

1. Mayors of Cities; Voting Powers. Amend section 9 of chapter 63 of the Revised Laws by inserting after the word "matters" in the fourth line the words, but shall have no vote except in case of an equal division, so that said section as amended shall read as follows: 9. Presiding; Veto. He shall preside in the board of aldermen and in convention of city councils, and shall be ex-officio chairman of the board of overseers of the poor. He shall have a negative upon the action of the aldermen in laying out highways, and in all other matters; but shall have no vote except in case of an equal division; and no vote can be passed or appointment made by the board of aldermen over his veto unless by a vote of two-thirds, at least, of all the aldermen elected.
2. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]

CHAPTER 177.

AN ACT RELATIVE TO LICENSES TO OPERATE MOTOR VEHICLES WITH CERTAIN RESTRICTIONS.

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

1. Motor Vehicle Licenses. Amend section 2 of chapter 117 of the Revised Laws by adding at the end thereof the words, except as provided in section 2-a, so that said section as amended shall read as follows: 2. Examination. Before a license is granted to any person, the applicant, if he has not been theretofore licensed to operate a motor vehicle in this state, shall pass such examination as to his qualifications as the commissioner shall prescribe. No license shall be issued until the commissioner is satisfied that the applicant is a proper person to receive it. No physical defect of an applicant shall debar him from receiving a license unless it can be shown by common experience that such defect incapacitates him from safely operating a motor vehicle, except as provided in section 2-a.

2. Powers of Commissioner. Amend chapter 117 of the Revised Laws by adding after section 2, as hereinbefore amended, the following new section: 2-a. Restricted Licenses. If the commissioner finds that a person has such physical defect as would incapacitate him from safely operating any motor vehicle, but may safely operate a vehicle with special equipment, he may issue a license to said person under such restrictions as he may deem necessary. The commissioner may also restrict a person from operating a motor vehicle without the use of eye glasses.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]
CHAPTER 178.

AN ACT RELATIVE TO THE RIGHTS OF WAR VETERANS.

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

1. War Vetera ns. Amend section 1 of chapter 60 of the Laws of 1945 by striking out said section and inserting in place thereof the following: 1. Rights of Minors. Any war veteran eligible for the benefits of Title III of the Servicemen's Readjustment Act of 1944 and amendments thereto known as the G. I. Bill of Rights, who is under twenty-one years of age and not under guardian or conservator, for the purposes of obtaining the benefits of said title, may mortgage real estate owned by him, may buy real estate and execute a mortgage to cover the purchase money, or execute a deed for the sale of real estate so purchased, or execute notes or make such other agreements and do such other things as may be necessary to obtain the benefits of Title III of the Servicemen's Readjustment Act and amendments thereto, in the same manner and with the same effect as though twenty-one years of age. The minor husband or wife of any such war veteran may join in any such deed or mortgage for the purpose of releasing rights of dower, curtesy and homestead in the same manner and with the same effect as though twenty-one years of age.

2. Takes Effect. This act shall take effect upon its passage and shall terminate ten years thereafter unless previously terminated by legislative act.

[Approved May 17, 1945.]

CHAPTER 179.

AN ACT RELATIVE TO AGE LIMITATION FOR AID TO DEPENDENT CHILDREN.

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

1. Aid to Dependent Children. Amend paragraph (c) of section 12 of chapter 126 of the Revised Laws by inserting after the word "sixteen" in the second line the words, or between the ages of sixteen and eighteen and enrolled in school, so that said paragraph as amended shall read as follows: (c) For the
purposes hereof a person shall be eligible for aid to dependent children who is a needy child under the age of sixteen, or between the ages of sixteen and eighteen and enrolled in school, who has been deprived of parental support or care by reason of death, continued absence from the home, or physical or mental incapacity of parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle or aunt, in a place of residence maintained by one or more of such relatives as his or their home.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]
2. Takes Effect. This act shall take effect upon its passage.
[Approved May 17, 1945.]

CHAPTER 181.

AN ACT RELATING TO COUNTY COMMISSIONER DISTRICTS IN THE COUNTY OF ROCKINGHAM.

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

1. Rockingham County. Amend the first paragraph of section 14 of chapter 45 of the Revised Laws by striking out the words "and Cheshire" in the third line and inserting in place thereof the words, Cheshire and Rockingham, so that said paragraph as amended shall read as follows: For the purpose of the nomination and election of county commissioners in the counties of Hillsborough, Belknap, Sullivan, Coos, Cheshire and Rockingham, said counties shall be divided into the following districts:

2. Rockingham Commissioner Districts. Amend section 14 of chapter 45 of the Revised Laws by adding at the end thereof the following: VI. Rockingham: District 1, Portsmouth, Newington, Greenland, New Castle, Rye and North Hampton; district 2, Nottingham, Northwood, Deerfield, Candia, Raymond, Auburn, Chester, Fremont, Sandown, Londonderry, Derry, Hampstead, Atkinson, Windham, Salem and Danville; district 3, Hampton, Newmarket, Newfields, Exeter, Hampton Falls, Seabrook, Kensington, East Kingston, South Hampton, Newton, Epping, Brentwood, Kingston, Plaistow and Stratham.

3. Takes Effect. This act shall take effect upon its passage.
[Approved May 17, 1945.]

CHAPTER 182.

AN ACT RELATIVE TO THE OPEN SEASON ON CERTAIN GAME BIRDS.

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

1. Game Birds. Amend section 1 of chapter 243 of the Revised Laws by striking out said section and inserting in
place thereof the following: 1. Grouse; Woodcock; Snipe. Ruffed grouse, commonly called partridge, may be taken and possessed from October first to December first. No person shall take more than four ruffed grouse in one day, nor more than twenty-five in one season. Woodcock may be taken and possessed from October first to November first. No person shall take more than four woodcock in any one day nor have more than eight woodcock in possession at any one time. Snipe may be taken and possessed during such time, and in such manner and numbers as may be prescribed by regulations promulgated under the Federal Migratory Bird Treaty Act, so called.

2. Quail. Amend section 3 of said chapter 243 by inserting after the word "duck" in the first line the words, except by federal regulations, quail or bobwhite, so that said section as amended shall read as follows: 3. Wood Ducks, etc. There shall be no open season for wood duck, except by federal regulations, quail or bobwhite, European partridge, spruce grouse, chukar partridge, and upland plover.

3. Woodcock. Amend section 4 of said chapter 243 by striking out the word "woodcock" in the third line so that said section as amended shall read as follows: 4. Migratory Game Birds. Anatidae or waterfowl, including wild ducks and geese; Rallidae or rails, including coot and gallinules; Limicolae or shore birds, including plover, snipe and yellow legs; and Columbidae or pigeons, including doves, are declared to be migratory game birds.

4. Repeal. Section 12 of said chapter 243, providing an open season for taking quail, is hereby repealed.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 183.*

AN ACT CREATING A RETIREMENT SYSTEM FOR STATE EMPLOYEES.

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

1. Employees' Retirement System. Amend the Revised Laws by inserting after chapter 27 the following new chapter:

* See chapter 201, post.
Chapter 27-A
Employees' Retirement System

1. Definitions. The following words and phrases as used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

I. "Retirement system" shall mean the employees' retirement system of the state of New Hampshire, as set forth in section 2 hereof.

II. "Board of Trustees" shall mean the board provided for in section 11 hereof.

III. "Employer" shall mean the state of New Hampshire or any department, commission, institution or agency of the state government by which an employee is paid through the office of the state treasurer.

IV. "Employee" shall mean any regular classified or unclassified officer or employee of an employer, except members and attaches of the general court or members of the executive council, or any person who is covered or eligible to be covered by the benefits of the teachers' retirement system, the firemen's retirement system or the policemen's retirement system. In all cases of doubt the board of trustees shall determine whether any person is an employee as defined herein.

V. "Member" shall mean any employee included in the membership of the retirement system, as provided in section 3 hereof.

VI. "Beneficiary" shall mean any person receiving a retirement allowance or other benefit as provided hereby.

VII. "Service" shall mean service as an employee which is paid for by an employer.

VIII. "Membership service" shall mean service rendered while a member of the retirement system.

IX. "Prior service" shall mean service rendered prior to the date of establishment of the retirement system for which credit is allowable under section 4 hereof.

X. "Creditable service" shall mean prior service plus membership service.

XI. "Earnable compensation" shall mean the full base rate of compensation paid to an employee. In cases where compensation includes maintenance, the board of trustees shall fix the value of that part of the compensation not paid in money.
XII. "Average final compensation" shall mean the average annual earnable compensation of a member during his last five years of creditable service, or if he has less than five years of creditable service, it shall mean his average annual earnable compensation during his total creditable service.

XIII. "Accumulated contributions" shall mean the sum of all the amounts deducted from the compensation of a member, together with regular interest thereon, as provided in subsection I of section 13.

XIV. "Employee annuity" shall mean annual payments for life derived from the accumulated contributions of a member.

XV. "Employee annuity reserve" shall mean the present value of all payments to be made on account of an employee annuity, computed at regular interest upon the basis of mortality tables adopted by the board of trustees.

XVI. "State annuity" shall mean annual payments for life derived from contributions by the state.

XVII. "State annuity reserve" shall mean the present value of all payments to be made on account of a state annuity, computed at regular interest upon the basis of mortality tables adopted by the board of trustees.

XVIII. "Retirement allowance" shall mean the sum of the employee annuity and the state annuity.

XIX. "Retirement" shall mean withdrawal from active service with a retirement allowance granted under the provisions hereof.

XX. "Regular interest" shall mean interest at such rate compounded annually as may be set from time to time by the board of trustees in accordance with subsection VIII of section 11.

XXI. "Actuarial equivalent" shall mean a benefit of equal value when computed at regular interest upon the basis of the mortality tables last adopted by the board of trustees.

2. Name and Date of Establishment. The retirement system hereby created shall be established as of July 1, 1945. It shall have the powers, privileges and immunities of a corporation, and shall be known as the Employees' Retirement System of the State of New Hampshire, and by such name all of its business shall be transacted, all of its funds invested, and all of its cash, securities and other property held in trust for the purpose for which received.
3. Membership.  I. Any person who becomes an employee after the date of establishment shall become a member of the retirement system as a condition of employment; except that membership shall be optional in the case of elected officials or officials appointed for fixed terms.

II. Any person who is an employee on the date of establishment shall become a member as of that date, unless within thirty days thereafter he files with the board of trustees, on a form prescribed by the board, a notice of his election not to be included in the membership of the system and a waiver of all present and prospective benefits which he would otherwise have as a member. Any employee who so elects not to become a member by filing such a waiver, may thereafter apply for and be admitted to membership, but without credit for service rendered after the date of establishment and prior to the time he becomes a member, and without credit for service rendered prior to the date of establishment unless he becomes a member within the first year following the date of establishment.

III. The board of trustees may, in its discretion, accept as members any class of employees whose compensation is only partly paid by the state or who are serving on a temporary or other than per annum basis, and it may also, in its discretion, make optional with employees in any such class their individual entrance into membership.

IV. The board shall require from any department, agency or institution of the state such information relative to name, title, compensation, date of birth and length of service of each of its employees as the board may deem necessary.

V. A member shall cease to be a member if; (a) he is absent from service more than three years in any period of five consecutive years after last becoming a member; (b) he withdraws his accumulated contributions; (c) he becomes a beneficiary. Notwithstanding the foregoing, the board of trustees may continue the membership of a member while in the armed forces of the United States provided such member does not withdraw his accumulated contributions.

VI. No benefit under the retirement system other than a return of contributions as provided in section 9 shall become payable to or on account of any member unless said member was in service as an employee at the time of becoming eligible for benefits hereunder.
4. **Prior Service Credit.** I. With respect to service rendered prior to the date of establishment, each employee in service on the date of establishment who becomes a member within one year thereafter shall file with the board of trustees on a form approved by the board, a detailed statement of all service rendered by him prior to the date of establishment for which he claims credit. The board shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to one year of service, but in no case shall it allow credit for a period of absence without pay of more than one month's duration, nor shall more than one year of service be creditable for all service in one calendar year. Service rendered for the full normal working time in any year shall be equivalent to one year's service. Subject to the foregoing restrictions and to such other rules and regulations as the board may adopt, the board shall verify, as soon as practicable after the filing of such statements the service therein claimed. Upon verification of the statements of service, the board shall certify to each member the length of service with which he is credited on the basis of his statement of service. Such finding shall be final and conclusive for retirement purposes as to such service; provided that any member may, within one year from the date of such certification, request the board to modify or correct said finding. When membership ceases, any prior service credit shall become void. Should the employee against become a member he shall enter the retirement system as a member not entitled to prior service credit except as provided in section 7.

II. Anything herein to the contrary notwithstanding, any employee who terminated his employment prior to the date of establishment in order to enter directly into the armed forces of the United States, or other emergency wartime service approved by the board of trustees, shall be entitled to prior service credit for his service rendered prior to the termination of his employment, provided he again becomes an employee within one year after the termination of such armed or such other wartime service without intervening employment elsewhere, and elects to become a member of the retirement system within one year after he again becomes an employee.

5. **Service Retirement Benefits.** I. On or after January 1, 1946, any member in service may retire on a service retire-
Chapter 183

Section 183

ment allowance upon written application to the board of trustees setting forth at what time, not less than thirty days nor more than ninety days subsequent to the filing thereof, he desires to be retired, provided the member at the time so specified for his retirement has attained age sixty-five and notwithstanding that during such period of notification he may have separated from service; and provided further that any such member in service on the date of establishment may apply for a service retirement allowance to commence not sooner than January 1, 1946. On or after July 1, 1950, any member in service who attains or has attained age seventy, except an elected or appointed official of the state, shall be retired forthwith or on the first day of the next calendar month, unless an extension of service is granted by the governor and council.

II. Upon service retirement the member shall receive a service retirement allowance which shall consist of:

(a) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity which, together with his employee annuity, shall be equal to one-half his average final compensation; except that if he has less than thirty-five years of creditable service, his state annuity, together with his employee annuity, shall be equal to such proportion of one-half his average final compensation as the number of his years of creditable service bears to thirty-five; and

(c) If the member has less than thirty-five years of creditable service and is retired on or after the attainment of age seventy, an additional state annuity in an amount, to be set by the governor and council, not in excess of one-seventieth of his average final compensation for each year of continuous service prior to retirement nor in excess of an amount which, when added to the retirement allowance as provided under paragraphs (a) and (b), shall equal one-half of his average final compensation; provided, that such additional state annuity shall be payable only upon the authority and at the discretion of the governor and council, and its continued payment shall be contingent on the payment annually to the retirement system by the state of the amount required to meet such payment.
6. Disability Retirement Benefits. I. Upon the application of a member in service or of his department head, on or after January 1, 1946, any member who has ten or more years of creditable service may be retired by the board of trustees on an ordinary disability retirement allowance, not less than thirty nor more than ninety days subsequent to the filing of such application; provided that he is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent; and provided further that any such member in service on the date of establishment may apply for an ordinary disability retirement allowance to commence not sooner than January 1, 1946, and notwithstanding that during such period of notification he may have separated from service. The fact of such disability or incapacity shall be established from time to time as the board may require by certificate of a physician designated by the board.

II. Upon ordinary disability retirement the member shall receive a service retirement allowance if he has attained age sixty-five; otherwise he shall receive an ordinary disability retirement allowance which shall consist of:

(a) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity which, together with his employee annuity, shall be equal to 90% of the service retirement allowance that would be payable on the basis of his average final compensation and creditable service at the time of his ordinary disability retirement, if such retirement allowance exceeds 25% of his average final compensation; otherwise a state annuity which, together with his employee annuity, shall be equal to 25% of his average final compensation, provided, however, that such allowance shall not exceed 90% of the service retirement allowance that would payable to him if he continued in service to age sixty-five without change in his average final compensation.

III. Upon the application of a member in service or of his department head, any member who has been totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without wilful negligence on his part, may be retired by the board of
trustees on an accidental disability retirement allowance; provided that he is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent. The fact of such disability or incapacity shall be established from time to time as the board may require by certificate of a physician designated by the board.

IV. Upon accidental disability retirement the member shall receive an accidental disability retirement allowance which shall consist of:

(a) An employee annuity which shall be the actuarial equivalent of his accumulated contributions at the time of retirement; and

(b) A state annuity which, together with his employee annuity, shall be equal to one-half of his average final compensation.

V. Once each year during the first five years following the retirement of a member on a disability retirement allowance, and once in every three year period thereafter, the board of trustees may, and upon his application shall, require any disability beneficiary who has not attained age sixty-five to undergo a medical examination by a physician or physicians designated by the board, such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon. If any disability beneficiary who has not attained age sixty-five refuses to submit to such medical examination, his state annuity may be discontinued by the board of trustees until his withdrawal of such refusal, and if his refusal continues for more than one year, all his rights in and to his state annuity may be revoked by the board.

VI. If the board of trustees finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his average final compensation at retirement, then his state annuity shall be reduced to an amount which, together with his employee annuity and the amount earnable by him, shall equal his average final compensation at retirement. If his earning capacity is later changed, his state annuity may be further modified; provided that the new state annuity shall not exceed the amount of the state annuity originally granted nor an amount which, when added to the
amount earnable by him together with his employee annuity, equals his average final compensation at retirement.

VII. Any amounts which may be paid or payable under the provisions of any workmen’s compensation or similar law or plan to or on account of any member or retired members on account of any disability shall, in such manner as the board of trustees shall determine, be offset against and payable in lieu of any state annuity payable under the provisions hereof on account of the same disability.

7. Restoration to Service. If a disability beneficiary is restored to service and if his annual earnable compensation then, or at any time thereafter, is equal to or greater than his average final compensation at retirement, or if any other beneficiary is restored to service, his retirement allowance shall cease, the beneficiary shall again become a member of the retirement system and he shall contribute thereafter at the same rate he paid prior to his retirement. Anything herein to the contrary notwithstanding, any credit for membership service and any prior service, on the basis of which his earnable service was computed at the time of his former retirement, shall be restored to full force and effect; but if he is restored to membership after the attainment of age fifty-five, upon subsequent retirement he shall receive a retirement allowance based on his service as a member since his last restoration to membership, plus a retirement allowance equal to the retirement allowance on which he was retired at the time of his last retirement, except that the total retirement allowance upon subsequent retirement shall not be a greater proportion of his average final compensation than the proportion to which he would have been entitled had he remained in service during the period of his prior retirement.

8. Accidental Death Benefits. I. If, upon the receipt by the board of trustees of proper proofs of the death of a member in service indicating that such death was the natural and proximate result of an accident occurring while in the performance of duty at some definite time and place, and the board decides that death was the result of an accident in the performance of duty and not caused by wilful negligence on the part of the member, a state annuity equal to one-half of his average final compensation shall be paid to his widow, to continue during her widowhood; or if there is no widow, or if the widow dies or remarries before the youngest child of
the deceased member has attained age eighteen, then to his
child or children under said age, divided in such manner as
the board in its discretion shall determine, to continue as a
joint and survivorship state annuity for the benefit of such
child or children under said age until every child dies or
attains said age; or if there is no widow nor child under age
eighteen living at the death of the member, then to his de-
pendent father or dependent mother as the board shall de-
termine, to continue for life; or if the deceased member is a
female, the foregoing benefits shall be payable to her children
or dependent parents only in like manner and amount; and
provided further that if none of the aforementioned bene-
ficiaries is living at the death of the member no benefit shall
be payable under the provisions of this section.

II. Any amounts which may be paid or payable under
the provisions of any workmen’s compensation or similar law
or plan on account of the death of any member shall, in such
manner as the board of trustees shall determine, be offset
against and payable in lieu of any state annuity payable under
the provisions hereof on account of the same death.

9. Return of Members’ Contributions. If a member
ceases to be an employee the amount of his accumulated con-
tributions shall be paid to him within two months after his
written request therefor. If a member ceases to be a member
because of absence from service for more than three years in
any period of five consecutive years after last becoming a
member, his accumulated contributions shall be paid to him
within two months after the board is notified to that effect.
If a member dies, the amount of his accumulated contribu-
tions shall be paid to the persons, if any, nominated by him
by written designation filed with the board, if such persons
survive him, otherwise to the member’s estate.

10. Optional Allowances. Until the first payment on ac-
count of a retirement allowance becomes normally due, any
member may elect to convert the retirement allowance other-
wise payable on his account after retirement into a retirement
allowance of equivalent actuarial value under one of the
optional forms named below; provided, however, that no
election of an optional benefit shall be effective until sixty
days after the date of the filing of the election thereof with
the board of trustees, or until sixty days after retirement,
whichever is the later, and if the member dies before such
election becomes effective, the benefits payable on his account shall be the same as though his election had not been filed and he had not been retired.

Option 1. A reduced retirement allowance payable during the retired member's life, with the provision that at his death a lump sum equal in amount to the difference between his accumulated contributions at the time of his retirement and the sum of the employee annuity payments made to him during his lifetime shall be paid to the person, if any, nominated by him by written designation duly acknowledged and filed with the board of trustees if such person survives him, otherwise to the retired member's estate.

Option 2. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement.

Option 3. A reduced retirement allowance payable during the retired member's life, with the provision that it shall continue after his death at one-half the rate paid to him and be paid for the life of the beneficiary nominated by him by written designation duly acknowledged and filed with the board of trustees at the time of retirement.

11. Administration. I. The administration of this system is hereby vested in a board of five trustees to be appointed by the governor with the advice and consent of the council. Three trustees, to be known as the non-member trustees, shall be qualified persons with business experience who shall not be members of the system. Two trustees, to be known as the member trustees, shall be appointed from a panel of five names to be selected by the New Hampshire state employees association from among its membership. All vacancies shall be filled for the unexpired term and in like manner as the original appointments. Said trustees shall be appointed for a term of five years each and until their successors are appointed and qualified, provided, however, that for the first appointments the three non-member trustees shall be appointed for terms of one, three and five years respectively, and the two member trustees shall be appointed for terms of two and four years respectively. The governor shall designate the chairman of said board of trustees.
II. The board of trustees shall establish such rules and regulations as it deems necessary for the proper administration of this chapter.

III. The member trustees shall receive the sum of four dollars per day for each day they are actually employed in the performance of their duties under this chapter, in addition to any other compensation they may receive from the state; the non-member trustees shall receive the sum of eight dollars per day for each day they are actually employed in the performance of their duties under this chapter; and all trustees shall be reimbursed their necessary expenses incurred in connection with their duties.

IV. Each trustee shall be entitled to one vote in the board of trustees. Three trustees shall constitute a quorum for the transaction of any business. Three votes shall be necessary for any resolution or action by the board at any meeting.

V. The board of trustees, with the approval of the governor and council, may employ and fix the compensation of a secretary and such other assistants as may be necessary. It may engage such actuarial, medical, and like services as may be required to transact the business of the system. The compensation for such special services and all other expenses of the board necessary hereunto, shall be paid at such rates and in such amounts as the board shall approve.

VI. The board of trustees shall keep in convenient form such data as may be necessary for actuarial valuation of the various funds of the retirement system and for checking the experience of the system.

VII. The board of trustees shall keep a record of all its proceedings. It shall annually make a report showing the fiscal transactions of the retirement system for the preceding fiscal year, the amount of the accumulated cash and securities of the system and the last balance sheet showing the financial condition of the system by means of an actuarial valuation of the assets and liabilities of the system, and shall file the same with the secretary of state.

VIII. Immediately after the establishment of the retirement system, and from time to time, as may be necessary by reason of changed conditions, the board of trustees shall adopt mortality and service tables for use in all calculations required in connection with the system, and shall certify the rates of
contribution payable under the provisions hereof. The board shall also determine from time to time the rate of regular interest for use in all calculations, with the rate of three per cent per annum compounded annually applicable from the date of establishment until changed by the board.

IX. On the basis of regular interest and the tables last adopted by the board of trustees, the actuary shall make annual valuations of the contingent assets and liabilities of the funds of the retirement system.

X. All retirement allowances shall be payable in equal monthly installments which shall cease with the last monthly payment prior to death.

12. Management of Funds. I. The members of the board of trustees shall be the trustees of the several funds created hereby, and shall have full power to invest and reinvest such funds, subject to all the terms, conditions, limitations and restrictions imposed by the laws of the State of New Hampshire upon domestic life insurance companies in the making and disposing of their investments; and subject to like terms, conditions, limitations and restrictions, said trustees shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the funds created hereby have been invested, as well as the proceeds of such investments. The state treasurer shall be the custodian of the several funds of the retirement system.

II. For the purpose of meeting disbursements for state annuities, employee annuities and other payments, there may be kept available cash, not exceeding ten per cent of the total amount in the several funds of the retirement system, on deposit in one or more banks or trust companies in the state, organized under the laws of the state or of the United States; provided that the sum on deposit in any one bank or trust company shall not exceed twenty-five per cent of the paid-up capital and surplus of such bank or trust company.

III. Except as otherwise provided, no trustee and no employee of the board of trustees shall have any personal interest in the gains or profits of any investment made by the board; nor shall any trustee or employee of the board, directly or indirectly, for himself or as an agent, in any manner use the same except to make such current and necessary payments as are authorized by the board; nor shall any trustee or employee of the board become an endorser or surety, or in any
manner an obligor, for money loaned to or borrowed from the board.

13. Method of Financing. All the assets of the retirement system shall be credited, according to the purpose for which they are held, among four funds, namely, the employee annuity savings fund, the employee annuity reserve fund, the state annuity accumulation fund, and the state annuity reserve fund.

I. EMPLOYEE ANNUITY SAVINGS FUND. (a) The employee annuity savings fund shall be a fund in which shall be accumulated contributions deducted from the compensation of members to provide for their employee annuities. Upon the basis of such tables as the board of trustees shall adopt and regular interest, the actuary shall determine for each member the proportion of earnable compensation which, when deducted from each payment of his prospective compensation earnable prior to his attainment of age sixty-five and accumulated at regular interest until his attainment of that age, is computed to provide at that time one-half of the retirement allowance to which he will be entitled at that age on account of his service as a member. Such proportion of compensation shall be computed to remain constant. The proportion so computed for a member age sixty-four shall be used for a member who has attained a greater age before becoming a member. The board of trustees shall certify to each employer, and each employer shall cause to be deducted from the compensation of each member, on each and every payroll of such employer and every payroll period, the proportion of earnable compensation so computed. Each employer shall certify to the board on each and every payroll, or in such other manner as the board may prescribe, the amounts deducted. Each of such amounts when deducted shall be paid to the retirement system and credited to the individual account, in the employee annuity savings fund, of the member from whose compensation the deduction was made.

(b) The deductions provided herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be reduced thereby. Every member shall be deemed to consent and agree to the deductions herein provided as a condition of his membership.

(c) In addition to the contributions deducted from the compensation of members as hereinbefore provided, and sub-
ject to the approval of the board of trustees and to such rules and regulations as the board may make with respect to the crediting of interest thereon, any member may provide an additional retirement allowance by making contributions at an additional rate not in excess of the rate computed to be sufficient to provide an additional retirement allowance which, together with his regular retirement allowance, will result in a total retirement allowance not in excess of one-half of his average final compensation at age sixty-five. Such additional contributions shall become part of his accumulated contributions except in the case of retirement, when they shall be treated as excess contributions returnable to the member in cash or as an employee annuity of equivalent actuarial value.

(d) The accumulated contributions of a member withdrawn by him, or paid to his estate or to his designated beneficiary upon his death, shall be paid from the employee annuity savings fund. Upon the retirement of a member his accumulated contributions shall be transferred from the employee annuity reserve fund to the employee annuity savings fund.

II. EMPLOYEE ANNUITY RESERVE FUND. The employee annuity reserve fund shall be the fund in which shall be held the reserves on all employee annuities in force and from which shall be paid all employee annuities. If a beneficiary is restored to membership his employee annuity reserve shall be transferred from the employee annuity reserve fund to the employee annuity savings fund and shall be credited to his individual account therein.

III. STATE ANNUITY ACCUMULATION FUND. (a) The state annuity accumulation fund shall be the fund in which shall be accumulated all reserves for the payment of all state annuities payable from contributions made by the state, and from which shall be paid all state annuities on account of members with prior service credit payable from such contributions.

(b) The contributions of the state for benefits under the retirement system shall consist of a percentage of the earnable compensation of members to be known as the "normal contribution," and an additional percentage of such earnable compensation to be known as the "accrued liability contribution." The rates per cent of such contributions shall be fixed on the basis of the liabilities of the system as shown by actuarial valuation. Until the first valuation the per-
percentage normal contribution rate shall be 2.74 per cent and the percentage accrued liability contribution rate shall be 3.41 per cent.

(c) Immediately after making each valuation during the period over which the accrued liability contribution is payable, the board shall determine the percentage normal contribution rate as the uniform and constant percentage of the earnable compensation of the average new entrant member which, if contributed on the basis of his compensation throughout his entire period of active service, would be sufficient to provide for the payment of any state annuity payable on his account from contributions by the state. After the accrued liability contribution has ceased to be payable, the percentage normal contribution rate shall be determined after each actuarial valuation as the rate per cent of the earnable compensation of all members obtained by deducting from the total liabilities of the state annuity accumulation fund the amount of the funds in hand to the credit of that fund and dividing the remainder by one per cent of the present value of the future compensation of all members.

(d) Immediately following the first actuarial valuation after the date of establishment, the actuary shall compute the rate per cent of the total annual earnable compensation of all members which is equivalent to four per cent of the total liabilities of the state annuity accumulation fund which is not dischargeable by the funds in hand to the credit of the state annuity accumulation fund and the aforesaid normal contribution made on account of such members during the remainder of their active service. The rate per cent originally so determined shall be known as the "accrued liability contribution" rate. The accrued liability contribution shall be discontinued as soon as the accumulated reserves in the state annuity accumulation fund equal the present value, as actuarially computed and approved by the board of trustees, of the total liabilities of the fund less the present value, computed on the basis of the normal contribution rate then in force, of the prospective normal contributions to be received on account of all members.

(e) The total amount payable to the state annuity accumulation fund in each year shall be not less than the sum of the rates per cent known as the normal contribution rate and the accrued liability contribution rate, of the total com-
pensation earnable by all members; provided, however, that the amount of each annual accrued liability contribution shall be at least three per cent greater than the preceding annual accrued liability payment, and provided that the aggregate payment by the state shall be sufficient, when combined with the amount in the state annuity accumulation fund, to provide the state annuities payable out of the fund during the year then current.

(f) All state annuities payable on account of members with prior service credit shall be paid from the state annuity accumulation fund. Upon the retirement of a member without prior service credit, an amount equal to his state annuity reserve shall be transferred from the state annuity accumulation fund to the state annuity reserve fund.

(g) All interest and dividend earned on the fund of the retirement system shall be credited to the state annuity accumulation fund. The board of trustees annually shall allow regular interest on the individual accounts of members in the employee annuity savings fund and on the mean accounts for the preceding year in the employee annuity reserve fund and the state annuity reserve fund, and shall transfer such amounts from the state annuity accumulation fund.

(h) The board of trustees may in its discretion transfer to and from the state annuity accumulation fund the amount of any surplus or deficit which may develop in the reserves held in the employee annuity reserve fund or the state annuity reserve fund.

IV. STATE ANNUITY RESERVE FUND. The state annuity reserve fund shall be the fund in which shall be held the reserves on all state annuities granted to members without prior service credit, and from which such state annuities shall be paid. If a beneficiary without prior service credit is restored to membership, his state annuity reserve shall be transferred from the state annuity reserve fund to the state annuity accumulation fund. If the state annuity of a disability beneficiary without prior service credit is reduced as a result of an increase in his earning capacity, the amount of the reduction shall be paid annually into the state annuity accumulation fund during the period of such reduction.

V. STATE CONTRIBUTIONS. (a) On or before the first day of October next preceding each regular session of the legislature, the board of trustees shall certify to the state
comptroller the amounts which will become due and payable by the state during the biennium next following to the retirement system, and it shall be the duty of the comptroller in preparing the executive budget for each ensuing biennium to include in the budget the amounts so certified which amounts shall be appropriated by the legislature. The board of trustees shall certify one-quarter of the amount appropriated for each year of the biennium to the comptroller on or before the last day of September, December, March and June. The governor and council shall, on or before the first day of October, January, April and July, draw a warrant or warrants for the respective amounts due the system. On the receipt of the warrant of the governor the state treasurer shall immediately transfer to the system the amounts due.

VI. In addition to any appropriation made by the legislature for the purposes of this chapter, the governor with the advice and consent of the council, is hereby authorized to cause to be transferred from the special funds of the following departments and commissions such sums as may be needed to provide the state's share of the amounts necessary to cover employees of said departments and commissions who elect to join this system: Aerial tramway commission; fish and game department; hairdressers' board; barbers' board; liquor commission; motor vehicle department; racing commission; teachers' retirement board and the highway department. If such action is approved by the federal authorities having authority to approve the same and from whom federal funds are received for the administration of the unemployment compensation division of the bureau of labor and the merit system, such sums may be likewise transferred from said federal funds to cover employees of said bureau and said system who elect to join this system. Any sums so transferred from said special funds shall be deemed to be funds expended for administration of the particular functions in question.

VII. A county, city, town, school district or other political subdivision of the state having any employee members who are paid directly by the state but for whom the state is later reimbursed for the part of their compensation not chargeable to state funds, shall likewise reimburse the state for that part of the contribution made by the state to
this system which is based on such part of compensation not chargeable to state funds.

14. Bonds and Notes. In order to provide the funds for the payment of the accrued liability contribution of the state, the sum of three million five hundred thousand dollars ($3,500,000), or so much thereof as from time to time may be necessary, is hereby appropriated and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding three million five hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

I. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where interest and principal shall be paid, and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state.

II. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrants for the sum hereinbefore appropriated for the purposes of this chapter alone, and such sum or sums shall be deposited in the state annuity accumulation fund to cover the cost of the accrued liability, and may be invested with the other funds of the system.

III. Said bonds or notes and interest thereon shall be a charge upon the sinking fund provided by chapter 126 of the Laws of 1931.

IV. The secretary of state and the state treasurer shall keep account of said bonds or notes in the same manner as accounts are kept of other bonds or notes of the state.

V. The appropriation made hereunder shall be a continuing appropriation and shall not lapse.

15. Exemption from Taxation and Execution. The right of a person to a state annuity, and employee annuity or a retirement allowance, to the return of contributions, the state annuity, employee annuity or retirement allowance itself, any death benefit or other right accrued or accruing to any per-
sons under the provisions of this act, and the moneys in the various funds created hereby, shall be exempted from any state, county or municipal tax in this state, and shall not be subject to execution, trustee process, attachment or any other process whatsoever, legal or equitable, and shall be unassignable except as specifically provided herein.

16. Protection Against Fraud. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud the system as a result of such act, shall be fined not more than five hundred dollars, or imprisoned not more than seven years, or both. Should any change or error in the records result in any member or beneficiary receiving from the system more or less than he would have been entitled to had the records been correct, the board of trustees shall have the power to correct such error, and to adjust as far as practicable the payments in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid.

17. Limitation on Membership. The retirement system and the provisions hereof shall not apply to any person benefited by or entitled to participate under any other provision of law in any other statute, state or federal, which provides wholly or in part at the expense of the federal government, the state or of any subdivisions thereof, for retirement benefits for employees of the state, their widows, or other dependents.

18. Separability Clause. If any provisions of this chapter, or the application thereof to any person or circumstance, is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

2. Appropriation. There is hereby appropriated for the state annuity accumulation fund for each of the fiscal years ending June 30, 1946 and June 30, 1947, the sum of $59,000. There is also hereby appropriated to cover the cost of administration of the system hereinbefore created, for the fiscal year ending June 30, 1946 the sum of $20,000, and for the fiscal year ending June 30, 1947, the sum of $10,000.

3. Takes Effect. This act shall take effect as of July 1, 1945.

[Approved May 18, 1945.]
CHAPTER 184.

AN ACT ESTABLISHING THE OFFICE OF DIRECTOR OF RECREATION.

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

1. **Director of Recreation.** Amend section 3 of chapter 233 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. **Directors.** The commission shall, with the approval of the governor and council, appoint a director of forestry, who shall be the state forester, and a director of recreation. Each director so appointed shall serve during the pleasure of the commission at a salary of four thousand dollars a year and shall be allowed reasonable travel, field and office expenses necessary in the performance of his official duties.

2. **Duties of Directors.** Amend section 4 of chapter 233 of the Revised Laws by striking out the same and inserting in place thereof the following: 4. **Duties.** I. The director of forestry shall, with the approval of the governor and council and under the supervision of the commission, execute all matters pertaining to forestry within the jurisdiction of the state, and, within the limits of appropriations, may hire such field and office assistants as, in the judgment of the commission, are necessary for the proper execution of his duties, and, upon terms approved by the commission, may enter into cooperation with departments of the federal government and other public and private agencies for the promotion of forestry work within the state. He shall, with the approval of the governor and council, and under the supervision of the commission, execute all matters pertaining to the use of state forests, parks and reservations, except matters pertaining to the recreational development, administration and maintenance, but will cooperate with the director of recreation in the use of state forests, parks and reservations for public recreational purposes.

II. The director of recreation shall, with the approval of the governor and council, and under the supervision of the commission, execute all matters pertaining to the design, development, administration, operation and maintenance of recreational facilities and services for public use, on all state public areas of recreational significance such as state parks, forests, reservations and historic sites, may recommend for
state acquisition lands or the use of lands for recreational purposes and for the protection and preservation of areas of unusual scenic, scientific, historic or other value, may hire such field and office assistants as in the judgment of the commission are necessary for the proper execution of his duties, and upon terms approved by the commission, may enter into cooperation with departments of the federal government and other public and private agencies for the development or promotion of recreational facilities or services for public use within the state. He shall cooperate with the director of forestry on matters pertaining to the joint recreational and forestry use of state lands, with other state and federal agencies in the development of parkways and scenic routes, in the development of wayside picnic areas, in the promotion of hunting and fishing on public recreational areas, and in the promotion of better understanding of the recreational advantages of the state.

3. Powers of Agents. Amend section 34 of chapter 233 of the Revised Laws by inserting after the words "state forester" in the first line thereof the words, or the director of recreation, so that said section as amended shall read as follows: 34. Arrest. Any agent or caretaker appointed by the state forester or the director of recreation for the protection of property on any state forest, reservation or recreational area or on any federal area under the administration of the forestry and recreation commission shall have, on such areas, the powers of a constable. The state forester, the district chief, the warden, or the deputy warden may arrest, without a warrant, any person taken by him in the act of violating any of the laws for the protection of forest lands, and may bring such person forthwith before the court or justice having jurisdiction, who shall proceed without delay to dispose of the matter.

4. Regulation of Fires. Amend subdivision (a) of section 35 of chapter 233 of the Revised Laws by adding at the end thereof the words, excepting that upon a public recreational area where fireplaces and a supervisor are provided, presence of an official supervisor or caretaker upon such land will constitute permission, so that said subdivision as amended shall read as follows: (a) It shall be unlawful for any person to kindle or cause to be kindled a fire upon the land of another without first obtaining permission from the owner there-
of or his agent, or upon public land without the written permission from the official caretaker thereof, excepting that upon a public recreational area where fireplaces and a supervisor are provided, presence of an official supervisor or caretaker upon such land will constitute permission.

5. Approval of Expenditures. Amend section 6 of chapter 234 of the Revised Laws by striking out the words "state forester" in the last line thereof and inserting in place thereof the words, forestry and recreation commission, so that said section as amended shall read as follows: 6. Donation of Funds. The state treasurer is hereby authorized to receive at any time such sums of money as may be donated for the purpose of purchasing, maintaining, and improving state forests or state reservations and buildings thereon, or any other forestry project, and money so received shall be converted into a continuous fund or funds from which payments shall be made in accordance with the stipulations of the donor upon warrant of the governor for such purposes as are approved by the forestry and recreation commission.

6. Commission to Make Rules. Amend section 7 of chapter 234 of the Revised Laws by striking out the words "and the state forester are," and inserting in place thereof the word, is; and further amend said section by striking out the words "they deem," and inserting in place thereof the words, it deems, so that said section as amended shall read as follows: 7. Rules and Regulations. The forestry and recreation commission is authorized to make such rules and regulations as it deems necessary, not inconsistent with law, concerning the use of all state forests and reservations by the general public. Any person found guilty of violating any of such rules and regulations shall be fined not more than twenty-five dollars.

7. Contracts. Amend section 10 of said chapter 234 by striking out the words "On terms approved by the commission and the governor and council, the state forester," and inserting in place thereof the words, on terms approved by the governor and council, the commission, so that said section as amended shall read as follows: 10. Privileges and Concessions. On terms approved by the governor and council, the commission may make contracts for the leasing of privileges and concessions on state forests and reservations, for periods not exceeding five years.
8. Approval. Amend section 12 of said chapter 234 by striking out the words "With the approval of the commission and the governor and council, the state forester," and inserting in place thereof the words, with the approval of the governor and council, the commission, so that said section as amended shall read as follows: 12. Fees; Development of Recreational Areas. With the approval of the governor and council, the commission may (1) furnish accommodations and render services to the public on state forests and reservations, (2) charge reasonable fees for such services and accommodations, (3) develop suitable state forests and reservations for recreational purposes. All revenue received from fees authorized hereunder shall be paid into the forest improvement and recreational fund.

9. Limit of Approval. Amend section 13 by striking out the words "state forester" in the third line and inserting in place thereof the word, commission, so that said section as amended shall read as follows: 13. Limitation. The authority to furnish accommodations to the public on state forests and reservations, as provided by section 12, shall not be construed as authorizing the commission to furnish sleeping accommodations to the transient public either in overnight cabins or in buildings owned by the state, provided that this limitation shall not affect the leasing of buildings or cabins owned by the state where the accommodations are furnished by the lessee.

10. Fees for Services. Amend section 14 of said chapter 234 by striking out the words "state forester" in the ninth line and inserting in place thereof the word, commission, so that said section as amended shall read as follows: 14. Forest Improvement and Recreational Fund. All revenue derived from fees for services and accommodations on, and rentals and the sale of any products from, state forests or reservations and federal lands placed under the jurisdiction of the forestry and recreation commission shall, except as otherwise provided, be paid into the state treasury. All of such revenue, except that received from the sale of nursery stock from the state forest nursery, shall be kept by the state treasurer in a separate account as a continuous fund to be known as the forest improvement and recreational fund from which payments may be made upon recommendation of the commission, with the advice and consent of the governor and council, for the purchase and improvement of state forests
and reservations and buildings thereon and for administration and improvement of such federal lands as may be placed under the jurisdiction of the commission. At the close of each fiscal year the unexpended balance of said money shall be carried forward and be made available for use in the subsequent year for said purposes.

11. Distribution of Fees. Amend section 15 of said chapter 234 by striking out the words "state forester" wherever they occur and inserting in place thereof the word, commission, so that said section as amended shall read as follows:

15. Reimbursement. Notwithstanding the provisions of the previous section if upon a sale of state lands or products of such lands the commission shall determine that the state has derived a direct cash profit as the result of work done on the land sold or on land the products of which are sold, done or to be done by the federal emergency conservation corps, one-half the profit from said sale of land or one-half the proceeds of the sale of such products, or such lesser amount as may be sufficient (such amount to be determined by the commission with the approval of the state comptroller) shall be applied to or towards reimbursing the United States government for moneys expended by it for the work so done, but not exceeding in the aggregate three dollars per acre. The commission with the approval of the state comptroller shall fix and determine the amount of said profit or proceeds. Such one-half part of such profit or proceeds as the case may be shall be retained by the state treasurer in a separate fund until the account of the United States government with respect to such sale becomes liquidated. Upon completion of the sale the commission, subject to the approval of the state comptroller, is hereby authorized to settle with the proper federal authority an account fixing the amount due the United States government and the amount so fixed shall be paid by the treasurer. The unexpended remainder, if any, of such one-half part of such profit or proceeds shall then be applied as otherwise provided by law for the proceeds of the sale of state lands and products thereof.

12. Takes Effect. This act shall take effect on July 1, 1945.

[Approved May 18, 1945.]
CHAPTER 185.

AN ACT RELATING TO POLITICAL ADVERTISING.

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

1. Political Advertising. Amend section 6, chapter 42, of the Revised Laws, by striking out said section and inserting in place thereof the following: 6. Political Advertising. No person shall publish, or cause to be published, in a newspaper or other periodical any paid matter which is designed or tends to aid, injure or defeat any candidate for public office, or a constitutional amendment, or any other question submitted to the voters, unless the name of the chairman or secretary, or the names of two officers of the political or other organization inserting the same, or the name of some voter who is responsible therefor, with his residence and the street and number thereof, if any, appear in the nature of a signature. Such matter inserted in reading columns shall be marked at the beginning thereof in a distinctive type "Political Advertisement." No person or corporation, within this state, operating a radio station or network of stations shall broadcast any such paid political matter without first announcing the person or committee paying therefor. Any person who violates, or in any way knowingly aids or abets the violation of, any provision of this section shall be fined not more than one hundred dollars, or imprisoned not more than sixty days.

2. Maximum Charges for Political Advertising. Amend section 9, chapter 42 of the Revised Laws by striking out said section and inserting in place thereof the following: 9. Payments for Publication. No person or corporation, within the state, publishing a newspaper or other periodical or operating a radio station or network of stations shall receive for political advertising or for political broadcasts, a rate in excess of the rate or rates regularly charged by such person or corporation for commercial advertising or for commercial broadcasts of similar character and classification and no candidate or political committee shall pay for political advertising or broadcasts any rate or charge in excess of such rate or rates regularly charged.
3. **Filing of Rates.** Amend chapter 42 of the Revised Laws by inserting after section 9 the following new section: 9-a. **Rates to be Filed.** Every person or corporation, within this state, publishing a newspaper or other periodical, or operating a radio station or network of stations, shall file with the secretary of state for public inspection a schedule or schedules showing the rates for commercial advertising and commercial broadcasts. Any such schedule may be changed or amended by filing a new or amended schedule with the secretary of state, but such new or amended rates shall not be effective until thirty days after filing.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1945.]

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**CHAPTER 186.**

AN ACT RELATIVE TO THE NEW HAMPSHIRE SOLDIERS’ HOME AND THE BOARD OF MANAGERS THEREOF.

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

1. **New Hampshire Soldiers’ Home.** Amend section 1 of chapter 18 of the Revised Laws by striking out the same and inserting in place thereof the following: 1. **Home Establishment.** There is established in this state a home known as the New Hampshire Soldiers’ Home for the support and care of men who served in the armed forces of the United States in any war in which the United States has been, is, or shall be engaged, and who are or shall be honorably discharged therefrom. A veteran who desires to enter said home shall make application for admittance to the board of managers. Admittance shall be at the discretion of said board.

2. **Membership Requirements.** Amend section 2 of said chapter 18 by striking out the same and inserting in place thereof the following: 2. **Board of Managers.** The government of the home is vested in the board of managers of the New Hampshire Soldiers’ Home, consisting of the governor, *ex officio*, the commanders of the following veterans’ departments of New Hampshire, *ex officis*, United Spanish War
Veterans, American Legion, Veterans of Foreign Wars, a member of the Disabled American Veterans, and five citizens of the state, four of whom, at least, served in the armed forces of the United States in any war in which the United States has been, is, or shall be engaged, and who are, or shall be, honorably discharged, to be appointed by the governor with the advice and consent of the council, and provided further that at least one of said appointees shall be a member of the said department of the United Spanish War Veterans, one of the said department of the American Legion, one of the said department of Veterans of Foreign Wars and one member of the Disabled American Veterans or any other national veterans organization that may arise in the future. Each appointed member shall hold office for a term of five years and until his successor is appointed and qualified; and in case of any vacancy, an appointment shall be made for the unexpired term.

3. Labor Preference. Amend section 5 of said chapter 18 by striking out the words "Union soldiers, sailors and marines who served in the war of the Rebellion" and inserting in place thereof the word, veterans, so that said section as amended shall read as follows: 5. Commandant and Employees. They shall appoint, or may remove a commandant of the home, and shall appoint or may remove, or provide for the appointment of all other officers and employees needed for the proper management of the institution, define their duties, and fix their salaries and compensations; but in making such appointments, honorably discharged veterans shall have preference, and the salaries and compensation paid to officials and employees shall not exceed what is paid for like services in other similar institutions. All officials shall be sworn to the faithful performance of their duties.

4. Present Members. The members of the board of managers in office at the time this act takes effect shall continue in office until the expiration of their respective terms and until their successors are appointed and qualified.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 187.

AN ACT FOR THE CONSTRUCTION OF A BRIDGE OVER THE MERRIMACK RIVER BETWEEN THE TOWNS OF MERRIMACK AND LITCHFIELD.

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

1. Bridge Authorized. The sum of one hundred twenty-five thousand dollars ($125,000) is hereby appropriated for the purpose of constructing a bridge over the Merrimack river at some location between the towns of Merrimack and Litchfield, said sum to be expended under the direction of the highway commissioner.

2. Location. The location of the bridge hereby authorized shall be determined by the highway commissioner with special reference to public needs, both as to present and future requirements.

3.* Name. The name of the bridge so authorized shall be World War II Memorial bridge.

4. Condition; Federal Assistance. The highway commissioner, with the approval of the governor and council, is hereby authorized to cooperate with and enter into such agreements with the federal government, or any agency thereof, as he may deem advisable to secure federal funds for the purposes hereof. The appropriations made by section 1 hereof shall only become available when a federal grant of at least an equal amount for the purposes hereof is made by the federal government or any agency thereof.

5. Highway Funds. The appropriation made by section 1 shall be a charge upon the highway funds of the state.

6. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 188.

AN ACT RELATING TO HIGHWAYS.

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


* See chapter 195, post.
Chapter 90
Highway Law of 1945

Part 1
Highways and Their Classification

1. Defined. Highways are only such as are laid out in the mode prescribed therefor by statute, or roads which have been constructed for public travel over land which has been conveyed to a city or town or to the state by deed of a fee or easement interest, or roads which have been dedicated to the public use and accepted by the city or town in which such roads are located, or roads which have been used as such for public travel, other than travel to and from a toll bridge or ferry, for twenty years, and shall include the bridges thereon.

State Highway Systems

2. Primary System. There shall be a system of highways known as the "Primary State Highway System" which shall consist of all existing or proposed highways designated on a map entitled "Primary State Highway System, 1945," prepared by the highway commissioner and filed in the office of the secretary of state.

3. Secondary System. There shall be a system of highways known as the "Secondary State Highway System" which shall consist of all existing or proposed highways designated on a map entitled "Secondary State Highway System, 1945," prepared by the highway commissioner and filed in the office of the secretary of state.

Classification of Highways

4. Classification. Highways of the state shall be divided into six classes as follows:

I. Class I highways shall consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of cities or towns of twenty-five hundred inhabitants and over.

II. Class II highways shall consist of all existing or proposed highways on the secondary state highway system,
excepting all portions of such highways within the compact sections of cities or towns of twenty-five hundred inhabitants and over.

III. Class III highways shall consist of all recreational roads leading to, and within, state reservations designated by the legislature.

IV. Class IV highways shall consist of all highways within the compact sections of cities or towns of twenty-five hundred inhabitants and over. The compact section of any such city or town shall be the territory within such city or town where the frontage on any highway, in the opinion of the highway commissioner, is mainly occupied by dwellings or buildings in which people live, or business is conducted, throughout the year and not for a season only.

V. Class V highways shall consist of all other traveled highways which the town has the duty to maintain regularly, and shall be known as town roads.

VI. Class VI highways shall consist of all other existing public ways, and shall include all highways discontinued as open highways and made subject to gates and bars, and all highways which have not been maintained and repaired by the town in suitable condition for travel thereon for five successive years or more.

Part 2

Duty to Construct and Maintain Highways and Bridges

1. Class I Trunk Line Highways. The state highway department shall assume full control and pay the costs of construction, reconstruction and maintenance of all class I highways, including bridges thereon.

2. National System of Interstate Highways. The state highway department shall assume full control and pay the costs of construction, reconstruction and maintenance of all highways within the state included in the national system of interstate highways.

3. Class II State Aid Highways; Improved Portions. The state highway department shall assume full control and pay the costs of reconstruction and maintenance of all class II highways which have been improved to the satisfaction of the highway commissioner.

4. Unimproved Portions. All other class II highways shall be maintained by the city or town in which they are
located, and may be improved to the satisfaction of the highway commissioner with the use of state aid funds.

5. Bridges. All bridges constructed or reconstructed with state bridge aid funds and which are located on class II highways shall be maintained by the state. All other bridges on class II highways shall be maintained by the city or town in which they are located, and may be constructed or reconstructed with the use of state bridge aid funds.

6. Class III Recreational Roads. The state highway department shall assume full control of reconstruction and maintenance of roads designated by the state forester and highway commissioner within the following state reservations and rights of way thereto, and such roads shall be known as recreational roads; Belknap State Reservation in the town of Gilford; Cathedral Ledge State Reservation in the towns of Conway and Bartlett; Pillsbury State Reservation in the town of Washington; White Lake State Park in the town of Tamworth; Pawtuckaway State Reservation in the towns of Nottingham and Deerfield; Milan Hill State Park in the town of Milan; Cardigan State Reservation in the town of Orange; Kearsarge State Reservation in the town of Wilmot; and Monadnock State Forest Reservation in the town of Jaffrey. The cost of reconstruction and maintenance shall be a charge upon the highway funds. This section shall not be construed as affecting the control of the forestry and recreation department over parking areas or other facilities within said reservations.

7. Class IV Compact Section Highways. All class IV highways shall be wholly constructed, reconstructed, and maintained by the city or town in which they are located, and no state funds shall be expended thereon.

8. Class V Town Roads. All class V highways shall be constructed, reconstructed, and maintained by the city or town in which they are located; provided, however, that town road aid may be used for such purposes, and town bridge aid may be used for the construction or reconstruction of any bridge thereon, as hereinafter provided.

Part 3

Powers to Lay Out Highways

1. Class I and II. All class I and class II highways and all highways within the state included in the national system
of interstate highways shall be laid out by a commission appointed by the governor and council.

2. Class IV, V, and VI. All class IV, V, and VI highways shall be laid out by the mayor and aldermen of the city or the selectmen of the town in which such highways are located, or by the superior court as hereinafter provided.

3. Highways to Public Waters. Highways to public waters, when not a part of the primary or secondary highway system, may be laid out as class V highways by the mayor and aldermen of the city or the selectmen of the town in which such highways are located, or may be laid out as hereinafter provided by a commission appointed by the governor and council.

4. Taking Corporate Property. Any real estate, franchise or easement of a corporation may be taken for a highway in the same manner as the estate of individuals.

5. Lay Out Over Highway. A highway or any alteration thereof may be laid out across or over an existing highway; but no damages shall be awarded when the public have the right of way over the same land.

6. Lay Out Across Stream. A highway or any alteration thereof may be laid out across any stream or body of water; but no highway or bridge shall be so laid out if the reasonable and proper construction thereof may prevent the use of such waters for navigation for boats or rafts, or for running timber.

Part 4

Lay Out of Class I and II Highways

1. Occasion for Lay Out, by Governor and Council; Lay Out. The governor, with advice of the council, may determine upon hearing whether there is occasion for the laying out or alteration of a class I or class II highway or a highway within the state included in the national system of interstate highways in a location proposed by the highway commissioner, and if so, shall appoint a commission of three persons who may purchase land or other property in the proposed location and who shall lay out the remainder of such highway or alteration, assess the damages sustained by each owner of land or property taken, and tender payment of the sums awarded.

2. Lay Out by Commission. The governor, with advice of the council, may appoint a commission of three persons who,
upon hearing, shall determine whether there is occasion for
the laying out or alteration of a class I or class II highway or
a highway within the state included in the national system of
interstate highways in a location proposed by the highway
commissioner, and if so, the commission may purchase land
or other property in the proposed location and shall lay out
the remainder of such highway or alteration, assess the
damages sustained by each owner of land or property taken,
and tender payment of the sums awarded.

3. Owners. Owners shall include tenants for life or
years, remaindermen, or reversioners.

4. Oath. The persons appointed to the commission shall
be sworn to act faithfully and impartially in the performance
of their duties and the certificate of their oath shall be re-
turned to the secretary of state.

5. Notice of Hearing. The governor, with the advice of
the council, or the commission appointed by the governor with
advice of the council, at least fourteen days previous to hear-
ing, shall cause notice in writing of the time and place of hear-
ing appointed by them, together with a description of the
proposed location, to be given to each owner of land or other
property over which such highway may pass, and to the clerk
of any city or town in which such highway or alteration may
be laid out.

6. Resident Owner. When the owner resides or lives
within the state, notice shall be given to him in person or left
at his abode.

7. Nonresident Owner. When the owner does not re-
side or live within the state notice may be given to the person,
if any, who has the care or possession of the land, or may be
sent by registered mail to the owner's last known address.

8. Owner Under Disability. If the owner is a person
under guardianship or conservatorship notice shall be given
to his guardian or conservator. If the owner is under any
legal disability a guardian or conservator may be appointed.

9. Notice by Posting. When the owner, or his residence,
is unknown or uncertain, a copy of such notice, when posted
in two public places in the city or town in which the land is
situate, at least fourteen days previous to hearing, shall be
deemed sufficient notice to such owner.

10. Hearing. The governor and council, or the commis-
sion, at the time and place appointed for hearing, shall make a
personal examination of the proposed location, and of any highway for which the proposed highway is designed to be a substitute, shall hear all parties interested who may attend, and may adjourn as they see cause. They may admit or reject any evidence offered and there shall be no appeal from their findings on the matter of occasion for the laying out of the highway or alteration thereof in the absence of fraud or gross mistake.

11. Return. The commission shall make a return of the highway or any alteration by them laid out, describing the same and the width thereof, and their assessment of the damages sustained by each owner of land or other property taken, and cause the same to be filed with the secretary of state, and file a copy of such return with the clerk of the city or town in which such highway or alteration is laid out.

12. Tender. No land or other property taken for a highway or alteration shall be appropriated or used for making the same until the damages assessed therefor are paid or tendered to the owner or his guardian or conservator by the commission in money or by check of the state treasurer.

13. Nonresident. When the owner does not reside or live within the state, damages may be paid or tendered to him in person or by check of the state treasurer sent by registered mail to his last known address.

14. When Owner or Residence Unknown. When the owner is unknown, or his residence is unknown or uncertain, damages may be tendered to such owner by depositing with the state treasurer a sum of money equal to the damages assessed, and the state treasurer shall pay such sum without interest to such owner upon proof that he is the person entitled to such damages, and in case the state treasurer is not satisfied with the evidence of ownership he may deposit the money for such damages with the clerk of the superior court for the county in which the land or property is situate, and the court, after due notice, shall determine whether such person is the owner and is entitled to the damages.

15. In Case of Dispute. Whenever dispute arises over title to land or other property acquired or over the person entitled to the damages awarded or purchase price, the commission may deposit the money for such damages or purchase price with the clerk of the superior court for the county in which such land or other property is situate together with a
bill of interpleader in equity proceedings, and such deposit shall constitute sufficient tender. The court, after due notice to all claimants is given, shall determine the issues in dispute, and the clerk shall pay over the sum deposited to such persons as the court shall find are entitled thereto.

16. **Certificate of Tender.** The commission shall file with the secretary of state a certificate that payment or tender of payment of the damages assessed by the commission has been made to each owner or, if the owner is unknown or his residence is unknown or uncertain, tender of such damages has been made to the state treasurer, or, if dispute has arisen tender has been made in the superior court, and the certificate of tender shall state the sum tendered to each landowner and his refusal or acceptance thereof.

17. **Appeal of Assessment.** Any owner of land or other property who has not accepted payment of the sum tendered and who is aggrieved by the decision of the commission in the assessment of damages may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the certificate of tender has been filed with the secretary of state, and not thereafter, and the court shall assess the damages by jury, and award costs to the prevailing party.

18. **Deposit in Court.** Upon the filing of such appeal the highway commissioner may deposit with the clerk of the superior court in which the appeal is entered a sum of money equal to the damages assessed to the petitioner, and interest shall not accrue thereafter on such sum but shall only accrue on the amount of final judgment in excess thereof.

19. **Payment by Court.** The clerk of the superior court shall pay over the sum deposited upon demand to the petitioner and the acceptance of such deposit by the petitioner shall not in any manner affect or prejudice his right of appeal or be admitted in evidence at the trial by jury on the issue of damages.

20. **Judgment Against Petitioner.** If such sum paid to the petitioner shall exceed the amount of final judgment, the court shall enter judgment against the petitioner for the amount paid to him in excess of the amount of final judgment.

21. **Purchase of Entire Tract; Sale of Portion.** Whenever the commission is of the opinion that savings to the state will thereby be effected, it may purchase an entire tract of
land or other property upon agreement with the owner, and, with the consent of the governor and council, may sell therefrom whatever land or other property not needed for the location or relocation of the highway.

22. **Taking Tree Rights.** The commission may include in their assessment of damages to the abutting owners, damages for the maintenance or planting, from time to time, within the limits of such highway, of such shade and ornamental trees and shrubbery as may be necessary, in the opinion of the highway commissioner, for the preservation, improvement, or landscaping of such highway, and upon tender of such damages there shall be a public easement on such highway for such purposes and to protect, preserve and renew the growth thereon.

23. **Payment.** The state shall pay for all land and other property taken or acquired by the commission, and, with the approval of the governor, with advice of the council, for the services and expenses of the commissioners and costs of litigation incurred by the commission in the taking of such land and property, and all such sums shall be a charge upon the state highway department funds.

**Part 5**

**Lay Out of Class IV, V, VI Highways**

**By Selectmen**

1. **Petition.** Selectmen of a town, upon petition, may lay out any new class IV, V, or VI highway or alter any such existing highway within their town for which there shall be occasion.

2. **Notice.** Unless the selectmen are clearly of opinion that such petition ought not to be granted they shall cause notice in writing of the time and place of hearing appointed by them to be given at least fourteen days previous to hearing to the first petitioner and to each owner of land over which such highway may pass.

3. **Life Tenant; Reversioner.** Owners shall include tenants for life or years, remaindermen or reversioners.

4. **Resident Owner.** When the owner resides or lives within the state, notice shall be given to him in person or left at his abode.

5. **Nonresident Owner.** When the owner does not reside or live within the state, notice may be given to the person, if
any, who has the care or possession of the land or may be sent by registered mail to the owner's last known address.

6. Owner Under Disability. If the owner is a person under guardianship or conservatorship notice shall be given to his guardian or conservator. If the owner is under any legal disability a guardian or conservator may be appointed.

7. Notice by Posting. When the owner, or his residence, is unknown or uncertain, a copy of such notice, when posted in two public places in the city or town in which the land is situate, at least fourteen days previous to hearing, shall be deemed sufficient notice to such owner.

8. Hearing. At the time and place so appointed the selectmen shall make a personal examination of the several routes proposed, and of the highways for which such new highway is designed to be a substitute, shall hear all parties interested who may attend and any evidence they may offer, and may adjourn as they see cause.

9. Lay Out. They may lay out such highway over any ground they may deem most suitable, and alter any highway as they judge proper, without regard to intermediate limits or particular monuments described in the petition.

10. Joint Action. The selectmen of two adjoining towns, acting jointly and by a vote of the major part of each board, may lay out any new highway, or alter any existing highway within such towns, for the accommodation of the public, in the same manner as selectmen are authorized to do in their respective towns; and they shall make return thereof as required in case of laying out by selectmen in their town, and cause the same to be recorded by the clerk of each of the towns.

11. Apportionment of Cost. The cost of such laying out or altering shall be apportioned between the towns by the selectmen acting as aforesaid; and their return shall not take effect until the apportionment is made.

12. Assessment of Damages. The selectmen shall assess the damages sustained by each owner of land or other property taken for such highway.

13. Return. They shall make a return of the highway or any alteration by them laid out, describing the same and the width thereof, and their assessment of the damages sustained by each owner of land or other property taken, and cause the same to be recorded by the town clerk.
14. Tender. No land or other property taken for a highway or alteration shall be appropriated or used for making the same until the damages assessed therefor are paid or tendered to the owner or his guardian or conservator.

15. To Nonresident. When the owner does not reside or live within the state, damages may be paid or tendered to him in person or by check of the town sent by registered mail to his last known address.

16. Owner or Residence Unknown. When the owner is unknown, or his residence is unknown or uncertain, damages may be tendered to such owner by depositing with the town treasurer a sum of money equal to the damages assessed, and the town treasurer shall pay such sum without interest to such owner upon proof that he is the person entitled to such damages, and in case the town treasurer is not satisfied with the evidence of ownership he may deposit the money for such damages with the clerk of the superior court for the county in which the land or property is situate, and the court, after due notice, shall determine whether such person is the owner and is entitled to the damages.

17. In Case of Dispute. Whenever dispute arises over title to land or other property acquired or over the person entitled to the damages awarded or purchase price, the selectmen may deposit the money for such damages or purchase price with the clerk of the superior court for the county in which such land or other property is situate together with a bill of interpleader in equity proceedings, and such deposit shall constitute sufficient tender. The court, after due notice to all claimants is given, shall determine the issues in dispute, and the clerk shall pay over the sum deposited to such persons as the court shall find are entitled thereto.

18. Gates and Bars. Any highway may be laid out subject to gates and bars across the same. In such case it shall be determined, and the return of the selectmen shall state, by whom the gates and bars shall be maintained. Whenever the public good requires it they may be removed and further damages assessed, upon like proceedings as in the laying out of highways.

19. Conditional Lay Out. Whenever a highway will be of special advantage to any individual the selectmen may require him to bear such portion of land damages and expenses of constructing and maintaining it, and the gates and bars
across it if any, or any of the same, as they may deem just; and the highway may be laid out subject to such condition.

20. Winter Roads. The selectmen, upon petition, may, in any case where, in their judgment, the public good requires it, lay out a public road exclusively for winter use, such public road to be open only from November fifteenth until April first, and they shall assess the damages to the owners of land over which such road may pass in the form of yearly rentals. Hearings shall be had upon seven days' notice to landowners. In all other respects such laying out shall be subject to the provisions for laying out a class V highway.

21. Towns on Connecticut River. Any town in this state situated on the Connecticut river may, at any legal town meeting, authorize the selectmen of such town to unite with the selectmen or other proper officer of any contiguous town or towns in the state of Vermont, and contract with them for the purchase of any real estate, or the privilege, easement or franchise of any bridge, if in their opinion the public good requires a highway to be laid out over said property, or so near thereto as seriously to affect the value thereof.

22. Agreement as to Expenses. The selectmen of such town may agree as to the proportion of expense to be borne by each town in such purchase, and in the construction and maintenance of a highway over said river, including a bridge and the piers, abutments and approaches thereto, and as to the proportion which each town shall contribute towards the payment of damages to third persons injured in the use of such highways, subject to the approval of the town; and any contract executed between the selectmen of such towns shall be legal and binding when approved by the towns directly interested therein, or if made under the authority of such towns.

23. Boundary Lines of Town Highways. Selectmen may reestablish the boundary lines, limits and locations of any class IV, V or VI highway or any part thereof which shall have become lost, uncertain, or doubtful, and shall have the same powers and shall proceed in the same manner as the highway commissioner as provided in section 16 of part 10 of the Highway Law of 1945.

Appeals and Lay Out by Superior Court

24. Appeal. Any person aggrieved by the decision of selectmen in the laying out or altering of a highway, or in the
assessment of damages therefor, may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the filing of the return with the town clerk for recording and not thereafter.

25. Deposit in Court. Upon the filing of an appeal on the assessment of damages the selectmen may deposit with the clerk of the superior court in which the appeal is entered a sum of money equal to the damages assessed to the petitioner, and interest shall not accrue thereafter on such sum but shall only accrue on the amount of final judgment in excess thereof.

26. Payment by Court. The clerk of the superior court shall pay over the sum deposited upon demand to the petitioner and the acceptance of such deposit by the petitioner shall not in any manner affect or prejudice his right of appeal or be admitted in evidence at the trial by jury on the issue of damages.

27. Judgment Against Petitioner. If such sum paid to the petitioner shall exceed the amount of final judgment the court shall enter judgment against the petitioner for the amount paid to him in excess of the amount of final judgment.

28. Petition for Lay Out. Petitions for laying out or altering class IV, V or VI highways may be filed in the office of the clerk of the superior court in the following cases: I. When selectmen have neglected or refused to lay out or alter the highway; II. When it may pass over land not in any town; III. When it may pass over lands in two or more towns, one of which is in the county; IV. When having been laid out by the selectmen, it is discontinued by the town within two years thereafter.

29. Notice. Whenever a petition for the laying out or altering of a highway, or appealing from the decision of selectmen, is filed in superior court the clerk shall issue an order of notice, with a copy of the petition, returnable at the next return day of court, and the petitioners shall cause a certified copy of the same to be given to, or left at the places of abode of, one of the selectmen and the town clerk of each town through which such highway may pass, at least fourteen days before such return day, and such other notice as the court shall order.
30. Lands Not in Any Town. If a proposed highway may pass over lands not in any town the court shall order notice to be given to the owner thereof, if known and residing in the state, by giving to him or leaving at his abode a like copy; and if he or his residence is not known, or is uncertain, or if his residence is not in the state, by publication, or by such other notice as the court shall order.

31. Reference; Joint Board. If no sufficient objection is made all such petitions filed in the superior court shall be referred to the county commissioners, and where the proposed highway may pass over lands in two or more counties the petition shall be referred to the commissioners for all such counties who shall constitute a joint board and make a joint report to the court.

32. Disqualification. If any commissioner is interested in the petition he shall not serve; and the vacancy shall be filled, upon motion or petition, by any judge of the superior court.

33. Commissioners in Office. The commissioners in office when a petition is referred to them shall continue to act as such in regard to the petition until all the business thereof is completed, unless the court otherwise orders.

34. Notice. The chairman of the county commissioners shall appoint a time and place of hearing on every petition referred to them, of which he shall give notice to the selectmen of each town interested therein, and to the landowners, in the same manner as required of selectmen in laying out highways.

35. Substitute Commissioner. If any one of the commissioners is unable to attend at the time and place appointed the commissioners present may, by writing under their hands, appoint a person who has served in such office to act in his stead.

36. Powers of Substitute. The person so appointed shall be sworn to act faithfully and impartially in the proceedings upon the petition, and shall have the powers and perform the duties of a county commissioner in relation thereto.

37. Certificate. The certificate of his appointment and oath shall be returned to the superior court with the report of the commissioners, and filed therewith.

38. Hearing. The commissioners shall make examination of the routes and hear parties interested, and shall have like powers as selectmen in such case.
39. **Evidence.** They may admit or reject any evidence offered; and there shall be no appeal from their findings on the matter of occasion for the laying out of the highway or alteration thereof in the absence of fraud or gross mistake.

40. **Landowners.** In their report they shall certify the names of the several owners of land and other property taken for the highway, and to whom and in what manner notice was given of the hearing.

41. **Description; Estimates.** They shall insert in their report a particular description of the new highway laid out, and its width, or of the alterations made in an existing highway, and their estimate of the expense of making the same in each town separately, and they may prescribe the grade, change in grade, or per cent of grade on such highway or alterations or any part thereof.

42. **Damages.** They shall assess the damages sustained by the owners of land or other property, as required of selectmen, and insert the same in their report, stating the damages in each town separately.

43. **Filing of Report; Notice of Hearing.** They shall file their report in court and thereupon the court shall set a date for hearing, and the commissioners shall cause notice thereof, together with a copy of the report by them certified, to be given to the clerk of each town at least fourteen days before the date set for hearing.

44. **Petition for Contribution.** When a petition for laying out a highway is referred to the commissioners any town in which the highway may be, may present their petition to the commissioners, setting forth that the expense of the proposed highway would be excessively burdensome to them, and that another town named, situated in the vicinity, would be greatly benefited thereby, and praying that a part of the expense may be borne by such other town.

45. **Notice; Hearing.** The commissioners shall give to such other town notice of the time and place of hearing upon the original petition, and of the substance of the petition relative to the expense, at least fourteen days before the hearing, and shall hear such other town, if it appears, upon the question of laying out the highway, and of their contributing to the expense.

46. **Report on Apportionment.** If the commissioners decide to lay out the highway they may in their report
apportion and assign such part of the damages assessed and of the expense of laying out and making the highway, including bridges thereon, and of the cost of their future repair and maintenance, as they think just, to be paid by such other town; and upon acceptance of such report and judgment thereon such other town shall at all times contribute the amount apportioned or be liable therefor.

47. **Road in Two or More Towns.** Upon motion of any town interested in a petition for a highway, referred to the commissioners, they may apportion the damages assessed and the expense of laying out and making the highway among the several towns in which it may be, in such sum or shares to each as they may think just.

48. **Road Across Boundary Stream.** When a highway is laid out across a stream or body of water constituting the boundary between two towns the commissioners shall determine the line across the highway to which each town shall construct it, and describe the same in some definite manner, so that it may be readily ascertained; and, upon the acceptance of their report laying out the highway, such line shall be the true boundary between the towns at that place, for all purposes relating to the highway.

49. **Hearing on Report.** When the report of the commissioners is returned into court any party whose interest is affected thereby may appear and be heard in relation to it; and it may be recommitted or accepted and judgment be rendered thereon, establishing the highway, alterations, contributions, apportionment or other matters reported upon. In case of appeal the decision of the selectmen may be affirmed, modified or reversed, according to such report.

50. **Tender.** No land or other property taken for a highway or alteration laid out by the county commissioners shall be appropriated or used for making the same until judgment is entered on the report that the highway or alteration is legally laid out and established, and the damages awarded have been tendered or paid in the same manner as required of selectmen.

51. **Assessment by Jury.** If any person to whom damages are awarded, or party against whom damages are assessed, by the commissioners is dissatisfied with the same, such person or party may appear at court, when their report is returned, and object thereto in writing, and then the court
shall assess the damages by jury, and award costs to the prevailing party.

52. **Corrections.** Any mistake in a name, sum, number, monument or the like, in the report of the commissioners, may be corrected by the court, or by the commissioners by leave of court, without recommittal of the report.

53. **Executions.** Executions may be issued for damages and costs awarded, in all cases on petitions relating to highways, as upon other judgments.

54. **Recording in All Counties.** When the highway is laid out over land in two or more counties the commissioners shall cause to be recorded a certified copy of their final report and the decree of the court thereon with the clerk of the superior court for each county.

55. **Costs of Proceedings.** In all proceedings before county commissioners relating to highways they may adjust and apportion the costs of the proceedings between the parties in such manner as they deem just.

56. **Commissioners' Fees and Expenses.** The fees to be paid to the commissioners for their services on petitions relating to highways shall be paid by the county upon approval by the court, and shall be five dollars a day for the time necessarily occupied in attending hearings, and in making examinations and reports, and eight cents a mile for actual travel.

**Payment of Damages and Costs of Lay Out**

57. **Damages.** Damages for land or other property taken for a highway, except in cases otherwise provided for, shall be paid by the town in which that part of the highway is for which the land or other property is taken, subject to such apportionment thereof among the towns in which the highway is as may be made by the county commissioners in case of petitions referred to them.

58. **Suit.** In cases where execution may not be issued by the superior court for damages on account of a highway, the person entitled thereto may recover the same, with interest, by action of debt, if not paid in thirty days after demand.

59. **Discontinuance of Unused Lay Out.** No action for damages in laying out or altering a highway shall be brought after it has been discontinued unless brought within six months thereafter; and only the actual damage shall be recovered.
60. **Cost.** The costs of laying out or altering a highway in a town shall be paid by the town; and in two or more towns, by the towns in accordance with the apportionment thereof made by the selectmen or commissioners who laid out or altered the same; and over land not in any town, by the county.

61. **Contribution by County.** If the payment of the damages and the costs of laying out or altering and making the highway would be burdensome to any town the superior court, on petition, notice to the county commissioners, and hearing of all interested, may order a part, not exceeding one-half the amount thereof, to be paid by the county.

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**Part 6**

**Lay Out of Highways to Public Waters**

1. **Occasion for Lay Out by Governor and Council; Lay Out.** The governor, with advice of the council, upon petition and hearing, may determine whether there is occasion for the laying out of a highway from any existing highway to any public water in this state and so far around or along the same as may be required, and, if so, determine its location and appoint a commission of three persons who may purchase land or other property in the location, and shall lay out the remainder in the same manner as required of commissions in laying out class I or class II highways.

2. **By Commission.** The governor, with advice of the council, upon petition to lay out any such highway to public water, may appoint a commission who, upon hearing, shall determine whether there is occasion for the laying out of such highway and, if so, determine its location. Such commission may then purchase land or other property in the location, and shall lay out the remainder in the same manner as required of commissions in laying out class I or class II highways.

3. **Notice.** Notice of the time and place of hearing together with a copy of the petition shall be given to the first petitioner and to each owner of land or other property over which such highway may pass and to the clerk of any city or town in which the proposed highway may be laid out in the same manner as required for giving notice in laying out class I or class II highways.
4. **Powers and Duties of Commission.** The commission shall assess the damages sustained by each owner of land or other property taken, make payment or tender for such damages and file a return and certificate of tender in the same manner as required of commissions in laying out class I or class II highways, and in all matters pertaining to such layout shall have the same powers and duties as commissions have in laying out class I or class II highways.

5. **Appeal of Assessment.** Any owner of land or other property who has not accepted payment of the sum tendered and who is aggrieved by the decision of the commission in the assessment of damages may appeal therefrom by petition to the superior court and have his damages assessed by jury in the same manner as is provided for an appeal of assessment of damages in laying out class I or class II highways; and the commission may deposit with the clerk of the superior court in which the appeal is entered a sum of money equal to the damages assessed and the clerk of the court shall pay over such sum and judgment may be rendered against the petitioner in the same manner as provided in laying out class I or class II highways.

6. **Gates and Bars.** Any highway laid out under the provisions of this part may be laid out for the accommodation of persons on foot, or vehicles, or both, and may be made subject to gates or bars across the same.

7. **Reservoirs.** No highway shall be laid out under the provisions of this part to any public waters used by any city or town for reservoir purposes.

8. **Payment.** The state shall pay such portion of the services of the commissioners and of the sums awarded to owners of land and of the costs of construction of the highway as the governor, with the advice of the council, shall deem just and reasonable. All sums so determined shall be a charge upon the highway funds. The balance of said costs and charges shall be paid by the town or towns in which said highway is laid out. Such highway shall be deemed a class V highway and shall be maintained by such town or towns unless the governor and council shall otherwise determine.

9. **Towns Not Liable.** No action shall be maintained against any town or against the state for any injury to person or property on any highway laid out under the provisions of this part, nor shall any indictment or information be main-
Part 7

Limited Access Highways

1. Definition. For the purposes of this chapter, a limited access facility is defined as a highway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no right or easement or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility or for any other reason. Such highways may be parkways from which trucks, busses, and other commercial vehicles shall be excluded; or they may be freeways open to use by all customary forms of highway traffic.

2. Occasion for Lay Out; Lay Out. The governor, with advice of the council, may determine, upon hearing, whether there is occasion for the laying out or alteration of a limited access facility including service roads in a location proposed by the highway commissioner, and, if so, shall appoint a commission of three persons who may purchase land or other property in the proposed location and who shall lay out the remainder of such facility, service roads, or alteration thereof, assess the damages sustained by each owner of land or property taken, and tender payment of the sums awarded. The commission appointed by the governor and council to lay out any limited access facility may acquire private or public property and property rights for such facility and service roads, including rights of access, air, view, and light, by gift, devise, purchase or condemnation in the same manner as provided for acquiring property for class I highways except that all property rights acquired under the provisions of this part shall be in fee simple including property acquired by condemnation proceedings. The commission, in its discretion, may acquire an entire lot, block, or tract of land, if by so doing the interests of the public will be best served even though said entire lot, block, or tract is not immediately needed for the right of way proper, and the highway commissioner, with the approval of the governor and council, may sell, convey, transfer or lease any surplus property, real or personal, at public or private sale.
3. Design. The highway commissioner is authorized to so design any limited access facility and to so regulate, restrict, or prohibit access as to best serve the traffic for which such facility is intended. He is authorized to divide and separate any limited access facility into separate roadways by the construction of raised curbings, central dividing sections, or other physical separations, or by designating such separate roadways by signs, markers, stripes, and the proper lane for such traffic by appropriate signs, markers, stripes, and other devices. No person shall have any right of ingress or egress to, from, or across limited access facilities to or from abutting lands, except at such designated points at which access may be permitted, upon such terms and conditions as may be specified by the highway commissioner from time to time.

4. New and Existing Facilities. The highway commissioner may designate and establish limited access highways as new and additional facilities or may designate and establish any existing road, street or highway within the state as included within a limited access facility. He shall have authority to provide for the elimination of intersections at grade of limited access facilities with any existing road, street or highway, by grade separation or service road or by closing off such road, street, or highway at the right of way boundary line of such limited access facility; and after the establishment of any limited access facility, no road, street or highway which is not part of said facility shall intersect the same except at such locations and upon such conditions as the highway commissioner shall approve.

5. Local Service Roads. The highway commissioner is authorized to plan, designate, establish, use, regulate, alter, improve, maintain or discontinue any road, street or highway or portion thereof, or to designate as local service roads and streets any existing road, street or highway, and to exercise jurisdiction over service roads in the same manner as is authorized over limited access facilities if in his opinion such local service roads are necessary or desirable.

6. Signs. The location of fuel and other facilities on connecting service roads may be indicated to users of the limited access facility by appropriate signs, the specifications of which shall be determined by the state highway commissioner.
7. Construction and Maintenance. Any limited access facility, service road, or alteration thereof shall be constructed with state or federal funds or both; and any limited access facility shall be maintained with state or federal funds or both.

8. No Commercial Enterprises. No commercial enterprise or activities shall be authorized or conducted by the state highway commissioner or any other agency of the state within or on the property acquired for or designated as limited access facility.

9. Regulations; Posting. The highway commissioner may regulate, restrict, or prohibit the use of such limited access facilities by trucks, busses, and other commercial vehicles, may regulate or prohibit the use of such facilities by all other types of vehicles, and may regulate or prohibit the use of such facilities by pedestrians. Such regulations shall be posted on every such highway and a return thereof shall be filed with the state highway department to be kept in a special book which shall be open to public inspection.

10. Penalty and Liability. Any person violating the provisions of such posted regulations shall be fined not more than one hundred dollars and shall be liable for all damage occasioned thereby.

Part 8
Discontinuance of Relocated Portions of Class I and Class II Highways

1. Notice of Finding. Whenever the highway commissioner shall alter or relocate any portion of any class I or class II highway, and finds that there is no further occasion to use such portion for class I or class II highway purposes, he shall post notice of such finding in two public places in the town in which such land is situate and give notice in writing to the selectmen of such town.

2. Determination by Selectmen. The selectmen of such town within sixty days after receiving such notice shall determine, after notice to the owners of land or abutting owners given in the same manner as provided for in the laying out of highways by selectmen, and hearing, whether there is occasion for the use of such portion for town highway purposes and shall notify the highway commissioner, in writing, of their determination.

3. Reversion to Town. Upon the filing of notice with the highway commissioner that such occasion exists, the right
of way over such portion of land and title to any interest held
by the state in such portion shall thereupon revert to or vest
in such town, and the highway commissioner shall so certify
in writing under oath to the selectmen, and the highway shall
thereupon become a class V or class VI highway.

4. Notice of Discontinuance. Upon the filing of notice
with the highway commissioner that such occasion does not exist, or, in the event that the selectmen fail to take any action or notify the highway commissioner in writing of their determination within sixty days after the receipt of notice from him, the highway commissioner shall post notice in two public places in such town that such portion of highway is thereupon discontinued.

5. Certification to Landowners. Upon such discontinuance, the highway commissioner shall certify in writing under oath to the owners of the land over which such discontinued portion of highway passed that such land is no longer subject to use for highway purposes.

6. Recording of Certification. The certification by the highway commissioner shall be recorded by the town or owner of land to whom certification is made with the register of deeds for the county in which such land is situate.

7. Assessment of Damages. Any person who sustains damages because of such discontinuance may petition for the assessment of damages to the superior court in the county in which such discontinued portion of highway is located within sixty days from the posting of notice of discontinuance, and not thereafter, and the court shall assess such damages, if any, by jury.

8. Payment. The highway commissioner shall pay from funds of his department the amount of final judgment and costs.

Part 9

Discontinuance of Class IV, V, VI Highways

1. Power to Discontinue. Any class IV, V, or VI highway, or any portion thereof, in a town may be discontinued by vote of a town; provided, however, that any highway to public waters, or portion of such highway, laid out by a commission appointed by the governor and council, shall not be discontinued except with the consent of the governor and council.

2. Subject to Gates and Bars. Any class IV, V, or VI highway, or any portion thereof, may be discontinued as an
open highway and made subject to gates and bars, by vote of the town.

3. Consent of Court. Towns may not discontinue or discontinue as an open highway and make subject to gates and bars any highway concerning which proceedings are pending in court against the town for neglect or refusal to lay out, make or repair such highway, without the consent of the court.

4. Appeal from Discontinuance; Damages. Any person or other town aggrieved by the vote of a town to discontinue any highway, or discontinue any highway as an open highway and made subject to gates and bars, may appeal therefrom to the superior court for the county in which such highway is situate by petition within six months after the town has voted such discontinuance and not thereafter. Whenever any such petition is filed in the superior court the clerk shall issue an order of notice, with a copy of the petition, returnable at the next return day of court or at any special return day ordered by the court, and the petitioner shall cause a certified copy of the same to be given to or left at the places of abode of one of the selectmen and the town clerk of each town in which the highway proposed to be discontinued is located, and give notice to the owners of land abutting on such highway in the same manner as required of selectmen in laying out highways, at least fourteen days before such return day, and such other notice as the court shall order. Any person or town so notified may become a party to the proceedings by entering an appearance in such proceedings with the clerk of the superior court; and no person or town so notified shall after being so notified institute any additional appeal from the vote to discontinue such highway. Except as above provided, like proceedings shall be had on such petition as in the case of appeals in the laying out of class IV, V, and VI highways, and if the county commissioners report for such discontinuance they shall assess the damages sustained by any person within the town in which the highway has been discontinued.

5. Petition for Assessment of Damages. Any person who sustains damages by the discontinuance of a highway, or by the discontinuance as an open highway and made subject to gates and bars, by vote of the town, and from which no appeal has been taken, may petition for the assessment of damages to the superior court in the county in which the highway is situate within six months after the town has voted
such discontinuance, and not thereafter, and like proceedings shall be had as in the case of appeals in the laying out of class IV, V, and VI highways.

6. **Towns Not Liable After Discontinuance.** Towns shall be relieved of all obligation to maintain, and all liability for damages incurred in the use of, discontinued highways or highways discontinued as open highways and made subject to gates and bars.

7. **Dedicated Ways.** Any street, lane or alley within this state which has been 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, shall be released and discharged from all public servitude unless such street, lane or alley shall be opened, built or used for public travel within twenty years from such dedication.

8. **Release by Town.** The mayor and aldermen of a city or the selectmen of a town may release and discharge any way 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 way will not be needed for the accommodation of public travel. All proceedings shall be conducted in the manner 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.

**Part 10**

**State Highway Department**

1. **Purpose.** There shall be a department for the laying out, construction, reconstruction and maintenance of highways constructed or maintained in whole or in part by the use of state funds which shall be known as the state highway department.

2. **Commissioner.** The governor, with the advice and consent of the council, shall appoint a highway commissioner who shall be skilled in the construction and maintenance of highways. He shall hold office for a term of five years from the date of his appointment, and until his successor is appointed and qualified, and a vacancy in such office shall be filled for the unexpired term.

3. **Removal.** The governor and council may at any time remove such commissioner for inefficiency, neglect of duty, or malfeasance in office, but he shall not be so removed without
a hearing, after notice in writing of the charges against him.

4. **Salary.** The annual salary of the highway commissioner shall be fifty-five hundred dollars, together with his actual expenses when on official duty elsewhere than in the office of the department.

5. **Assistant Commissioner.** The highway commissioner shall appoint an assistant highway commissioner and prescribe his duties. He shall hold office at the pleasure of the commissioner or be removed for cause by the governor with the advice of the council. In case of absence or disability of the commissioner, or in case of vacancy in the office of commissioner and until such vacancy is filled, he shall have the powers and perform the duties of highway commissioner. His salary shall be determined by the commissioner with the approval of the governor and council.

6. **Offices; Assistants.** The highway commissioner shall be provided with suitable quarters for his office and that of the department and may employ such expert, clerical and other assistance as he may deem necessary to carry out the duties incumbent upon his office, subject to the approval of the governor and council as to compensation.

7. **Powers.** The highway commissioner shall exercise general supervision, control, and direction, on behalf of the state, over all matters pertaining to the location, route, alteration, construction, reconstruction, maintenance and discontinuance of highways constructed or maintained wholly by the state, or in part by the state with the use of state aid or town road aid funds, the method and type of construction and kind and quality of materials to be used, the manner in which such highways shall be maintained, the purchase, planting and maintenance of trees and shrubs for shade, landscaping, or prevention of soil erosion, the location, construction and maintenance of roadside parks, and all other matters pertinent to highways now or hereafter built or maintained, either in whole or in part, with money appropriated from the state treasury.

8. **Expenditures.** With the approval of the governor and council the highway commissioner may use the funds accruing to the department for construction and reconstruction and maintenance of class I highways and bridges thereon, for aid in construction and reconstruction of class II highways and bridges thereon, for maintenance and reconstruction of class II highways and bridges thereon, for mainte-
nance and reconstruction of class III highways, for aid in construction, reconstruction, and maintenance of class V highways and aid in the construction of bridges thereon, for the providing and maintenance of buildings, equipment, and supplies, for highway purposes, for the costs of administration, and for such other purposes as may be provided by law.

9. **Purchase of Materials.** The highway commissioner may purchase, take and hold for the state such material or land as may be necessary to secure gravel, stone or other material necessary for the improvement of said highways.

10. **Taking; Damages.** If the highway commissioner is unable to purchase such material or land at what he considers a reasonable compensation he shall request the governor and council to appoint a commission to assess the damages sustained by the owner, and thereupon proceedings shall be had in the same manner as for the assessment of damages by a commission for land taken for highway purposes.

11. **Acquisition and Disposal of Land or Property.** The highway commissioner may acquire, by agreement with the owner, lands and property or any interest therein for highway purposes in the name of the state at what he considers a reasonable compensation, and, with the approval of the governor and council, may sell, convey, or lease, in the name of the state, any land or property or any interest therein which the state has acquired for highway purposes.

12. **Right to Enter.** The highway commissioner and his agents may enter private lands to make surveys and establish boundaries of highways.

13. **Snow Fences; Construction and Removal.** The state highway department may, after the month of October, erect a fence upon property adjacent to any class I, II, or III highway in order to prevent snow from drifting thereon. The view from the landowner's buildings shall not be obstructed by such fence unless he consents, and the fence shall be removed on or before April first.

14. **Damages.** The landowner shall be entitled to damages sustained by the erection, maintenance, and removal of such fence. If the highway commissioner and the landowner are unable to agree on such damages the highway commissioner shall assess the damages sustained.

15. **Appeal.** The landowner may petition for the assessment of damages to the superior court in the county in which such land is situate within sixty days, and not thereafter,
from his receipt of notice of the assessment of damages, and
the court shall assess such damages, if any, by jury.

16. **Reestablishment of Highway Boundaries.** Whenever
in the opinion of the highway commissioner the boundary
lines, limits, or location of any class I or class II highway, or
any part thereof, shall have become lost, uncertain, or doubt-
ful, he may reestablish the same as, in his opinion, they were
originally established. He shall give in hand to, or send by
registered mail to the last known address of, all persons claim-
ing ownership of or interest in the land adjoining such re-
established highway and to the owners of property within the
limits thereof, and file with the town clerk of the town in
which the highway is located, and with the secretary of state,
maps showing the boundary lines, limits, or location of such
reestablished highway, and such lines, boundaries, limits and
location, as reestablished, shall be the lines, boundaries, limits
and location of such highway. Any person aggrieved by the
reestablishment of such lines, boundaries, limits and location
may petition for the assessment of damages to the superior
court in the county where the reestablished highway is located
within sixty days from the date of filing of such maps with
the secretary of state, and not thereafter, and the court shall
assess the damages, if any, by jury, provided such re-
established lines, boundaries, limits or location are not the
same as originally established. The highway commissioner
shall pay from the funds of his department all expenses in-
curred hereunder and the amount of final judgment and costs.

17. **Reclassification of Relocated Portions.** Whenever
the highway commissioner shall alter or relocate any portion
of any class I or class II highway and finds that there is
further occasion to use such portion for highway purposes,
he may reassign such portion to another classification; and
upon reassignment of any such portion to a class V highway
he shall determine, and allot, what sum, if any, the state shall
contribute toward its maintenance. He may, in the exercise
of his discretion, supervise and direct the expenditure of such
sum.

18. **Closing Highways; Detours; Penalty.** The highway
commissioner may, by appropriate barriers and signs, close or
regulate travel on any class I, class II or class III highway or
bridge thereon when the public welfare or necessity so re-
quires, or in order to perform work on any such highway or
bridge, and may establish, maintain and mark detours. Any
person who travels on such closed highway or bridge, or who violates the provisions of such regulations, shall be fined not more than one hundred dollars.

19. Interstate Bridges. The highway commissioner with the approval of the governor and council may contract with the officials of any adjoining state or political subdivision thereof for the construction, reconstruction, and maintenance of any bridge crossing the boundary line between New Hampshire and such adjoining state on a class I or class II highway, and for the proportion which each state shall contribute towards the cost thereof.

20. Report. The highway commissioner shall annually report to the governor and council the work done and expenditures incurred by his department for the year ending December thirty-first.

21. Disposal of Papers. The highway commissioner may destroy any labor returns and bills against the state highway department which have been on file in his office for more than six years and which, in his opinion, are no longer of any value to the state.

22. Certified Copies. Copies of records, papers and plans in the office of the highway commissioner, when certified by the commissioner or assistant commissioner under oath to be true copies, shall be evidence in like manner as the originals.

23. Engineers. Upon the application of any county, city, town, or unincorporated place, the highway commissioner may furnish to it, free of charge, the services of an engineer for the purpose of consultation and advice on matters pertaining to highways.

Advisory Supervision of Highway Agents

24. Meetings. It shall be the duty of the highway commissioner, in the months of March, April or May in each year, to provide for the holding of meetings of town and city highway agents at convenient points within the state, at which advice and instruction shall be given relative to the care and maintenance of local highways; and any town or city highway agent attending such meetings shall be reimbursed for his time and necessary expenditure of money while attending by the town or city which he represents.

25. Supervision. It shall be the duty of the highway commissioner to provide some competent representative who
shall, at least once each month during the months from April to November, inclusive, in each year, confer and advise with the highway agent or agents of each town and city within the state as to the best methods of care and maintenance of local highways within the respective towns and cities.

Part 11

Acceptance of Federal Aid Acts

1. Provisions Accepted. The provisions of the Federal-Aid Road Act, approved July 11, 1916, entitled “An Act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes,” and all acts amendatory thereof and supplementary thereto, are assented to, and the state highway department through its commissioner is authorized to make the necessary surveys and estimates to carry out the provisions of said acts.

2. Faith and Credit Pledged. The faith and credit of the state are pledged to make adequate provision, from time to time, by appropriation or otherwise, to meet all obligations of the state incident to the acceptance of federal aid under the provisions of said act.

3. Expenditures. To meet such obligations the highway commissioner is authorized to use any money appropriated for highways not specifically required to be used elsewhere.

4. Commissioner’s Authority. The highway commissioner is authorized to act for the state or any of its political subdivisions in conjunction with the representatives of the federal government in all matters relating to the location and construction of highways, including flight strips, to be built with federal aid, to establish urban areas, and to take such action as may be necessary to secure to the state the aid and benefits of the provisions of said act and all amendments thereto, including the Federal-Aid Highway Act of 1944, and of the provisions of the Federal Highway Act of November 9, 1921 and all amendments thereto.

5. Maintenance. Where, under the provisions hereof, improvements are made within the limits of compact sections of towns of over twenty-five hundred inhabitants or upon highways not regularly maintained by the state, the same shall thereafter be maintained by said town to the satisfaction of the highway commissioner. In case any town shall fail to
properly maintain said highway, it shall be maintained under the direction of the commissioner at the expense of the state, and the cost thereof shall be paid by such town to the state treasurer; and in default of such payment the state treasurer may issue an extent as provided in chapter 86, Revised Laws, for the collection of such payment.

6. Interstate Highways. The highway commissioner is authorized to make initial selection within the state of the routes of the national system of interstate highways and to take joint action with the state highway departments of the adjoining states to select the routes of such system, as provided in the Federal Highway Act of November 9, 1921 and the Federal-Aid Highway Act of 1944.

Part 12

Class II Highways, State Aid

1. Designation for Improvement. The highway commissioner, whenever in his opinion the public good so requires, may designate for improvement, subject to the approval of the governor and council, any class II highway or portion thereof.

2. Maintenance; Improved Portions. Upon the completion of such improvement to the satisfaction of the highway commissioner, the state highway department shall assume full control and pay the cost of reconstruction and maintenance.

3. Unimproved Portions. All portions of class II highways which have not been improved to the satisfaction of the highway commissioner shall be maintained by the city or town in which they are located.

State Aid

4. Notice to Towns. On or before February fifteenth in each year the highway commissioner shall notify all cities and towns of the amounts to which they are entitled for state aid for the construction of class II highways, and shall designate the highway location on which such funds shall be expended.

5. Application for State Aid. A city or town may apply to the highway commissioner for state aid on or before the first day of May in each year in the manner prescribed by him and such application shall state that such city or town has
raised, appropriated, or set aside its contribution required for state aid.

6. Contribution by Town. If any city or town desires state aid for the purpose of constructing a section of class II highway, it shall raise, appropriate, or set aside from the amount of money annually raised and appropriated for the repair of highways the following: Towns having a valuation of less than two million dollars, one dollar and fifty cents on each one thousand dollars of their valuation; towns of two million dollars and less than three million dollars valuation, one dollar and twelve and one-half cents on each one thousand dollars; towns of three million dollars and less than five million dollars, seventy-five cents on each one thousand dollars; towns of five million dollars and less than fifteen million dollars, fifty cents on each one thousand dollars, and towns of fifteen million dollars and upwards, thirty-seven and one-half cents on each one thousand dollars. In no case shall the contribution of any city or town exceed the amount allotted and apportioned to it by the state.

7. Apportionment. The highway commissioner shall apportion from the highway funds to each city and town which has duly applied for state aid, for each dollar so set apart by them the following amounts: To those having a valuation of less than one million dollars, two dollars for each one dollar of the required contribution to receive state aid, but in no case shall the state's share be less than one thousand dollars; to those having a valuation of one million dollars and less than three million dollars, one dollar; to those having a valuation of three million dollars and less than ten million dollars, seventy-five cents; to those having a valuation of ten million dollars and upwards, fifty cents.

8. Joint Fund Expenditure. Fifty per cent of the contribution of a city or town for state aid shall be remitted to the highway commissioner before any state aid project is begun, and the balance shall be remitted prior to the completion of the project, or by December first of the same year if the project is not then completed, and such contribution, together with the amount apportioned to it by the highway commissioner, shall constitute a joint fund to be expended under the supervision of the commissioner for the construction of only such class II highways within such city or town as the commissioner shall have designated before the fifteenth day
of February of each year, and such joint fund shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of a town, or by such board as has jurisdiction over highway expenditures in a city, and approved by the highway commissioner, except that no portion of such joint fund shall be expended in compact sections.

9. State Aid for Reconstruction. Any city or town in which all class II highways have been completed and which desires to reconstruct a class II highway prior to the determination of the highway commissioner to reconstruct such highway may raise, appropriate, or set aside its contribution and apply for state aid in the same manner as provided for state aid in the construction of class II highways, and the commissioner may thereupon apportion state aid to such city or town for the reconstruction of such highway in the same manner and to the same extent and subject to the same provisions as provided for state aid for construction of class II highways.

10. Unexpended Funds. Any part of such joint fund not expended during the year for which it is set apart and apportioned may be expended on class II highways during any succeeding year at the discretion of the highway commissioner.

11. Surplus Funds After Completion. Whenever, upon the completion of all class II highways in any city or town, the joint fund has not been expended in full, the unexpended balance shall revert to the state and city or town in the same proportion as each contributed, and such city or town, upon application in writing to the highway commissioner within thirty days after receipt of its share of such unexpended balance, shall be entitled to a proportional part of the sum to which it would have been entitled for town road aid for that year, the proportion being based on the ratio which the unexpended part of the state's share of the joint fund for state aid in that town bears to the total amount contributed by the state to such joint fund, provided, however, that such city or town shall remit to the highway commissioner at the time of application the same proportional part of the contribution which would have been required for such city or town to have received town road aid for that year.

12. Additional Payment by State. Where it appears that the class II highway designated for improvement by the com-
missioner is of no particular benefit to a town, or, in cases where a town is unable to pay its proportion of such cost, the commissioner may, with the approval of the governor and council, pay such further expense as he may deem equitable.

State Aid During World War II

13. Suspended. All state aid construction for class II highways is suspended during the emergency created by World War II, and such emergency shall end six months after the cessation of actual combat or prior to that time provided that the governor, with advice of the council, declares that such emergency is ended for the purpose of state aid for class II highways.

Part 13

Town Road Aid and Allotment for Maintenance

Town Road Aid

1. Towns Entitled to Town Road Aid. Any city, town or unincorporated place which has completed its class II highways shall be entitled to town road aid for construction, maintenance, and reconstruction of rural post roads and class V highways, provided, however, that towns having five miles or more of uncompleted class II highways shall be entitled to either town road aid or state aid or both.

2. Notice to Towns. On or before February fifteenth in each year the highway commissioner shall notify all cities, towns, and unincorporated places of the amounts to which they are entitled for town road aid for the construction, maintenance or reconstruction of class V highways.

3. Application. A city, town, or unincorporated place may apply to the highway commissioner for town road aid on or before the first day of May in each year in the manner prescribed by him, and such application shall state that such city or town has raised, appropriated, or set aside its contribution required for town road aid. Applications for town road aid for unincorporated places shall be made by the county commissioners who shall set apart the required contribution from the money raised and appropriated for the repair of highways within the county.

4. Contribution. Any city, town, or unincorporated place which applies for town road aid upon class V highways shall raise, appropriate or set aside an amount equal to twenty-five per cent of the apportionment made to it for town
road aid by the highway commissioner. In no case shall its share exceed the amount that it would have to set aside or raise in order to secure state aid for class II highways.

5. Apportionment. The highway commissioner shall apportion, on the basis of a sum of not less than five hundred fifty thousand dollars, to each city, town, and unincorporated town or place, an amount based on the mileage of regularly maintained class V roads and the population as follows: Four-fifths of the allotment herein provided shall be apportioned to cities and towns and unincorporated places in direct proportion as the mileage of regularly maintained class V roads in each city, town, or unincorporated place bears to the total mileage of regularly maintained class V roads in the state, and one-fifth in direct proportion as the population of each city, town, or unincorporated place bears to the total population of the state.

6. Joint Fund Expenditure. Fifty per cent of the contribution of a city, town, or unincorporated place for town road aid shall be remitted to the highway commissioner before any town road aid project is begun, and the balance shall be remitted prior to the completion of the project, or by December first of the same year if the project is not then completed, and such contribution, together with the amount apportioned to it by the highway commissioner, shall constitute a joint fund to be expended for the construction, maintenance, or reconstruction of class V highways and rural post roads under the supervision of, and on locations approved by, the highway commissioner, and such joint fund shall be expended in accordance with specifications provided by the commissioner under the direction of a person or persons appointed by the selectmen of a town, or by the county commissioners for funds to be expended in unincorporated places, or by such board as has jurisdiction over highway expenditures in a city, and approved by the highway commissioner, except that no portion of such joint funds shall be expended in compact sections. Not more than fifteen hundred dollars shall be expended for each mile of road improved in any one year from such joint fund except by written permission of the highway commissioner.

7. Unexpended Funds. Any part of such joint fund not expended during the year for which it is set apart and apportioned shall be expended on class V highways during any
succeeding year, provided, however, that if the mayor of a city or selectmen of a town or the county commissioners for an unincorporated place shall make application in writing to the highway commissioner on or before the fifteenth day of December of any year in which an unexpended balance exists he may, in the exercise of his discretion, remit to such city, town, or county commissioners for an unincorporated place its proportionate share of the unexpended balance of such joint fund.

Allotment to Towns for Maintenance

8. Allotment by State. In the month of July of each year, the highway commissioner shall allot to each town, from the funds accruing to the highway department, a sum sufficient, when added to the amount which might be derived by a tax of fifty cents on each one hundred dollars of assessed valuation of the preceding year, to equal ninety dollars for each mile of regularly maintained class V highway in such town; provided, however, that no allotment shall be made to any town in which a tax of fifty cents on each one hundred dollars of assessed valuation of the preceding year would produce an amount in excess of ninety dollars for each mile of regularly maintained class V highway in such town.

9. Use of Allotment. The sum so allotted shall be used for the care and maintenance of class V highways, and for no other purpose.

10. Rights Not Affected. Nothing in this subdivision shall be construed as prohibiting any town from appropriating a sum in excess of ninety dollars per mile of regularly maintained class V highway, nor shall such excess appropriation operate to deprive such town of any benefits accruing under this subdivision.

Part 14

State and Town Bridge Aid

1. Bridge Defined. The word bridge when used herein shall mean a structure, having a clear span of ten feet or more measured along the center line of the roadway at the elevation of the bridge seats, spanning a water course or other opening or obstruction, on a public highway to carry the traffic across, and shall include the substructure, superstructure and approaches thereto.
2. Approaches, Limits of. The highway commissioner shall determine the limits of the approaches to all bridges constructed with state aid or town aid bridge funds.

3. Capacity. All bridges constructed with state bridge aid or town bridge aid funds shall have a carrying capacity of at least fifteen tons.

4. Application. The selectmen of a town, the mayor of a city, or the county commissioners for an unincorporated place may apply to the highway commissioner in the manner by him prescribed for state bridge aid for a bridge on a class II highway, and, provided that all bridges on class II highways in such city, town, or unincorporated place are satisfactory to the highway commissioner, may in like manner annually apply for town bridge aid for one bridge on a class V highway.

5. Date of Application; Priority. Applications shall be made on or before the first day of May in any year and shall be considered in the order of their receipt by the highway commissioner, and if the available money for any year is exhausted before all applications are considered the remaining applications shall be returned to the applicant without action thereon.

6. Emergency. Whenever additional bridges within any city, town, or unincorporated place, in the opinion of the highway commissioner, require construction or reconstruction because of an emergency, such city, town, or unincorporated place may apply at any time for state or town bridge aid for such bridges, and such applications shall receive priority over all others. An emergency shall not be deemed to have been created, if, in the opinion of the highway commissioner, any bridge has been destroyed or rendered unsafe for travel by failure of the municipality to maintain the bridge in suitable repair.

7. Determination of Necessity. The selectmen of a town, the mayor of a city, or the county commissioners for an unincorporated place, together with the highway commissioner or his representative and the member of the governor's council in whose district the bridge is located, shall constitute a board to determine whether public convenience and necessity require the construction or reconstruction of the bridge, and when the bridge crosses the boundary line between two muni-
municipalities within the state the municipal officers of each shall sit upon the board.

8. Plans and Estimates. When the board by unanimous vote has decided that public convenience and necessity require the construction or reconstruction of a bridge the highway commissioner shall prepare plans, specifications and estimates of the cost of such construction and at a subsequent meeting of the board submit the same for approval.

9. Cost; How Borne; State Bridge Aid. When public convenience and necessity require the construction or reconstruction of any bridge on a class II highway the cost thereof shall be borne as follows:

I. In towns whose valuation does not exceed $250,000: The town shall pay one-third and the state two-thirds for bridges whose cost does not exceed $3,000; the town shall pay one-fourth and the state three-fourths for bridges whose cost is more than $3,000 and does not exceed $6,000 provided that the town's share shall not be less than $1,000; the town shall pay one-fifth and the state four-fifths for bridges whose cost is more than $6,000 and does not exceed $16,000 provided that the town's share shall not be less than $1,500; the town shall pay one-sixth and the state five-sixths for bridges whose cost exceeds $16,000 provided that the town's share shall not be less than $3,200 and the state's share not more than $20,000.

II. In towns whose valuation is more than $250,000 and not more than $500,000: The town shall pay one-half and the state one-half for bridges whose cost does not exceed $3,000; the town shall pay one-third and the state two-thirds for bridges whose cost is more than $3,000 and does not exceed $6,000 provided that the town's share shall not be less than $1,500; the town shall pay one-fourth and the state three-fourths for bridges whose cost is more than $6,000 and does not exceed $16,000 provided that the town's share shall not be less than $2,000; the town shall pay one-fifth and the state four-fifths for bridges whose cost exceeds $16,000 provided that the town's share shall not be less than $4,000 and the state's share not more than $20,000.

III. In towns whose valuation is more than $500,000 and not more than $1,000,000: The town shall pay one-half and the state one-half for bridges whose cost does not exceed $6,000; the town shall pay one-third and the state two-thirds
for bridges whose cost is more than $6,000 and does not exceed $16,000 provided that the town's share shall not be less than $3,000; the town shall pay one-fourth and the state three-fourths for bridges whose cost exceeds $16,000 provided that the town's share shall not be less than $5,333 and the state's share not more than $20,000.

IV. In towns whose valuation is more than $1,000,000 and not more than $1,500,000: The town shall pay one-half and the state one-half for bridges whose cost does not exceed $16,000; the town shall pay one-third and the state two-thirds for bridges whose cost exceeds $16,000 provided that the town's share shall not be less than $8,000 and the state's share not more than $20,000.

V. In towns whose valuation is more than $1,500,000: The town shall pay one-half and the state one-half for all bridges, provided that the state's share shall not exceed $20,000.

10. Town Bridge Aid. When public convenience and necessity require the construction or reconstruction of any bridge on a class V highway the cost thereof shall be borne as follows:

I. In towns whose valuation does not exceed $250,000: The state shall pay fifty per cent and the town fifty per cent for bridges whose cost does not exceed $3,000; the state shall pay fifty-five per cent and the town forty-five per cent for bridges whose cost is more than $3,000 and does not exceed $6,000 provided that the town's share shall not be less than $1,500; the state shall pay sixty per cent and the town forty per cent for bridges whose cost is more than $6,000 and does not exceed $16,000 provided that the town's share shall not be less than $2,700; the state shall pay sixty-five per cent and the town thirty-five per cent for bridges whose cost exceeds $16,000 provided that the town's share shall not be less than $6,400 and the state's share not more than $15,000.

II. In towns whose valuation is more than $250,000 and not more than $500,000: The state shall pay forty per cent and the town sixty per cent for bridges whose cost does not exceed $3,000; the state shall pay fifty per cent and the town fifty per cent for bridges whose cost is more than $3,000 and does not exceed $6,000 provided that the town's share shall not be less than $1,800; the state shall pay fifty-five per cent and the town forty-five per cent for bridges whose cost
is more than $6,000 and does not exceed $16,000 provided that the town’s share shall not be less than $3,000; the state shall pay sixty per cent and the town forty per cent for bridges whose cost exceeds $16,000 provided that the town’s share shall not be less than $7,200 and the state’s share not more than $15,000.

III. In towns whose valuation is more than $500,000 and not more than $1,000,000: The state shall pay forty per cent and the town sixty per cent for bridges whose cost does not exceed $6,000; the state shall pay fifty per cent and the town fifty per cent for bridges whose cost is more than $6,000 and does not exceed $16,000 provided that the town’s share shall not be less than $3,600; the state shall pay fifty-five per cent and the town forty-five per cent for bridges whose cost exceeds $16,000 provided that the town’s share shall not be less than $8,000 and the state’s share shall not be more than $15,000.

IV. In towns whose valuation is more than $1,000,000 and not more than $1,500,000: The state shall pay forty per cent and the town sixty per cent for bridges whose cost does not exceed $16,000; the state shall pay fifty per cent and the town fifty per cent for bridges whose cost exceeds $16,000 provided that the town’s share shall not be less than $9,600 and the state’s share shall not be more than $15,000.

V. In towns whose valuation is more than $1,500,000 the state shall pay forty per cent and the town sixty per cent for all bridges provided that the state’s share shall not exceed $15,000.

11. In Two Municipalities. When a bridge crosses the boundary line between two municipalities within the state, the proportion of the cost to be borne by the state shall be determined on the basis of one-half of the combined valuations of the two municipalities, and the balance of the cost shall be borne by the municipalities in proportion to their last valuations.

12. Interstate Bridges. Any city or town may contract with any adjoining state or with a political subdivision thereof for the construction, reconstruction and maintenance of any bridge crossing the boundary line between New Hampshire and such adjoining state on a class IV or class V highway and for the proportion which the city or town in New Hampshire shall contribute towards the cost thereof.
13. **Bridges in Unincorporated Places.** Whenever a bridge is to be constructed or reconstructed with state bridge aid or town bridge aid in an unincorporated place the county commissioners shall set apart and remit the cost to be borne by such place from the money raised and appropriated for the repair or construction of highways within the county.

14. **Construction to Begin.** Whenever after a majority of the board approves the plans and specifications and the municipality or municipalities interested shall have raised or set aside their proportional share of the estimated cost the highway commissioner shall proceed with the construction of the bridge.

15. **Joint Fund Expenditure.** Fifty per cent of the contribution of the municipality or municipalities shall be remitted to the highway commissioner before any such bridge project is begun, and the balance shall be remitted prior to the completion of the project, or by December first of the same year if the project is not then completed, and such contribution together with the amount contributed by the state shall constitute a joint fund to be expended under the supervision and direction of the highway commissioner.

16. **Account.** On completion of any bridge he shall render an itemized statement of the complete cost of construction to the municipality or municipalities interested.

17. **Balance; Deficit.** Whenever, upon the completion of the bridge, the joint fund has not been expended in full, the unexpended balance shall revert to the state and municipality or municipalities in the same proportion as each contributed; and, whenever the cost of construction has exceeded the estimated cost, the municipality or municipalities interested shall forthwith, upon receipt of the itemized statement from the highway commissioner, remit to him their proportional shares of such additional cost.

18. **Maintenance, State Aid Bridges.** All bridges constructed or reconstructed with state bridge aid funds and which are located on class II highways shall be maintained by the state.

19. **Town Aid Bridges.** All bridges constructed or reconstructed with town bridge aid funds shall be maintained and repaired to the satisfaction of the highway commissioner by the towns in which such bridges are located. In case any city, town or unincorporated place whose duty it is to main-
tain and repair any such bridge neglects to maintain, or to make repairs, as ordered by the highway commissioner, such maintenance work or repairs shall be done under his direction at the expense of the state, and the cost thereof plus six per cent shall be paid by such city, town, or place to the state treasurer; and in default of such payment the state treasurer may issue an extent as provided in chapter 86, Revised Laws, for the collection of such payment.

**Town Bridge Aid During World War II**

20. **Suspended.** All town bridge aid for the construction and reconstruction of bridges on class V highways is suspended during the emergency created by World War II, and such emergency shall end six months after the cessation of actual combat or prior to that time provided that the governor, with advice of the council, declares that such emergency is ended for the purpose of town bridge aid for bridges on class V highways.

**Part 15**

**Workmen on Joint Fund Projects**

1. **Work Done by Private Contractor.** The highway commissioner shall require every private contractor engaged in construction or maintenance work by contract with the state, county, city or town, on any state, state aid or town aid highway or bridge project, and who employs five or more persons in the state, to file with the commissioner of labor and highway commissioner of this state a declaration of acceptance of the provisions of sections 6 to 42 of Revised Laws, chapter 216, entitled "Employers' Liability and Workmen's Compensation" before any work is begun on such project.

2. **Workmen to be Town Employees.** Every workman on every state aid or town aid highway or bridge project, except workmen employed by the state highway department in its engineering force or by private contractor engaged in construction or maintenance work on such project by contract with the state, county, city or town, shall be deemed to be in the employ of the county, city or town contributing to the cost of such project and not in the employ of the state.

3. **Insurance; Charge Against Joint Fund.** When any county, town or city may have accepted the provisions of sections 6 to 42 of chapter 216 of the Revised Laws pursuant
Chapter 188

1945

309

to section 5 thereof and in which county, town or city there
are spent state funds on any state aid or town aid highway or
bridge project, the joint fund for such project may be charged
that portion of premiums it pays for workmen's compensation
insurance which the highway commissioner determines to be
the amount which should be allocated to such project.

Part 16

Repair of Highways by Towns

Highway Taxes

1. Levy. Each town shall, at each annual meeting, raise
and appropriate for the repair of highways and bridges with-
in such town a sum not less than one-fourth of one per cent
of the valuation of the ratable estate on which other taxes are
assessed by the town; and in addition thereto may raise as
much more as it may deem necessary; providing, that no town
shall be required to raise under the provisions of this part
more than fifty dollars per mile for the repair of highways and
bridges regularly maintained within the town.

2. Collection. All appropriations for the repair of high-
ways in towns shall be committed to the collector of taxes and
be collected as other taxes.

3. Expenditure. The money so raised and collected shall
be expended in repairing class IV and class V highways by
the agents elected or appointed for the purpose, under the
direction of the selectmen.

4. Insufficiency of Taxes. If the highway taxes in any
town are insufficient for the suitable repair of highways and
bridges therein the selectmen may cause them to be put in
repair at the expense of the town.

Repair of Highways

5. Repair by Contract. Towns may, by vote or by-law,
authorize their selectmen to contract for keeping their high-
ways and bridges, or any part thereof, in repair for a term
not exceeding five years.

6. Highway Agents. At the annual meeting each town
shall elect by ballot, or by major vote authorize the selectmen
to appoint, one or more highway agents, who, under the
direction of the selectmen, shall have charge of the con-
struction, maintenance, and repair of all town highways and
bridges and the maintenance and repair of all sidewalks with-
in the town, except as provided in the laws pertaining to state aid for highways and bridges and town road and bridge aid, and shall have authority to employ the necessary men and equipment, and purchase timber, planks, and other material for construction and repair of such 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. A vote authorizing appointment of highway agents shall continue in effect until changed by major vote at an annual or special meeting.

7. Expert Agent. The town may vote at the annual meeting to instruct its selectmen to appoint an expert highway agent, who, under the direction of the selectmen, shall have the same power and perform the same duties as a highway agent elected by the town.

8. Oath; Bond. Highway agents and expert highway agents shall be sworn to the faithful discharge of their duty, give bonds to the satisfaction of the selectmen for the faithful performance of the duties of the office, and be responsible to them for the expenditure of money and the discharge of their duties generally.

9. Compensation; Statements. The compensation of such agents shall be fixed by the town or selectmen, and they shall render to the selectmen weekly statements of their expenditures, and shall receive money from the treasurer only on the order of the selectmen.

10. Vacancy or Disability. If a town fails to elect at its annual meeting, or a person chosen as highway agent fails to qualify before April first, the office shall be deemed vacant, and shall be filled by the selectmen by appointment. In the event of a vacancy caused by death or otherwise, the selectmen shall appoint some competent person for the unexpired term, and in the event of temporary disability or absence the selectmen may appoint some competent person for the period of such disability or absence.

11. Accounts. Highway agents shall keep accurate accounts, showing in detail all moneys received by them, from whom and when received, and all moneys paid out by them, to whom and for what purpose. They shall settle their accounts before January first annually, and the same shall be printed in the annual town report in detail.
12. Term. They shall hold their respective offices for the term of one year from the date of their qualification, or until the election, or appointment and qualification, of their respective successors.

13. Gravel May Be Taken. Where there shall be occasion for soil, gravel or hardpan to repair the highways maintained by any town, and the same cannot be obtained by agreement with the owner thereof, a lot not exceeding half an acre may be taken by the selectmen, upon petition for that purpose, for the use of the town, in the same way and manner and with the same right of appeal to the landowner as in the case of land taken by selectmen for a highway.

14. Obstruction During Repairs. In repairing highways no uncovered trench or ditch shall be made by the side of the traveled part thereof, next and opposite to a dwelling house, yard or private way leading into any field, land, or inclosure on the highway unless a way is provided over and across such trench or ditch; nor shall the highway be repaired in any other manner to obstruct the passage to such house, yard, or private way unless a way is provided over and across such obstruction.

15. Village Districts. All village districts, and chartered highway districts, shall remain unimpaired, to the extent that they may raise additional sums to be expended solely on the highways within the district in the manner prescribed by the act creating them.

Contribution to Repairs

16. By County. The superior court, on petition and notice to the county commissioners, may order any part of the expense of repairing a highway to be paid by the county, when the whole would be burdensome to the town, or when the county convention has recommended such order.

17. Procedure. The court may order such part of the expense to be paid to the town, or cause the highway to be put in repair in such manner as it thinks proper, and draw its order for such part upon the county treasurer.

18. By Another Town. When the expense of rebuilding or repairing a highway would be excessively burdensome to the town in which it is situate, and another town is greatly benefited by the highway, the superior court, upon petition and proceedings thereon as in the case of laying out a high-
way, may order a portion of the expense to be paid by such other town.

**Damages From Change of Grade**

19. **Assessment by Selectmen.** If in repairing a highway by the authority of the town the grade is raised or lowered, or a ditch made at the side thereof, whereby damage is occasioned to any estate adjoining, the selectmen, on application in writing of the owner, shall, on notice to and hearing of the applicant, view the premises and assess the damages, and, within thirty days after the application, file the same, with their doings thereon, in the office of the town clerk for record. In assessing the damages any benefit which the landowner may receive by such repairs shall be set off against his claim.

20. **Petition to Court.** If the owner is aggrieved by the assessment, or if the selectmen neglect to file the same within thirty days as aforesaid, he may petition the superior court for an assessment or increase of the damages; and like proceedings shall be had thereon as in case of laying out a highway by selectmen.

21. **Land Not Adjoining Highway.** If in repairing a highway by the authority of the town the grade is raised or lowered, or a ditch made at the side thereof, whereby damage is occasioned to land not adjoining such highway or to land in an adjoining town the owner of such land may petition the superior court for an assessment of damages; and like proceedings shall be had thereon as in case of laying out a highway by selectmen. In assessing the damages any benefit which the landowner may receive by such repairs shall be set off against his claim.

22. **Payment.** Damages assessed for change of grade under the provisions of this part shall be paid by the town in which the change of grade is made.

**Highways to Summer Cottages**

23. **Exemption.** Towns shall be exempt from keeping open and repairing highways to summer cottages from December tenth to April tenth.

24. **Notice.** The selectmen shall seasonably post or cause to be posted at the entrances of such highways notices of the closing and opening thereof.
25. Keeping Open. Any town may, by a majority vote, open such highways the entire year, and make such repairs thereon as may be deemed necessary.

Snow Fences

26. Construction and Removal. Any city or town may, after the month of October, erect a fence upon property adjacent to a public highway in order to prevent snow from drifting thereon. The view from the landowner's buildings shall not be obstructed by such fence unless he consents, and the fence shall be removed on or before April first.

27. Damages. The landowner shall be entitled to damages occasioned by the erection, maintenance, and removal of such fence. Either party may apply to the selectmen or the city council for the assessment of damages, and such proceedings shall be had as in the assessment of damages for the laying out of highways by selectmen.

Part 17

Making and Repairing Highways Not in Any Town

1. By County. Highways not in any town or place liable for the repair of highways shall be made and repaired by the county; and every county shall be liable, as towns, to individuals and to the public, for neglect therein.

2. Payment by Land-owners. The owners of lands lying in a body, surrounded in whole or in part by towns or places liable to repair highways therein, shall pay to the county, the expenses of making and repairing the highways within such lands, except such part thereof as the county is ordered to pay under the provisions of the next section.

3. Petition to Court. Upon petition of any persons interested, notice to the county commissioners and a hearing thereon, the superior court may order such part of the expense of making and repairing highways through such land as they may deem just to be paid by the county; and may, upon like proceedings, modify the order, as may from time to time appear proper.

4. Notice of Liability. The county commissioners shall give notice, by publication, to the landowners so liable, describing the land by its boundaries on towns and places liable to repair highways, of the amount so expended and chargeable
to the owners, requiring them to pay the same to the county treasurer within ninety days.

5. **Extent.** If the sum is not so paid the commissioners shall issue their extent therefor, directed to the sheriff or his deputy, requiring him to levy upon, advertise and sell so much of the land as may be necessary to pay the sum, with interest and the costs of levy and sale.

6. **Levy.** The officer shall levy such extent, advertise the sale by publication and sell so much of the land by auction as may be necessary, in the manner lands are required to be sold for nonresident taxes.

7. **Sale; Redemption.** The lands, if lotted, shall be sold by lots; if not lotted, in parcels of one hundred acres each; and the owner of any land so sold may redeem the same within one year after the sale by paying into the county treasury, for the use of the purchaser, the purchase money of the same and interest at the rate of ten per cent.

8. **Taxation by Owners.** A meeting of the owners of the lands described in such notice may be called by a justice, upon petition of any person interested therein; and the owners, at such meeting, may choose a moderator and clerk, assessors and a collector, and may raise by tax upon the owners the amount for which they are so liable, with incidental charges and any costs and interest which may have accrued thereon.

9. **Collection of Tax.** The same proceedings shall be had in the collection of such tax as are prescribed for the collection of taxes in unorganized places.

**Part 18**

**Neglect by Town to Repair Highways and Liability for Damages**

**Fine and Repair by Court**

1. **Penalty.** Any town which neglects to make any new highway or alterations in an existing highway therein, as laid out or altered, or to grade the hills in any highway therein as prescribed therefor, or to cause a dangerous embankment or causeway in such highway to be securely railed, or otherwise to keep any such highway in good repair suitable for the travel thereon, shall be fined for such neglect; provided, however, that no town shall be subject to fine on account of the condition of any class VI highway or liable for damages for injuries happening thereon.
2. Indictment. An indictment may be found or an information filed against any town for such neglect, and a summons thereon shall be issued to the town, and shall be served by giving to one of the selectmen and the town clerk, or by leaving at their respective places of abode, an attested copy thereof and of the officer's return thereon, fourteen days before the return day of the court at which it is returnable.

3. Fine. If upon default or otherwise the town is adjudged guilty it shall be fined such sum as may be sufficient to pay the expense of putting the highway in repair, with incidental charges and costs.

4. Witness Fees. No fees for witnesses in such case shall be taxed unless they have attended by order of the prosecuting officer.

5. Execution. Execution may issue for such fine and costs, as in a civil suit, and when collected the fine shall be paid to the agent appointed, as provided in the following section, and the costs to the county.

6. Expenditure. So much of the fine as may be required therefor shall be expended, by one or more agents appointed by the court, in putting such highway in repair; and if the same is insufficient a further fine, to be collected and expended in like manner, may be imposed until the amount is sufficient.

7. Payment of Damages to Landowner. Land or other property taken for the lay out or alteration of a highway may be used for such purpose without payment or tender of the damages awarded to the owner when, upon proceedings in superior court against the town for neglect to make the highway or alteration, an agent is appointed to superintend the making thereof; and the agent shall pay such damages from the amount recovered against the town by fine or satisfaction of judgment.

8. Account. The agent shall return to the court an account of his expenditures and services, and shall retain out of the money in his hands such compensation as the court may allow.

Duty of Town After Notice of Insufficiency

Civil Liability

9. Notice of Insufficiency. Whenever any class IV or class V highway or bridge thereon in any town, shall be out
of repair, or unsafe for travel, any three citizens or taxpayers in the state may give notice of such insufficiency to one of the selectmen or highway agents of the town, or the mayor or street commissioners of the city, and a copy of said notice to the town or city clerk. The notice shall be signed and shall set forth in general terms the location of such highway and the nature of such insufficiency.

10. **Town to Act; Liability.** The town shall immediately thereafter cause proper danger signals to be placed to warn persons by day and night of such insufficiency, and shall, within twenty-four hours thereafter, commence repairing said highway or bridge, and shall continue such work in good faith and with reasonable dispatch until such highway or bridge is put in good and sufficient repair. The town shall be liable for all accidents that may happen at such place subsequent to the time said notice of deficiency was given, provided it has not commenced to repair the same.

**Repair of Town Highways by County Commissioners**

11. **Complaint to County Commissioners.** Said citizens or taxpayers, upon refusal of the proper authority to make such repairs, may file with one of the county commissioners for the county in which said highway or bridge is situated a complaint in writing and under oath, setting forth in general terms the location of such highway or bridge and the nature of the insufficiency complained of, and stating that they have personally examined the same.

12. **Notification.** Thereupon, the commissioners receiving said complaint shall notify one of the selectmen or highway agents of said town, or the mayor or street commissioners of the city, and also one or more of the persons filing said complaint, of the time and place when and where said board of commissioners will meet for the examination of such highway or bridge, and for a hearing upon such complaint.

13. **Hearing.** In pursuance of such notice said commissioners, or a majority of them, shall examine said highway or bridge and hear all parties interested as to the condition thereof, and the repairs necessary to make it safe and convenient for public travel, and the amount required for such repair. If, after such examination and hearing, said commissioners shall be of the opinion that said highway or bridge is out of repair, or unsafe for travel, they shall determine what repairs,
rebuilding or new constructions are necessary, and shall fix the amount to be expended therefor.

14. Report. They shall make a written report of their finding, containing a full description of the repairs or constructions by them determined upon, and a statement of the amount required therefor, with an order requiring said town to make such repairs or constructions within such reasonable time as they shall determine upon, not exceeding ten days, unless in the opinion of said commissioners it is impracticable to complete said work in that time. They shall forthwith file said report in the office of the clerk of court for the county in which said highway or bridge is situated, and deliver a copy to one of the selectmen or highway agents of the town, or mayor or street commissioners of the city, and said report shall be final and conclusive as to the necessary repairs and the amount required therefor.

15. Agent Appointed, When. At the expiration of the time limited for said repairs, it shall be the duty of said commissioners, without further complaint, upon such notice to the town as they may consider reasonable, to ascertain if their order has been complied with by said town; and if they find it has failed to do the work ordered by them they shall forthwith appoint an agent to expend upon said road the amount fixed in their report, taking from him a sufficient bond to secure the faithful performance of his duties, and shall file in the office of said clerk a certificate stating that their order has not been complied with, and that judgment should be entered up against said town for the amount named in their report, and giving the name of the person appointed as their agent to expend said amount.

16. Judgment; Execution. The clerk shall thereupon, by order of the court, enter up judgment in favor of said commissioners against said town for the amount named in said report, with costs, and shall issue execution therefor, returnable in thirty days from the date of said judgment, and directing the officer collecting the same to pay the amount of said judgment to the agent appointed by said commissioners, and the costs to the clerk.
Liability of Towns For Damages on Bridges, Culverts, and Embankments

17. When Liable. Towns are liable for damages happening to any person, his team, carriage, or motor vehicle, traveling upon a bridge, culvert, or sluiceway, or dangerous embankments of which insufficient warning has been given, upon any highway which the town has the duty of maintaining, by reason of any obstruction, defect, insufficiency, or want of repair of such bridge, culvert, sluiceway or embankments and warning signs or structures, which renders it unsuitable for the travel thereon.

18. When Not Liable. Towns shall not be liable for such damages happening upon class I, class III, or class VI highways, or on state maintained portions of class II highways, or on highways to public waters laid out by a commission appointed by the governor and council. Towns shall not be liable for such damages happening upon any class V highway constructed with joint funds unless caused by neglect of the town in the maintenance or repair of such bridge, culvert, sluiceway, or embankments and warning signs or structures which renders it unsuitable for the travel thereon.

19. Insufficient [Sufficient] Warning. Sufficient warning of dangerous embankments shall be held to have been given whenever the railing, post, or other warning signs or structures conform to the standards prescribed by the state highway department and have been approved by it in the manner hereinafter provided.

20. Approval of Railings. The state highway department shall examine all railings, posts, or other warning signs or structures erected by a town upon any highway, upon the written request of such town, and if the same are approved as standard, a record of such request, of the examination and approval, and of the locations shall be made and kept in the office of the department. A copy of such record shall be filed forthwith in the office of the town clerk. When certified by the state highway commissioner, the copy shall be received by all courts as evidence of the sufficiency of such railings, posts, or other warning signs or structures for a period of three years after such record has been made.

21. Weight of Load. Towns are not liable for such damages to a person traveling upon a bridge, culvert or sluiceway constructed by the town and state with joint funds when
the weight of the load, inclusive of the vehicle, exceeds fifteen tons, or upon any other bridge, culvert or sluiceway when the weight of the load, inclusive of the carriage, exceeds six tons.

22. **Width of Felloes.** They are not liable for such damages when the weight of the load, inclusive of the vehicle, exceeds five tons, unless the width of the felloes of the wheels, if a two-wheeled vehicle, is at least five inches, and if a four-wheeled vehicle, three and one-half inches.

23. **Droves of Cattle.** They are not liable for such damages happening to droves of cattle by reason of the deficiency of a bridge, if, when it happens, the number of cattle on the bridge exceeds twenty-five.

24. **Burden of Proof.** Upon the trial of any action for the recovery of such damages, it is incumbent on the plaintiff to prove the weight of the load, the width of the felloes or the number of cattle on the bridge.

25. **Filing Claim Within Ten Days.** Every person making a claim against a town for such damages shall, within ten days from the date of receiving injury, file with one of the selectmen and the clerk of such town a written statement, under oath, setting forth the exact place where and the time when the injury was received, a full description thereof, the extent of the same and the amount of damages claimed therefor.

26. **Petition to Court.** If any such person was unavoidably prevented from filing such statement within the time limited he may petition the superior court, within six months from the date of receiving injury, to be allowed to file such statement, setting forth in his petition the nature and extent of the injuries for which damages are claimed, when and where they were received, the amount claimed and the causes of delay in filing the statement, and shall cause due notice thereof to be given to the town.

27. **Order of Court.** If, in such proceeding, it appears to the court that the petitioner was unavoidably prevented from filing the statement within the time limited, and that manifest injustice would otherwise be done, the court may allow the statement to be filed with one of the selectmen and the clerk of the town within a time to be limited by its order.

28. **Limitation of Action.** No action against a town for such damages shall be sustained unless a statement is filed as required by sections 25 or 27 hereof, nor shall any such action
be begun until the expiration of thirty days after the filing of the statement.

29. **Liability of Two or More Towns.** If two or more towns are chargeable with the expense of repairing and maintaining a highway they shall be liable for such damages and all costs and expenses of suits for the recovery thereof, in the proportion in which they are required to contribute towards its repair and maintenance; and the claimant may begin and prosecute proceedings for the recovery of such damages against all the towns jointly, or against the town in which the highway is situated.

30. **Notice; Appearance.** In case the proceedings are begun against the town in which the highway is situated only, the selectmen thereof shall cause true copies of all statements, petitions, writs and other papers served upon them or their town to be given to, or left at the usual place of abode of, one of the selectmen and the clerk of each of the other towns liable to contribute as aforesaid, within ten days after such service; and such other towns may appear and be heard in all the proceedings as if they were parties to the record, and the record may be amended so as to include them.

31. **Settlement by One Town.** Any such town may settle with the claimant its proportion of the damages claimed; and the settlement shall be a full discharge of its proportional share of the damages and costs as against both it and the other towns; but the same shall not affect the claimant’s rights against the other towns or either of them, or be put in evidence in any suit commenced by him against them, except in proceedings relating to the adjustment of contributions between the towns, when final judgment is to be entered up.

32. **Apportionment.** Whenever final judgment is to be entered up in any such action the court, upon notice to all the towns interested, shall determine the amount to be paid by each to either of the others to adjust all matters of damage, cost and expense according to the provisions of the preceding sections, and make orders and issue executions accordingly.

**Liability of Persons for Damages on Bridges, Culverts, and Embankments**

33. **When Liable.** Any person or corporation, except municipal corporations, through whose negligence or careless-
ness any obstruction, defect, insufficiency, or want of repair is caused upon any highway, shall be liable to any person injured by reason thereof, and the damages may be recovered in an action on the case; provided that this part shall not enlarge the common law liability of public officers.

**Action Local**

34. **Venue.** All actions for damages brought under the provisions of this part shall be brought in the superior court of the county where the injuries were received.

**Part 19**

**Regulations and Protection of Highways**

**Stop Signs and Other Regulations by Highway Commissioner**

1. **Regulation.** The commissioner may regulate the use of class I, class II, and class III highways in towns of less than twenty-five hundred population and in other towns outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, or other traffic devices or signals thereon or upon any highway entering therein.

2. **Posting; Return.** Regulations controlling traffic by such stop signs, devices, or signals shall be posted on every such highway and a return thereof shall be filed with the state highway department to be kept in a special book which shall be open to public inspection. A copy of such return shall be filed with the town clerk for information.

3. **Other Regulations.** Other regulations, seasonal or otherwise, shall be posted on every such highway affected thereby.

4. **Penalty and Liability.** Any person violating the provisions of such posted regulations shall be fined not more than one hundred dollars and shall be liable for all damage occasioned thereby.

5. **Stop Signs and Signals; Presumption of Legality.** Every stop sign, traffic device, or traffic signal erected on any public highway shall be deemed lawfully erected and maintained and to conform to standards set by the highway commissioner and approved by him as to type, size, installation and method of operation, until the contrary is proven, in all cases, civil or criminal.

6. **When Not Erected by Officials; Penalty.** If any person, except a public officer or official or a person acting under
his direction or order, erects on any public highway a stop sign, traffic device, or traffic signal, he shall be fined not more than one hundred dollars or imprisoned not more than six months.

7. Damaging Guard Rails or Highway Signs; Penalty. If any person wilfully removes, injures, defaces or damages any guard rail, guide board, sign, post, marker, or the letters or figures thereon, or any traffic device or traffic signal, or any design, marking or wording used to designate a highway route or painted on the highway to control traffic, erected, painted or maintained by the state or a city or town, on any public highway, or any snow fence on any such highway or land adjacent thereto, he shall be fined not more than one hundred dollars.

Excavations and Driveways

8. Excavation; Permit; Emergency. It shall be unlawful to excavate or disturb the shoulders, ditches, embankments or the surface improved for travel of any class I or class III highway or state-maintained portion of any class II highway for any purpose whatever without written permission from the state highway commissioner or his division engineer, or of any other highway without written permission from the selectmen or highway agent of the town, or the mayor and aldermen or street commissioner of the city; provided, that in cases of emergency where the public health or safety is endangered such immediate action as may be necessary may be taken without such permission, but in such cases the person directing or taking such action shall at once notify the official empowered to give written permission.

9. Regulations; Bond. The person giving such written permission may make rules and regulations to govern the excavation and restoration of such highway and may require that a bond satisfactory to him be furnished to the state, city or town providing for the satisfactory restoration of the highway.

10. Restoration. Any person or corporation who excavates or disturbs the shoulders, ditches, embankments, or the surface improved for travel of any such highway shall restore such highway to the satisfaction of the official empowered to give such written permission.

11. Exception. The foregoing provisions shall not apply to railroads when making necessary repairs or improvements
within their rights of way at points where the same are crossed by a highway; but no such repairs or improvements, if they involve excavating or disturbing the surface of any highway shall be made without written permission from the public service commission.

12. Driveways. It shall be unlawful to construct or maintain any driveway, entrance, or approach within the limits of the right of way of any such highway without a written permit from the state highway commissioner. The commissioner is authorized to make such rules and regulations as to the grade and location of driveways, entrances, and approaches on said highways as will adequately protect and promote the safety of the traveling public, but he shall in no case deny access to property abutting the highway. No permit shall be required for any existing driveway, entrance, or approach unless the grade or location of the same is changed.

13. Penalty. Whoever violates any provision of this subdivision or the rules and regulations made under authority thereof shall be fined not more than one hundred dollars and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

Obstructions and Encroachments

14. Purprestures; Barbed Wire. If any building, structure or fence is erected or continued upon or over any highway, or if any fence, any part of which within six feet from the ground is barbed wire, is erected, maintained or continued adjoining or adjacent to any street or highway within the compact part of any town or within the limits of any village district or city, it shall be deemed a public nuisance. Cornices or other projections upon buildings, extending a reasonable distance into a highway, twelve feet or more above the surface of the highway, shall not be considered obstructions within the meaning of this section.

15. Penalty. Any person so erecting or continuing any building, structure or fence, so as to interfere with, hinder or obstruct the public travel, shall be fined not more than fifty dollars, and the superior court may order such building, structure or fence to be removed, if it be found that the same does so obstruct or lessen the full breadth of the highway, or is dangerous to public travel thereon.
16. **Exceptions.** Watch-houses and structures for public use erected by authority of the town or by its selectmen, and signs and awnings put up in conformity with the police regulations in force in the town, are excepted from the provisions of section 14.

17. **Obstructing Water; Penalty.** If any person shall place, or suffer to be placed or to remain, any logs, earth or other substances within the limits of a highway, or upon land in the vicinity of a highway by which the water in a stream, pond or ditch is turned upon the highway and injures or renders it unsuitable for public travel, he shall be fined not more than one hundred dollars. If such highway is maintained by the town, the fine shall be for the use of the town and if such highway is maintained by the state, the fine shall be for the use of the state highway department. Nothing in this section shall be construed as prohibiting the placing of snow within the limits of a highway for the purpose of crossing or recrossing by sleds, logging or farming equipment.

18. **Snow Obstruction.** If any person shall put or place or cause to be put or placed any snow or ice upon the surface of the traveled portion of any class I or class III highway or state maintained portion of any class II highway for any purpose, except to provide a place necessary for crossing, recrossing and traveling upon said highways by sleds, logging or farm equipment, he shall be fined not more than one hundred dollars. The provisions of this section shall not apply where snow or ice is pushed across the traveled surface of said highways for the purpose of snow removal from land adjoining said highways.

19. **Fences.** Fences shall not be removed for highway purposes until ten days' notice in writing of the intention to remove the same has been given to the owner or occupant of the land enclosed by such fence, or to his agent.

20. **Service of Notice.** Such notice may be served by any agent of the state highway department on such owner or occupant or his agent.

21. **Time of Removal.** All such fences shall be removed within the time designated, and, if not removed by the date stated in such notice, they may be forthwith removed by said department at the expense of the owner.

22. **Depositing Ashes, Nails, etc.; Penalty.** If any person shall put or place, or cause to be put or placed, in or upon
any highway, street, square, lane, alley, public bathing place or the approaches thereto or other public place in any city or town any ashes, glass, crockery, scrap iron, nails, tacks, or any other articles which would be likely to injure the feet of children or animals, or the tires of bicycles or other vehicles, he shall be fined not more than twenty dollars.

23. **Leaving Trigs, etc.; Penalty.** If any person shall leave or suffer or allow to be left, on any public street or highway or in any gutter or drain adjacent to the same, anything which has been used in aiding to repair or trig any vehicle, he shall be fined not more than twenty dollars.

24. **Removal.** The state highway department may remove all obstructions in class I, class II, or class III highways, and the highway agent of any city or town may remove all obstructions on any other highway and on town maintained portions of class II highways.

25. **No Adverse Right.** No person shall acquire, as against the public, any right to any part of a highway by inclosing or occupying it adversely for any length of time.

**Encumbrances on Highways**

26. **Removal.** If any timber, lumber, stone or other thing is upon a state-maintained highway, encumbering it, the state highway department may immediately remove the encumbrance, and if upon any other highway the highway agent of the city or town may immediately remove the encumbrance, and the official shall hold the same in his possession until the costs of removal are paid.

27. **Disposal.** He shall deliver to the owner the encumbrance removed, on being paid the cost of removing and keeping it, within thirty days after its removal; if the cost is not so paid he may sell the same, on giving four days' notice thereof, by posting notices in two public places in the town.

28. **Proceeds of Sale.** The official shall pay to the owner of such encumbrance the balance of the money received on the sale thereof after deducting his costs of removal, keeping and sale.

29. **Notice; Complaint.** The official may, if he chooses, give reasonable notice to the owner or person leaving any such encumbrance to remove the same; and upon his neglect or refusal, or if he is unknown, may make complaint thereof to a justice of the peace.
30. **Hearing; Order.** The justice shall cause notice to be given to the owner or person leaving the same, if known, of the time appointed by him to view the encumbrance, and, after hearing such party if he attend, may upon his own view issue his warrant to the official to remove the same so far as he shall judge necessary for the public convenience, and to sell so much thereof as may be necessary to pay the legal costs, taxed by him, and three times the price of the labor of removing the same, to be estimated by the justice.

31. **Authority to Sell; Deficit.** The official shall have the same powers in making such sale as a collector of taxes has in the sale of property distrained by him, and shall be governed by the same rules; and, if the proceeds of the sale are insufficient to pay the sums specified in the warrant, he may recover the balance unpaid by action on the case against the person leaving the same.

**Liability for Obstruction or Injury to Highway**

32. **Damaging Highway; Penalty.** If any person, without authority, wilfully injures any highway or bridge thereon by destroying or taking away any plank, timber, stone or other material thereof, or by digging any pit therein, he shall be fined not more than one hundred dollars, or imprisoned not more than six months.

33. **Civil Liability.** If any person shall place any obstruction in a highway, or cause any defect, insufficiency or want of repair of a highway which renders it unsuitable for public travel, without authority, he shall be liable to the state for all damages to the highway when maintained by the state, and to the town for all damages to other highways, and for all damages and costs which the town shall be compelled to pay to any person injured by such obstruction, defect, insufficiency or want of repair.

**Marking the Location of Public and Historic Incidents**

34. **Permits.** Selectmen of towns may permit the erection of monuments, tablets and markers by individuals or societies in public highways or other public grounds, in such places and of such character as may be approved by the selectmen, for the purpose of indicating the occurrence of historic events and matters of public interest; provided, that the reasonable use of such highway or other public place shall not be interfered with thereby.
35. **Damages.** If any person shall be damaged in his estate by the erection of such monument, tablet or marker he may apply to the selectmen within six months after such erection, but not afterwards, to assess his damages, and thereupon proceedings shall be had, as in the case of assessment of damages in laying out highways by selectmen.

36. **Change of Location.** Any person whose rights or interests shall be affected by such location may, within sixty days after the approval of the selectmen, as provided in section 34, but not afterwards, petition the selectmen for such changes in the terms of the location as he may desire; and, after notice to parties and hearing, the selectmen may alter or revoke said location as justice may require.

37. **Petition to Court.** If the selectmen shall neglect or refuse after thirty days to decide and make return of their proceedings upon any petition addressed to them under the provisions of the preceding section, or if any party whose interests are affected by such decision is dissatisfied therewith, the petitioner or party so dissatisfied may apply to the superior court for relief within sixty days thereafter; and like proceedings shall thereupon be had as in the case of appeals from the laying out of highways by selectmen.

38. **Return; Record; Fees.** The selectmen shall, within thirty days, make a return of their proceedings and decision upon every petition presented to them and of every location by them approved under the provisions of this subdivision, and shall cause the same to be recorded by the town clerk. The fees of the selectmen and town clerk shall be paid by the petitioner.

**Part 20**

**Use of Highways by Travelers**

**Law of the Road**

1. **Meeting Another.** If a person traveling on a highway with a vehicle meets another person so traveling in the opposite direction, he shall seasonably turn to the right of the center of the traveled part of the road, so that each may pass the other without interference.

2. **Another Passing.** If a person traveling on a highway with a vehicle is informed that another person traveling in like manner in the same direction desires to pass him, he shall turn to the right of the center of the traveled part of
the road, if there is sufficient room on that side to enable him to do so with safety, and shall not wilfully obstruct the passage of the rear team or vehicle upon the other side of the road.

3. **Intersecting Ways.** If a person traveling on a highway with a vehicle approaches an intersecting way, as defined in chapter 115, he shall grant the right of way, at the point of intersection, to vehicles approaching from his right, provided that such vehicles are arriving at the point of intersection at approximately the same instant; except that the provisions hereof shall not apply to intersections at which traffic is controlled by a police or traffic officer or by a traffic device or signal.

4. **Penalty and Liability.** If any person shall violate any of the provisions of the three preceding sections he shall be fined not more than ten dollars, and in addition thereto shall be liable for the damages occasioned thereby; but no action for such damages shall be sustained unless begun within one year.

**Lights on Vehicles**

5. **Period of Lighting.** Every vehicle, including bicycles, 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 rear, during the period from one-half hour after sunset to one-half hour before sunrise. This provision shall not apply to any vehicle which is designed to be propelled by hand, or to any vehicle designed for and transporting hay or straw, or to any motor vehicle.

6. **Exemption.** 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 subdivision for such period of time as said board may determine; and shall give to such owner a written exemption, describing the vehicle, which exemption shall apply to such vehicle upon any highway or bridge within the state.

7. **Burden of Proof.** If, in any prosecution under the provisions of this subdivision, the defendant pleads exemption, the burden of proving the same shall be upon him, and he shall produce the order whereby such exemption was created.

8. **Refusal to Give Name.** No person, while driving or
in charge of a vehicle which is not lighted as required by section 5, shall refuse, when requested by a police officer, to correctly give his name and address.

9. **Penalty.** Any person violating the provisions of this subdivision shall be fined not more than five dollars.

10. **Party Responsible.** The driver or custodian of a vehicle shall be deemed the responsible party, liable to such penalty.

11. **Enforcement.** The commissioner of motor vehicles, his agents and examiners, sheriffs and their deputies, police officers, constables and selectmen shall have authority to enforce the provisions of this subdivision.

**The Use of Highways by Bicycle Riders and Others**

12. **Limitations.** Whoever, without the permit provided for in section 16, rides a bicycle on a sidewalk, or rides such machine in the streets, squares or parks of any city or town when the same is not provided with a suitable alarm bell, adapted for use by the rider, or who rides the same in the compact part of any city or town at a rate of speed exceeding ten miles an hour, shall be fined not more than ten dollars, and shall be liable for all damage occasioned to any person by such unlawful act. The provisions of this section shall not apply to children under the age of twelve years.

13. **Sidewalk, Defined.** The term sidewalk, as used in this subdivision, shall mean all sidewalks laid out as such by a city, town or village district, or reserved by custom for the use of pedestrians, that are within the compact part of a city, village or district. It shall not include cross walks, nor foot-paths outside the compact part of towns and cities that are worn only by travel and not improved by towns or cities or the abutters, nor any paths or walks that are built for the exclusive use of bicyclists.

14. **Sidewalks Outside Compact Area.** Upon petition of five or more legal voters, the selectmen of a town or the mayor of a city, upon notice and hearing had, shall have the power to include within the foregoing provisions, sidewalks without the compact part of the town or city that are built or improved by said town or city or by the abutters; but in such case, notices to that effect shall be posted near said walks at least one week before they shall be so included.

15. **Bicycle, Park, etc., Defined.** The term bicycle as used in this subdivision shall include all vehicles propelled by
the person riding the same, either wholly or in part. The term park and square shall not include any spaces under the control of park commissioners or a park board, or a special park department of a town or city having power to make regulations relative to such places, and this subdivision shall not in any way abridge the powers of such commissioners, board or department.

16. Permits. The mayor of a city, or selectmen of a town, may, in their discretion, upon any special occasion, grant permits to any persons to ride such machines, at any rate of speed, for a time not exceeding one day upon specified portions of the public ways of such city or town, and may annex such other reasonable conditions to such permits as they may deem proper.

17. Application of Laws. Every person riding a bicycle upon a highway shall be subject to the law of the road applicable to the driver of a vehicle, as provided in sections 1 to 4, inclusive.

18. Clinging to Vehicles Prohibited. No person riding a bicycle, coaster, sled, or toy vehicle, or wearing roller skates, shall hold fast to, or hitch on to, any street car or vehicle moving upon a highway.

19. Ordinances and By-Laws. Any town shall have the power to make ordinances, by-laws, or regulations respecting the use and equipment of bicycles on its highways. It may require bicycles to be licensed and may charge reasonable fees therefor.

20. Penalty. Any person violating the provisions of section 18 or any ordinance, by-law, or regulation made under the provisions of section 19 shall be fined not more than five dollars.

21. Limitation of Prosecution. Prosecutions under this subdivision shall be instituted within sixty days from the time the offense was committed.

Width of Rims of Wagon Wheels

22. Requirements. All freight, express and farm wagons, carts, coaches, or carriages hereafter constructed or purchased for use in this state, and used for carrying more than two tons and less than four tons weight, shall have the rims or felloes of their wheels at least four inches wide; for carrying more than four tons and less than six tons, at least
five inches wide; and for carrying more than six tons, not less than six inches wide.

23. Penalty. Any person who shall violate the provisions of the preceding section shall be fined not more than twenty-five dollars.

Chaining Wheels on Hills

24. Method. Chaining wheels on hills is prohibited unless a wooden or metal shoe is used, said shoe to be at least eighteen inches in length and six inches in width.

25. Penalty. Any person violating the foregoing provision shall be fined not more than twenty dollars, or imprisoned not more than thirty days, or both.

Part 21

Town Highway Names, Conveyances and Bridge Regulations

Street Names and Markers

1. Names; Changes; Signs. In all towns, every street shall have a name which shall be given it by the selectmen. Said name shall be legibly marked on a suitable signboard or other marker and placed in at least two conspicuous places on said street. The selectmen may change the name of any such street at any time when in their judgment there is occasion for so doing. When a change is made in the name of any street the selectmen shall make a return of the same to the town clerk, who shall make a record thereof.

2. Corners and Angles. The corners and angles of all streets shall be marked by a durable marker of stone, metal or other material, of such size and construction that it can be readily found.

3. Lost Bounds; Exceptions. All streets affected by this subdivision, the bounds of which have been lost, shall be resurveyed that the provisions hereof may be carried out. Principal streets which have curbings and corners of stone or other similar material, or permanent, durable sidewalks on both sides thereof, shall not be subject to the provisions of this section; but all streets hereafter laid out shall be constructed in accordance therewith, and the naming of such street shall form a part of the return of said lay out.

4. Where in Force. Sections 1, 2 and 3 shall be in force in cities and in such towns as shall, at any regular meeting by a majority vote, adopt the same.
Names of Highways

5. Naming. In cooperation with the highway commissioner it shall be the duty of selectmen and city officials, in so far as practicable, to provide names for highways not hitherto named. Selectmen may at their discretion submit such names for approval at any meeting of the legal voters of the town.

6. Limitation. No name for a highway shall be selected which is already in use as the name of a highway in the same county, nor shall any highway be named after a living person.

Conveyances of Land by Towns

7. Conveyances to State. Selectmen, subject to a vote of the town, or the mayor and board of aldermen of cities, may convey to the state all right, title, and interest of the town or city in or to any class I, class II, or class III highway, if such conveyance is desired by the state on account of any highway construction, reconstruction, or maintenance.

Bridge Regulations

8. By-Laws of Towns. Towns may establish by-laws to prevent persons from wilfully riding or driving at a rate faster than a walk over any bridge maintained by the town which shall have cost one hundred dollars or more, and may annex penalties not exceeding five dollars for the breach thereof, to be recovered by the town.

9. Posting By-Laws. No such by-law shall be in force unless the town shall cause to be posted and kept in some conspicuous place at each end of the bridge a board, painted with a white ground, containing in black letters the substance of such by-law.

10. Lighting. Every covered bridge on a highway, within one-half mile from which bridge there are living one hundred inhabitants, shall be suitably lighted by the town from dark until ten o’clock in the evening of each day.

11. Winter Travel. The traveled part of any covered bridge shall be kept covered with snow by the town when there is sufficient snow for sleighing on the highways leading to the bridge.

12. Side Openings. All covered bridges upon public highways shall have an opening in the sidewalls thereof, of sufficient dimensions and in a proper location, to enable travelers upon the bridge to see objects or obstructions upon the highway beyond the bridge within a reasonable distance, and
to enable travelers approaching the bridge to see, so far as possible, objects or obstructions upon the bridge.

13. **Penalty.** The selectmen neglecting to comply with the requirements of the preceding three sections shall be fined not more than ten dollars.

14. **Interference With Lighting; Penalty.** Any person unlawfully removing or injuring any lamp or fixture, or extinguishing any light used for lighting such bridge, shall be fined not more than ten dollars, and shall be liable to the town for all damages occasioned thereby.

15. **Closing Highways; Detours; Penalty.** The selectmen of a town or the mayor of a city, may, by appropriate barriers and signs, temporarily close or regulate travel on any class IV or class V highway or bridge thereon, in order to perform work on such highway or bridge, and may establish, maintain and mark detours. Any person who travels on such closed highway or bridge, or who violates the provisions of such regulations, shall be fined not more than one hundred dollars.

16. **Load Limit on Town Bridges; Posting.** Whenever the selectmen of a town or the mayor and board of aldermen of a city, shall determine that any bridge not constructed with joint funds and which the town has the duty to maintain, is unsafe for travel when the weight of the load, inclusive of the vehicle, exceeds six tons or such greater load limit as they may determine, they shall cause notice of such load limit to be posted on or near the entrances of such bridge.

17. **Permit.** The selectmen of the town or the street commissioner of the city in which such bridge is situate, may grant a written permit to carry a load in excess of such posted load limit on such conditions and under such regulations as such selectmen or street commissioner believe will permit a safe travel of such excessive load without damage to such bridge.

18. **Penalty.** Any person who operates or attempts to operate any vehicle on such bridge when the weight of the load, inclusive of the vehicle, exceeds such posted load limit, without such permit, or who operates or attempts to operate any vehicle on such bridge in violation of such conditions and regulations, shall be fined not more than one hundred dollars.
Part 22
Sidewalks and Sewers

Sidewalks

1. Construction. The mayor and aldermen of any city, upon petition, may construct sidewalks therein, with or without edgestones, and covered with any appropriate material, and for that purpose may widen and straighten any highway as in other cases, except that the notice of proceedings shall state that the construction of a sidewalk is contemplated.

2. Assessing Abutters. In constructing such sidewalks such board may assess upon the owners of the property abutting on such street a portion not exceeding one-half of the expense of constructing the same, and the amount so assessed upon each of such owners shall be reasonable, and proportional to the benefits accruing to the land upon which such assessment is laid; and all assessments thus made shall be valid and binding upon the owners of such land, and shall be a lien thereon for one year after the same are made and notice given to the persons assessed, and said lands may be sold for non-payment thereof as in the case of non-payment of taxes on resident lands. The landowner shall have the same right of appeal, with the same procedure, as in other highway cases.

3. Repair and Maintenance. The highway agent, under the direction of the mayor and aldermen of a city or the selectmen of a town shall have charge of the repair of all sidewalks therein constructed under the provisions of this part, and such sidewalks shall be maintained, repaired and reconstructed by the city or town in which they are located without further assessment to the abutting owner.

Sewers

4. Construction. The mayor and aldermen of any city may construct and maintain all main drains or common sewers which they adjudge necessary for the public convenience and health. Such drains and sewers shall be substantially constructed of brick, stone, cement or other material adapted to the purpose, and shall be the property of the city.

5. Taking Land. Whenever it is necessary to construct such main drains or common sewers across the land of any person the mayor and aldermen may lay out a sufficient quantity of such land for the purpose, and assess the owner's damages in the same manner as in the case of taking land for
highways, and the owner shall have the same right of appeal, with the same procedure.

6. By-Laws and Ordinances. In cities where the sewage is pumped or treated the mayor and aldermen may adopt such ordinances and by-laws relating to the system, pumping station, treatment plant or other appurtenant structure as are required for proper maintenance and operation. Any person wilfully violating such ordinances or by-laws shall be fined not more than ten dollars for each day of violation after written notice to desist has been given.

Assessment for Sewers

7. Levying. The mayor and aldermen may assess upon the persons whose drains enter such main drains or common sewers, or whose lands receive special benefit therefrom in any way, their just share of the expense of constructing and maintaining the same.

8. Sewer Rentals. For the defraying of the cost of construction, payment of the interest on any debt incurred, management, maintenance, operation, and repair of newly constructed sewer systems, including newly constructed treatment and disposal works, the mayor and aldermen may establish a scale of rents to be called sewer rents, and to prescribe the manner in which and the time at which such rents are to be paid and to change such scale from time to time as may be deemed advisable. Such rents may be based upon either the metered consumption of water on premises connected with the sewer system, making due allowances for commercial use of water, the number and kind of plumbing fixtures connected with the sewer system or the number of persons served by said sewer system, or upon any other equitable basis.

9. Sewer Funds. The funds received from the collection of sewer rentals shall be kept as a separate and distinct fund and shall be known as the sewer fund. Any surplus in such fund may be used for the enlargement or replacement of the sewerage system or the sewage disposal works, but shall not be used for the extension of sewerage systems to serve unsewered areas or for any purpose other than those above specified.

10. Lien. All assessments under the provisions of sections 7 and 8 shall create a lien upon the lands on account of which they are made, which shall continue for one year after notice of the assessment is given to the owner of the land,
and, in case an appeal has been taken and the assessment has been sustained in whole or in part upon such appeal, until the expiration of one year from such decision.

11. Collection. They shall be committed to the collector of taxes, with a warrant under the hands and seal of the mayor and aldermen requiring him to collect them; and he shall have the same rights and remedies and be subject to the same liabilities in relation thereto as in the collection of taxes.

12. Abatement. For good cause shown, the mayor and aldermen may abate any such assessment made by them or by their predecessors.

13. Petition to Court. If they neglect or refuse to do so any person aggrieved may apply by petition to the superior court for relief at any time within ninety days after notice of the assessment, and not afterwards; and the court shall make such order thereon as justice may require.

14. Correction. If any error is made in any such assessment it may be corrected by the mayor and aldermen by making an abatement and a new assessment, or either, as the case may require; and the same lien, rights, liabilities and remedies shall attach to the new assessment as to the original.

15. Installments. The mayor and aldermen of any city may, in their discretion, in making any assessment under this part, assess the same to be paid in annual installments extending over a period not exceeding twenty years, and in such case their assessment so made shall create a lien upon the land on account of which it is made, and the lien of each installment so assessed shall continue for one year from June first of the year such installment becomes due.

16. Assessment Not Required. Nothing herein contained shall be construed to prevent any city from providing, by ordinance or otherwise, that the whole or a part of the expense of constructing, maintaining and repairing main drains or common sewers shall be paid by such city.

Sewer Commissions

17. Establishment; Duties. Any town or village district which adopts the provisions of this part may, at the time of such adoption or afterwards, vote to establish a board of sewer commissioners, consisting of three members, which board shall perform all the duties and possess all the powers
in the town or district otherwise hereby conferred upon the selectmen.

18. Election. At the annual town or district meeting when such board is established, there shall be chosen, by ballot and by major vote, three sewer commissioners, to hold office for three years, two years, and one year, respectively, and thereafter, at every annual meeting, one commissioner shall be so chosen to hold office for three years; provided, that such election shall be by plurality vote in towns or districts which, under existing laws, elect officers in that manner.

19. Vacancies. Vacancies in the board, whether from failure to elect or otherwise, shall be filled in towns by the selectmen of the town, and in village districts by the commissioners of the district. Any member of the board so chosen to fill a vacancy shall hold office until the next annual meeting.

20. Compensation. The compensation of such sewer commissioners shall be fixed in towns by the selectmen, and in village districts by the commissioners of the district.

Miscellaneous Provisions

21. Entering Without Permit. Any person who digs or breaks up the ground in any street, highway, lane or alley in any city, for the purpose of laying, altering, repairing or entering any main drain or common sewer therein, without permission from the mayor and aldermen, shall forfeit five dollars for each offense.

22. Malicious Injury; Penalty. Any person who shall wantonly or maliciously injure any part of any sewer system or sewage disposal plant shall be fined not more than three hundred dollars, and be liable to pay treble damages to the owner thereof.

23. Application of Part. The provisions of this part shall be in force in such towns and village districts as may adopt the same; and the selectmen shall perform all the duties and possess all the powers in the town or the district, as the case may be, conferred by this part upon the mayor and aldermen, and the rights of all parties interested shall be settled in the same way.

Part 23

Trees and Roadside Growth

1. Tree Wardens. The selectmen or other citizens of any town may nominate for appointment by the state forester
as town tree warden one or more persons by them known to
be interested in planting, pruning and preservation of shade
and ornamental trees and shrubs in public ways, parks and
grounds. After investigation the state forester may choose
and appoint from the persons recommended as above pre-
scribed one competent person to be the tree warden for said
town who shall serve for one year or until a successor is
appointed as hereinbefore provided. The state forester shall
have the power in the exercise of his discretion to remove any
tree warden from office. It shall be the business of the tree
warden to perform the duties hereinafter specified and he
shall be allowed such compensation for services and expenses
as the selectmen may deem reasonable.

2. Control of Trees. Towns shall have control of all
shade or ornamental trees situated within the limits of their
highways which have been or may be acquired by gift or pur-
chase, or planting by or with the advice of the tree warden,
or by condemnation by the tree warden.

3. Acquisition. It shall be the duty of the tree warden
to examine the trees growing within the limits of highways
and to designate from time to time such as may be reasonably
necessary for the purpose of shade or ornamentation and to
acquire them in the name of the municipality as hereinafter
provided, if it can be done, either by gift or by purchase if at a
fair price and funds either public or private are available. Fail-
ing in this, he may take said trees, including the right to main-
tain the same as shade trees, for the use of the town or city
by appraising the fair value of the same and by causing to be
served upon the owner thereof a notice of such taking, which
notice shall state the number of each variety of tree so taken,
the location of the same as near as practicable, and the value
thereof as fixed by him, or by a committee selected for the
purpose, and also by filing a copy of such notice as attested
by him with the town clerk. If the owner shall be satisfied
with the value stated in such notice, the tree warden shall
cause the same to be paid to him forthwith. If the owner
shall be dissatisfied, he may, within thirty days after said
notice has been served upon him, but not afterwards, apply
to the selectmen to assess his damages. Such proceedings
shall thereupon be had, including the right of appeal, as are
provided in the case of assessment of damages in laying out
of highways by selectmen; and thereupon such damages, if
any, may be awarded as shall be legally and justly due to the landowner.

4. **Marking.** The trees so acquired shall be marked for identification in such manner as the state forestry commission shall approve. The tree warden shall keep a record of such trees, such record to show the approximate location, name of abutting landowner, variety and approximate diameter, and date of acquisition. The tree warden or his authorized agent shall represent the interest of the public at any hearing whenever a public service corporation shall desire to cut or remove any shade or ornamental tree in accordance with the provision of section 13 of part 24 of the Highway Law of 1945, or may have caused damage to such trees.

5. **Appropriation.** Such sums of money as the town may appropriate, or as are available, may be used to carry out the provisions of the four preceding sections.

6. **Removal.** Whoever desires the cutting and removal in whole or in part of any public shade or ornamental tree may apply to the tree warden, who shall give a public hearing, upon the application, at some suitable time and place, after publishing and posting notices of the hearing in two or more public places in town and also upon the tree or trees which it is desired to cut and remove; provided, that the tree warden may, if he deems it expedient, grant permission for such cutting or removal, without a hearing, if the tree in question is on a public way outside of the residential part of the town limits, such residential part to be determined by him. No tree within such residential limit shall be cut by him, except to trim it, or removed by him, without such hearing. The decision of the tree warden shall be final.

7. **Injury.** It shall be unlawful to cut, destroy, injure, deface, or break any public shade or ornamental tree; or to affix to any such tree a play bill, picture, announcement, notice, advertisement, political or otherwise, or other device or thing, or to paint or mark such tree, except for the purpose of protecting it and under a written permit from the tree warden; or to negligently or carelessly suffer any horse or other beast to break down, injure or destroy a shade or ornamental tree within the limits of any public way or place.

8. **Trees Donated.** Whenever any party, at a proper time of the year, shall present to a town well grown nursery trees, the tree wardens may set out such trees in the high-
ways, cemeteries, commons, schoolhouse yards and other public places, as indicated by the donor, and protect the same at the expense of the town.

9. Public Ownership. Any young shade or ornamental tree planted within the limits of a public highway by the tree wardens or by any other person or persons, with the approval of the selectmen or the mayor, or any young seedling tree or sprout left within the limits of the highway as specified in the following section and designated by the tree warden to be preserved for its future value as a shade tree, shall become the property of the municipality; provided, that the abutting landowner, having been notified of the intention of the town to take and preserve such young tree, shall make no written objection to the tree wardens within thirty days from the date of such notification.

10. Clearing Highways. Mayors of cities, selectmen of towns and county commissioners for unorganized places shall annually during August or September, and at other times when advisable, cause to be cut and disposed of from within the limits of town maintained highways all trees and bushes that cause damage to such highways or to 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 landowners or by the town tree wardens, 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.

11. Improvements by Abutter. The selectmen of a town or the highway department of a city may contract with any owner of land abutting a public highway to cut, trim and improve the roadside growth along said owner's property, and, for all such work properly done in carrying out the provisions of the preceding section and approved by the tree wardens, may allow and cause to be paid to such owner such sums as in their judgment, with the advice of the tree wardens, justly represent the value to the town of the improved condition of the roadside.

12. Burning Brush. Whenever any trees or brush cut along the highway are 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. All trees or brush thus cut from within the limits of the highway shall be disposed of within thirty days from the cutting thereof.

13. Disposal of Brush. If any cut brush has been left within the limits of any public highway for a longer period than thirty days the state forester may complete the removal or disposal of such brush and assess the costs thereof against the party authorizing or causing such nuisance. If the said costs are not paid within a reasonable time they may be recovered in an action brought by the attorney general upon complaint of the state forester.

14. Taking Tree Rights. When any highway shall be laid out damages may be assessed to the abutting owners to provide for the maintenance or planting, from time to time, within the limits of such highway, of such shade and ornamental trees as may be necessary for the preservation and improvement of such highway. Damages may be assessed to abutting owners on any existing highway upon petition therefor, and such proceedings had as in the laying out of highways by selectmen to provide for the maintenance and planting from time to time, of such trees within the limits of such highways as may be necessary for the preservation and improvement of the same. When such damage shall be assessed and paid there shall be, in addition to the right of travel over such highway, a public easement to protect, preserve and renew the growth thereon for the purposes aforesaid.

15. State Supervision. On all state maintained highways the planting, acquisition, maintenance, and removal of all trees and shrubs shall be under the supervision of the state highway commissioner who shall make such rules and regulations for the purpose as shall, in his judgment, seem for the best interests of the state.

16. Penalty. If any person violates any provision of this part or any rule or regulation thereunder made by the state highway commissioner he shall be fined not more than one hundred dollars and shall be liable for all damage occasioned thereby.

Part 24

Lines of Telegraph and Other Companies in Highways

1. Authority to Erect. Telegraph, telephone, electric light and electric power poles and structures and underground
conduits and cables, with their respective attachments and appurtenances may be erected, installed and maintained in any public highway and the necessary and proper wires and cables may be supported on such poles and structures or carried across or placed under any such highway by any person, copartnership or corporation as provided in this chapter and not otherwise.

2. Procedure. Any such person, copartnership or corporation desiring to erect or install any such poles, structures, conduits, cables or wires in, under or across any such highway, shall secure a permit or license therefor in accordance with the following procedure:

I. Jurisdiction. (a) Town Maintained Highways. Petitions for such permits or licenses concerning town maintained highways shall be addressed to the selectmen of the town in which such highway is located; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

(b) City Maintained Highways. Petitions for such permits or licenses concerning city maintained highways shall be addressed to the board of mayor and aldermen or board of mayor and council of the city in which such highway is located and they shall exercise the powers and duties prescribed in this part for selectmen; and they are hereby authorized to delegate all or any part of the powers conferred upon them by the provisions of this section to such agents as they may duly appoint.

(c) State Maintained Highways. Petitions for such permits or licenses concerning all class I and class III highways and state maintained portions of class II highways shall be addressed to the state highway commissioner, who shall have exclusive jurisdiction of the disposition of such petitions to the same effect as is provided for selectmen in other cases, and also shall have like jurisdiction for changing the terms of any such license or for assessing damages as provided herein. The commissioner shall also have the same authority as conferred upon the selectmen by section 4 hereof to revoke or change the terms and conditions of any such license. The commissioner is hereby authorized to delegate all or any part of the powers conferred upon him by the provisions of this section to such agent or agents as he may duly appoint in writ-
ing; he shall cause such appointments to be recorded in the
office of the secretary of state, who shall keep a record
thereof.

(d) The word "selectmen" as used in the following
paragraphs of this section shall be construed to include all
those having jurisdiction over the issuance of permits or
licenses under paragraph I hereof.

II. Permits. The petitioner may petition such select-
men to grant a permit for such poles, structures, conduits,
cables or wires. If the public good requires, the selectmen
shall grant a permit for erecting or installing and maintain-
ing such poles, structures, conduits, cables or wires. Such
permit shall designate and define in a general way the location
of the poles, structures, conduits, cables or wires described in
the petition therefor. Such permit shall be effective for such
term as they may determine, but not exceeding one year from
the date thereof, and may, upon petition, be extended for a
further term not exceeding one year.

III. Effect of Permit. Except as otherwise provided
herein, the holder of such permit shall during the term there-
of be entitled to have and exercise all the rights, privileges
and immunities and shall be subject to all the duties and
liabilities granted or imposed hereby upon the holder of a
license hereunder.

IV. Licenses. The petitioner may petition such select-
men to grant a license for such poles, structures, conduits,
cables or wires. If the public good requires the selectmen
shall grant a license for erecting and installing or maintaining
the poles, structures, conduits, cables or wires described in the
petition.

V. Provisions of Licenses. The selectmen in such
license shall designate and define the maximum and minimum
length of poles, the maximum and minimum height of struc-
tures, the approximate location of such poles and structures
and the minimum distance of wires above and of conduits or
cables below the surface of the highway, and in their dis-
cretion the approximate distance of such poles from the edge
of the traveled roadway or of the sidewalk. Such designation
and definition of location may be by reference to a map or
plan filed with or attached to the petition or license.

VI. Effect of License. All licenses granted under
the provisions hereof shall be retroactive to the date the
petition therefor is filed. The word “license” as hereinafter used herein, except in section 5, shall be construed to include the word “permit.” The holder of such a license, hereinafter referred to as licensee, shall thereupon and thereafter be entitled to exercise the same and to erect or install and maintain any such poles, structures, conduits, cables, and wires in approximately the location designated by such license and to place upon such poles and structures the necessary and proper guys, cross-arms, fixtures, transformers, and other attachments and appurtenances which are required in the reasonable and proper operation of the business carried on by such licensee, together with as many wires and cables of proper size and description as such poles and structures are reasonably capable of supporting during their continuance in service; and to place in such underground conduits such number of ducts, wires, and cables as they are designed to accommodate, and to supply and install in connection with such underground conduits and cables the necessary and proper manholes, drains, transformers, and other accessories which may reasonably be required.

3. Confirming Locations. Similar proceedings may be had for locating and licensing poles and structures and underground conduits and cables already constructed with or without license, or for changing the location of any such property constructed with or without license; but nothing contained in this section or this chapter shall affect the validity of locations heretofore granted.

4. Changes. Any such licensee or any person whose rights or interests are affected by any such license may petition the selectmen for changes in the terms thereof; and after notice to the parties and hearing, the selectmen may make such alterations therein as the public good requires. The selectmen, after notice to any such licensee and hearing, may from time to time revoke or change the terms and conditions of any such license, whenever the public good requires.

5. Return and Record. The selectmen or the board of mayor and aldermen or other board having authority to locate poles and wires in cities, or the state highway commissioner, within six months after any petition authorized by this chapter has been presented for action, shall make a return of their proceedings and their decision thereon; provided, however, that if a permit is granted upon petition therefor, return
and decision upon the petition for license presented in connection with such petition for permit shall be made on or before the expiration of such permit. They shall cause the petition for license and their return to be recorded by the clerk of the city or town in which the poles, structures, conduits, cables or wires are located.

6. Services and Fees. If the proprietors of the line are the petitioners, they shall pay the selectmen and town clerk for their services and fees. If a landowner is the petitioner he shall advance the payment for such services and fees, and if his petition is sustained he may recover the same from the proprietors of the line. The selectmen shall be entitled to compensation at the rate of four dollars a day for services and ten cents a mile one way for travel, and the town clerk shall be entitled to the fees allowed by law.

7. Petition to Court. If the selectmen or the board of mayor and aldermen or other board having authority to locate poles and wires in cities, or the state highway commissioner, shall neglect or refuse to decide and make return of their proceedings upon any petition authorized hereby within the times limited by section 5, or if any party whose interests are affected by their decision on any such petition or in granting a license, changing the terms thereof, or revoking the same, is dissatisfied therewith, the petitioner or party so dissatisfied may apply to the superior court for relief within sixty days after the expiration of the times limited by section 5 or after such decision; and like proceedings shall thereupon be had as in the case of appeals from the laying out of highways by selectmen.

8. Damages. If any person shall be damaged in his estate by the erection of any such poles or other structures, or by the installation of any such underground conduits or cables or by installing or placing any wire, cable, guy, cross-arm, fixtures, transformers, manhole, drain, or other apparatus in or under the highway by authority of any such license, he may apply to the selectmen to assess his damages. Such proceedings shall thereupon be had as are provided in the case of assessment of damages in laying out highways by the selectmen, and such damages, if any, may be awarded as shall be legally and justly due.

9. Interference with Travel. The location of poles and structures and of underground conduits and cables by the
selectmen shall be made so far as reasonably possible so that the same and the attachments and appurtenances thereto will not interfere with the safe, free and convenient use for public travel of the highway or of any private way leading therefrom to adjoining premises or with the use of such premises or of any other similar property of another licensee; and the location of any such pole or structure or underground conduit or cable, when designated by the selectmen pursuant to the provisions hereof, shall be conclusive as to the right of the licensee to construct and maintain the same in the place located without liability to others, except for negligence in the construction, operation, or maintenance of the same or of the attachments and appurtenances thereto and except as is expressly provided herein. In no event shall any town or city or any official or employee thereof or of the state highway department be under liability by reason of the death of or damages sustained by any person or to any property occasioned by or resulting from the location, construction, or maintenance of any pole, structure, conduit, cable, wire, or other apparatus in any highway, pursuant to the provisions hereof.

10. Joint Licenses. Joint licenses for erecting or installing and maintaining and jointly owned poles, structures, conduits, cables, and wires may be granted under the provisions hereof to two or more petitioners.

11. Transfer of License. In connection with the transfer of all or any interest in any poles, structures, conduits, cables, or wires, the transferor may by appropriate assignment transfer his or its license to maintain the same and the transferee shall be entitled to have and exercise such license to the extent necessary for his or its use of the transferred property, upon recording such assignment with the clerk of the town in which said property is situated.

12. Renewal and Replacement. Any pole or structure or underground conduit or cable installed under license as provided herein may be renewed or replaced as occasion requires in approximately the location originally designated therefor; and any variation in location which is reasonably necessary in making such renewal or replacement in the usual or customary manner, shall not affect the rights of the licensee as defined herein.
13. Cutting Trees. No such licensee shall have the right to cut, mutilate or injure any shade or ornamental tree, for the purpose of erecting or maintaining poles or structures or installing wires or other attachments or appurtenances thereto, without obtaining the consent of the owner of the land on which such tree grows or the payment or tender in full of damages therefor determined as provided in this section. If the consent of such owner cannot be obtained, the selectmen, upon petition, after notice to and hearing, shall determine whether the cutting or mutilation is necessary and if determined to be necessary, they shall assess the damages that will be occasioned to the owner thereby.

14. Unlicensed. If any such pole or structure or underground conduit or cable or any attachment or appurtenance thereto is wilfully placed or maintained in any highway without valid license therefor, it shall be deemed to be a public nuisance.

15. No Prescriptive Right. No enjoyment by a person, copartnership, or corporation for any length of time of the privilege of having or maintaining wires and their supports and appurtenances in, upon, over, or attached to any building or land of other persons, shall create an easement or raise any presumption of a grant thereof.

Liability of Proprietors

16. To Indemnify Town. The proprietors of every line of wire strung in a highway shall indemnify the town against all damages, costs, and expenses to which it may be subjected by reason of any insufficiency or defect in the highway occasioned by the presence of the wires and their supports therein.

17. To Party Injured. They shall also be responsible directly to any party receiving injury in his person or estate from any pole or structure or underground conduit or cable or any wire or other attachment or appurtenance thereto, which has been constructed or maintained by any such proprietor without valid license or which has been constructed, maintained, or operated under a valid license but in a negligent manner, or in an improper location.

Removal of Wires and Poles

18. By State or Town After Notice. Poles used by telephone, telegraph or other public utilities including railroads
and street railways may be removed after ten days' notice in writing of the intention to remove the same has been given by the state highway commissioner or the highway agent of any city or town.

19. Service of Notice. Such notice may be served by any agent of the state highway department or by the highway agent of any city or town on such utility or any agent or officer thereof.

20. Notice; Contents, Record. The notice of removal of any such pole shall designate the location in the highway to which the same shall be removed, and such notice, together with affidavit or acceptance of service thereof, shall be recorded in the office of the clerk of the city or town in which such pole is located. The notice shall take effect when the same, with such affidavit or acceptance of service endorsed thereon, shall be thus recorded, and the ten days shall run from the date of such record.

21. Location Valid. The location defined in such notice of any pole so removed, together with the wires thereon, shall be of the same validity as if made under a permit by the highway commissioner in case of state maintained highways or selectmen or mayor and aldermen in case of other highways.

22. Time of Removal. All such poles shall be removed within the time designated, and, if not removed by the date stated in such notice, may be forthwith removed by the agency giving notice at the expense of the owner.

23. Temporary Removal. Whenever it shall be necessary for any lawful purpose temporarily to displace, remove, or sever any wire, pole, or structure lawfully maintained in any highway and the proprietor thereof shall neglect or refuse to take such action within twenty-four hours after request therefor the person desiring such action may apply to the selectmen for an order requiring such action to be taken by such proprietor. Thereupon the selectmen shall appoint a hearing to be held within six days after such petition has been presented to them and shall give such proprietor at least three days' notice thereof. After hearing, the selectmen may by order require the proprietor to take the action requested, if in their judgment said action is reasonably necessary, and fix the time within which it shall be completed and specify whether the petitioner shall pay all or any part of the expense thereof; and it shall be the duty of such pro-
Chapter 188

1945] 349

Proprietor to comply with such order within the time stated therein and he shall thereupon be entitled to reimbursement from the petitioner in accordance with said order, within six days after demand therefor by the proprietor stating the amount. Such proprietor shall be entitled to recover from the petitioner in an action of debt the petitioner's part of the expense determined in said order. In case such proprietor shall fail to comply with such order, he shall forfeit to the petitioner a sum equivalent to ten dollars for each day while such default continues.

Part 25

Aqueduct and Gas Companies

1. Excavation in Highway. No person or corporation shall dig up any highway or public ground for the purpose of laying water or gas pipes, or other pipes or structures therein, or of repairing the same, without first obtaining the consent of the highway commissioner or his division engineer when the excavation is in any state-maintained highway and in all other cases the consent of the selectmen or highway agent of the town or the mayor and aldermen or street commissioner of the city; except, in cases of emergency where the public health or safety is endangered such action may be taken as provided in section 8 of part 19 hereof.

2. Restoring Highway. Every person and every corporation who shall dig up any highway or public ground for such purpose shall restore the highway or ground to as good condition as it was in before so doing, without unnecessary delay, and shall take all necessary precautions to protect the public from injury by their acts.

3. Damages. They shall be liable for all damages occasioned to the town or city, or to any person, by any act so done or by any negligence connected therewith.

4. Petition for Easement. Selectmen, upon petition of any aqueduct or gaslight corporation or company, or of any person who supplies water or gas to people for hire, may lay out for the petitioner an easement to place and maintain pipes and other structures for conveying water or gas in any unaccepted street or private way in the town if they find that the public good requires it.

5. Procedure. They shall proceed upon such petition the same as in the laying out of a highway; and the owner of
the land in which the easement is taken shall have like remedy by appeal.

6. Malicious Injury; Penalty. Any person who shall wantonly and maliciously injure any aqueduct, or the pipes, logs or other property of any gaslight company, aqueduct company or person, shall be fined not more than three hundred dollars, and be liable to pay treble damages to such company or person in an action on the case.

2. Repeal. Chapters 91 to 114, inclusive, of the Revised Laws, relative to highways, as amended by chapters 57, 68, 79, 121, 123, 126, and 199 of the Laws of 1943, are hereby repealed.

3. Duties of Selectmen. Amend section 15 of chapter 59 of the Revised Laws by striking out the words and figures “section 7, chapter 107” and inserting in place thereof the words and figures, section 1, part 19 of the Highway Law of 1945, so that said section as amended shall read as follows:

15. Regulation of Highways, etc. Unless regulated by the highway commissioner as provided in section 1, part 19 of the Highway Law of 1945, the selectmen may regulate the use of all public highways, sidewalks, and commons in their respective towns and for this purpose may exercise all the powers conferred on city councils by paragraphs VII and VIII, section 13, chapter 66, and by any other provisions of the laws upon the subject.

4. Effect of Act on Existing Laws. The provisions of this act, so far as they are the same as those of existing laws, shall be construed as a continuation of such law and not as a new enactment. The repeal by this act of any provision of law, shall not revive any law heretofore repealed or superseded; nor shall such repeal affect any such act done, liability incurred, or any right accrued or vested, or affect, abate, or prevent any suit or prosecution pending or to be instituted, to enforce any right or penalty or punish any offense under the authority of such repealed laws; nor shall such repeal affect the validity of any proceedings under the laws repealed relating to the layout or discontinuance of any highway or portion thereof, and such proceedings shall continue until completion in conformance with the provisions of the Revised Laws in effect when such proceedings were begun; nor shall such repeal affect the validity of any contract made by the state highway department or by any county, city, or town,
under the authority of any law repealed; nor shall such repeal require a new establishment of any stop intersection or the new erection of any stop sign or traffic device or signal erected and maintained in conformance with the laws prior to the passage of this act, and all such stop intersections so established and all such stop signs, traffic devices and signals so erected and maintained shall be deemed lawfully erected and maintained under the provisions of this act; nor shall such repeal require a public utility to secure a new permit or license to erect, install or maintain poles, structures, underground conduits and cables with their respective attachments and appurtenances which are now erected, installed and maintained under license or permit in conformance with the laws prior to the passage of this act, and all such poles, structures, underground conduits and cables with their respective attachments and appurtenances shall be deemed lawfully erected and maintained under the provisions of this act; nor shall such repeal affect the validity of any license, permit or regulation issued in conformance with the laws prior to the passage of this act.

5. Reservation; Offices. All persons who, at the time when the repeal shall take effect, shall hold any office under any of the laws hereby repealed, shall continue to hold the same according to the tenure thereof, except those offices which have been abolished.

6. Time Limitations. In any case, when a limitation or period of time prescribed in any of the laws repealed in this act for the acquiring of any right, or the barring of any remedy, or for any other purpose, shall have begun to run, and the same or any similar limitation is prescribed in this act, the time of limitation shall continue to run, and shall have the like effect, as if the whole period had begun and ended under the operation of this act.

7. Continuance by Reenactment. Where any provision of a statute repealed by this act is substantially reenacted in this act the law shall be deemed to have continued in force from the first enactment, as if no reenactment and repeal had taken place.

8. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 189.

AN ACT RELATIVE TO THE SALARY OF THE SHERIFF OF ROCKINGHAM COUNTY.

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

1. Rockingham County. Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195 of the Laws of 1943, by striking out the words "one thousand" in the fourth line and inserting in place thereof the words, fifteen hundred, so that said section as amended shall read as follows:

27. Salaries. The annual salaries of the sheriffs of the several counties shall be as follows:
   - In Rockingham, fifteen hundred dollars.
   - In Strafford, one thousand dollars.
   - In Belknap, thirteen hundred dollars.
   - In Carroll, eight hundred dollars.
   - In Merrimack, two thousand dollars.
   - In Hillsborough, fifteen hundred dollars.
   - In Cheshire, nine hundred dollars.
   - In Sullivan, eight hundred dollars.
   - In Grafton, one thousand dollars.
   - In Coos, fourteen hundred dollars.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 190.

AN ACT RELATIVE TO SUPERVISORS OF THE CHECK-LIST IN SMALL TOWNS.

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

1. Supervisors. Amend section 2 of chapter 53 of the Laws of 1943 by inserting after the word "towns" in the second line the words, except those of eighteen hundred or less inhabitants, so that said section as amended shall read as follows:

2. Application of Act. The provisions of this act shall apply to all cities and towns except those of eighteen hundred or less inhabitants and any provision of any city
Chapter 191

AN ACT RELATING TO ARBITRATION AGREEMENT BETWEEN EMPLOYERS AND EMPLOYEES.

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

1. Arbitration Agreements. Amend section 1 of chapter 415 of the Revised Laws by striking out all after the word "contract" in the sixth line and inserting in place thereof the following: The provisions of this chapter shall not apply to any arbitration agreement between employers and employees, or between employers and associations of employees unless such agreement specifically provides that it shall be subject to the provisions of this chapter, so that said section as amended shall read as follows: 1. Validity of Arbitration Agreements. A provision in any written contract to settle by arbitration a controversy thereafter arising out of such contract, or an agreement in writing to submit to arbitration any controversy existing at the time of the agreement to submit, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract. The provisions of this chapter shall not apply to any arbitration agreement between employers and employees, or between employers and associations of employees unless such agreement specifically provides that it shall be subject to the provisions of this chapter.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 192.

AN ACT RELATIVE TO GRADING, MARKING AND SALE OF EGGS.

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

1. Sale of Eggs. Amend paragraph V of section 1 of chapter 198 of the Revised Laws by striking out said paragraph and inserting in place thereof the following: V. "Eggs" shall mean hen's eggs.

2. Repeal. Paragraphs VI, VII, VIII, IX and X of chapter 198 of the Revised Laws, relative to definitions, are hereby repealed.

3. Fresh Eggs. Amend section 3 of chapter 198 of the Revised Laws by striking out the same and inserting in place thereof the following: 3. Definition. No egg shall be deemed to be fresh which does not meet standards of New Hampshire Extra Grade for eggs, as established by the commissioner of agriculture under section 28 of chapter 223 of the Revised Laws, or modifications or amendments to said standards, the final determination of which shall be by candling.

4. Standards. Amend section 5 of said chapter 198 by striking out the same and inserting in place thereof the following: 5. Size to be Marked. The size of all eggs for human consumption which are sold, offered, exposed, or advertised for sale at retail, or wholesale, or exchanged or distributed at retail, or wholesale, within this state in bulk, or in open or closed packages or containers, shall be plainly and conspicuously marked and identified by such terms as the commissioner of agriculture may from time to time prescribe.

5. Repeal. Section 6 of said chapter 198, relative to tolerance in grading of eggs, is hereby repealed.

6. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 193.

AN ACT RELATING TO THE SALARY OF COURT STENOGRAPHERS.

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

1. Court Stenographers. Amend section 28, chapter 395, of the Revised Laws by striking out the words “ten dollars” in the second line and inserting in place thereof the words twelve dollars and fifty cents, so that said section as amended shall read as follows: 28. Compensation. Such stenographers shall be allowed regular attendance at the terms of court to be fixed by the court at a rate of twelve dollars and fifty cents per day, and shall be reimbursed for their actual expenses when away from home engaged in court work. Supplies for their use in the business of the court shall be furnished by the clerks of the court, and paid for by the respective counties.

2. Takes Effect. This act shall take effect July 1, 1945. [Approved May 18, 1945.]

CHAPTER 194.

AN ACT RELATIVE TO THE SALARY OF THE COMMISSIONER OF EDUCATION.

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

1. State Board of Education. Amend section 49 of chapter 134 of the Revised Laws by striking out said section and inserting in place thereof the following: 49. Commissioners. The state board, with the approval of the governor and council, shall fix the annual salary of the commissioner of education, provided that said salary shall not exceed eight thousand dollars, and the state board shall fix the annual salaries of the first and second deputy commissioners, provided that said deputy commissioners’ salaries shall not exceed four thousand dollars each. The annual salary of the third deputy commissioner shall be three thousand dollars, and of the fourth deputy commissioner, twenty-five hundred dollars.

2. Takes Effect. This act shall take effect as of July 1, 1945. [Approved May 18, 1945.]
CHAPTER 195.

AN ACT RELATIVE TO THE NAME OF THE BRIDGE TO BE BUILT ACROSS THE MERRIMACK RIVER.

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

1. Memorial Bridge Named. Amend section 3 of an act passed at the present session of the legislature entitled, "An Act for the construction of a bridge over the Merrimack river between the towns of Merrimack and Litchfield" by striking out said section and inserting in place thereof the following: 3. Name. Said bridge shall be known as the Franklin Delano Roosevelt Memorial Bridge. After the construction of said bridge, bronze plaques shall be placed at each end of said bridge with the following inscription:

To the Memory of
Franklin Delano Roosevelt
President of the United States
World Statesman and Leading Advocate
The State of New Hampshire
Dedicates This Bridge
(Date of opening of bridge)

The cost of said plaques shall be a charge upon the appropriation for said bridge.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 196.

AN ACT RELATING TO SCHOLARSHIPS FOR ORPHANS OF WORLD WAR II VETERANS.

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

1. Scholarships for Orphans of Veterans. Amend section 1 of chapter 35 of the Laws of 1943 by striking out the word "state" in the fourth line; further amend by inserting after the word "years" in the fifth line the words, who are legal residents of the state at the time of application; further
amend by inserting after the figures "1921" in the eighth line the words, or during World War II, so that said section as amended shall read as follows: 1. **Purpose.** The sums appropriated under the provisions of this act shall be used for the sole purpose of contributing to the payment of board, room rent, books and supplies, at institutions of secondary or college grade, of children, between the ages of sixteen and twenty-one years, who are legal residents of the state at the time of application, whose fathers were enlisted or inducted from the state of New Hampshire, served in the army, navy or marine corps of the United States from April 6, 1917 to July 2, 1921, or during World War II, and who have since died from service connected disabilities so rated by the federal government.

2. **Increase in Appropriation.** Amend section 4 of said chapter 35 by striking out said section and inserting in place thereof the following: 4. **Appropriation.** The sum of two thousand seven hundred dollars ($2700) is hereby appropriated for the fiscal year ending June 30, 1946, and the sum of two thousand seven hundred dollars ($2700) is hereby annually appropriated for each fiscal year thereafter, for carrying out the provisions of this act; provided that not more than one hundred and fifty dollars shall be paid under said provisions for any one child for any one year, and provided that no individual shall be eligible to receive the benefits provided for herein for a period of more than four years.

3. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1945.]

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**CHAPTER 197.**

**AN ACT RELATIVE TO MUNICIPAL PERMITS FOR REGISTRATION.**

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

1. **Motor Vehicle Municipal Permits.** Amend section 22 of chapter 116 of the Revised Laws by striking out said section and inserting in place thereof the following: 22. **Accounting.** Each designated city official and town clerk shall keep an account of the money received by him for said permits and
deposit the same in the city or town treasury on the last Saturday of each month, to be used for the general purposes of the city or town. Failure to deposit shall be cause for immediate removal from office. A town clerk shall be paid on orders drawn on the town treasurer by the selectmen twenty-five cents for each permit issued, and in addition thereto may collect from the applicant for each permit issued, twenty-five cents, for his own use.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 198.

AN ACT RELATING TO THE ORGANIZATION OF POLITICAL PARTIES.

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

1. Party Organization; County and State Committees. Amend section 60, chapter 33 of the Revised Laws by striking out said section and by substituting therefor the following: 60. Party Organization. The party nominees and state delegates of each county shall elect a county committee for their party either in said state convention or in county convention upon call of the chairman of the state committee. The county committee shall consist of such number of persons as the state convention shall by vote apportion to each county. The members of the several committees thus chosen shall constitute the state committee of the party. The chairman and other officers of the state committee need not be members of the committee. The party members in each town, ward or city may effect such an organization as they may deem expedient for advancing the purposes of their party.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 199.

AN ACT RELATIVE TO SALARIES OF DEPUTY REGISTERS OF PROBATE.

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

1. County Probate Offices. Amend section 21 of chapter 347 of the Revised Laws by striking out said section and inserting in place thereof the following: 21. Salaries of Deputies. The annual salaries of the deputy registers of probate shall be paid by the state and shall be as follows:
   - In Rockingham county, twelve hundred dollars.
   - In Strafford county, eight hundred dollars.
   - In Belknap county, five hundred dollars.
   - In Carroll county, five hundred dollars.
   - In Merrimack county, twelve hundred dollars.
   - In Hillsborough county, sixteen hundred dollars.
   - In Cheshire county, eight hundred dollars.
   - In Sullivan county, six hundred dollars.
   - In Grafton county, eight hundred dollars.
   - In Coos county, eight hundred dollars.

2. Appropriation. The sum of three thousand five hundred dollars for the fiscal year ending June 30, 1946, and a like sum for the fiscal year ending June 30, 1947, are hereby appropriated for salaries of deputy registers of probate. This appropriation is in addition to the sums otherwise appropriated for said salaries. The governor is authorized to draw his warrant for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 200.

AN ACT RELATIVE TO TEMPORARY ADDITIONAL COMPENSATION FOR STATE EMPLOYEES.

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

1. Additional Pay Temporarily Granted. In consideration of the rising cost of food, clothing and other necessities, all
permanent state employees and officials, other than the members of boards, commissions or committees paid on a per diem basis, regularly employed in the state service, are hereby granted a temporary increase in pay to take effect July 1, 1945, and to continue for a period which shall terminate on July 1, 1947.

2. Amount of Temporary Increase. The temporary increase in pay provided for by section 1 shall be computed annually as ten per cent of the annual salary, as provided in section 3, plus seventy-five dollars, except that no person shall receive as such annual increase a sum less than two hundred dollars nor more than three hundred and fifty dollars. Said temporary increase shall be paid as the regular salary is paid.

3. Basis for Figuring Increase. The temporary increases in pay provided for by the preceding sections shall be based on the salaries as legally established when this act shall become effective, and as thereafter legally established or revised.

4. Repeal; Takes Effect. Chapter 170 of the Laws of 1943 is hereby repealed and this act shall take effect July 1, 1945. [Approved May 18, 1945.]

CHAPTER 201.

AN ACT PROVIDING FOR THE PARTICIPATION OF CERTAIN EMPLOYEES OF COUNTIES, CITIES, TOWNS, SCHOOL DISTRICTS OR OTHER POLITICAL SUBDIVISIONS OF THE STATE, IN THE EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF NEW HAMPSHIRE.

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

1. Definitions. The following words and phrases as used in this act, unless a different meaning is plainly required by the context, shall have the following meanings:

I. "State employees' retirement system" shall mean the employees' retirement system of the state of New Hampshire, as established by chapter 27-A of the Revised Laws as inserted by chapter 183 of the Laws of 1945.

II. "State teachers' retirement system" shall mean the New Hampshire teachers' retirement system, as established by chapter 136 of the Revised Laws.
III. "Firemen's retirement system" shall mean the retirement system for firemen in the state of New Hampshire, as established by chapter 220 of the Revised Laws.

IV. "Policemen's retirement system" shall mean the retirement system for policemen in the state of New Hampshire, as established by chapter 221 of the Revised Laws.

V. "Local retirement system" shall mean any retirement system or other arrangement for the payment of retirement benefits in existence at the time of the passage of this act, which is supported wholly or in part by public funds, exclusive of the state teachers' retirement system, the firemen's retirement system, the policemen's retirement system, or the state employees' retirement system.

VI. "Board of trustees" shall mean the administrative board of the state employees' retirement system.

2. **General Conditions for Participation.** The governing board of any county, city, town, school district or other political subdivision of the state may, by resolution legally adopted, in form approved by the board of trustees of the state employees' retirement system, elect to have its officers and employees become eligible to participate in the state employees' retirement system. After such election, such body shall be known as an employer for the purposes of this act and for the purposes of the act governing the state employees' retirement system. The board of trustees shall set the date, which shall not be prior to July 1, 1946, when the participation of the officers and employees of any employer shall become effective, and then such officers and employees may become members of the state employees' retirement system and participate therein, as provided in the provisions of this act. Notwithstanding anything to the contrary, employees of any employer who are members or eligible to become members of the firemen's retirement system, the policemen's retirement system or the state teachers' retirement system shall not be entitled to become members of the state employees' retirement system; and employees who are members of any local retirement system other than a local retirement system for teachers shall be entitled to become members of the state employees' retirement system only as provided under section 3 of this act.

3. **Participation of Members of Local Retirement Systems.** Should a majority of the members of any local retirement system elect to become members of the state employees' re-
irement system, by a petition duly signed by such members, and should their employer elect to have them participate by resolution legally adopted in form approved by the board of trustees of the state employees' retirement system, such employees shall participate in the state employees' retirement system, as provided in section 1 of this act, as though such local retirement system were not in operation. The retirement allowances being paid by the local retirement system on the date such participation in the state employees' retirement system becomes effective shall be continued and paid at their existing rates by the state employees' retirement system and the liability on this account shall be included in the computation of the accrued liability contribution payable by the employer as provided by section 6 of this act. Any cash and securities to the credit of the local retirement system shall be transferred to the state employees' retirement system as of the date participation begins. The trustees or other administrative head of the local retirement system as of the date of participation shall certify the proportion of any of the funds of the local retirement system that represents the accumulated contributions of the members and the relative shares of the members as of that date. Such shares shall be credited to the respective annuity savings accounts of such members in the state employees' retirement system as additional contributions. The balance of the funds transferred to the retirement system shall be offset against the accrued liability before determining the special accrued liability contribution to be paid by the employer as provided by section 6 of this act. The operation of the local retirement system shall be discontinued as of the date participation becomes effective in the state system.

4. Membership. I. Membership in the state employees' retirement system shall be optional for officers and employees of the employer who are in the service of the employer on the date when participation becomes effective, and any such officer or employee who elects to join the state employees' retirement system within one year thereafter shall be entitled to a prior service certificate covering such periods of previous service rendered to such employer, or his predecessor, or the state, or in any other capacity approved by the employer and the board of trustees, for which the employer is willing to make accrued liability contributions. Thereafter service for
such employer on account of which contributions are made by the employer and member shall be considered also as creditable service.

II. Membership shall be compulsory for all employees entering the service of such employer after the date participation becomes effective.

III. The chief fiscal officer of the employer, and the heads of its departments, shall submit to the board of trustees such information and shall cause to be performed with respect to the employees of said employer, who are members of the state employees' retirement system, such duties as shall be prescribed by the board of trustees in order to carry out the provisions of this act.

5. Benefits. Employees who become members of the state employees' retirement system under this act and on behalf of whom contributions are paid as provided in this act shall be entitled to benefits under the state employees' retirement system as though they were state employees.

6. Contributions. I. Employees who have become members of the state employees' retirement system under the provisions of this act shall contribute at the same rates of contribution and on the same basis as state employees.

II. Employers whose employees become members of the state employees' retirement system under the provisions of this act shall make contributions in behalf of their employees corresponding to the contributions which the state makes in behalf of state employees, except that each employer shall make a special accrued liability contribution, which shall be determined by an actuarial valuation of the accrued liability on account of the employees of such employer who elect to become members, in the same way as the accrued liability rate was originally determined for state employees. The special accrued liability contribution rate for all employers electing to have their employees participate as of July 1, 1946 shall be based on a combined valuation for all such employers and shall be uniform for all such employers. Notwithstanding the foregoing, regardless of date of participation, the special accrued liability contribution on account of employees, who were members of a local retirement system discontinued in accordance with section 3 of this act, shall be determined on the basis of a special valuation of the benefits to be paid on account of such employees. The special accrued liability con-
tribution, subject to such adjustment as may be necessary on account of any additional prior service credits awarded to employees of such employer, shall be payable by each employer in lieu of the accrued liability contribution payable by the state on account of state employees. The expense of making the valuation to determine any special accrued liability contribution shall be assessed against and paid by the employer or employers on whose account the valuation is necessary.

III. The contributions payable by employers whose employees participate in the state employees' retirement system shall be certified by the board of trustees to the chief fiscal officer of the employer and shall include a pro-rata share of the cost of administration of the state employees' retirement system based upon the payroll of the employees of the employer who are members. The amounts so certified shall be a charge against the employer. The chief fiscal officer of each such employer shall pay to the state treasurer the amount certified by the board of trustees as payable under the provisions of this act, and the state treasurer shall credit such amounts to the appropriate funds of the state employees' retirement system.

IV. The agreement of any employer to contribute on account of its employees shall be irrevocable, but should an employer for any reason become financially unable to make the contributions payable on account of its employees as set forth in this act, then such employer shall be deemed to be in default. All members of the state employees' retirement system who were employees of such employer at the time of default shall thereupon be entitled to discontinue membership in the state employees' retirement system and to a refund of their previous contributions upon demand made within ninety days thereafter. As of a date ninety days following the date of such default, the actuary of the state employees' retirement system shall determine by actuarial valuation the amount of the reserves held on account of each remaining active member and beneficiary of such employer and shall credit to each such member and beneficiary the amount of reserve so held. The reserve so credited, together with the amount of the accumulated contributions of each such active member, shall be used to provide for him a paid up deferred annuity beginning at age sixty-five, and the reserve of each beneficiary shall be used in providing such part of his existing
retirement allowance as the reserve so held will provide, which retirement allowance shall thereafter be payable to him. The rights and privileges of both active members and beneficiaries of such employer shall thereupon terminate, except as to the payment of the deferred annuities so provided and the retirement allowance, or parts thereof, provided for the beneficiaries.

7. **Limitation on Payments.** Notwithstanding anything to the contrary in this act, the retirement system shall not be liable for the payment of any retirement allowance or other benefits on account of the employees or beneficiaries of any employer under this section for which reserves have not been previously created from funds contributed by such employer, or its employees, for such benefits.

8. **Separability Clause.** If any provisions of this chapter, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

9. **Takes Effect.** This act shall take effect as of July 1, 1945.

[Approved May 18, 1945.]

CHAPTER 202.

AN ACT RELATIVE TO FIREMEN’S RETIREMENT SYSTEM.

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

1. **Firemen’s Retirement System.** Amend section 1 of chapter 220 of the Revised Laws, by adding at the end of said section the words, as defined in section 16 hereof, so that said section as amended shall read as follows: 1. **Declaration of Policy.** The public welfare requires that a system of retirement benefits shall be established to compensate the firemen of this state for their future public services rendered in the performance of their duties of saving life and property within this state; and that suitable compensation shall be provided for the firemen of this state or their dependents whenever such firemen shall be permanently disabled or killed in line of duty, as defined in section 16 hereof.
Chapter 202

2. Limitations. Amend section 5 of said chapter 220 by striking out the words "unless he is, at least, of an age thirty years less than the optional age of retirement in effect at the time of his application" and inserting in place thereof the words, if he makes application for the benefits hereof after having reached his thirty-fifth birthday, so that said section as amended shall read as follows: 5. Exception. No person becoming a permanent fireman at or after June 13, 1941, shall be entitled to the benefits under this chapter if he makes application for the benefits hereof after having reached his thirty-fifth birthday.

3. Disability Benefits. Amend section 16 of said chapter 220 by striking out said section and inserting in place thereof the following: 16. In Case of Death or Disability. A permanent fireman accepting the provisions of this chapter, who shall have become permanently disabled from fire duty, because of injury received in line of duty, shall receive an annual sum equal to one-half his annual salary at the date of his disability, and in case of call, volunteer, or substitute firemen, who become permanently and totally disabled because of injury received in line of fire duty, an annual sum equal to one-half the annual salary allowed to permanent firemen of private grade, first year, in same department to which said call fireman belonged, or in nearest fire department employing permanent firemen, of the grade private, first year, for the duration of such disability, provided that at any time such sum shall not exceed, for either permanent or call fireman, one thousand two hundred fifty dollars per year. Firemen shall be acknowledged as performing their duty when they are going to, returning from or working at a fire or other public emergency; when performing all work within the scope of employment of the fireman under the expressed or implied authority of a superior officer; and in such other cases as the board may from time to time decide to be for the public interest. Line of duty shall at no time be construed to mean any time off going to or from meals. No claim for disability hereunder shall be valid unless such disability shall be immediate and continuous from the date of injury received in line of duty, and no claim for death shall be valid unless such death shall be immediate or preceded by total and continuous disability from such date of disability received in line of duty. The fact of permanent disability may be established by the certificate of a physician
designated by the board. In case a fireman accepting the provisions hereof shall die as the result of injury received in line of duty, his widow or if none, his minor child or children shall receive an annual sum equal to the compensation allowed for disability for either permanent or call firemen, as the case may be, until in case of a widow, she dies or remarries, or, in case of a minor child or children, the board in its discretion shall pay such sum as a joint and survivor annuity, until such child dies or attains the age of eighteen years, and in case there is no wife, child or children under age eighteen surviving such member, then to his totally dependent father or mother, or both, and the survivor of either one of them, as the board in its discretion shall determine, during dependency, and until remarriage of either. No further claim for retirement benefits shall be valid at the death of a retired member whose retirement was the result of disability received in line of duty.

4. Other Benefits. Amend said chapter 220 by inserting after section 16 the following new section: **16-a. Ordinary Disability; Medical Examination.** Upon the application to the retirement board of a member in active service, any member who has twenty or more years of creditable service may be retired on an ordinary disability retirement allowance of one-half his average actual salary, based upon the total salary earned over the period of years of service beginning with the date of his application to the benefits hereof to the date of his retirement; provided that, the physician or physicians designated by the board certify that he is mentally or physically incapacitated for the further performance of duty, that such incapacity is likely to be permanent, and that he should be retired. Once each year during the first years following the retirement of a member on a total and permanent disability, or ordinary disability retirement, and once in every three-year period thereafter, the board may require any disability beneficiary, who has not attained age sixty-five, to undergo a medical examination by a physician or physicians designated by the board. If any disability beneficiary, who has not attained age sixty-five, refuses to submit to such medical examination, his retirement may be discontinued by the board, until his withdrawal of such refusal, and if his refusal continues for more than a year, all his rights in and to his pension may be revoked by the board. If the physician or physi-
cians designated by the board report and certify that the disabili
ity beneficiary is again able to engage in fire duty, his re-
tirement allowance shall be discontinued. On his reinsta-
tement to active service his rate of assessment shall be the same
as assessed against him previous to the date of his disability,
and his period of disability shall be considered as part of con-
tinuous service.

5. Continuous Service Credit. Amend said chapter 220 by
inserting after section 17 the following new section: 17-a.
Military Service; Sickness. Any permanent fireman who was
or is a member of this retirement system and who has termi-
nated or terminates his employment in order to enter directly
into the armed forces of the United States or other emergency
wartime service of the United States shall be entitled to con-
tinuous service membership in this system, provided he again
becomes a permanent fireman after the termination of his
service in the armed forces and without intervening employ-
ment elsewhere. Any permanent fireman who is on leave of
absence due to illness or injury and whose compensation has
been partly or wholly terminated during his period of illness
shall be entitled to continuous credit in the computation of
his retirement allowance, except that, in case of reimburse-
ment of his contributions to the fund, under the provisions
of section 17, he shall be entitled to his actual contributions
to the fund only, plus interest, as designated by the board.

6. Named Beneficiaries. Amend section 18 of said chap-
ter 220 by striking out the words “personal representatives”
in the third line and inserting in place thereof the words,
named beneficiary, and by striking out the word “estate” in
the seventh line and inserting in place thereof the words,
named beneficiary, so that said section as amended shall read
as follows: 18. Resignation, Dismissal, Reinstatement and
Withdrawal. Any permanent fireman accepting the pro-
visions hereof, who shall retire, withdraw or be dismissed
from service, and the named beneficiary of any such perma-
ent fireman who may die while in active service from causes
not due to fire duty as described in section 16, shall be en-
titled to receive from the board all payments made thereto by
him with interest at such rate as the board may prescribe.
The named beneficiary of any retired permanent fireman who
may die while in retirement, and whose retirement benefits to
the time of death should be less than his total payments, plus
interest, to the board, shall be entitled to receive from the board an amount which shall be the difference, if such exists, between such fireman's total payments, plus interest, to the board and his total benefits received while on retirement to the time of his death. Upon retirement or dismissal from service a permanent fireman shall no longer be obligated to pay assessments to the fund. Any permanent fireman, resigned or dismissed from service as aforesaid, may, if he thereafter reenters services as a permanent fireman, be reinstated to the benefits hereof upon payment to the board of all assessments which might have been assessed against him plus accumulated interest, at such rate as the retirement fund is earning on its own investments for the year previous to the date of reinstatement, from the date of his original acceptance of this chapter to the date of his reinstatement to the benefits hereof. Notice of dismissal or death, not due to fire duty as described in section 16, of a permanent fireman who has accepted the provisions of this chapter, shall be sent to the board by the chief clerk or other responsible officer of city, town or precinct by whom said fireman was employed.

7. Exemptions. Amend section 19 of said chapter 220 by striking out the last sentence thereof; so that said section as amended shall read as follows: 19. Exemption. The payments made by permanent firemen to the retirement board and the benefits or compensation received hereunder shall be exempt from taxation, attachment, and the operation of laws relating to insolvency or bankruptcy. No assignment or compensation due under this chapter shall be valid unless approved by the board.

8. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 203.
AN ACT RELATING TO PORCUPINES.

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

1. Bounties. Amend chapter 180 of the Revised Laws by inserting after section 1, the following new section:
2. Porcupines. If any person shall kill a porcupine within this state and shall produce the head thereof to the selectmen of the town or clerk of the city in which it was killed, and shall prove to their satisfaction that such porcupine was killed by him, within the limits of said town or city, the selectmen or city clerk shall destroy the head so produced so that it cannot be offered again for bounty, and shall pay fifty cents for each porcupine so destroyed. Any person producing for bounty to the selectmen or city clerk the head of a porcupine, killed outside the limits of that town or city, shall be fined not less than ten dollars, or imprisoned thirty days, or both. Said towns and cities shall be reimbursed for payment of said bounties as provided in section 5 hereof.

2. Takes Effect. This act shall take effect as of May 20, 1945.

[Approved May 18, 1945.]

CHAPTER 204.

AN ACT RELATIVE TO THE ESTABLISHMENT OF AREA VOCATIONAL SCHOOLS AND STATE TRADE SCHOOLS.

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

1. Declaration of Purpose. This act is designed to provide trade and vocational training and retraining for the occupational adjustment and readjustment of youth and adults and particularly to provide trade school facilities for veterans demobilized from the armed services. It is recognized that no such facilities are available within this state at the present time, that the need is sufficiently urgent to create an emergency and that prompt action is necessary.

2. State Director of Trade Schools. The state board of education, with the approval of the governor and council, shall appoint a state director of trade schools and fix his compensation.

3. Duties of Director. The director shall have authority, subject to the approval of the state board of education, to execute in the name of the state such leases, deeds, or bills of sale, of real and personal property as may be necessary to carry out the general purposes of this act; the state board of
education may employ such assistants as it may deem necessary and, with the approval of the governor and council, fix their compensation; the state board of education shall employ such instructors under such terms and conditions as it may deem necessary to teach adequately the courses established under the authority hereof and, with the approval of the governor and council, fix their compensation; the state board of education shall determine the courses of instruction to be included in said trade schools, and in general it shall have the duty and all authority incidental thereto to do all things necessary to accomplish promptly the general purposes hereof.

4. State Trade Schools. The state board of education is hereby authorized and directed to establish and maintain one or more state trade schools in such location or locations as in its opinion may be most advantageous to the accomplishment of the general purpose of this act.

5. Existing Equipment. So far as is satisfactory to the local school boards concerned, the state board of education shall utilize in the equipment of said trade schools any training equipment owned by the state or the use of which is made available to the state by the federal government or from any other source.

6. Tuition. Tuition to said trade schools shall be charged at such rate for each enrollee as the state board of education, with the consent of the governor and council, shall determine. Tuition so received shall be paid to the state treasurer who shall keep a separate account thereof. If, in the opinion of the governor and council, additional funds are necessary to carry out the purposes of this act, said tuition fund may be used for that purpose and the state treasurer is authorized to pay out the same on the governor's manifest. Any balance in said fund at the close of each fiscal year shall be transferred to the general funds of the state and the appropriations made hereunder shall be reduced thereby.

7. Appropriation. There is hereby appropriated for the purpose of equipping said trade schools the sum of one hundred fifty thousand dollars ($150,000), not more than seventy-five thousand dollars ($75,000) of which shall be expended for equipping any one school. There is also appropriated for the purpose of leasing or purchasing of real or personal property and for the maintenance and operation of said trade schools the sum of one hundred ninety-five thousand dollars
($195,000) for the fiscal year ending June 30, 1946, and the sum of two hundred fifty-five thousand dollars ($255,000) for the fiscal year ending June 30, 1947. Of the amounts so appropriated for maintenance and operation not more than one hundred forty thousand dollars ($140,000) shall be expended in any fiscal year for any one school. The governor is authorized to draw his warrants for the sums appropriated hereunder out of any money in the treasury not otherwise appropriated.

8. Establishment of Area Vocational Schools. The state board of education is hereby authorized and directed to designate not less than five public high schools, situated respectively in the northern, southern, central, eastern and western parts of the state, as area vocational schools. The school districts to be included within the area of each area vocational high school district shall be designated by the state board.

9. State Aid for Tuition. Of the total appropriation made under section 10 of this act, there shall be allotted a sum not in excess of twenty per cent for the purpose of state aid for tuition of pupils, eligible for vocational courses under standards set by the state board of education, who attend day school vocational classes in area vocational schools from districts maintaining high schools but not offering approved vocational courses similar to those offered in area vocational schools. The amount of state aid for tuition for each pupil shall not exceed the rate prescribed under section 26, chapter 138 of the Revised Laws. In the event that the sum allotted for state aid for tuition is insufficient to pay the total amount of tuition of pupils as set forth above, the reduction shall be prorated among the total number of eligible pupils so attending. All payments of tuition under this section shall be made to the district treasurers of the districts maintaining area vocational schools and credited toward the tuition charge against each pupil.

10. Appropriation. The sum of one hundred thirteen thousand, four hundred dollars ($113,400) for the fiscal year ending June 30, 1947, is hereby appropriated for the purpose of carrying out the provisions of sections 2 and 3 hereof. The sum hereby appropriated shall be expended under the direction of the state board. The governor is authorized to draw his
warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

11. Federal Grants. Federal funds which may be made available by the federal government under legislation passed, subsequent to the passage of this act, for trade courses, shall be applied to the reduction of the cost of maintenance of such courses in the state trade schools and the state appropriation reduced thereby.

12. Takes Effect. This act shall take effect as of July 1, 1945.

[Approved May 18, 1945.]

CHAPTER 205.

AN ACT RELATING TO THE GENERAL FUNDS OF THE STATE.

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

1. Appropriation; Aid to Dependent Children. In addition to any other appropriation for the department of public welfare the sum of thirty-five thousand dollars for the fiscal year ending June 30, 1946, and a like sum for the fiscal year ending June 30, 1947, are hereby appropriated for the use of said department for aid to dependent children, and the governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

2. Transfer of Funds to General Funds. A sum not exceeding three million four hundred and ninety-five thousand dollars for the fiscal year ending June 30, 1946, and a sum not exceeding three million four hundred and ninety-five thousand dollars for the fiscal year ending June 30, 1947, are hereby appropriated for the use of the state for general purposes and such sums shall be a charge upon the special fund constituted by chapter 126, Laws of 1931, as amended. The state treasurer, at such times and in such amounts as the governor and council may determine, within the limits hereinbefore provided, may transfer such sums from said special fund to the general funds of the state.

3. Takes Effect. This act shall take effect July 1, 1945.

[Approved May 18, 1945.]
CHAPTER 206.

AN ACT RELATIVE TO THE ISSUANCE OF BONDS OR NOTES TO FORWARD THE BUILDING PROGRAM AT THE UNIVERSITY OF NEW HAMPSHIRE, AND TO BE LIQUIDATED FROM UNIVERSITY INCOME.

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

1. Bonds or Notes Authorized. In order to provide funds to forward the building program at the University of New Hampshire, the governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding three hundred and fifty thousand dollars, and to be liquidated through income accruing to the university under section 18, chapter 222 of the Revised Laws. For that purpose the state treasurer is hereby authorized, when so directed by the governor and council, to issue bonds or notes in the name and on behalf of the state with such rates of interest, in such form and denominations, with such dates of maturity and other provisions as the governor and council may determine. Such bonds or notes 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. All such bonds or notes shall contain an express guarantee which shall be deemed a contract on the part of the state that the bonds or notes will be liquidated in equal annual installments in a period not exceeding fourteen years from the University of New Hampshire fund as provided in section 18 of chapter 222 of the Revised Laws.

2. Accounts. The secretary of state shall keep an account of all such bonds or notes countersigned by the governor showing the number and amount of each bond or note, the time of countersigning, time when payable and date of delivery to the treasurer. The state treasurer shall keep an account of each bond or note showing the number thereof, name of the person to whom sold, the amount received for the same, the date of the sale and the time when payable.

3. Sale; Proceeds. The state treasurer may negotiate and sell such bonds or notes by direction of the governor and council in such manner as they may determine to be most ad-
vantageous to the state. All such sum or sums thus realized shall be credited by the state treasurer to the university and shall be expended under the direction of the board of trustees for the aforesaid purpose.

4. **Liquidation.** The state treasurer is authorized to deduct from said university fund for each fiscal year such sum or sums as may be necessary to meet interest and principal payments in accordance with the terms and conditions of the bonds or notes issued under the authority of this act for the purpose herein stated.

5. **Appropriation.** For the purpose of providing the necessary credit for the issuance of such bonds or notes to be liquidated in the manner hereinbefore provided, and for the purpose of carrying out the provisions of this act, there is hereby appropriated the sum of three hundred fifty thousand dollars ($350,000).

6. **Application of Laws.** The sum hereby appropriated for the building program at the university shall be in addition to the sums which the trustees may borrow in anticipation of income as provided by section 21 of chapter 222 of the Revised Laws.

7. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 18, 1945.]

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**CHAPTER 207.**

**AN ACT CREATING A CLASSIFICATION PLAN BOARD.**

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

1. **Creation of Board.** Amend chapter 145 of the Laws of 1943 by adding after section 5 thereof the following new section: 5-a. **Classification Plan Board.** There is hereby created a classification plan board which shall consist of five members to be appointed by the governor with the advice and consent of the council. Three members, to be known as non-employee members, shall be qualified persons who shall not otherwise be employed by the state; two members, to be known as employee members, shall be appointed from a panel of five names to be selected by the New Hampshire state em-
ployees' association from among its members. Vacancies shall be filled for the unexpired term in like manner as the original appointment. Said members shall be appointed for a term of five years each and until their successors are appointed and qualified; provided, however, that for the first appointment, the three non employee members shall be appointed for terms of one, three and five years respectively, and the two employee members shall be appointed for terms of two and four years respectively. The governor shall designate the chairman of said board.

2. Duties of Board. Amend section 4 of said chapter 145 by striking out said section and inserting in place thereof the following: 4. Modifications. The board shall have the authority to modify and revise the plan for the classification of salaries and positions from time to time as new functions or divisions of government are added or eliminated or as changes in conditions and circumstances in state service may justify. Such modifications or revisions shall become effective after approval thereof by the governor and council.

3. Governor and Council. Amend section 7 of said chapter 145 by striking out said section and inserting in place thereof the following: 7. Rules and Regulations. The board shall adopt such rules and regulations as may be necessary for the administration of said plan and the carrying out of the purposes of this act and may modify such rules and regulations from time to time, as the need may indicate, provided that such rules and regulations and modifications thereof shall not become effective until approved by the governor and council.

4. Expenses. The members of the board shall serve without compensation but shall be reimbursed for their reasonable expenses incurred in the performance of their duties and the governor is hereby authorized to draw his warrant for the sums necessary hereunder out of any money in the treasury not otherwise appropriated.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 208.

AN ACT RELATIVE TO COMPENSATION OF MEMBERS OF THE STATE GUARD.

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

1. State Guard. Amend section 7 of chapter 144 of the Revised Laws by adding at the end thereof the words, For each prescribed weekly drill of not less than one and one-half hours duration, attended in uniform, each enlisted man of the state guard shall be paid fifty cents; each commissioned officer who, on July 1, 1945, is completely uniformed at his own expense with the authorized state guard uniform shall receive the sum of one hundred dollars as an initial officer's uniform allowance and, after that date, a like sum shall be paid to each officer initially commissioned in the state guard, upon the certification of his immediate superior that he is fully uniformed as required, so that said section as amended shall read as follows: 7. Pay and Allowances. The provisions of section 60, chapter 143, shall not apply to the state guard which shall be compensated as follows: For each day's service in complete uniform, when ordered out for duty by command of the governor, except for annual inspection, drill, target practice or special service, each commissioned officer of the state guard shall be paid at the same rate, base pay, as an officer of like grade in the United States army; and each enlisted man of the state guard shall be paid at the rate, base pay, prescribed in federal pay tables for an enlisted man of like grade in the United States army. For each prescribed weekly drill of not less than one and one-half hours duration, attended in uniform, each enlisted man of the state guard shall be paid fifty cents; each commissioned officer who, on July 1, 1945, is completely uniformed at his own expense with the authorized state guard uniform shall receive the sum of one hundred dollars as an initial officer's uniform allowance and, after that date, a like sum shall be paid to each officer initially commissioned in the state guard, upon the certification of his immediate superior that he is fully uniformed as required.

2. Appropriation. The sum of thirty thousand dollars is hereby appropriated for the state guard for the fiscal year 1945-1946 and thirty thousand dollars for the fiscal year 1946-
1947 for the purpose of paying enlisted men for attendance at authorized drill as provided in section 1 of this act; the sum of four thousand dollars is appropriated for the fiscal year 1945-1946 and four thousand dollars for the fiscal year 1946-1947 for the purpose of paying commissioned officers and non-commissioned officers while on active duty in attendance at military schools; and the sum of ten thousand dollars is appropriated for the fiscal year 1945-1946 and the sum of three thousand dollars for the fiscal year 1946-1947 for the purpose of providing initial uniform allowances for commissioned officers. The sums hereby appropriated shall be in addition to other appropriations for the state guard and the governor is authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated.

3. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 209.

AN ACT RELATIVE TO THE SALARIES OF THE COMMISSIONERS OF ROCKINGHAM COUNTY.

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

1. Temporary Salary Increase. For each of the periods from January 1, 1945 to January 1, 1946, and from January 1, 1946 to January 1, 1947, each county commissioner of the county of Rockingham shall be allowed and paid by the county the sum of fifteen hundred dollars. During said two periods such provisions of section 27 of chapter 47 of the Revised Laws as amended, and chapter 179 of the Laws of 1943 as may be inconsistent with the provisions of this section are hereby suspended to the extent of such inconsistency. The annual salary hereinbefore provided for each commissioner of Rockingham county shall be the full salary allowed such commissioners for said two year periods.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]
CHAPTER 210.

AN ACT MAKING APPROPRIATIONS FOR CAPITAL IMPROVEMENTS AND LONG TERM REPAIRS FOR THE STATE OF NEW HAMPSHIRE.

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

1. Appropriation. The sum of eight hundred twenty-five thousand six hundred fifty-seven dollars ($825,657) is hereby appropriated for the purposes and in the amounts listed below, which purposes include such related improvements, facilities, equipment and furnishings as are necessary to complete the same.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) For the adjutant general</td>
<td></td>
</tr>
<tr>
<td>Improvements and repairs to state armories</td>
<td>$31,567.00</td>
</tr>
<tr>
<td>(b) For Plymouth Teachers College</td>
<td></td>
</tr>
<tr>
<td>Remodel present heating system installing new boilers and pipe lines, enlarging coal pocket and relocate boiler room</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>(c) For Keene Teachers College</td>
<td></td>
</tr>
<tr>
<td>Addition to Mason library</td>
<td>$13,190.00</td>
</tr>
<tr>
<td>(d) For forestry and recreation</td>
<td></td>
</tr>
<tr>
<td>Remodel Hampton Beach bath house, construct game areas and landscape grounds;</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>Franconia Notch improvements</td>
<td>50,000.00</td>
</tr>
<tr>
<td></td>
<td>$70,000.00</td>
</tr>
<tr>
<td>(e) For state hospital</td>
<td></td>
</tr>
<tr>
<td>Kitchen and dining room addition</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Generator</td>
<td>37,000.00</td>
</tr>
<tr>
<td>Water tank</td>
<td>1,600.00</td>
</tr>
<tr>
<td>Brown building addition</td>
<td>263,000.00</td>
</tr>
<tr>
<td>Three elevators, one for Walker building, one for Kent building, one for Main building</td>
<td>30,000.00</td>
</tr>
<tr>
<td></td>
<td>$366,600.00</td>
</tr>
</tbody>
</table>
(f) For industrial school
   Security cottage ................ $75,000.00
   Rebuilding heating plant ... 40,000.00
   Cold storage plant .......... 3,500.00
   ----------------------------
   $118,500.00

(g) For Laconia state school
   Roof over coal pocket....... $3,500.00
   Completion of assembly hall 65,500.00
   Cottage house, garage and
   furnishings .................. 10,000.00
   Spaulding building — fire-
   proofing stairwell ........ 5,500.00
   ----------------------------
   $84,500.00

(h) For state prison
   Bull pen ..................... $3,000.00
   Vegetable storage .......... 8,000.00
   Grain storage ............... 7,000.00
   ----------------------------
   $18,000.00

(i) For state sanatorium
   Freezer plant ................ $3,300.00
   Roof over coal pocket ... 1,200.00
   Incinerator ................. 2,500.00
   ----------------------------
   $7,000.00

(j) For state library
   Opening seventeen windows
   on second floor ............ $850.00
   Soundproofing ceilings in
   public rooms .............. 2,450.00
   ----------------------------
   $3,300.00

(k) For liquor commission
   Completion of warehouse ... $73,000.00

In addition to the above appropriation there is hereby
appropriated from any balances available in the fish and game
fund $50,000 for improvements and additions to hatcheries
and rearing stations. This appropriation to be in addition to
any other moneys appropriated for the fish and game depart-
ment.

The appropriations hereby made and the sums made avail-
able for these projects shall be expended by the institutions
and departments referred to herein under the direction of the
governor and council and the work shall be done in accordance
with plans and specifications approved by said governor and council.

2. **Bonds or Notes Authorized.** To provide funds for the appropriation made in section 1 hereof, the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding the sum of eight hundred twenty-five thousand six hundred fifty-seven dollars, and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes 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 proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor, with the advice and consent of the council, shall draw his warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds or notes may be negotiated and sold by the treasurer by direction of the governor and council as they deem to be most advantageous to the state.

3. **Accounts.** The secretary of state shall keep an account of all such bonds or notes countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note 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 date of maturity.

4. **Short-Term Notes.** Prior to the issuance of the bonds or notes hereunder the treasurer, under the direction of the governor and council, may for the purposes hereof borrow money from time to time on short-term loans which may be refunded by the issuance of the bonds or notes hereunder, provided however that at no one time shall the indebtedness of the state on such short-term loans exceed the sum of eight hundred twenty-five thousand six hundred fifty-seven dollars.
5. Federal Assistance. The governor and council are hereby authorized to cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable to secure federal funds for the purposes hereof.

6. Transfer of Funds. In the event any one of the projects listed herein is completed at a cost less than the amount appropriated therefor, the surplus therefrom may be transferred to any of the other projects under direction of the governor and council.

7. Appropriation Extended. The unexpended balance of the amount appropriated by chapter 185 of the Laws of 1943 is hereby extended so as to run for the same term as the amount appropriated hereunder.

8. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 211.

AN ACT MAKING APPROPRIATIONS FOR THE EXPENSES OF THE STATE OF NEW HAMPSHIRE FOR THE YEAR ENDING JUNE 30, 1946.

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

1. Appropriations. 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 June 30, 1946, to wit:

A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account, and which shall be for the expenses of the legislature only .. $125,000.00
Council of state governments ................. 500.00

For the executive department:
Office of the governor:
Salary of governor ............... $5,000.00
Salary of secretary ............. 3,000.00
Other salaries ................. 5,770.00
Travel expenses ................... $1,200.00
Other current expenses ........ 3,000.00

Total ................................ $17,970.00

Council:
Per diem .......................... $2,500.00
Travel expenses .................. 2,000.00
Other current expenses .......... 70.00

Total ................................ 4,570.00

Contingent Fund .................... 5,000.00
Emergency Fund .................... 50,000.00

Total executive department .......... $77,540.00

For judicial branch:
Supreme court:
Salaries of judges ................... $35,000.00
Salary of clerk of court .......... 2,600.00
Salary of state reporter .......... 1,800.00
Other salaries ..................... 1,810.00
Travel expenses ................... 450.00
Other current expenses .......... 2,900.00
Printing New Hampshire re-
ports ............................ 3,000.00

Total ................................ $47,560.00
Less estimated revenue .......... 100.00

Net appropriation .................... $47,460.00

Superior court:
Salaries of judges ................... $42,000.00
Other salaries ..................... 400.00
Travel expenses ................... 6,000.00
Other current expenses .......... 2,800.00
Equipment .......................... 500.00

Total ................................ 51,700.00

Referees and masters:
Salaries of referees and
masters ........................... $8,400.00
Current expenses $1,000.00

Total $9,400.00

Probate court:
Salaries of judges $17,600.00
Salaries of registers and deputies 22,600.00

Total 40,200.00

Judicial council 500.00

Total judicial branch $149,260.00

For adjutant general's department:
Office of adjutant general:
Salaries $3,600.00
Current expenses 1,700.00

Total $5,300.00

Armories:
Salaries $18,560.00
Current expenses 20,000.00

Total 38,560.00

State Guard:
Salaries $11,810.00
Travel expenses 2,500.00
Other current expenses 14,050.00

Total 28,360.00

Military discharge certificates 3,500.00
Rifle ranges 2,000.00
War service recognition 600.00
Officers' uniforms 1,750.00

Total adjutant general's department $80,070.00

For department of agriculture:
Office of commissioners:
Salary of commissioner $4,000.00
Other salaries 6,920.00
Travel expenses 1,200.00
Other current expenses ........ $12,260.00  
Equipment 100.00

Total ........................................... $24,480.00

New Hampshire Horticultural Society ........ 1,000.00  
Granite State Dairymen's Association ........ 500.00  
New Hampshire Sheep Breeders' Association 250.00  
New Hampshire Maple Producers' Association 250.00

Bureau of markets:
Salary of director $2,580.00  
Other salaries 9,153.00  
Travel expenses 2,000.00  
Other current expenses 11,264.00  
Equipment 100.00  
Rodent control 300.00  
Grants 1,000.00

Total ........................................... 26,397.00

Insect and plant disease suppression:
Salary of deputy $1,600.00  
Other salaries 9,400.00  
Travel expenses 1,750.00  
Other current expenses 1,325.00  
Equipment 100.00

Total ........................................... 14,175.00

Division of animal industry:
Salary of state veterinarian $3,500.00  
Other salaries 19,710.00  
Travel expenses 4,500.00  
Other current expenses 4,040.00  
Equipment 250.00  
Tubercular testing 45,000.00  
Epidemics 3,000.00  
Laboratory fees—pullorum 15,000.00

Total ........................................... 95,000.00

Total department of agriculture ........ $162,052.00
For attorney general's department:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of attorney general</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Salary of assistant attorney general</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>11,240.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>800.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,475.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>500.00</td>
</tr>
<tr>
<td>Fees—registers of probate</td>
<td>4,250.00</td>
</tr>
<tr>
<td>Legacy tax expenses</td>
<td>1,250.00</td>
</tr>
<tr>
<td>Register of public trusts</td>
<td>3,000.00</td>
</tr>
<tr>
<td><strong>Total attorney general's department.</strong></td>
<td><strong>$32,515.00</strong></td>
</tr>
</tbody>
</table>

For comptroller's department:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of comptroller</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>22,320.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>750.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>2,750.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30,920.00</strong></td>
</tr>
</tbody>
</table>

Travel bureau:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$5,220.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>100.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>400.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,720.00</strong></td>
</tr>
</tbody>
</table>

Grants:

- Mt. Washington Observatory: $1,200.00
- Firemen's Relief Association: 4,000.00
- Prisoners' Aid Association: 600.00
- League of New Hampshire Arts and Crafts: 10,000.00
- New Hampshire Historical Society: 500.00
- Old Home Week Association: 300.00
- Military organizations: 200.00
- New Hampshire Veterans' Association: 1,500.00
Atlantic States Marine Fisheries ........................................... $500.00

$18,800.00

Total comptroller’s department ...... $55,440.00

For forestry and recreation:

Administration:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of state forester</td>
<td>$3,500.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>12,480.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>600.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>3,210.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,890.00</strong></td>
</tr>
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</table>

Nursery:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$6,060.00</td>
</tr>
<tr>
<td>Current expenses</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>600.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$9,160.00</strong></td>
</tr>
</tbody>
</table>

Recreation:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of director</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>$43,520.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>11,000.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>3,500.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$64,520.00</strong></td>
</tr>
<tr>
<td>*Less estimated revenue</td>
<td>25,000.00</td>
</tr>
<tr>
<td><strong>Net appropriation</strong></td>
<td><strong>39,520.00</strong></td>
</tr>
</tbody>
</table>

District fire supervision:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$5,780.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>1,800.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>900.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>8,480.00</strong></td>
</tr>
</tbody>
</table>

Lookout stations ................................................. 14,600.00

* In the above appropriation any income in excess of the estimate shall be available for expenditure as provided by statute.
Training conferences ........................................... $1,000.00

White pine blister rust:
Salaries ........................................... $5,880.00
Travel expenses ........................................ 500.00
Other current expenses ........................................ 500.00

Total ........................................... 6,880.00

Reforestation:
Salaries ........................................... $1,810.00
Travel expenses ........................................ 900.00

Total ........................................... 2,710.00

Prevention of fires:
Salaries ........................................... $1,320.00
Current expenses ........................................ 2,200.00
Equipment ........................................... 1,000.00

Total ........................................... 4,520.00

Forest fire bills to towns ........................................ 7,500.00

Federal emergency program:
Salaries ........................................... $1,967.00
Travel expenses ........................................ 3,600.00
Other current expenses ........................................ 1,133.00

Total ........................................... 6,700.00

Total forestry and recreation department ........................................ $120,960.00

For insurance department:
Salary of commissioner ........................................ $5,000.00
Salary of deputy ........................................ 3,000.00
Other salaries ........................................ 13,200.00
Travel expenses ........................................ 750.00
Other current expenses ........................................ 4,400.00
Equipment ........................................ 100.00

Total insurance department ........................................ $26,450.00

For bureau of labor:
Office of commissioner:
Salary of commissioner ........................................ $4,000.00
Other salaries ........................................ 5,840.00
Travel expenses .............. $800.00
Other current expenses ...... 1,610.00
Equipment .................. 100.00

Total ........................ $12,350.00

Minimum wage division:
Salaries ...................... $4,920.00
Travel expenses .............. 2,000.00
Other current expenses ...... 600.00
Equipment .................. 100.00

Total ........................ 7,620.00

Factory inspection:
Salaries ...................... $7,740.00
Travel expenses .............. 3,000.00
Other current expenses ...... 500.00
Equipment .................. 100.00

Total ........................ 11,340.00

Total bureau of labor ........ $31,310.00

For motor vehicle department:
Administration:
Salary of commissioner ...... $4,000.00
Salary of deputy .............. 3,500.00
Salary of director of safety .. 3,200.00
Other salaries .............. 69,269.00
Travel expenses .............. 1,750.00
Other current expenses ...... 84,900.00
Equipment .................. 8,000.00

Total ........................ $174,619.00

Motor vehicle patrol:
Salaries ...................... $17,480.00
Travel expenses .............. 10,400.00
Other current expenses ...... 200.00

Total ........................ 28,080.00

Gasoline road toll:
Salary of administrator ...... $2,700.00
Other salaries ................. $8,240.00
Travel expenses ............... 2,500.00
Other current expenses ...... 750.00
Equipment ..................... 300.00

Total ........................ $14,490.00

Total motor vehicle department ... $217,189.00
Less transfer from highway funds .... 217,189.00

Net appropriation .................. 00.00

For purchasing agent:
Salary of purchasing agent ...... $4,000.00
Other salaries .................. 9,760.00
Travel expenses ................. 150.00
Other current expenses ......... 1,810.00
Equipment ....................... 100.00

Total purchasing agent .......... $15,820.00

For state department:
Office of secretary:
Salary of secretary ............. $4,500.00
Salary of deputy ................. 2,700.00
Other salaries ................. 7,980.00
Travel expenses ................. 250.00
Other current expenses ......... 1,975.00

Total ........................ $17,405.00
Direct primary .................. 2,450.00
General election ................. 3,500.00

Photostat department:
Salaries ......................... $2,000.00
Current expenses ............... 600.00

Total ........................ 2,600.00

Total state department .......... $25,955.00

For state library:
Salary of librarian ............. $2,750.00
Salary of assistant librarian .. 2,250.00
Other salaries $24,590.00
Travel expenses 400.00
Other current expenses 4,855.00
Equipment 8,600.00

Total $43,445.00

Extension division:
Travel expenses $1,250.00
Other current expenses 2,675.00
Equipment 5,000.00

Total 8,925.00
State aid 1,000.00

Total state library $53,370.00

For state police:
Salary of superintendent $4,000.00
Salary of deputy 3,500.00
Other salaries 141,940.00
Travel expenses 9,000.00
Other current expenses 48,000.00
Equipment 22,000.00

Total $228,440.00
Less transfer from highway funds 190,000.00

Net appropriation $38,440.00

For department of buildings and grounds:
Salary of superintendent $2,500.00
Other salaries 62,313.00
Current expenses 44,260.00
Equipment 400.00

Total $109,473.00
Franklin Pierce homestead 660.00
Daniel Webster birthplace 740.00

Mailing division:
Salaries $3,100.00
Current expenses 425.00

Total 3,525.00
Total department of buildings and grounds $114,398.00

For treasury department:
Office of treasurer:
Salary of treasurer $4,500.00
Salary of deputy 2,700.00
Other salaries 15,315.00
Travel expenses 250.00
Other current expenses 4,777.50
Equipment 500.00

Total 28,042.50

Intangible tax division:
Salaries $1,950.00
Current expenses 290.00

Total $2,240.00
Less revenue 2,240.00

Net appropriation 00.00

Highway services:
Salaries $3,700.00
Current expenses 1,500.00
Equipment 500.00

Total $5,700.00
Less transfer highway funds 5,700.00

Net appropriation 00.00

Trust fund obligations 40,787.27
Bounties 8,500.00

Total treasury department $77,329.77

For weights and measures:
Salary of commissioner $3,000.00
Other salaries 10,660.00
Travel expenses 4,500.00
Other current expenses 1,665.00
Equipment 200.00

Total weights and measures $20,025.00
For industrial school:

**Administration:**
- Salary of superintendent: $4,000.00
- Other salaries: 4,140.00
- Travel expenses: 375.00
- Other current expenses: 1,665.00
- Equipment: 75.00

Total: $10,255.00

**Instruction:**
- Salaries: $7,530.00
- Current expenses: 775.00
- Equipment: 500.00

Total: 8,805.00

**Custodial care:**
- Salaries: $25,085.00
- Current expenses: 18,000.00
- Equipment: 1,500.00

Total: 44,585.00

**Auxiliary to custodial care:** 475.00

**Operation of plant:**
- Salaries: $1,920.00
- Current expenses: 16,830.00
- Equipment: 1,000.00

Total: 19,750.00

**Maintenance of plant:**
- Salaries: $3,300.00
- Current expenses: 1,000.00
- Equipment: 500.00

Total: 4,800.00

**Agriculture:**
- Salaries: $2,360.00
- Current expenses: 16,100.00
- Equipment: 500.00

Total: 18,960.00
Parole department:
Salaries ...................... $960.00
Travel expenses .............. 600.00
Other current expenses ...... 130.00

Total ........................ $1,690.00

Total industrial school ........ $109,320.00
Less estimated revenue .......... 167.00

Net appropriation ............... $109,153.00

For Laconia state school:
Administration:
Salary of superintendent ...... $4,000.00
Other salaries ................ 7,080.00
Travel expenses ............... 1,500.00
Other current expenses ...... 1,243.00
Equipment .................... 175.00

Total ........................ $13,998.00

Professional care and treatment:
Salaries ...................... $67,652.00
Travel expenses ............... 300.00
Other current expenses ...... 2,575.00
Equipment .................... 110.00

Total ........................ 70,637.00

Custodial care:
Salaries ...................... $20,700.00
Current expenses ............. 64,800.00
Equipment .................... 6,585.00

Total ........................ 92,085.00

Operation of plant:
Salaries ...................... $6,700.00
Current expenses ............. 39,925.00
Equipment .................... 650.00

Total ........................ 47,275.00
Maintenance of plant:
Salaries ........................................... $7,825.00
Current expenses ............................. 4,375.00
Equipment ....................................... 50.00

Total ............................................. $12,250.00

Agriculture:
Salaries ........................................... $22,560.00
Current expenses ............................. 33,521.00
Equipment ....................................... 3,589.00

Total ............................................. 59,670.00

Total Laconia state school ............. $295,915.00
Less estimated revenue .......... 800.00

Net appropriation ....................... $295,115.00

For soldiers' home:
Office of commandant:
Salaries ........................................... $2,000.00
Travel expenses ............................. 150.00
Other current expenses .......... 350.00

Total ............................................. $2,500.00

Custodial care:
Salaries ........................................... $6,420.00
Current expenses ............................. 9,800.00

Total ............................................. 16,220.00

Professional care and treatment:
Salaries ........................................... $3,980.00
Current expenses ............................. 500.00

Total ............................................. 4,480.00

Operation of plant:
Salaries ........................................... $3,960.00
Current expenses ............................. 4,200.00

Total ............................................. 8,160.00

Maintenance of plant ..................... 800.00
Agriculture:
Salaries ...................... $1,610.00
Current expenses ............ 1,200.00

Total .......................... $2,810.00

Total soldiers’ home .......... $34,970.00

For state hospital:
Administration:
Salary of superintendent .... $5,500.00
Other salaries ............... 45,000.00
Travel expenses .............. 400.00
Other current expenses ....... 8,500.00
Equipment .................... 100.00

Total .......................... $59,500.00

Professional care and treatment:
Salaries ........................ $275,000.00
Travel expenses ............... 3,574.00
Other current expenses ....... 34,176.00
Equipment .................... 2,250.00

Total .......................... 315,000.00

Custodial care:
Salaries ........................ $115,000.00
Current expenses .............. 321,200.00
Equipment .................... 8,800.00

Total .......................... 445,000.00

Operation of plant:
Salaries ........................ $33,000.00
Travel expenses ............... 813.00
Other current expenses ....... 115,927.00
Equipment .................... 4,760.00
Sewer tax ..................... 3,500.00

Total .......................... 158,000.00

Maintenance of plant:
Salaries ........................ $59,000.00
Current expenses .............. 10,600.00
<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Equipment</td>
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<td>Total</td>
<td>$70,000.00</td>
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<tr>
<td><strong>Agriculture</strong></td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$20,000.00</td>
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<tr>
<td>Current expenses</td>
<td>41,525.00</td>
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<td><strong>Total</strong></td>
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<td><strong>Out patient clinic</strong></td>
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<tr>
<td>Salaries</td>
<td>$4,080.00</td>
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<tr>
<td>Travel expenses</td>
<td>1,950.00</td>
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<tr>
<td><strong>Total</strong></td>
<td>6,030.00</td>
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<tr>
<td><strong>Total state hospital</strong></td>
<td>$1,118,530.00</td>
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<td>Less estimated revenue</td>
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<td><strong>Net appropriation</strong></td>
<td>$1,113,030.00</td>
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<tr>
<td><strong>For state prison</strong></td>
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<tr>
<td>Administration</td>
<td></td>
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<tr>
<td>Salary of warden</td>
<td>$3,250.00</td>
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<tr>
<td>Other salaries</td>
<td>5,180.00</td>
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<tr>
<td>Travel expenses</td>
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<tr>
<td>Other current expenses</td>
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<td>Equipment</td>
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<td><strong>Total</strong></td>
<td>$9,880.00</td>
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<tr>
<td>Instruction</td>
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<tr>
<td><strong>Custodial care</strong></td>
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<tr>
<td>Salaries</td>
<td>$56,979.00</td>
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<tr>
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<td>Equipment</td>
<td>850.00</td>
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<tr>
<td><strong>Total</strong></td>
<td>111,104.00</td>
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<tr>
<td><strong>Auxiliary care and custody</strong></td>
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</tr>
<tr>
<td>Wages</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Current expenses</td>
<td>3,000.00</td>
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<tr>
<td>Awards</td>
<td>1,000.00</td>
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<tr>
<td><strong>Total</strong></td>
<td>9,000.00</td>
</tr>
</tbody>
</table>
Chapter 211

Operation of plant:
Salaries .......................... $3,510.00
Current expenses ............... 6,550.00

Total ............................... $10,060.00

Maintenance of plant:
Current expenses ................ $1,465.00
Equipment ......................... 4,000.00

Total ................................ 5,465.00

Agriculture:
Salaries .............................. $2,365.00
Current expenses ............... 17,045.00
Equipment ......................... 1,425.00

Total ................................ $20,835.00
Less transfer credit ........... 13,000.00

Net .................................. 7,835.00

Parole officer:
Salary of parole officer ........ $2,000.00
Other salaries ..................... 3,880.00
Travel expenses ................. 2,300.00
Other current expenses ......... 995.00

Total ................................ 9,175.00

Total state prison .............. $164,519.00
Less estimated revenue ......... 10,076.00

Net appropriation ............... $154,443.00

For state sanatorium:
Administration:
Salary of superintendent ....... $4,000.00
Other salaries ..................... 1,970.00
Travel expenses ................. 900.00
Other current expenses ......... 965.00
Equipment ......................... 100.00

Total ................................ $7,935.00
<table>
<thead>
<tr>
<th></th>
<th>Salaries</th>
<th>Current expenses</th>
<th>Equipment</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Professional care and treatment:</td>
<td>$24,900.00</td>
<td>5,760.00</td>
<td>3,750.00</td>
<td><strong>$34,410.00</strong></td>
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<tr>
<td>Custodial care:</td>
<td>$12,845.00</td>
<td>24,825.00</td>
<td>500.00</td>
<td><strong>38,170.00</strong></td>
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<tr>
<td>Operation of plant:</td>
<td>$11,050.00</td>
<td>12,231.00</td>
<td></td>
<td><strong>23,281.00</strong></td>
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<tr>
<td>Maintenance of plant:</td>
<td>$1,000.00</td>
<td>2,100.00</td>
<td>100.00</td>
<td><strong>3,200.00</strong></td>
</tr>
<tr>
<td>Agriculture:</td>
<td>$3,460.00</td>
<td>6,150.00</td>
<td></td>
<td><strong>9,610.00</strong></td>
</tr>
<tr>
<td>Total state sanatorium</td>
<td><strong>$116,606.00</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Less estimated revenue</td>
<td>500.00</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Net appropriation</td>
<td><strong>$116,106.00</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

For University of New Hampshire:

Maintenance, Revised Laws, Chapter 222, section 18  ... **$579,456.76**
Extension—Smith-Lever act ... 36,000.00

Total University of New Hampshire ... **$615,456.76**
For barbers' board:*

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries and expenses</td>
<td>$3,985.00</td>
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<tr>
<td>Less estimated revenue</td>
<td>3,000.00</td>
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<tr>
<td><strong>Net appropriation</strong></td>
<td><strong>$985.00</strong></td>
</tr>
</tbody>
</table>

For board of chiropractic examiners  
$850.00

For board of education:

**Administration:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$46,525.00</td>
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<tr>
<td>Travel expenses</td>
<td>4,500.00</td>
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<tr>
<td>Other current expenses</td>
<td>9,400.00</td>
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<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$60,525.00</strong></td>
</tr>
</tbody>
</table>

**Equalization fund**  
$400,000.00

**Superintendent salaries**  
$100,000.00

**Conferences**  
$1,500.00

**Smith-Hughes:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$4,078.50</td>
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<tr>
<td>Travel expenses</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>100.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>5,178.50</strong></td>
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**Vocational rehabilitation:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Current expenses</td>
<td>$9,700.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>250.00</td>
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<tr>
<td>Equipment</td>
<td>50.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>10,000.00</strong></td>
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</tbody>
</table>

**George Deen:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$4,273.50</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>1,200.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>5,473.50</strong></td>
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</table>

**Keene teachers college:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$134,543.00</td>
</tr>
</tbody>
</table>

*In addition to the above appropriation said board shall receive for expenditure any revenue in excess of the above estimate.
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travel expenses</td>
<td>$400.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>74,500.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Special activities</td>
<td>1,350.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$213,293.00</strong></td>
</tr>
</tbody>
</table>

**Plymouth teachers college:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$74,860.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>450.00</td>
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<tr>
<td>Other current expenses</td>
<td>38,850.00</td>
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<tr>
<td>Equipment</td>
<td>750.00</td>
</tr>
<tr>
<td>Special activities</td>
<td>275.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>115,185.00</strong></td>
</tr>
</tbody>
</table>

**Education of the deaf**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>17,000.00</strong></td>
</tr>
</tbody>
</table>

**Total appropriation available for expenditure**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>$928,155.00</strong></td>
</tr>
</tbody>
</table>

The revenues estimated as follows shall be applied to the above appropriations:

<table>
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<tr>
<th>Item</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>Per capita tax</td>
<td>$140,946.00</td>
</tr>
<tr>
<td>Literary fund</td>
<td>21,600.00</td>
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<tr>
<td>Unorganized places</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Rebate ($3.50 tax)</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Keene teachers (tuition and board)</td>
<td>84,640.00</td>
</tr>
<tr>
<td>Plymouth teachers (tuition and board)</td>
<td>43,025.00</td>
</tr>
<tr>
<td><strong>Total estimated revenue</strong></td>
<td><strong>306,211.00</strong></td>
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</tbody>
</table>

**Net appropriation**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net appropriation</strong></td>
<td><strong>$621,944.00</strong></td>
</tr>
</tbody>
</table>

In addition to the above appropriation said department shall receive for disbursement the income of the teachers' colleges' dormitories and practice schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.
For state department of health:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General administration:</td>
<td></td>
</tr>
<tr>
<td>Salary of health officer</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>7,160.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>750.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>7,950.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$20,960.00</strong></td>
</tr>
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</table>

Finance:

<table>
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<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Salaries</td>
<td>$8,100.00</td>
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<tr>
<td>Travel expenses</td>
<td>100.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>3,330.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>11,530.00</strong></td>
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Vital statistics:

<table>
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<tr>
<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Salaries</td>
<td>$9,900.00</td>
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<tr>
<td>Travel expenses</td>
<td>200.00</td>
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<tr>
<td>Other current expenses</td>
<td>2,550.00</td>
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<td>Equipment</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>12,750.00</strong></td>
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Chemistry division:

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<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Salaries</td>
<td>$15,920.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,600.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,865.00</td>
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<tr>
<td>Equipment</td>
<td>500.00</td>
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<td><strong>Total</strong></td>
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Sanitary engineering:

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<td>Salaries</td>
<td>$7,280.00</td>
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<tr>
<td>Travel expenses</td>
<td>2,600.00</td>
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<tr>
<td>Other current expenses</td>
<td>1,497.00</td>
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<tr>
<td>Equipment</td>
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<td><strong>Total</strong></td>
<td><strong>11,877.00</strong></td>
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Maternal and child health and crippled children:

<table>
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<th>Category</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Salaries</td>
<td>$22,620.00</td>
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<td>Travel expenses</td>
<td>3,100.00</td>
</tr>
<tr>
<td>Program</td>
<td>Summary</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>$5,600.00</td>
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<tr>
<td>Equipment</td>
<td>100.00</td>
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<tr>
<td>Other expenditures</td>
<td>11,000.00</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$42,420.00</strong></td>
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<tr>
<td>Epidemiology and venereal disease control:</td>
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<tr>
<td>Salaries</td>
<td>$17,950.00</td>
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<tr>
<td>Travel expenses</td>
<td>1,000.00</td>
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<tr>
<td>Other current expenses</td>
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<td>Equipment</td>
<td>300.00</td>
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<td>Hospitalization</td>
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<td><strong>Total</strong></td>
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<tr>
<td>Aid to tuberculous persons</td>
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<tr>
<td>Public health nursing</td>
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<tr>
<td>Salaries</td>
<td>$21,520.00</td>
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<tr>
<td>Travel expenses</td>
<td>8,000.00</td>
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<tr>
<td>Other current expenses</td>
<td>3,350.00</td>
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<tr>
<td>Equipment</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>32,970.00</strong></td>
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<tr>
<td>Eastern health district</td>
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<td>Salaries</td>
<td>$11,520.00</td>
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<tr>
<td>Travel expenses</td>
<td>3,500.00</td>
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<tr>
<td>Other current expenses</td>
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<td><strong>Total</strong></td>
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<tr>
<td>Diagnostic laboratories</td>
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<tr>
<td>Salaries</td>
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<td>Travel expenses</td>
<td>100.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>5,500.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>300.00</td>
</tr>
<tr>
<td>Other expenditures</td>
<td>1,500.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>22,300.00</strong></td>
</tr>
<tr>
<td>Industrial hygiene</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$10,500.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,800.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>300.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>14,600.00</strong></td>
</tr>
</tbody>
</table>
### Dental services:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$5,220.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>300.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,200.00</td>
</tr>
</tbody>
</table>

**Total** $6,720.00

### Total state department of health

**Total state department of health** $305,082.00

Less estimated balance available $25,000.00

Less estimated federal grants 120,622.00

**Total income** $145,622.00

**Net appropriation** $159,460.00

In the state department of health any grants received from federal government in addition to the above estimate may be expended, with the approval of the governor and council.

- **For board of registration in medicine** $1,000.00
- **For board of optometry** $700.00

**For milk control board:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$7,570.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>2,250.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,300.00</td>
</tr>
</tbody>
</table>

**Total milk control board** $11,120.00

**For probation board:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$38,203.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>9,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>3,780.00</td>
</tr>
</tbody>
</table>

**Total probation board** $50,983.00

**For public welfare:**

### Administration:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$45,027.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,150.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>15,395.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
</tbody>
</table>

**Total** $63,672.00
State services:
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$6,120.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>600.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>250.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,970.00</strong></td>
</tr>
</tbody>
</table>

Field services:
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$150,195.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>26,930.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>21,580.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>700.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>199,405.00</td>
</tr>
</tbody>
</table>

Blind services:
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$12,080.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,880.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>13,031.00</td>
</tr>
<tr>
<td>Grants, subsidies and V. R. services</td>
<td>12,550.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41,541.00</td>
</tr>
</tbody>
</table>

Nesmith fund                        | 3,700.00 |
Old age assistance                   | 2,529,900.00 |
Aid to dependent children            | 629,950.00 |
Aid to needy blind                    | 109,150.00 |
E. A. and C. W. A. fund              | 1,000.00  |
| **Total public welfare**            | $3,585,288.00 |
| Less estimated revenue              | $2,103,850.00 |
| Less portion of balance             | 95,188.00  |
| **Net appropriation**               | $1,386,250.00 |

For state veterans council:
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$7,800.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,500.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>300.00</td>
</tr>
<tr>
<td>Burial of soldiers and sailors</td>
<td>10,000.00</td>
</tr>
<tr>
<td><strong>Total state veterans council</strong></td>
<td><strong>$22,600.00</strong></td>
</tr>
</tbody>
</table>

For veterinary surgeons             | $100.00  |
For water resources board:
Salaries ........................................ $3,284.00
Less estimated revenue ................. 3,284.00

Net appropriation ............................... 00.00

For water control commission:
Salaries ........................................ $1,676.00
Travel expenses ................................. 300.00
Other current expenses ...................... 450.00
Equipment ......................................... 135.00

Total ................................................ $2,561.00

For stream flow gauging ...................... 9,000.00
Less transfer from highway funds ............ $2,750.00
Less estimated revenue ....................... 500.00 3,250.00

Net appropriation ............................... $5,750.00

For aeronautics commission:
Salaries ........................................ $4,960.00
Travel expenses ................................. 1,000.00
Other current expenses ...................... 2,700.00
Equipment ......................................... 100.00
Aerial photography ............................. 200.00

Total aeronautics commission ............... $8,960.00

For bank commission:
Salary of commissioner ...................... $5,000.00
Salaries of deputies .......................... 6,000.00
Other salaries .................................. 19,280.00
Travel expenses ................................. 6,800.00
Other current expenses ...................... 4,900.00
Equipment ......................................... 100.00

Total bank commission ....................... $42,080.00

For cancer commission:
Salaries ........................................ $14,560.00
Travel expenses ................................. 900.00
Other current expenses ...................... 31,415.00

Total cancer commission ..................... $46,875.00
For liquor commission:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquor administration:</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$52,242.50</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>19,750.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,250.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$76,742.50</strong></td>
</tr>
<tr>
<td>Beer administration:</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$55,752.50</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>21,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>8,925.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>86,677.50</strong></td>
</tr>
<tr>
<td>Liquor enforcement:</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$11,820.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>175.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>18,095.00</strong></td>
</tr>
<tr>
<td>Stores operation:</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$260,820.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>135,050.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>7,500.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>409,370.00</strong></td>
</tr>
<tr>
<td>Warehouse:</td>
<td></td>
</tr>
<tr>
<td>Salaries</td>
<td>$29,160.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>100.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>23,600.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>600.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>53,460.00</strong></td>
</tr>
</tbody>
</table>

Total liquor commission \(\$644,345.00\)
Less revenue \(\$644,345.00\)
Net appropriation \(0.00\)
For pharmacy commission ........................................ $2,450.00  

For planning and development commission:
- Salary of executive director .......... $4,000.00  
- Salary of assistant executive director .................................. 3,600.00  
- Salary of publicity director .............. 4,000.00  
- Other salaries ................................ 41,566.00  
- Travel expenses .................................. 9,000.00  
- Advertising-publicity ......................... 50,000.00  
- Advertising-industrial ......................... 25,000.00  
- Other current expenses ....................... 54,200.00  
- Equipment .................................... 500.00  

Total ........................................ $191,866.00  
Tourist service ................................ 1,000.00  
6 regional associations* ......................... 16,950.00  
Land use board .................................. 250.00  
Wood waste utilization ......................... 2,500.00  

Total planning and development commission ................. $212,566.00  
Less estimated revenue .......................... 2,800.00  

Net appropriation ........................................ $209,766.00  

For public service commission:
- Salaries of commissioners ................ $15,000.00  
- Other salaries ................................ 32,910.00  
- Travel expenses ................................ 4,500.00  
- Other current expenses ..................... 17,475.00  
- Equipment .................................... 1,850.00  

Total public service commission ................. $71,735.00  
Less estimated revenue .......................... 21,786.00  

Net appropriation ........................................ $49,949.00

* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,825 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.
Any income in excess of the above estimate shall be available for further expenditure, for the purposes set up by the governing statutes.

For racing commission:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$29,010.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>2,600.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,697.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total racing commission</strong></td>
<td><strong>$33,407.00</strong></td>
</tr>
<tr>
<td>Less revenue</td>
<td><strong>$33,407.00</strong></td>
</tr>
<tr>
<td><strong>Net appropriation</strong></td>
<td><strong>00.00</strong></td>
</tr>
</tbody>
</table>

For tax commission:

**Office of commissioner:**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of secretary</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Salaries of two commissioners</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>12,820.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>5,975.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$31,395.00</strong></td>
</tr>
</tbody>
</table>

Assessment of utilities tax:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$2,120.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>250.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,470.00</strong></td>
</tr>
<tr>
<td>Less revenue</td>
<td><strong>2,470.00</strong></td>
</tr>
<tr>
<td><strong>Net appropriation</strong></td>
<td><strong>00.00</strong></td>
</tr>
</tbody>
</table>

Tobacco products tax:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of director</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>13,080.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>12,825.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>37,005.00</strong></td>
</tr>
</tbody>
</table>
Municipal accounting division:

Salary of director .......... $3,420.00
Other salaries .......... 11,540.00
Travel expenses .......... 4,500.00
Other current expenses .... 775.00
Equipment .......... 100.00

Total .......... $20,335.00
Less estimated revenue ... 5,000.00

Net appropriation .......... $15,335.00

Intangible tax division:

Salary of director .......... $2,940.00
Other salaries .......... 5,840.00
Travel expenses .......... 750.00
Other current expenses .... 2,175.00
Equipment .......... 100.00

Total .......... $11,805.00
Less revenue .......... 11,805.00

Net appropriation .......... 00.00

Total tax commission .......... $83,735.00

For firemen's retirement board .......... $20,000.00
For policemen's retirement board .......... $30,000.00
For teachers' retirement board .......... $38,000.00
For state house annex sinking fund .......... $25,000.00
For board of accountancy .......... $601.00
Less revenue .......... 601.00

Net appropriation .......... 00.00

For fish and game department:

Commission travel and expenses .......... $800.00

Conservation officers:

Salaries .......... $46,308.00
Travel expenses .......... 30,732.00
Other current expenses .... 7,509.00
Equipment .......... 3,600.00

Total .......... 88,149.00
Bounties .......... 3,000.00
## Damage by wild game:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>335.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>645.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Grants</td>
<td>5,000.00</td>
</tr>
</tbody>
</table>

**Total** $8,980.00

## Office of director:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of director</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>9,760.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>1,972.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>10,891.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>400.00</td>
</tr>
</tbody>
</table>

**Total** $27,023.00

## Education:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$1,046.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>975.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,100.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>500.00</td>
</tr>
</tbody>
</table>

**Total** $3,621.00

## Research:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$5,720.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>750.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>615.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,200.00</td>
</tr>
</tbody>
</table>

**Total** $8,285.00

## Propagation of game:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$750.00</td>
</tr>
<tr>
<td>Current expenses</td>
<td>20,360.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>1,100.00</td>
</tr>
</tbody>
</table>

**Total** $22,210.00

## Pittman-Robertson:

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$1,375.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>150.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>565.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>250.00</td>
</tr>
</tbody>
</table>

**Total** $2,340.00
Propagation of fish:

Salaries ................................ $42,365.00
Travel expenses .......................... 2,285.00
Other current expenses ................. 47,040.00
Equipment ................................. 4,250.00
*Summer brook improvements 11,000.00
Other construction ....................... 50,000.00

Total ........................................ $156,940.00
Total fish and game department ...... $321,348.00
Less estimated revenue ................ $250,000.00
Less portion of balance ............... 71,348.00 321,348.00

Net appropriation ........................ 00.00

If the said estimated income of the fish and game fund is less than the above estimate of $250,000.00 a sum sufficient to make the total equivalent to $250,000.00 is hereby appropriated from the general funds.

There is hereby appropriated from the fish and game fund $14,000.00 for the fiscal year ending June 30, 1945 for the use of the fish and game department.

For hairdressers board:

Salaries ................................. $2,905.00
Travel expenses .......................... 1,200.00
Other current expenses ................. 830.00

Total hairdressers board ................ $4,935.00
Less revenue .............................. 4,935.00

Net appropriation ........................ 00.00

For prison industries:

Salaries ................................. $34,880.00
Travel expenses .......................... 350.00
Other current expenses ................. 70,025.00
Equipment ................................. 700.00

Total prison industries ................ $105,955.00
Less estimated revenue .................. 105,955.00

Net appropriation ........................ 00.00

*Any balance of the above appropriation for Summer Brook unexpended at the end of the fiscal year shall be available in the following year for a similar purpose.
CHAPTER 212.


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

1. Appropriations. 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 June 30, 1947, to wit:

For aerial tramway:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$43,000.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>33,350.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>2,000.00</td>
</tr>
</tbody>
</table>

Total aerial tramway: $78,850.00

Less revenue: 78,850.00

Net appropriation: 0.00

For the governor and council for distribution to the departments and institutions, in addition to the sums hereinbefore set forth as salaries of employees and officials, the following sum, or so much thereof as may be necessary, to cover temporary salary increases as provided by the act of the 1945 legislature: $494,000.00

Less estimated revenue available for said purposes: 129,000.00

Net appropriation: $365,000.00

Total net appropriation: $6,830,826.53

2. Takes Effect. This act shall take effect as of July 1, 1945.

[Approved May 18, 1945.]
A continuing appropriation which shall not lapse, shall not be transferred to any other department, institution or account, and which shall be for the expenses of the legislature only $125,000.00
Council of state governments 500.00

For the executive department:
Office of governor:
Salary of governor $5,000.00
Salary of governor’s secretary 3,000.00
Other salaries 6,050.00
Travel expenses 1,200.00
Other current expenses 3,000.00
Total $18,250.00

Council:
Per diem $3,500.00
Travel expenses 3,000.00
Other current expenses 70.00
Total 6,570.00
Contingent fund 5,000.00
Emergency fund 50,000.00
Total executive department $79,820.00

For judicial branch:
Supreme court:
Salaries of judges $35,000.00
Salary of clerk of court 2,600.00
Salary of state reporter 1,800.00
Other salaries 1,870.00
Travel expenses 600.00
Other current expenses 3,150.00
Printing New Hampshire reports 2,500.00
Total $47,520.00
Less estimated revenue 100.00
Net appropriation $47,420.00
Superior court:

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Salaries of judges</td>
<td>$42,000.00</td>
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<td>400.00</td>
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<tr>
<td>Travel expenses</td>
<td>6,000.00</td>
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<tr>
<td>Other current expenses</td>
<td>2,800.00</td>
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<tr>
<td>Equipment</td>
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<td><strong>Total</strong></td>
<td><strong>$51,700.00</strong></td>
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Referees and masters:

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<tr>
<td>Salaries of referees and masters</td>
<td>$12,600.00</td>
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Probate court:

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<tr>
<td>Salaries of judges</td>
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<td>Salaries of registers and deputies</td>
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<tr>
<td>Judicial council</td>
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<td><strong>Total judicial branch</strong></td>
<td><strong>$153,420.00</strong></td>
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For adjutant general's department:

<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Office of adjutant general</td>
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<tr>
<td>Salaries</td>
<td>$3,660.00</td>
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<tr>
<td>Current expenses</td>
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<table>
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<tbody>
<tr>
<td>Armories</td>
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<tr>
<td>Salaries</td>
<td>$18,560.00</td>
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<td>Current expenses</td>
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<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>State guard</td>
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<tr>
<td>Salaries</td>
<td>$11,810.00</td>
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<tr>
<td>Travel expenses</td>
<td>2,500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>10,850.00</td>
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<td><strong>Total</strong></td>
<td><strong>25,160.00</strong></td>
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Military discharge certificates .................. $4,000.00
Rifle ranges ...................................... 2,000.00
War service recognition ............................. 600.00
Officers' uniforms ................................. 1,750.00

Total adjutant general's department .......... $77,430.00

For department of agriculture:
Office of commissioner:
Salary of commissioner .................. $4,000.00
Other salaries ..................... 7,100.00
Travel expenses ..................... 1,500.00
Other current expenses ............. 12,785.00
Equipment ........................... 100.00

Total ........................................ $25,485.00

New Hampshire Horticultural Society ..... 1,000.00
Granite State Dairymen's Association ...... 500.00
New Hampshire Sheep Breeders' Association ................ 250.00
New Hampshire Maple Producers' Association ................ 250.00

Bureau of markets:
Salary of director .................. $2,640.00
Other salaries ..................... 9,393.00
Travel expenses ..................... 2,000.00
Other current expenses ............. 11,284.00
Equipment ........................... 100.00
Rodent control ..................... 300.00
Grants ................................. 1,000.00

Total ........................................ 26,717.00

Insect and plant disease suppression:
Salary of deputy .................. $1,600.00
Other salaries ..................... 9,520.00
Travel expenses ..................... 1,750.00
Other current expenses ............. 1,328.00
Equipment ........................... 100.00

Total ........................................ 14,298.00
Division of animal industry:
- Salary of state veterinarian: $3,500.00
- Other salaries: 20,250.00
- Travel expenses: 4,500.00
- Other current expenses: 4,040.00
- Equipment: 250.00
- Tubercular testing: 45,000.00
- Epidemics: 3,000.00
- Laboratory fees-Pullorum: 15,000.00

Total: $95,540.00

Total department of agriculture: $164,040.00

For attorney general’s department:
- Salary of attorney general: $6,000.00
- Salary of assistant attorney general: 4,000.00
- Other salaries: 11,600.00
- Travel expenses: 800.00
- Other current expenses: 2,025.00
- Equipment: 500.00
- Fees registers of probate: 4,250.00
- Legacy tax expenses: 1,250.00
- Register of public trusts: 3,000.00

Total attorney general’s department: $33,425.00

For comptroller’s department:
- Salary of comptroller: $5,000.00
- Other salaries: 22,950.00
- Travel expenses: 750.00
- Other current expenses: 2,750.00
- Equipment: 100.00

Total: $31,550.00

Travel bureau:
- Salaries: $5,280.00
- Travel expenses: 100.00
- Other current expenses: 400.00

Total: 5,780.00
Grants:
Mt. Washington Observatory $1,200.00
Firemen's Relief Association 4,000.00
Prisoners' Aid Association ... 600.00
League of New Hampshire
Arts and Crafts ............. 10,000.00
New Hampshire Historical
Society ..................... 500.00
Old Home Week Association.. 300.00
Military organizations ...... 200.00
New Hampshire Veterans'
Association .................. 1,500.00
Atlantic States Marine Fish-
eries ........................ 500.00
eries ....................... 500.00 $18,800.00

Total comptroller's department ..... $56,130.00

For forestry and recreation:
Administration:
Salary of state forester ...... $3,500.00
Other salaries ............... 12,860.00
Travel expenses ............ 600.00
Other current expenses ...... 3,610.00
Equipment .................. 100.00

Total ................................ $20,670.00

Nursery:
Salaries ...................... $6,090.00
Current expenses .......... 2,570.00
Equipment .................. 600.00

Total .......................... 9,260.00

Recreation:
Salary of director .......... $4,000.00
Other salaries .............. 46,820.00
Travel expenses ........... 2,500.00
Other current expenses ... 13,000.00
Equipment .................. 3,000.00

Total .......................... $69,320.00


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<th>District Fire Supervision:</th>
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<th>White Pine Blister Rust:</th>
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<tr>
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<td>Salaries: $1,840.00</td>
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<td>Travel expenses: $900.00</td>
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<th>Forest Fire Bills to Towns:</th>
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<th>Federal Emergency Program:</th>
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<td>Salaries: $1,967.00</td>
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<td>Travel expenses: $3,600.00</td>
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<td>Other current expenses: $1,133.00</td>
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<tr>
<td>Total: $6,700.00</td>
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Total Forestry and Recreation Department: $122,455.00

*Less estimated revenue $30,000.00

Net appropriation $39,320.00

*In the above appropriation any income in excess of the estimate shall be available for expenditure as provided by statute.
For insurance department:

Salary of commissioner .......... $5,000.00
Salary of deputy ............... 3,000.00
Other salaries .................. 13,620.00
Travel expenses ................. 750.00
Other current expenses ........... 4,400.00
Equipment ....................... 100.00

Total insurance department ........ $26,870.00

For bureau of labor:

Office of commissioner:
Salary of commissioner .......... $4,000.00
Other salaries .................. 6,020.00
Travel expenses ................. 800.00
Other current expenses ........... 2,610.00
Equipment ....................... 100.00

Total .......................... $13,530.00

Minimum wage division:
Salaries .......................... $5,160.00
Travel expenses ................. 3,000.00
Other current expenses ........... 600.00
Equipment ....................... 100.00

Total .......................... 8,860.00

Factory inspection:
Salaries .......................... $7,860.00
Travel expenses ................. 3,000.00
Other current expenses ........... 500.00
Equipment ....................... 100.00

Total .......................... 11,460.00

Total bureau of labor ............ $33,850.00

For motor vehicle department:

Administration:
Salary of commissioner .......... $4,000.00
Salary of deputy ............... 3,500.00
Salary of director of safety .... 3,200.00
Other salaries .................. 71,309.00
Travel expenses .................. $1,750.00  
Other current expenses ........ 93,900.00  
Equipment .......................... 8,000.00

Total ................................ $185,659.00

Motor vehicle patrol:
Salaries .......................... $19,100.00  
Travel expenses .................. 11,700.00  
Other current expenses .......... 200.00

Total ................................ 31,000.00

Gasoline road toll:
Salary of administrator ........ $2,700.00  
Other salaries .................... 8,480.00  
Travel expenses ................... 2,500.00  
Other current expenses ......... 750.00  
Equipment ....................... 300.00

Total ................................ 14,730.00

Total motor vehicle department .... $231,389.00
Less transfer from highway funds .... 231,389.00

Net appropriation .................... 00.00

For purchasing agent:
Salary of purchasing agent ........ $4,000.00  
Other salaries .................... 9,940.00  
Travel expenses ................... 150.00  
Other current expenses .......... 1,810.00  
Equipment .......................... 100.00

Total purchasing agent ............. $16,000.00

For state department:
Office of secretary:
Salary of secretary ................ $4,500.00  
Salary of deputy ................... 2,700.00  
Other salaries ..................... 7,980.00  
Travel expenses ................... 400.00  
Other current expenses ........... 2,070.00

Total ................................ $17,650.00
Direct primary ........................................ $16,225.00
General election .................................... 33,045.00

Photostat department:
Salaries ............................................ $2,000.00
Current expenses .................................. 600.00

Total .................................................. 2,600.00

Total state department ............................ $69,520.00

For state library:
Salary of librarian ................................. $2,750.00
Salary of assistant librarian ..................... 2,250.00
Other salaries ..................................... 25,310.00
Travel expenses ................................... 400.00
Other current expenses ......................... 5,005.00
Equipment .......................................... 8,600.00

Total .................................................. $44,315.00

Extension division:
Travel expenses .................................... $1,250.00
Other current expenses ......................... 2,675.00
Equipment .......................................... 5,000.00

Total .................................................. 8,925.00
State aid ............................................ 1,000.00

Total state library ................................. $54,240.00

For state police:
Salary of superintendent ........................ $4,000.00
Salary of deputy ................................... 3,500.00
Other salaries .................................... 142,360.00
Travel expenses ................................... 9,000.00
Other current expenses ......................... 48,000.00
Equipment .......................................... 22,000.00

Total .................................................. $228,860.00
Less transfer from highway funds ............... 190,000.00

Net appropriation ................................. $38,860.00
For department of buildings and grounds:

Salary of superintendent $2,500.00  
Other salaries 63,808.00  
Current expenses 44,260.00  
Equipment 400.00  

Total $110,968.00  
Franklin Pierce Homestead 460.00  
Daniel Webster Birthplace 740.00  

Mailing division:

Salaries $3,220.00  
Current expenses 425.00  

Total 3,645.00  

Total department of buildings and grounds $115,813.00  

For treasury department:

Office of treasurer:

Salary of treasurer $4,500.00  
Salary of deputy 2,700.00  
Other salaries 15,765.00  
Travel expenses 250.00  
Other current expenses 5,177.50  
Equipment 100.00  

Total $28,492.50  

Intangible tax division:

Salaries $1,950.00  
Current expenses 290.00  

Total $2,240.00  
Less revenue 2,240.00  

Net appropriation 00.00  

Highway services:

Salaries $3,910.00  
Current expenses 1,525.00  
Equipment 100.00  

Total $5,535.00  
Less transfer highway funds 5,535.00  

Net appropriation 00.00  
Trust fund obligations .................. $40,787.27
Bounties ............................. 8,500.00

Total treasury department .............. $77,779.77

For weights and measures:
Salary of commissioner .............. $3,000.00
Other salaries .................. 10,840.00
Travel expenses ................ 4,500.00
Other current expenses ............. 1,665.00
Equipment ........................ 100.00

Total weights and measures ............ $20,105.00

For industrial school:
Administration:
Salary of superintendent ........... $4,000.00
Other salaries .................. 4,200.00
Travel expenses ................ 375.00
Other current expenses ............. 1,755.00
Equipment ........................ 75.00

Total .................................. $10,405.00

Instruction:
Salaries .................. $7,530.00
Current expenses ............. 775.00
Equipment ................ 500.00

Total .................................. 8,805.00

Custodial care:
Salaries .................. $25,145.00
Current expenses ............. 17,900.00
Equipment ................ 1,500.00

Total .................................. 44,545.00

Auxiliary to custodial care .......... 475.00

Operation of plant:
Salaries .................. $1,920.00
Current expenses $16,830.00
Equipment 50.00

Total $18,800.00

Maintenance of plant:
Salaries $3,300.00
Current expenses 1,000.00
Equipment 500.00

Total 4,800.00

Agriculture:
Salaries $2,360.00
Current expenses 16,100.00
Equipment 500.00

Total 18,960.00

Parole department:
Salaries $960.00
Travel expenses 600.00
Other current expenses 130.00

Total 1,690.00

Total industrial school $108,480.00
Less estimated revenue 167.00

Net appropriation $108,313.00

For Laconia state school:
Administration:
Salary of superintendent $4,000.00
Other salaries 7,320.00
Travel expenses 1,500.00
Other current expenses 1,243.00
Equipment 175.00

Total $14,238.00

Professional care and treatment:
Salaries $71,637.00
Travel expenses 300.00
Other current expenses 2,575.00
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<tbody>
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**Custodial care:**
- Salaries: $21,300.00
- Current expenses: 64,800.00
- Equipment: 850.00

Total: 86,950.00

**Operation of plant:**
- Salaries: $7,060.00
- Current expenses: 39,925.00
- Equipment: 50.00

Total: 47,035.00

**Maintenance of plant:**
- Salaries: $8,005.00
- Current expenses: 4,875.00
- Equipment: 50.00

Total: 12,930.00

**Agriculture:**
- Salaries: $23,595.00
- Current expenses: 33,521.00
- Equipment: 1,707.00

Total: 58,823.00

**Total Laconia state school:** $294,703.00

Less estimated revenue: 800.00

Net appropriation: $293,903.00

**For soldiers' home:**

**Office of commandant:**
- Salaries: $2,000.00
- Travel expenses: 150.00
- Other current expenses: 350.00

Total: $2,500.00
Custodial care:
Salaries $6,900.00
Current expenses 9,800.00
Total $16,700.00

Professional care and treatment:
Salaries $4,220.00
Current expenses 500.00
Total 4,720.00

Operation of plant:
Salaries $4,320.00
Current expenses 4,200.00
Total 8,520.00
Maintenance of plant 800.00

Agriculture:
Salaries $1,670.00
Current expenses 1,200.00
Total 2,870.00

Total soldiers’ home $36,110.00

For state hospital:
Administration:
Salary of superintendent $5,500.00
Other salaries 45,000.00
Travel expenses 400.00
Other current expenses 9,000.00
Equipment 100.00
Total $60,000.00

Professional care and treatment:
Salaries $300,000.00
Travel expenses 3,574.00
Other current expenses 34,176.00
Equipment 2,250.00
Total 340,000.00
Custodial care:
Salaries ................................ $115,000.00
Current expenses .................. 321,200.00
Equipment ............................ 8,800.00

Total ................................ $445,000.00

Operation of plant:
Salaries ................................ $33,000.00
Travel expenses .................... 813.00
Other current expenses .......... 118,237.00
Equipment ............................ 3,450.00
Sewer tax ............................ 3,500.00

Total ................................ 159,000.00

Maintenance of plant:
Salaries ................................ $59,000.00
Current expenses .................. 10,600.00
Equipment ............................ 400.00

Total ................................ 70,000.00

Agriculture:
Salaries ................................ $20,000.00
Current expenses .................. 42,525.00
Equipment ............................ 2,475.00

Total ................................ 65,000.00

Out patient clinic:
Salaries ................................ $4,200.00
Travel expenses .................... 1,950.00

Total ................................ 6,150.00

Total state hospital .................. $1,145,150.00
Less estimated revenue ............. 5,500.00

Net appropriation .................... $1,139,650.00

For state prison:
Administration:
Salary of warden ........................ $3,250.00
Other salaries ........................ 5,300.00
Travel expenses ................ $500.00
Other current expenses ...... 805.00
Equipment .................... 150.00

Total .......................... $10,005.00
Instruction ........................ 2,000.00

Custodial care:
Salaries ....................... $57,099.00
Current expenses .............. 53,275.00
Equipment .................... 200.00

Total .......................... 110,574.00

Auxiliary care and custody:
Wages .......................... $5,000.00
Current expenses .............. 3,000.00
Awards ........................ 1,000.00

Total .......................... 9,000.00

Operation of plant:
Salaries ........................ $3,570.00
Current expenses .............. 6,550.00

Total .......................... 10,120.00

Maintenance of plant:
Current expenses .............. $2,165.00
Equipment .................... 500.00

Total .......................... 2,665.00

Agriculture:
Salaries ........................ $2,425.00
Current expenses .............. 17,045.00

Total .......................... $19,470.00
Less transfer credit ........... 13,000.00

Net .................... $6,470.00

Parole officer:
Salary of parole officer ...... $2,000.00
Other salaries ............... 4,060.00
For state sanatorium:

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<th>Travel expenses</th>
<th>Other current expenses</th>
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<td><strong>Administration:</strong></td>
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<td>Salary of superintendent</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,115.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>$8,145.00</td>
<td></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Professional care and treatment:</strong></th>
<th>Salaries</th>
<th>Current expenses</th>
<th>Equipment</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$25,920.00</td>
<td>5,760.00</td>
<td>500.00</td>
<td>32,180.00</td>
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<table>
<thead>
<tr>
<th><strong>Custodial care:</strong></th>
<th>Salaries</th>
<th>Current expenses</th>
<th>Equipment</th>
<th>Total</th>
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<tbody>
<tr>
<td></td>
<td>$13,385.00</td>
<td>24,825.00</td>
<td>500.00</td>
<td>38,710.00</td>
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</table>

<table>
<thead>
<tr>
<th><strong>Operation of plant:</strong></th>
<th>Salaries</th>
<th>Current expenses</th>
<th>Equipment</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$11,470.00</td>
<td>12,231.00</td>
<td>250.00</td>
<td>23,951.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Maintenance of plant:</strong></th>
<th>Salaries</th>
<th>Current expenses</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$1,000.00</td>
<td>2,100.00</td>
<td></td>
</tr>
</tbody>
</table>
Equipment ...................... $100.00

Total ........................ $3,200.00

Agriculture:
Salaries ........................ $3,640.00
Current expenses .............. 6,150.00
Equipment ...................... 500.00

Total ........................ 10,290.00

Total state sanatorium ....... $116,476.00
Less estimated revenue ...... 500.00

Net appropriation ............. $115,976.00

For University of New Hampshire:
Maintenance, Revised Laws,
chapter 222, section 18 ....... $579,456.76
Extension Smith-Lever act .... 36,000.00

Total University of New Hampshire .. $615,456.76

For barbers' board:*
Salaries and expenses ........ $3,000.00
Less estimated revenue ...... 3,000.00

Net appropriation ............. 00.00
For board of chiropractic examiners .......... $850.00

For board of education:
Administration:
Salaries ........................ $47,035.00
Travel expenses ............... 4,500.00
Other current expenses ..... 9,400.00
Equipment ...................... 100.00

Total ........................ $61,035.00
Equalization fund ............. 400,000.00*
Superintendent salaries ....... 100,000.00
Conferences ................... 1,500.00

* In addition to the above appropriation said board shall receive for expenditure any revenue in excess of the above estimate.
### Smith-Hughes:
- **Salaries**: $4,163.50
- **Travel expenses**: 1,000.00
- **Other current expenses**: 100.00

**Total**: $5,263.50

### Vocational rehabilitation:
- **Current expenses**: $9,700.00
- **Travel expenses**: 250.00
- **Equipment**: 50.00

**Total**: 10,000.00

### George Deen:
- **Salaries**: $4,358.50
- **Travel expenses**: 1,200.00

**Total**: 5,558.50

### Keene teachers college:
- **Salaries**: $131,491.00
- **Travel expenses**: 400.00
- **Other current expenses**: 68,300.00
- **Equipment**: 2,500.00
- **Special activities**: 1,200.00

**Total**: 203,891.00

### Plymouth teachers college:
- **Salaries**: $79,130.00
- **Travel expenses**: 450.00
- **Other current expenses**: 42,500.00
- **Equipment**: 750.00
- **Special activities**: 325.00

**Total**: 123,155.00

**Education of the deaf**: 17,000.00

---

**Total appropriation available for expenditure**: $927,403.00

---

The revenues estimated as follows shall be applied to the above appropriation:
- **Per capita tax**: $132,000.00
Literary fund .................. $18,600.00
Unorganized places ............. 6,000.00
Rebate ($3.50 tax) ............. 10,000.00
Keene teachers college (tuition
and board) .................. 74,770.00
Plymouth teachers college
(tuition and board) ........... 51,025.00
Total estimated revenue .......... $292,395.00

Net appropriation ................ $635,008.00

In addition to the above appropriation said department shall receive for disbursement the income of the teachers' colleges' dormitories and practice schools, and the sums paid by school districts for the salaries of superintendents under section 44, chapter 135 of the Revised Laws. In this department any balance, excepting the equalization fund, which may be unexpended in any fiscal year, shall be placed in a special fund available for use for maintenance purposes the following year by and with the consent of the governor and council.

For state department of health:

General administration:
Salary of health officer ....... $5,000.00
Other salaries ............. 7,340.00
Travel expenses ............. 750.00
Other current expenses ...... 8,700.00
Equipment .................. 100.00

Total ................................ $21,890.00

Finance:
Salaries ..................... $8,280.00
Travel expenses .......... 100.00
Other current expenses .... 3,330.00

Total .......................... 11,710.00

Vital statistics:
Salaries ..................... $10,380.00
Travel expenses .......... 200.00
Other current expenses .... 2,550.00
Equipment .................. 100.00

Total .......................... 13,230.00
<table>
<thead>
<tr>
<th>Division</th>
<th>Salaries</th>
<th>Travel expenses</th>
<th>Other current expenses</th>
<th>Equipment</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemistry division:</td>
<td>$16,160.00</td>
<td>3,600.00</td>
<td>1,865.00</td>
<td>500.00</td>
<td><strong>$22,125.00</strong></td>
</tr>
<tr>
<td>Sanitary engineering:</td>
<td>$7,400.00</td>
<td>2,600.00</td>
<td>1,497.00</td>
<td>500.00</td>
<td><strong>11,997.00</strong></td>
</tr>
<tr>
<td>Maternal and child health and crippled children:</td>
<td>$23,100.00</td>
<td>3,100.00</td>
<td>5,600.00</td>
<td>100.00</td>
<td><strong>42,900.00</strong></td>
</tr>
<tr>
<td>Epidemiology and venereal disease control:</td>
<td>$18,190.00</td>
<td>1,000.00</td>
<td>4,600.00</td>
<td>300.00</td>
<td><strong>25,590.00</strong></td>
</tr>
<tr>
<td>Aid to tuberculous persons</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>65,000.00</strong></td>
</tr>
<tr>
<td>Public health nursing:</td>
<td>$21,700.00</td>
<td>8,000.00</td>
<td>3,350.00</td>
<td>100.00</td>
<td><strong>33,150.00</strong></td>
</tr>
</tbody>
</table>
Eastern health district:
Salaries ..................... $11,640.00
Travel expenses ............. 3,500.00
Other current expenses ...... 1,700.00

Total ................................ $16,840.00

Diagnostic laboratories:
Salaries ..................... $15,500.00
Travel expenses ............. 100.00
Other current expenses ...... 5,500.00
Equipment .................... 300.00
Other expenditures .......... 1,500.00

Total ................................ 22,900.00

Industrial hygiene:
Salaries ..................... $10,740.00
Travel expenses ............. 2,000.00
Other current expenses ...... 1,800.00
Equipment .................... 300.00

Total ................................ 14,840.00

Dental services:
Salaries ..................... $5,280.00
Travel expenses ............. 300.00
Other current expenses ...... 1,200.00

Total ................................ 6,780.00

Total state department of health .... $308,952.00
Less estimated federal grants .... 122,992.00

Net appropriation ..................... $185,960.00

In the state department of health any grants received from the federal government in addition to the above estimate may be expended, with the approval of the governor and council.
For board of registration in medicine .... $750.00
For board of optometry ................ $700.00

For milk control board:
Salaries ..................... $7,690.00
Travel expenses ............. 2,250.00
Other current expenses ...... $1,300.00

Total milk control board ............... $11,240.00

For probation board:
Salaries .......................... $39,523.00
Travel expenses .................. 9,000.00
Other current expenses ............ 4,530.00

Total probation board ................ $53,053.00

For public welfare:
Administration:
Salaries ......................... $46,167.00
Travel expenses .................. 3,150.00
Other current expenses ............ 15,345.00
Equipment ....................... 100.00

Total ................................ $64,762.00

State services:
Salaries ......................... $6,360.00
Travel expenses .................. 600.00
Other current expenses ............ 250.00

Total ................................ 7,210.00

Field services:
Salaries .......................... $156,015.00
Travel expenses .................. 26,930.00
Other current expenses ............ 21,900.00
Equipment ....................... 700.00

Total ................................ 205,545.00

Blind services:
Salaries .......................... $12,500.00
Travel expenses .................. 3,880.00
Other current expenses ............ 13,031.00
Grants, subsidies and V. R. services ............. 16,050.00

Total ................................ 45,461.00

Nesmith fund ...................... 3,700.00
Old age assistance .................. 2,529,900.00
Aid to dependent children ................. $630,300.00
Aid to needy blind .......................... 109,150.00
Enemy aliens and civilian war aid fund .... 1,000.00

Total public welfare ....................... $3,597,028.00
Less estimated revenue .............. $2,105,850.00
Less portion of balance ... 104,578.00 2,210,428.00

Net appropriation ...................... $1,386,600.00

For state veterans' council:
Salaries .............................. $7,980.00
Travel expenses ................. 3,000.00
Other current expenses ........ 1,500.00
Equipment ..................... 100.00
Burial of soldiers and sailors ... 10,000.00

Total state veterans' council .......... $22,580.00

For veterinary surgeons ................ $100.00

For water resources board:
Salaries .............................. $3,304.00
Less estimated revenue .......... 3,304.00

Net appropriation ....................... 00.00

For water control commission:
Salaries .............................. $1,716.00
Travel expenses ................. 300.00
Other current expenses ........ 450.00
Equipment ..................... 135.00

Total ................................... $2,601.00

For stream flow gauging .............. 9,000.00
Less transfer from highway funds .......... $2,750.00
Less estimated revenue .......... 500.00 3,250.00

Net appropriation ...................... $5,750.00

For aeronautics commission:
Salaries .............................. $5,020.00
Travel expenses ................. 1,000.00
Other current expenses .......... $2,700.00
Equipment .......................... 100.00
Aerial photography ................. 200.00

Total aeronautics commission ......... $9,020.00

For bank commission:
Salary of commissioner .......... $5,000.00
Salaries of deputies .............. 6,000.00
Other salaries .................... 19,460.00
Travel expenses ............... 6,800.00
Other current expenses ........ 4,700.00
Equipment ....................... 100.00

Total bank commission ............. $42,060.00

For cancer commission:
Salaries .......................... $14,620.00
Travel expenses ................. 900.00
Other current expenses .......... 31,415.00

Total cancer commission ........... $46,935.00

For liquor commission:
Liquor administration:
Salaries ........................ $53,112.50
Travel expenses ................. 3,500.00
Other current expenses ........ 19,750.00
Equipment ....................... 1,250.00

Total ................................ $77,612.50

Beer administration:
Salaries ........................ $56,862.50
Travel expenses ................. 21,000.00
Other current expenses ........ 8,925.00
Equipment ....................... 1,000.00

Total ................................ 87,787.50

Liquor enforcement:
Salaries ........................ $12,060.00
Travel expenses ................. 6,000.00
Other current expenses ........ 175.00
<table>
<thead>
<tr>
<th>Equipment</th>
<th>$100.00</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$18,335.00</td>
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</tbody>
</table>

**Stores operation:**

<table>
<thead>
<tr>
<th>Salaries</th>
<th>$262,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Travel expenses</td>
<td>6,000.00</td>
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<tr>
<td>Other current expenses</td>
<td>137,050.00</td>
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<tr>
<td>Equipment</td>
<td>7,500.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>412,550.00</td>
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</table>

**Warehouse:**

<table>
<thead>
<tr>
<th>Salaries</th>
<th>$29,400.00</th>
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</thead>
<tbody>
<tr>
<td>Travel expenses</td>
<td>100.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>23,600.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>600.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>53,700.00</td>
</tr>
</tbody>
</table>

| Total liquor commission | $649,985.00 |

Less revenue: $649,985.00

**Net appropriation:** 0.00

For pharmacy commission: $2,450.00

**For planning and development commission:**

| Salary of executive director          | $4,000.00 |
| Salary of assistant executive director | 3,600.00  |
| Salary of publicity director           | 4,000.00  |
| Other salaries                         | 42,626.00 |
| Travel expenses                        | 9,000.00  |
| Advertising—publicity                  | 50,000.00 |
| Advertising—industrial                 | 25,000.00 |
| Other current expenses                 | 54,200.00 |
| Equipment                               | 500.00    |
| **Total**                               | $192,926.00 |

Tourist service: 1,000.00
Six regional associations* .......... $16,950.00  
Land use board ...................... 250.00  
Wood waste utilization .............. 2,500.00  

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total planning and development commission</td>
<td>$213,626.00</td>
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<tr>
<td>Less estimated revenue</td>
<td>2,800.00</td>
</tr>
<tr>
<td>Net appropriation</td>
<td>$210,826.00</td>
</tr>
</tbody>
</table>

For public service commission:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries of commissioners</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>Other salaries</td>
<td>33,710.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>4,500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>17,475.00</td>
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<tr>
<td>Equipment</td>
<td>1,850.00</td>
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<tr>
<td>Total public service commission</td>
<td>$72,535.00</td>
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<tr>
<td>Less estimated revenue</td>
<td>21,836.00</td>
</tr>
<tr>
<td>Net appropriation</td>
<td>$50,699.00</td>
</tr>
</tbody>
</table>

Any income, in excess of the above estimate, shall be available for further expenditure for the purposes set up by the governing statutes.

For racing commission:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$29,070.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>2,600.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>1,697.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>100.00</td>
</tr>
<tr>
<td>Total racing commission</td>
<td>$33,467.00</td>
</tr>
<tr>
<td>Less revenue</td>
<td>33,467.00</td>
</tr>
<tr>
<td>Net appropriation</td>
<td>00.00</td>
</tr>
</tbody>
</table>

*This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than $2,825 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.
For tax commission:
Office of commissioners:
Salary of secretary ................ $4,000.00
Salaries of two commissioners ...... 6,000.00
Other salaries ..................... 12,320.00
Travel expenses ................... 3,000.00
Other current expenses ........... 4,625.00
Equipment ......................... 100.00

Total ................................ $30,045.00

Assessment of utilities tax:
Salaries ............................. $2,120.00
Travel expenses ................... 250.00
Other current expenses .......... 100.00

Total .................. $2,470.00
Less revenue ...................... 2,470.00

Net appropriation ................ 00.00

Tobacco products tax:
Salary of director ................ $3,000.00
Other salaries ..................... 13,440.00
Travel expenses ................... 8,000.00
Other current expenses .......... 12,825.00
Equipment ......................... 100.00

Total ............................. 37,365.00

Municipal accounting division:
Salary of director ................ $3,420.00
Other salaries ..................... 11,780.00
Travel expenses ................... 4,500.00
Other current expenses .......... 775.00
Equipment ......................... 100.00

Total ............................. $20,575.00
Less estimated revenue ........... 5,000.00

Net appropriation ................ 15,575.00

Intangible tax division:
Salary of director ................ $3,000.00
Other salaries ................ $5,840.00
Travel expenses ............... 750.00
Other current expenses ...... 2,175.00
Equipment ................... 100.00

Total ........................ $11,865.00
Less revenue ................ 11,865.00

Net appropriation ............ 00.00

Total tax commission .......... $82,985.00
For firemen's retirement board ............ $20,000.00
For policemen's retirement board ........... $30,000.00
For teachers' retirement board ........... $38,000.00
For state house annex sinking fund ....... $25,000.00
For board of accountancy ........... $601.00
Less revenue ................ 601.00

Net appropriation ............ 00.00

For fish and game department:
Commission travel and expenses ......... $800.00

Conservation officers:
Salaries ........................ $47,688.00
Travel expenses ................ 30,732.00
Other current expenses ........ 5,435.00
Equipment ..................... 3,600.00

Total ........................ 87,455.00
Bounties ........................ 3,000.00

Damage by wild game:
Salaries ........................ $2,060.00
Travel expenses ................. 335.00
Other current expenses ........ 645.00
Equipment ..................... 1,000.00
Grants ........................ 5,000.00

Total ........................ 9,040.00

Office of director:
Salary of director .............. $4,000.00
Other salaries ................ 10,060.00
Travel expenses ............... 1,972.00
Other current expenses ........ $10,891.00  
Equipment .........................  200.00  

Total ................................ $27,123.00  

Education:  
Salaries ....................... $1,046.00  
Travel expenses ..............  975.00  
Other current expenses ....  1,100.00  
Equipment .........................  100.00  

Total ................................  3,221.00  

Research:  
Salaries ....................... $5,840.00  
Travel expenses ..............  750.00  
Other current expenses ....  635.00  

Total ................................  7,225.00  

Propagation of game:  
Salaries ....................... $750.00  
Current expenses ............  20,360.00  
Equipment .........................  100.00  

Total ................................  21,210.00  

Pittman-Robertson:  
Salaries ....................... $1,375.00  
Travel expenses ..............  150.00  
Other current expenses ....  592.00  

Total ................................  2,117.00  

Propagation of fish:  
Salaries ....................... $14,342.00  
Travel expenses ..............  2,285.00  
Other current expenses ....  50,040.00  
Equipment .........................  4,250.00  
Other construction ............  50,000.00  

Total ................................ 150,917.00  

Total fish and game department ........ $312,108.00
### Chapter 212

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less estimated revenue</td>
<td>$250,000.00</td>
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<tr>
<td>Less portion of balance</td>
<td>62,108.00</td>
</tr>
<tr>
<td></td>
<td><strong>$312,108.00</strong></td>
</tr>
</tbody>
</table>

**Net appropriation** 00.00

If the said estimated income of the fish and game fund is less than the above estimate of $250,000.00, a sum sufficient to make the total equivalent to $250,000.00 is hereby appropriated from the general funds.

**For hairdressers board:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$2,965.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>1,200.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>830.00</td>
</tr>
<tr>
<td><strong>Total hairdressers board</strong></td>
<td><strong>$4,995.00</strong></td>
</tr>
<tr>
<td>Less revenue</td>
<td>4,995.00</td>
</tr>
</tbody>
</table>

**Net appropriation** 00.00

**For prison industries:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$35,120.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>350.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>70,025.00</td>
</tr>
<tr>
<td><strong>Total prison industries</strong></td>
<td><strong>$105,495.00</strong></td>
</tr>
<tr>
<td>Less estimated revenue</td>
<td>105,495.00</td>
</tr>
</tbody>
</table>

**Net appropriation** 00.00

**For aerial tramway:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$59,250.00</td>
</tr>
<tr>
<td>Travel expenses</td>
<td>500.00</td>
</tr>
<tr>
<td>Other current expenses</td>
<td>36,150.00</td>
</tr>
<tr>
<td>Equipment</td>
<td>2,000.00</td>
</tr>
<tr>
<td><strong>Total aerial tramway</strong></td>
<td><strong>$97,900.00</strong></td>
</tr>
<tr>
<td>Less revenue</td>
<td>97,900.00</td>
</tr>
</tbody>
</table>

**Net appropriation** 00.00

For the governor and council for distribution to the departments and institutions in addition to the sums hereinbefore set forth as salaries of employees and officials, the following sum, or so much thereof as may be necessary, to cover tempo-
rary salary increases as provided by the act of the 1945 legislature .................. $494,000.00
Less estimated revenue available
for said purposes ........ 129,000.00

Net appropriation .......... $365,000.00
Total net appropriation .......... $6,952,946.53

2. Takes Effect. This act shall take effect as of July 1, 1946.

[Approved May 18, 1945.]

CHAPTER 213.

JOINT RESOLUTION PROVIDING FOR TAKING THE SENSE OF THE LEGAL VOTERS OF THE STATE ON THE QUESTION OF CALLING A CONSTITUTIONAL CONVENTION.

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

THAT the secretary of state is hereby directed to insert on the official ballots for the biennial election to be held in November, 1946, the following question: "Is it expedient to call a convention to revise the constitution of this state?" The clerks of the several cities and towns of the state are directed to make due return of the votes taken in their respective cities and towns on the before mentioned question to the secretary of state. The secretary of state is hereby directed to make a complete return to the 1947 legislature of the number of ballots for and against the necessity of calling a constitutional convention.

[Approved February 13, 1945.]
CHAPTER 214.

JOINT RESOLUTION RELATIVE TO ASCERTAINING THE SENSE OF THE PEOPLE OF THE STATE ON UNITED STATES MEMBERSHIP IN A GENERAL SYSTEM OF INTERNATIONAL COOPERATION HAVING POLICE POWER TO MAINTAIN THE PEACE OF THE WORLD.

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

That the governor, with the advice and consent of the council, is hereby authorized and directed to request selectmen of towns to insert an article in the warrant of the town meetings holden under date of March 13, 1945 to read as follows: To see if the town will vote to support United States membership in a general system of international cooperation, such as that proposed at the Dumbarton Oaks Conference, having police power to maintain the peace of the world. Each town clerk is directed to forward to the secretary of the state the result of the vote, in his town, if any, on this question. The secretary of state is hereby authorized and directed to canvass the vote on this article as returned to him and transmit his findings to the clerk of the United States Senate.

[Approved February 14, 1945.]

CHAPTER 215.

JOINT RESOLUTION IN FAVOR OF THE TOWN OF EXETER.

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

That the sum of thirteen thousand, two hundred seventy-eight dollars and fifty-eight cents ($13,278.58) be and hereby is appropriated to reimburse the town of Exeter for payments on account of collection of state tax on Exeter Academy property, for the years 1935 to 1938, inclusive, which said tax was determined to have been erroneously collected by decision of the supreme court of the state. The governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 6, 1945.]
CHAPTER 216.

JOINT RESOLUTION EXTENDING A CERTAIN APPROPRIATION FOR CERTAIN GRADE CROSSINGS IN DALTON AND WHITEFIELD.

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

That the appropriation made by chapter 252 of the Laws of 1941, for the elimination of certain grade crossings in the towns of Dalton and Whitefield, and extended by chapter 219 of the Laws of 1943, shall not lapse but shall be available for the purposes of said chapter until July 1, 1947.

[Approved March 6, 1945.]

CHAPTER 217.

JOINT RESOLUTION PROVIDING FOR A DECLARATION OF THE FEDERATION OF THE WORLD.

WHEREAS, it is necessary at the present juncture of human affairs to enlarge the bases of organized society by establishing a government for the community of nations, in order to preserve civilization and enable mankind to live in peace and be free, the following principles and objectives are hereby enunciated in

The Declaration of the Federation of the World

Man, the source of all political authority, is a manifold political being. He is a citizen of several communities; the city, the state, the nation and the world. To each of these communities he owes inalienable obligations and from each he receives enduring benefits.

Communities may exist for a time without being incorporated but, under the stress of adversity, they disintegrate unless legally organized. Slowly but purposefully through the centuries, civilization has united the world, integrating its diverse local interests and creating an international community that now embraces every region and every person on the globe. This community has no government, and communities without governments perish. Either this community must succumb to anarchy or submit to the restraints of law and order.
Governments can be established only through the deliberate efforts of men. At this hour two elemental forces are struggling to organize the international community; totalitarianism and democracy. The former, a recent version of repudiated militarism and tyranny, is predicated upon principle of compulsion, rules through dictatorship and enslaves men; the latter, a proved bulwark of the rights of man as a human being and as a citizen, derives its authority from the consent of the governed, embodies the will of free men and renders their collective judgments supreme in human affairs. The cornerstone of totalitarianism is the ethnographic state, whose restricted interests define the scope of its favors; the foundation of democracy is man whose integrity is inviolable and whose welfare is its primary concern. The motivating power of the former is violence; of the latter, freedom. One feeds upon unscrupulous ambition; the other upon an enlightened sense of obligation.

One or the other of these forces will now triumph and govern mankind. The present conflict is irrepressible and decisive. It is the challenge of the ages to the generation of today, and represents those spiritually cosmic forces which visit the world at critical periods in human history to shape the destinies of men. This world cannot remain half slave, half free; half totalitarian, half democratic. The laws of civilized society prevent intercourse between slaves and free men from being either congenial or profitable. If totalitarianism wins this conflict, the world will be ruled by tyrants, and individuals will be slaves. If democracy wins, the nations of the earth will be united in a commonwealth of free peoples; and individuals, wherever found, will be the sovereign units of the new world order.

Man has struggled from time immemorial to endow the individual with certain fundamental rights whose very existence is now imperiled. Among those rights is man's freedom to worship, speak, write, assemble and vote without arbitrary interference. To safeguard these liberties as a heritage for the human race, governments were instituted among men, with constitutional guarantees against the despotic exercise of political authority, such as are provided by elected parliaments, trial by jury, habeas corpus and due process of law. Man must now either consolidate his historic rights or lose them for generations to come.
The ceaseless changes wrought in human society by science, industry and economics, as well as by the spiritual, social and intellectual forces which impregnate all cultures, make political and geographical isolation of nations hereafter impossible. The organic life of the human race is at last indissolubly unified and can never be severed, but it must be politically ordained and made subject to law. Only a government capable of discharging all the functions of sovereignty in the executive, legislative and judicial spheres can accomplish such a task. Civilization now requires laws, in the place of treaties, as instruments to regulate commerce between peoples. The intricate conditions of modern life have rendered treaties ineffectual and obsolete, and made laws essential and inevitable. The age of treaties is dead; the age of laws is here.

Governments, limited in their jurisdiction to local geographical areas, can no longer satisfy the needs or fulfill the obligations of the human race. Just as feudalism served its purpose in human history and was superseded by nationalism, so has nationalism reached its apogee in this generation and yielded its hegemony in the body politic to internationalism. The first duty of government is to protect life and property, and when governments cease to perform this function, they capitulate on the fundamental principle of the reason for their existence. Nationalism, moreover, is no longer able to preserve the political independence or the territorial integrity of nations, as recent history so tragically confirms. Sovereignty is an ideological concept without geographical barriers. It is better for the world to be ruled by an international sovereignty of reason, social justice and peace than by diverse national sovereignties organically incapable of preventing their own dissolution by conquest. Mankind must pool its resources of defense if civilization is to endure.

History has revealed but one principle by which free peoples, inhabiting extensive territories, can unite under one government without impairing their local autonomy. That principle is federation, whose virtue preserves the whole without destroying its parts and strengthens its parts without jeopardizing the whole. Federation vitalizes all nations by endowing them with security and freedom to develop their respective cultures without menace of foreign domination. It regards as sacrosanct man's personality, his rights as an individual and as a citizen and his role as a partner with all
other men in the common enterprise of building civilization for the benefit of mankind. It suppresses the crime of war by reducing to the ultimate minimum the possibility of its occurrence. It renders unnecessary the further paralyzing expenditure of wealth for belligerent activity, and cancels through the ages the mortgages of war against the fortunes and services of men. It releases the full energies, intelligence and assets of society for creative, ameliorative and redemptive work on behalf of humanity. It recognizes man's morning vision of his destiny as an authentic potentiality. It apprehends the entire human race as one family, human beings everywhere as brothers, and all nations as component parts of an indivisible community.

There is no alternative to the federation of all nations except endless war. No substitute for the federation of the world can organize the international community on the basis of freedom and permanent peace. Even if continental, regional or ideological federations were attempted, the governments of these federations, in an effort to make impregnable their separate defenses, would be obliged to maintain stupendously competitive armies and navies, thereby condemning humanity indefinitely to exhaustive taxation, compulsory military service and ultimate carnage, which history reveals to be not only criminally futile but positively avoidable through judicious foresight in federating all nations.

It Being Our Profound and Irrevocable Conviction:

That man should be forever free, and that his historic rights as an individual and as a citizen should be protected by all the safeguards sanctioned by political wisdom and experience;

That governments are essential to the existence of communities and that the absence of government is anarchy;

That there exists an international community, encompassing the entire world, which has no government and which is destined, as a consequence of the present war, either to be ruthlessly dominated and exploited by totalitarianism or to be federated by democracy upon the principle of freedom for all nations and individuals;

That all human beings are citizens of this world community, which requires laws and not treaties for its government;

That the present conflict will determine the survival of free institutions throughout the world and that it is morally incumbent upon this generation, as one of the declared
objectives of the current war, to federate the nations, in order to make secure, and hereafter unchallenged, freedom for all peoples everywhere, and in order to impart to those who are called to give their lives and fortunes for the triumph of democracy the positive assurance of the incorruptible utility of their sacrifice;

That world federation is the keystone in the arch of civilization, humanity's charter of liberty for all peoples and the signet authenticating at last the union of the nations in freedom and peace;

That the universal ordeal, through which mankind is now passing, marks the birth of a new epoch that will affirm for all time the indestructible solidarity of civilization and the abiding unity of the human race;

That there are supreme moments in history when nations are summoned, as trustees of civilization, to defend the heritage of the ages and to create institutions essential for human progress. In the Providence of God, such a crisis is this hour, compelling in duty and unprecedented in responsibility—a fateful moment when men meet destiny for the fulfillment of historic tasks:

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

That the general court of New Hampshire does hereby solemnly declare that all peoples of the earth should now be united in a commonwealth of nations to be known as The Federation of the World; and to that end it hereby endorses The Declaration of the Federation of the World as is specifically set forth in the preamble hereof, and makes said declaration a part of this resolution in the same manner as if same were recited herein; and requests the senators and members of the house of representatives in Congress from the state of New Hampshire to support and vote for a resolution in the Congress of the United States, approving the principle of world federation, and requesting the President of the United States to initiate the procedure necessary to formulate a Constitution for The Federation of the World, which shall be submitted to each nation for its ratification;

That a copy of this resolution be sent to each of the senators and members of the house of representatives in Congress from the state of New Hampshire.

[Approved March 20, 1945.]
CHAPTER 218.

JOINT RESOLUTION PROVIDING FOR THE MAILING OF THE NEW HAMPSHIRE TROUBADOUR TO RESIDENTS OF THE STATE IN THE ARMED FORCES OF THE UNITED STATES.

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

That the sum of twelve thousand dollars ($12,000) be and the same is hereby appropriated for the year 1946 and a like sum for the year 1947 for the purpose of publishing and mailing the New Hampshire Troubadour to all residents of the state of New Hampshire while they serve in the armed forces of the United States, on condition that names and addresses shall be submitted to the state planning and development commission by recognized organizations who shall correct their lists at least once each month. Said funds shall be expended under the direction of the state planning and development commission and any unexpended portion of this appropriation shall lapse and shall not be transferred to any other appropriation.

[Approved March 20, 1945.]

CHAPTER 219.

JOINT RESOLUTION TO PROVIDE FOR AN INTERIM COMMITTEE TO STUDY THE ADVISABILITY OF CLASSIFYING LICENSES ISSUED TO OPERATORS OF MOTOR VEHICLES.

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

That the governor, with the advice and consent of the council, is hereby authorized to appoint a committee of five members to study the advisability of amending the laws so that licenses issued to operators of motor vehicles be classified instead of being issued as they are now. The members of said committee shall serve without compensation and shall make a report to the next session of the legislature.

[Approved March 20, 1945.]
CHAPTER 220.

JOINT RESOLUTION IN FAVOR OF EUZEBE E. COURTEMANCHE.

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

That the sum of one thousand sixteen dollars and sixty-four cents ($1,016.64) be and hereby is appropriated to compensate Euzebe E. Courtemanche of Lebanon for medical and hospital expense incurred through an accident during a state-wide blackout September 27, 1943, when he responded as a fireward of said Lebanon. The sum hereby appropriated shall be a charge upon the emergency defense fund of the executive department and said sum shall be in full settlement of said claim.

[Approved April 10, 1945.]

CHAPTER 221.

JOINT RESOLUTION RELATIVE TO THE ESTATE OF J. HENRY CHASE.

Whereas, it appears that upon settlement of the estate of J. Henry Chase, late of Derry in the county of Rockingham and state of New Hampshire, deceased, a balance of $2,385.64 remained undistributed in the hands of the administrator of said estate and upon a petition alleging that there were no known heirs of the said J. Henry Chase the judge of probate for said county of Rockingham on January 13, 1942, ordered the administrator to pay over said funds to the state treasurer, which was done accordingly or by forfeiture of section 9 of chapter 360 of the Revised Laws; and

Whereas, it now appears that there may be heirs-at-law of the said J. Henry Chase; now therefore

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

That the judge of probate for the county of Rockingham and state of New Hampshire is hereby authorized to conduct a hearing or hearings, at which any person interested may appear and present proof that he is an heir-at-law of said J. Henry Chase; and if such claims, or any thereof, shall be
established, the treasurer of the state shall be ordered by said judge of probate aforesaid to pay the sum of $2,385.64 to such heirs in the several amounts to which the said judge shall find them entitled. The secretary of state is hereby authorized to send a copy of this resolution to the judge of probate for the county of Rockingham aforesaid, who, upon receipt thereof shall act upon the same forthwith.

[Approved April 12, 1945.]

CHAPTER 222.

JOINT RESOLUTION RELATING TO VETERANS OF FOREIGN WARS OF THE UNITED STATES.

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

That the governor with the advice and consent of the council is hereby authorized to assign to the New Hampshire department, Veterans of Foreign Wars of the United States, suitable and permanent rooms in the state house or state house annex when available.

[Approved April 19, 1945.]

CHAPTER 223.

JOINT RESOLUTION PROVIDING FOR MAINTENANCE AND REPAIR OF THE HAMPTON BEACH BATH HOUSE.

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

That the sum of six thousand dollars ($6,000) be and the same is hereby appropriated for the purpose of maintenance and repair of the Hampton Beach bath house. Said sum shall be expended under the direction of the forestry and recreation commission, with the approval of the governor and council, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved April 19, 1945.]
CHAPTER 224.

JOINT RESOLUTION IN FAVOR OF HONORE M. BOISVERT.

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

That the sum of five thousand dollars ($5,000) is hereby appropriated to reimburse Honore M. Boisvert for injuries received by him while in the military service of the state on August 15, 1940, at Potsdam, New York. The governor is authorized to draw his warrant for such sum out of any money in the treasury not otherwise appropriated and said sum shall be in full settlement of said claim.

[Approved April 24, 1945.]

CHAPTER 225.

JOINT RESOLUTION PROVIDING FOR DREDGING THE CHANNEL OF BABOOSIC LAKE.

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

That a sum not to exceed one thousand dollars be and hereby is appropriated for dredging the channel of Baboosic Lake in the town of Amherst. The sum hereby appropriated shall be expended under the direction of the public service commission, and shall be a charge on the navigation funds of the commission.

[Approved May 1, 1945.]

CHAPTER 226.

JOINT RESOLUTION PROVIDING FUNDS FOR REPAIR OF CERTAIN HIGHWAYS IN THE TOWN OF ELLSWORTH.

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

The sum of six hundred dollars is hereby appropriated to be paid to the town of Ellsworth to reimburse it for a portion of the expense incurred for repairing certain highways and bridges destroyed by the cloudburst on June 14, 1942. The
amount so appropriated shall be paid upon presentation of proper vouchers and shall be a charge upon the highway funds; and said sum hereby appropriated shall be used by said town to apply on indebtedness of said town under the supervision of the tax commission.

[Approved May 1, 1945.]

CHAPTER 227.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF CLIFTON E. DENSMORE.

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

That the state treasurer be directed to pay to the estate of Clifton E. Densmore the balance of salary due said decedent as a member of the house of representatives.

[Approved May 1, 1945.]

CHAPTER 228.

JOINT RESOLUTION PROVIDING FUNDS FOR RECONSTRUCTION AND REPAIR OF CERTAIN HIGHWAYS, BRIDGES AND CULVERTS IN THE TOWN OF STEWARTSTOWN.

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

That the sum of thirty-three hundred dollars ($3300) is hereby appropriated to be paid to the town of Stewartstown to reimburse said town for not exceeding one-half the amount expended by it for repairing certain highways, bridges and culverts destroyed by a cloudburst in June, 1943. The sum so appropriated hereunder shall be paid upon presentation of proper vouchers and shall be a charge upon the highway funds.

[Approved May 1, 1945.]
CHAPTER 229.

JOINT RESOLUTION IN FAVOR OF THE ESTATE OF AURELLE BEAUDOIN.

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

That the state treasurer be directed to pay to the estate of the late Aurelle Beaudoin the balance of salary due said decedent as a member of the house of representatives.

[Approved May 1, 1945.]

CHAPTER 230.

JOINT RESOLUTION PROVIDING FOR AN INTERIM COMMITTEE TO STUDY WAYS AND MEANS OF IMPROVING THE WORKMEN'S COMPENSATION LAW.

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

That a committee of five members be appointed as herein-after provided, to study ways and means of improving the workmen's compensation law. Said committee to consist of the commissioner of labor, who shall serve as chairman, and four persons to be appointed by the governor, with the advice and consent of the council; of said four persons, two shall represent management, and two shall represent labor. Said committee shall endeavor to develop improvements which are agreeable to both labor and employers of the state and shall hold at least two public hearings for this purpose. The members of said committee shall serve without compensation, but shall be reimbursed for their necessary expenses when engaged in business of said committee. Said committee shall report its findings and recommendations to the next session of the legislature. The sum of one thousand dollars ($1,000) or so much thereof as may be necessary, is hereby appropriated to carry out the purposes of this resolution and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved May 11, 1945.]
CHAPTER 231.

JOINT RESOLUTION PROVIDING FOR AN INTERIM COMMITTEE TO STUDY EXISTING SYSTEM OF COUNTY GOVERNMENT.

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

That the governor, with the advice and consent of the council, is hereby authorized and directed to appoint seven competent persons to constitute an interim committee for study and analysis of existing laws and methods relating to the general subject of county government, and its relationship with state and local government. A part of this study shall be a survey of the entire matter of the settlement laws of this state, and their relationship to the laws of other states. The interim committee shall be authorized to establish sub-committees either from within or without its membership, in furtherance of its studies.

The interim committee shall report its findings and recommendations in writing to the next legislature, together with draft of any bills whose enactment it may recommend.

The members of the interim committee shall serve without compensation, but shall be reimbursed for their actual expenses. The interim committee shall have the power to summon witnesses, who shall appear and testify under oath, to require the production of papers and reports, and to employ any necessary legal, clerical, stenographic, or other assistance. The accounts thereof to be approved by the governor and council. Said committee may require of the state departments such assistance as may be necessary.

A sum not to exceed three thousand dollars ($3,000) is hereby appropriated to carry into effect the provisions hereof, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved May 16, 1945.]
CHAPTER 232.

JOINT RESOLUTION CONCERNING THE TERMINATION OF THE EUROPEAN WAR.

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

That the general court of the state of New Hampshire in behalf of the people of this state does hereby extend to General Dwight Eisenhower, Supreme Commander of the armies of the United Nations in the western European theater of operations, and to all officers and men under his command, and through him to all who fought in the war in Europe and Africa, our deep and everlasting appreciation for their efforts which brought the achievement of victory which this day has been proclaimed by the President of the United States. That we do hereby pay humble and solemn respect to the memory of the heroic dead who in the years of this war with the European aggressor nations have laid down their lives that this victory might be attained and to the end that liberty and justice might once more be restored to a war-weary world. The secretary of state is hereby directed to transmit a copy hereof to General Eisenhower.

[Approved May 16, 1945.]

CHAPTER 233.

JOINT RESOLUTION TO ESTABLISH A COMMISSION TO STUDY THE STATE EDUCATIONAL SYSTEM.

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

That the governor, with the advice and consent of the council, is hereby authorized to appoint a commission of five members for the purpose of making a complete study of the educational system of the state, including the various state facilities therefor. Said commission is hereby given all necessary power and authority to secure such data from departments of the state and local governmental agencies as may be germane to the purposes hereof, and said commission shall make a report of its findings and recommendations for the use of the 1947 legislature. Said report shall be filed on or before
December 1, 1946. The members of said commission shall serve without pay but may be reimbursed for their traveling expenses incurred when engaged in official business of the commission. Said commission may employ and fix the compensation of such assistants as may be necessary for the purposes hereof. The sum of ten thousand dollars ($10,000) is hereby appropriated for the purposes hereof and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. [Approved May 17, 1945.]

CHAPTER 234.

JOINT RESOLUTION PROVIDING FOR AN INTERIM COMMITTEE TO STUDY THE QUESTION OF REDISTRICTING THE SENATORIAL DISTRICTS OF THE STATE.

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

That the members of the senate and house of representatives, appointed by their respective bodies to act as a special committee to study the advisability of redistricting the senatorial districts of the state, be and hereby are authorized to continue said study as an interim committee. The members of said committee shall serve without compensation but shall be reimbursed their actual expenses when engaged in business of the committee. Said committee shall report its recommendations and findings to the 1947 session of the general court. Each city in the state shall prepare information as to the taxable valuation in each ward of said city and shall furnish without cost such information to said committee. The sum of not to exceed one thousand dollars ($1,000) is hereby appropriated for the purposes hereof and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. [Approved May 18, 1945.]
CHAPTER 235.

JOINT RESOLUTION EXTENDING THE PROVISIONS RELATIVE TO THE STUDY OF REQUIRING MILITARY DRILL IN CERTAIN SCHOOLS.

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

That the committee authorized by chapter 234 of the Laws of 1943 to study the advisability and necessity of requiring that all high schools have as a part of their educational work a required course in military drill, shall continue its said study and make a report of its findings and recommendations to the 1947 session of the legislature.  
[Approved May 18, 1945.]

CHAPTER 236.

JOINT RESOLUTION IN FAVOR OF SAMUEL W. TENOFSKY.

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

That the sum of five thousand two hundred and fifteen dollars ($5,215) is hereby appropriated as follows:  The sum of eight hundred dollars to be allowed and paid to the Carney Hospital of Boston, Mass., the sum of two hundred sixty dollars to be allowed and paid to the Elliot Community Hospital of Keene, the sum of seventy-five dollars to be allowed and paid to Dr. Walter H. Lacey of Keene, the sum of eighty dollars to be allowed and paid to Dr. W. R. MacAusland of Boston, Mass., expenses on account of an accident suffered by Samuel W. Tenofsky on August 26, 1944, when on duty as a member of the state guard; and in addition the sum of four thousand dollars is hereby allowed said Samuel W. Tenofsky, to him or to his wife and children, to be paid in weekly installments of fifty dollars per week for eighty weeks. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.  
[Approved May 18, 1945.]
CHAPTER 237.

JOINT RESOLUTION RELATING TO THE CONTINUANCE OF THE COMMITTEE TO STUDY YOUTH AND JUVENILE PROBLEMS.

WHEREAS, a committee, consisting of five members of the senate appointed by the president, and seven members from the house appointed by the speaker to study the youth and juvenile problems of the state and report prior to adjournment of this session, has been unable adequately to fulfill the responsibility of this assignment; and

WHEREAS, the committee desires to give these problems their deserved attention; therefore, be it

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

That this committee be continued as an interim committee for further study of the problems and report their findings to the next session of the legislature. Said committee shall serve without compensation but shall be reimbursed for actual expenses when engaged in the business of the committee. The sum of one thousand dollars is hereby appropriated for the expenses of this committee and the governor is hereby authorized to draw his warrant for sums not exceeding said sum of one thousand dollars out of any money in the treasury not otherwise appropriated.

[Approved May 18, 1945.]

CHAPTER 238.

JOINT RESOLUTION PROVIDING FOR A COMMITTEE TO MAKE A STUDY OF THE LAWS RELATIVE TO OLD AGE ASSISTANCE.

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

That a special committee of seven members, not more than four of whom shall be of the same political party, shall be appointed by the governor, with the advice and consent of the council, for the purpose of making a study of the laws relative to old age assistance. The members of said committee shall serve without compensation but shall be reimbursed for their actual expenses when engaged in official business of said com-
mittee, and the governor is hereby authorized to draw his warrant for said expenses out of any funds not otherwise appropriated. Said committee shall report their findings and recommendations to the 1947 session of the legislature.

[Approved May 18, 1945.]

CHAPTER 239.

JOINT RESOLUTION TO CREATE A COMMISSION TO SURVEY THE LAWS AND REGULATIONS RELATIVE TO THE SALE AND USE OF ALCOHOLIC BEVERAGES IN NEW HAMPSHIRE.

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

That the governor, with the advice and consent of the council, shall appoint a liquor research commission consisting of seven members and shall designate its chairman. Consideration in naming the commission shall be given to all interests concerned. Said commission shall gather as complete and accurate data as is possible relating to the physiological, psychological, economic and social effects of the use of alcoholic beverages in this state and shall give consideration and study to methods used in the treatment and rehabilitation of known alcoholics and shall be concerned with methods and materials to be used in a program of public education directed toward the prevention of the use of alcoholic beverages in excess. Said commission shall serve without pay but shall be reimbursed for travel and actual expenses, the same to be charged against the revenues of the state liquor commission. The liquor research commission shall file with the legislature of 1947 a report of its findings and recommendations.

[Approved May 18, 1945.]

CHAPTER 240.

JOINT RESOLUTION IN FAVOR OF CLARENCE A. DUBOIS AND OTHERS.

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

That Clarence A. Dubois, sergeant-at-arms, be allowed the sum of $584.10; that Raymond B. Lakeman, sergeant-at-arms,
be allowed the sum of $584.10; that Bernard N. Lovgren, chaplain, be allowed the sum of $475.20; that Herbert M. Thyng, custodian of mail and supplies, be allowed the sum of $519.20; that Lenne C. Twombly, Sherman L. Greer, Joseph J. Comi, Annette M. LeClerc, Frank D. Gay, doorkeepers, be allowed the sum of $519.20 each; that Oney Z. Russell, warden of the coat room, be allowed the sum of $519.20; that Albion Parkhurst, assistant warden of the coat room, be allowed the sum of $259.60; that Oliver H. Hepworth, assistant warden of the coat room, be allowed the sum of $519.20; that Warren W. Houghton, library messenger, be allowed the sum of $519.20; that Arthur L. Carpenter, telephone messenger, be allowed the sum of $519.20; that J. Russell Bickford, telephone messenger, be allowed the sum of $519.20; that Palmer C. Read, judiciary messenger, be allowed the sum of $519.20; that Donald W. Moore, messenger, be allowed the sum of $519.20; that Clarence Bartlett, assistant messenger, be allowed the sum of $519.20; that Eleanor Tatro, appropriations messenger, be allowed the sum of $501.60; that Joseph P. Dorion, speaker's page, be allowed the sum of $519.20; that John B. Murphy, page, be allowed the sum of $308; that Alfred W. Soar, page, be allowed the sum of $211.20; that James F. Sparrow, page, be allowed the sum of $145.20; that Thomas H. Andrews, and Carl E. Wallace, pages, be allowed the sum of $519.20 each; that Richard S. Hicks, page, be allowed the sum of $488.40; that Alice V. Flanders, house stenographer, be allowed the sum of $1,168.20; that Bessie A. Callaghan, senate stenographer, be allowed the sum of $1,168.20; that Grace J. White, senate stenographer, be allowed the sum of $908.60; that Marion C. Colby, house stenographer, be allowed the sum of $1,038.40; that Melissa Bailey, house stenographer, be allowed the sum of $843.70; that Helen Y. Andrews, judiciary stenographer, be allowed the sum of $908.60; that Eleanor C. Brown, appropriations stenographer, be allowed the sum of $908.60; that Mary C. Booth, speaker's stenographer, be allowed the sum of $778.80; that Raymond P. Loughlin, governor's messenger, be allowed the sum of $475.20; that Marion G. Alexander, legislative advisor, be allowed the sum of $500; that Cyril J. Fretwell, clerk of the house, be allowed the sum of $600; that Benjamin F. Greer, senate clerk, be allowed the sum of $912.50; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of $875; that Robert
L. Stark, assistant clerk of the house, be allowed the sum of $875; that Eliot U. Wyman, legislative counsel, be allowed the sum of $5,860; that the office of secretary of state be allowed the sum of $3,225 for the employment of Cyril J. Fretwell, clerk of the house, for legislative work, including the filing of the permanent journal. Said Cyril J. Fretwell shall serve under the direction of the secretary of state in such capacity as said secretary may direct. The sum for employment of Cyril J. Fretwell shall be available until December 31, 1946.

The above mentioned sums shall be a charge upon the legislative appropriation.

[Approved May 18, 1945.]

CHAPTER 241.

Names Changed

From January, 1943, to January, 1945, the registers of probate returned to the secretary of state the following changes of names made by the probate court:

ROCKINGHAM COUNTY—Marjorie Frances Brown to Marjorie Frances Tuttle; Margaret Laura Dexter to Margaret Laura Waning; Baby Field to Jonathan Adams Aldrich; Antonina Drobinewskia to Jane Elizabeth Drobinewski; Peter Bosiniss to Peter Henry Bosen; John B. Simes to John B. Quirk to John B. Simes; Florence Ellen Meatty to Florence Ellen Mullikin; Charlotte Priscilla Charuk to Charlotte Priscilla Coleman; Kenneth A. Hooper to Kenneth A. Carter; Paul Robert Bascom to Robert Webb; Mary E. Kingsley to Mary E. Wilbur; Archie B. Carson to Archie B. Corson; Josephine M. Carson to Josephine Martha Corson; Harold W. Carson to Harold Wesley Corson; Irene G. Carson to Irene Gertrude Corson; Alexandrina Sophie Chloros to Alexandria Sophie Beleski; William Lester Courage to Lester William Courage; Harold L. Max to Harold L. Mosney; Mary Edith Pike to Doris Elizabeth Pike; Justus Lang to Julius Lang; Emma Christina Lang to Christine Emma Lang; Donald Raymond Waleryszak to Donald Raymond Bruce; Herbert Franklin Joslyn to Herbert Franklin Harrington; Ella Dorothy Joslyn to Dorothy Ella Harrington; Herman F. Joslyn to Herman Forrest Harrington; Ella Martha Simpson
to Martha Ray Simpson; Francis Zielinski to Francis Robert Linscott; Clyde C. Rich, Jr. to Clyde R. Seavey; Rose Turcotte Demers to Rose M. Turcotte; Donald Allen Chance to Donald Allen Rea; David Eugene Graeher to Phillip Nicholas Barrett; Nancy Ann Morin to Patricia Ann Comeau; Harlene Harriet Caswell to Harlene Harriet Szabo; Richard Daniel Woodbury to Richard Daniel Wells; Ruth R. Turner to Ruth R. Robinson; George Albert Locke to George Albert Gorman; Priscilla Margaret Locke to Priscilla Margaret Gorman; Elizabeth Mae Gleason to Elizabeth Mae Nudd; Ervin Eidler to Robert Samuel Eidlow; George Wells to George Dupuis; Joseph Telesphore Moreau to Peter Joseph Moreau; Roland Stevens to Roland Bowden; Albert P. West to Albert Philbrick; Seley Crosbie to William Seley Crosbie; Robert Allan Gordon to Robert Gordon Phinney; Robert Gordon Phinney to Robert Allan Phinney; Robert Libby to Robert Libby Chadbourne; Walter Lewis Pelletier to Walter Lewis Dorman, Junior; Arthur Pluff to Arthur Albert Plouffe; Katherine Ruth Packard to Katherine Ruth Eaton; Paulette Ann Hart to Paulette Esther Thyng; Harry Gould Costello to Harry Gould Rogers; Helen Beatrice Shaner to Helen Beatrice Smith; Luigi Bizzoachi to Louis Raymond Bizzoachi; Alton Buttner Nickerson to Alton Nickerson Beals; Albert Raymond Fluck to Albert F. Raymond; Margaret Reina Richard Fluck to Margaret Richard Raymond; Anita Bolduc Levesque to Anita Emelie Bolduc; Mary Karipi to Annette Millicent Karippey; Joseph Krystoic to Joseph Benjamin Christy; Ruth K. Alessi to Ruth Virginia Kanada; Sophoclis Hapchis to Sophoclis Hapsis; Barbara Rowena Ressler to Barbara Rowena Smith; Robert John Bennett to Robert John Martel; Dorothy Morin to Dorothy Anderson; Eugene Anthony Wilcox to Vaughan Michael Yeagle; Jacqueline Ann Cook to Jacqueline Ann Price; Jane Louise Burns to Jane Louise Reynolds; David Alden Lightbody to David Alden Knowles; Joan Elizabeth Lightbody to Joan Elizabeth Knowles; Jean Catherine Lightbody to Jean Catherine Knowles; Donna Bernadette Pollard to Bernadette Charlotte Wilson; Alice Ingham Whiting to Alice Ingham Hunter; Lillian Emma Bates to Lillian Emma Knights; Virginia Caswell Dow to Virginia May Caswell; Louise Silvia to Patricia Ellen McCarthy; Joyce Virginia Weldon to Joyce Virginia Dunlap; Reginald Fulton Weldon, Jr. to Reginald
Fulton Dunlap; George Gerald Davis to George Gerald Ross; Gilbert H. Bennett to Gilbert H. Veilleux; Fred Alvin Johnson to Fred Arthur Sheaff; David Francis Bogan to George L. Marshall, Jr.; Andrew Stancisko to Andrew Stancisco; Baby Kahill to Wilfred Maurice Peloquin; Paula Jean Leger to Paula Jean Brisson; Jacqueline Alice Clapp to Jacqueline Alice Abbott; Joanne Hutchins to Joanne Troutman; Kenneth Newbury to Kenneth Troutman; James J. Figerle, Jr. to James J. Perkins; Joseph Cadotte to Joseph H. Caswell; Kerwin David Olden to Homer Henry Davison; Robert James Belmonte to Robert James Lannon; George Litchfield Kenney to George Whitfield Kenney; Francis Michael Oltman to Frank Forbes; Baby Lenneville to George Dewey McCain, Jr.; Baby Archambault to Betsey Ann Squire; Patricia Gail Hawkins to Patricia Louise Witham; Philip Stanislaw Bourk to Philip Stanley Bourque; Abraham Fox to Earle Fox; Baby LaCoss to Sharyn Kay Couch; Betty Jeanne Gowen to Betty Jeanne Grant; Aurise Alberta Laramie to Aurise Alberta Hersom; Vivian Madelyn Shaner to Vivian Madelyn Smith; Patricia Ann Mixer to Patricia Marion Gratton; Richard Don Gurganus to Richard Don Levis; Robert Earl Stevens to Robert Earl Irvine; Linda Elaine England to Linda Elaine Smith; Joseph Albert O'Brien, Jr. to Joseph Albert Whities; Paul Davis to Paul Erwin Noyes; James W. Knight to James Winthrop Hale; William F. Knight to William Francis Hale; Cecil Padgett Hodson to C. Padgett Hodson; Jean Montville to Jean Philbrick; David Keith Read to David Keith Mandigo; Cynthia Diann Hill to Cynthia Helen Bibbey; Lawrence Frank Brown to Lawrence Frank Hayes; Brenda Mae Gorton to Brenda Mae Martell; Joyce Peterson to Joyce Beverly Cooper; Dorothy Linda Perry to Dorothy Linda Franz; Lawrence Sidney Cohen to Lawrence Sidney Coleman; Joyce L. Sweeney to Joyce L. Clark; Thomas Russell Cook to Thomas Wesley Lyle; Sandra Drayton to Sandra Johnstone Cerutti; Lilly May Gill to Rosalie Eldredge; Carl Edward Morin to William Edward Malloy; Nancy Jean Warner to Nancy Jean Jenne; Annabelle Gertrude Hedgepeth to Annabelle Gertrude Witham; William Clifford Baptist to William Clifford Nau; Rodney Eugene Gannett to Rodney Eugene Hooper; Karen Claire Kimball to Karen Claire Quimby; Madeline Figerle to Madeline Perkins; Robert Paul Herbert to Robert P. Cammett; William Francis Beaumont to William Francis Wyman;
Roberta Ann Craigie to Marion Reid Gilchrist; Howard George Kimerling to Howard George Malloy; Richard Frederick Waas to Richard Frederick Keezer; Robert Lee Rollins to Robert Lee Florence; Baby girl Hamilton to Constance Rae Howell; Dorothy V. Chaisson to Dorothy V. Dixon; Kathryn Beebe Birtwell to Kathryn Beebe; Richard Joseph Barry to Richard Joseph Laughton.

Granted May 12, 1942.

STRAFFORD COUNTY—June Ann Hayes to June Ann Nickerson; Zoe Evelyn Papageorge to Zoe Evelyn Constantopoulos; Hannah Moran to Joanna Elizabeth Moran; Alice Frances Chase to Frances Chase Hurd; Edgar Willis Laughton to Edgar Laughton Smith; Alexina Flora Rousseau Noel to Clara Rousseau Noel; Robert Lewis Gray to Robert Lewis Bridges; Mary Leduc to Mary Duke; William Leduc to William Duke; Marie Leocadie Ouellet to Leona Leocadie Ouellette; Constance Bisson to Constance Maurice; Joseph Leodar Normand to Leo Joseph Normand; John Francis Beamish to John Francis Beamis; Joseph Octave Cote to Joseph Richard Cote; Napoleon Vachon to Paul Rogers; Gustave Adolphe Nasman to Gustave Adolphe Nesman; Muriel Eloise Nasman to Muriel Eloise Nesman; Joseph Gilbert to Herman Emile Pouloit; Kleopatra Daeris to Claire C. Daeris; Billie Jackson to James Graham Kittridge; Mavis Blanche Hodgdon to Mavis Blanche Young; Patracia Ann Hatch to Patricia Ann Ross; Marylin Edith Brown to Marilyn Edith Cann; Joseph Louis Alfred St. Lawrence to Alfred Joseph St. Laurent; Alice Mansour Hashem to Alice Mansour; Josephine Mansour Hashem to Josephine Mansour; Sarkis Mansour Hashem to Sarkis Mansour; Alcide Etienne Mansour Hashem to Alcide Etienne Mansour; Henry Richard Leonard to Henry Richard Perkins; Erileen Gertrude Pickering to Erileen Gertrude Goodwin; Ruth Eleanor Beaudoin to Ruth Eleanor McDaniel; Virginia Lillie Degrace to June Helen Ferrigan; Joseph Cook to Joseph Cook Currier; Trudy Goldbaum to Trudy Gould; Robert Water Goldbaum to Robert Walter Gould; Peter Adamopoulos to Peter Adams; Mary Labrecque Carkins to Marie Rose Carkins; Jean Joseph Chasse to John Paul Chasse; Donat Grondin to Albert Donat Grondin; Allie C. Conner to Winfred Leslie Bunker; Bernard J. McGee to Bernard Joseph Ferrigan; Robert Douglass, Jr. to Ronald
Walter Jaffarian; Helen M. Ellison to Helen M. Ainsworth; Theodore Russell Therrien to Russell Theodore Therrien; Emma Mary Smith to Irene Mary Smith; James Gordon Cameron to Harold Evan Mitchell; Norman Desilets to Norman Richard McKone; Norma Rose Wallingford to Norma Rose Burroughs; Michael Robert Lewis to David Dennis Demers; Chellis Carroll McAllister to Chellis Carroll Weeks; Electa Louise Twombly to Electa Louise Shattuck; Mary Anna Laguerex Bernier to Mary Anna Lagueux Bernier; Annabelle Sandra Arnold to Annabelle Sandra Martineau; Francis J. Smith to Albert Hall Mercier; James Woodrow Sewall to Samuel Harry Sewall; Lumina Proulx Gouin to Minnie Gouin; Wesley George Columb to Wesley George Harris; Leslie Roy Columb to Leslie Roy Harris; Mary Ellen Couturier to Mary Ellen Taylor; Alfred Leo Couturier to Alfred Leo Taylor; Joseph Marcotte to Joseph Jestude; John Marcotte to John Jestude; Louis Paul Deschenes to Paul Louis Deschenes; Charles William Piercy to Charles William Clement; Joan Agatha Wolski to Joan Agatha Atwood; Patricia Lee Boucher to Patricia Lee Hobbs; Dona Clark to Dona Byerly; Betty Ann Maxfield to Betty Ann Treahey; John Frederick Kneeland to Frederick Mullen Steadman; Gary Robert Hall to Gary Robert Button; Katherine Marie Elizabeth Hamel to Katherine Marie Elizabeth Mondoux; Graziella Bergeron to Donalda Grazielle Bergeron; Kenneth Stokes to Kenneth Stokes Arnold; Glenn Raymond Hughes to Carl Lee Whitehouse; Archille Oditton Italion to Archille Arthur de l'Etoile; Marie Alice Moore to Alice Mary Moore; Joseph Albertus Leblond to George Albert Leblond; Malcolm Bruce Strauss to George Malcolm Wood; Frank Joseph Couillard to Joseph Manuel Couillard; David Court to David Foster Bennett; Pauline Joyce Wilkinson to Pauline Joyce Sanborn; Harriett May York to Patricia Ann Worden; Dolores June Corson to Jacqueline Ann Mailot; Mildred L. York to Mildred L. Hawkins; Fred Willard Corson to Fred Willard Mailhot; Molly Rosemond Leighton to Maureen Rosemond Leighton; George Francis McEnnis to Robert Samuel Bernier; Donna Marie Parent to Jean Ann Adams; Raymond Whittaker to Raymond Bragdon; Loretta Mary Hughes to Loretta Mary Taylor; Kenneth Howard Paige to Kenneth Howard Nichols; Gale Van Wart White to Martha Jane Kelsey; Caroline Faith Brunkard to Myrla Joy Mitchell; Ernest E. Humphreys to
Ernest E. Sheltry; Dolores Joy Fitzherbert to Dolores Joy Colbroth; Omer George Anthony Mailhot to John Mason Worley; Gladys Ella York to Gladys Ella Kelley.

Belknap County—Frantz Milton Paine to Frank Milton Paine; Clyde Lemoyne Baker to Lloyd Lemoyne Baker; Martin Feurstein to Martin Feurstein; Raoul Jean Thomas Xavier Morin to Ralph John Morin; Mary Evelyn Lasheeway to Mary Evelyn Peavey; Eunice Zilla Shurbert to Eunice Lilla Blanchard; Richard Szalajeski to Richard Stanley Szalajeski; Charles Collins Clifford to Clifford Collins Clifford; Muriel Fern Thompson to Muriel Fern Moody; Ellen Morin to Helen Mary Morin; Pauline Louise Gagnon, alias Benoit to Pauline Louise Gagnon; Jean Edwina Gagne to Jean Edwina Wing; Ralph Lovely to Frederick Ralph Paquin; Frances W. Farra to Frances W. Wilson; Alvin Morse to Irving Gardner Morse; Leola Mae Floros to Leona Mae Floros; Helen K. Lugliani to Helen K. Bronson; Peter Joseph Grabowski to Peter Joseph Graham; Phillip Gignac Couture to Philip Gignac Couture; Blanche May Ringer to Marie Blanche Ringer; Albert George Orens to Albert George Joseph LaPierre; Floyd Harold Paradee to Clyde Harold Claflin; Leonard Alvis Martinetz to Leonard Richard Kean; Rena Agnes Lang to Rena Ada Pickering; Joseph Patrick Allen to Joseph Patrick Francis Allen; Virginia Durgin to Virginia Holden; Joseph E. Z. Johndeo to Joseph E. Dumas; Madelene Shirley Dufield to Madelene Shirley Riley; Vivian Rita Guyer Goyette to Vivian Rita Guyer Cyr; Stanley Richard Willmott to Stanley Richard Griffin; Ernest Ulysses Jacques to Joseph Ernest Jacques; Armand Alphonse Morin to Armand Joseph Morin; Richard Morin to Richard Joseph Morin; Isabelle S. Jones to Isabelle S. Blake; Carl Ange to Carl Angers.

Changed by Adoption—Joseph Rudyinski to Joseph Roubo; Roger Albert Eryou to Roger Albert Dow; Howard J. Buttmann to Howard J. Lank; Louise Ida Lyman to Louise Ida Littlefield; Marcia Evelyn Kitchen to Marcia Evelyn Hamel; Donald Williams to Donald William Clouthier; Arnold Bolduc to Arnold Bolduc; Gail Lynn Chadwick to Gail Lynn Scarborough; Jeralyn Jane Middaugh to Jeralyn Jane Cornish; Raymond Husband, Jr. to Raymond Bagley; Gary Daniel Moses to Gary Daniel Brown; Glenn Irving Moses to Glenn Irving Brown;
Robert John Storrs to Robert John Lamere; Carol Ann Walker to Carol Ann Walker; Donald Leon Willett to Donald Leon James.

**CARROLL COUNTY**—Ann L. Mathers to Ann Clara Titus; Mary V. Lewis to Mary V. Gibson; George Arthur Lewis to George Arthur Gibson; David C. Lewis to David C. Gibson; Douglas P. Lewis to Douglas P. Gibson; Clarence WesleyMcClellan to Charles Stuart McLellan; Marilyn Ann Baker to Marilyn Ann Nason; Edward Bruce Brown to Edward Bruce Nason; Ronald Wayne Brown to Ronald Wayne Nason; Robert Francis Brown to Robert Francis Nason; Roberta Frances Brown to Roberta Frances Nason; Lionel Giles to Lyle Giles; Tonita Ethel Lougee to Tonita Ethel Buchanan; Lloyd Sprague Hammond to Lloyd Francis Stevens; Romona Jean Lewis to Romona Jeanne Bunker; Frances H. Marsh to Frances H. Kennett; Marjorie Ann Klug to Marjorie Ann French; Norma Klug to Norma French; Babara Jane Klug to Babara Jane French; George Ernest Klug to George Ernest French; Helen Klug to Helen French; Lawrence Arnold Clough to Lawrence Arnold Newhall; Raymond Bishop to Raymond B. Brown.

Changed by Adoption—Blanchard child of Wolfeboro, N. H., to Linda Joyce Davis; Winn child of Boston, Massachusetts to James Oliver Bovaird; Irene Lucille Beal to Irene Lucille Pippin; Priscilla Maude McGraw to Priscilla Maude Washburn; Edward Fratus to Kenneth M. Fox; Rita Ann Howard to Rita Ann Hutchins; Mary Louise Hodsdon to Mary Louise Gorman.

**MERRIMACK COUNTY**—Franciszek Piwonski to Frank Piwonski; Allister Hurtle to Sterling Allister Hurtle; Teresa Gloria Smith to Teresa Ann Smith; Bertram Schubert to Basil Bernd; Raffael Shubert to Siegfried M. Bernd; Marie Alice Elizabeth Jennings to Elizabeth Ellen Jennings; Robert S. Ellis to Robert S. Fanny; Elsie C. Koopman to Elsie Colby; Caro Lucia Allen to Caro Lucia Arsenault; Reino Jarvi to Ervin Reino Nelson; Isabelle C. Phillips to Isabelle Claire Babb; Charles Royce Ackley to Charles Royce Harvey; Raleigh M. Nudd to Raleigh M. Brown; Stanislava Mary Giles to Stella Mary Giles; Irma Jean Ash to Irma Jean Rell; Maynard Wayne Brackett to Wayne Brackett Nicoll; Harry B.
Lafferty to Harry Ernest Sharkey; Robert Forbes French to Robert Forbes Copp; Maryanne Stanley to Marianne Stanley; Hazel Adelaide Fellows Tucker to Hazel Maude Fellows Tucker; Alfred Edward Holden to Alfred Edward Halden; Joseph F. Davian to Joseph F. King; Patricia Ann McGuigan to Patricia Ann Walerstein; Alan Michael Abramowitz to Alan Michael Abrams; Beatrice E. Abramowitz to Beatrice E. Abrams; Jack Abramowitz to Jack Abrams; Foster Rand to Richard Leon Rand; Joseph Wilfrid Couturier to Alfred Joseph Taylor; Gerald A. Cannon to Gerald A. Little; Elinor G. Chagnon (Shoyo) to Elinor G. DeAngelis; Judith Anne Payne to Judith Anne Rand; Cora M. Roby to Cora M. Osgood; Marian Ruth Sanderson to Marian Ruth Townsend; William John Caveney, Jr. to William John Beaufre; Richard Harold to Richard Harold Dustin; Pauline Greene to Pauline Scarponi; Stephany Kartaczewicz to Stephany Victoria Kart; Gertrude E. Annis to Elizabeth G. Davis; Mary E. Warren to Mary Ellen Rogers; Robert Dudley Paul to Robert Dudley Bell; Arthur Richard Boyd to Arthur Richard Abbott; David Mansfield Boyd to David Mansfield Abbott; Arlen Carl Bujnievicz to Arlen Carl Benning; Audrey Jane Bujnievicz to Audrey Jane Benning; Charles A. Bujnievicz to Charles A. Benning; Lorraine M. Bujnievicz to Lorraine M. Benning; Paul Edward Gates to Paul Edward Himes; Maxine Barbara Kenniston to Maxine Barbara McLeod; Duane A. Wormbrand to Duane A. Windemiller; William Francis Vondell to William Francis Strobridge; Nathaniel Mortimer Mahoney to Nathaniel John Mahoney; Carol Hunt Matson to Carol Matson; Henry Frederick Robert to Henry Frederick Gignac.

Changed by Adoption—Irene McGaffigan to Irene McGaffigan Drew; Charles Edwin Wentworth to Paul Conrad Gustafson; William Henry Eaton to William Henry Farmer; Margaret Elizabeth Fielding to Hope Chisholm; Lester Robert Leavitt to Lester Robert Page; Patricia A. Heath to Patricia A. Rounds; Helena Richard Foster to Helena Richard Holbrook; Joan Nancy Townsend to Joan Nancy Holbrook; John Harvey to Robert Carr Stimson; Gilbert Graeme Holt to Gilbert Welch; Patricia Mary Ann Overs to Blair Bamford; Katherine Proctor to Sally Elizabeth Roberts; Oral Codere to Oral Diane Bourbeau; Patricia Ann Lees to Patricia Ann Bureau; Eugene Allard to Eugene Laramie; Robert Francis Cliche to Robert Francis Drouin; Joanne A. Buzzell to Joanne
HILLSBOROUGH COUNTY—Henri Courtemanche to Henry Albert Courtemanche; Genevieve Glancy O’Grady to Genevieve Glancy; Peter Banaskevich, Jr. to Peter Banis; Doris Banaskevich to Doris Banis; Emma D. Wallace to Emma D. Nichols; Normand Ernest Rivard to Normand Ernest Ouellette; Helen J. Papadoplos to Helen J. Papp; Paul B. Holland to Paul B. Young; Adam J. Krystopowicz to Adam J. Kristoff; Robert William Jarvis to Robert William Basoukas; Albert Feurstein to Albert Firestone; Constantinas Mirmingis to Charles Mermingis; Oscar Joseph Perras to Oscar Joseph Bilodeau; Mary Sedlewich to Mary Katherine Sullivan; Merton Douglass to Merton George Briggs; Elaine Emma Theriault to Elaine Emma Richard; Amelia M. Snow to Amelia M. Rioux; Charles Morris Feurstein to Charles Morris Firestone; Paul Abraham Feurstein to Paul Abraham Firestone; Tadeus Irmalowicz to Frank Yarmolovich; Domithilda Stepanionis to Dorothy Patricia Stepanon; Constantine Pappas to Charles Arthur Pappas; Donald Powers Hughes to Donald John Ladd; Joanne Hughes to Joanne Ellen Ladd; Ramard Chester Baldwin to Raymond Clinton Baldwin; Ed-
ward Farmer to Edward Francis Miller; Agnes Ploch to Agnes Gackowski; Adam Ploch or Plocharcyk to Adam Gackowski; Fernand Beaudoin to Richard Fernand Beaudoin; Marguerite Elizabeth Marston to Marguerite Elizabeth Walker; Frank Y. Tong to Frank Tong Joyce; Israel H. Feuerstein to Harold Israel Firestone; Nile Clyde James to Nile Clyde Miller; Marcella Simpson Charois to Bernadette Ernestine Charois; Wladyslaw Syrek to Edward Joseph Syrek; Peter John LaMotte to Peter John Lamothe; Louis Barowski to Edward Barowski; Rachel Rita Raby to Rochelle Rita Raby; Gertrude K. Haas to Thirzo K. Haas; Gertrude A. Choinard to Gertrude A. Clark; Marie Jeanne Rose Godin to Jeanne Rose Pelletier; Francena May Dandley to Francena Grace Dandley; Marietta Priscilla Lizotte to Priscilla Valliere; Edmund T. Potvin to Edmund Thomas Parson; William Whittet to William Whittet Turnbull; Dorothy Eva Whittet to Dorothy Eva Turnbull; Eva Georgianna Boulanger to Loraine Marie Boulanger; Emile Paul Dionne to Emile Paul Dion; J. Dolard Robert L'Heureux to Robert Dolor L'Heureux; Francois A. Menard to Archibald F. Maynard; Peter William Sadauskas to Peter William Sudosky; Catherine Luckwryz to Catherine Luckury; Richard John Kaline to John Papagien; Demetrious Anagnostopoulos to James Anagnost; Joseph J. Betlej to Joseph J. Betley; Marcelle Lamy Audet to Marcelle Lamy; Arthur Frederic Horne to Frederick Arthur Horne; Leo Bertrand Romeo DesRochers to Romeo Leo DesRochers; Katherine Harrises to Katherine Harris; Marie B. L. Lucier now Sullivan to Isabel L. Sullivan; Malteades Harrises to Melty John Harris; Marion Ray O'Brien to Marion Rae McCann; Peter Chlorianopoulos to Peter Chloros; Maria Calamargetou to Mary Margetou; Theodore Calamargetou to Thomas Theodore Margetou; Evangelia Calamargetou to Evengeline Margetou; Berontia Ustin to Bertha Lapin; Venetia Calamargetou to Venetia Margetou; Lionel George Beaulieu to Leo George Beaulieu; Serasine LePage to Alice LePage; Robert Roger Lambert to Roger Lambert; Ralph B. Austin to Ralph B. Worcester; Ralf Hakansson to Ralph Ernest Larkinsson; Jeremiah Louise Gingras to George H. Gingras; Louise Sarpi to Louise Lavoie; Louise Stulginskas to Louise Stulgis; Bronislaw Stulginskas to Bruno Stulgis; Anita Stulginskas to Anita Stulgis; Janice Eleanor Egan to Shirley Anne Egan; Dorothy Ada Bosse to Dorothy Ada
O'Brien; Robert Aldo Morenghi to Robert Aldo Moreno; Joseph Henry Bean to Joseph Henry Lefebvre; Joanne Ruth Bennett to Joanne Ruth Vigue; Evangeline Jane Kosowicz to Wanda Jane Kane; Joseph Elphie Ouellette to Elmo Alphe Ouellette; Elizabeth C. Beattie to Elizabeth C. Jackson; Joseph Louis Gerard Donald Tellier to Donald Joseph Louis Gerard Tellier; Yvette Lemay to Yvette Gonthier; Yvonne Lemay to Yvonne Gonthier; Marion Tatro to Marjorie Marshall; Joseph Elias Maurice Ronaldo Lemelin to Maurice Elias Lemelin; Stanislaus Joseph Morton to Stanley Joseph Morton; Constantinos Plechekos to Constantine Charles Pleatsiks; Antonios Mesaelis to Anthony Macenas; Joseph Henry Cazzot to Joseph Henry Caza; John Warren Gonsalves to John Palreiro; Honora Maria Sullivan to Maria Josephine Sullivan; Carl Henry Innie to Kenneth Bradley Innie; Wilfrid Adrien Caron to Wilfrid Adrien Rodier; Henry Zajaczkowski to Henry Zankowski; Antoinette Mary Theriault to Antoinette Mary Provencher; Toivo Matthias Kankaanpaa to Tovio Matti Kangas; Marie Delina Victoria Gagnon by marriage Pelletier to Rose Delima Pelletier; Lucille Merrill to Lucile Merrill; Regina Perras to Regina Krajewski; Louis Peter Stiko to Louis Peters; Anna Royer Banks to Anne Royer Banks; Marie Bura to Marie Russell; Saul Zozofsky to Saul Stone; Rose Cereier to Rose Cereier; Joseph Philippe Adelard Lanoie to Joseph Philip Adelard Lanoie; Roman Chester Staniszewski to Roman Chester Stanley; Robert Odilon Rouleau to Robert Odilon Ouellette; Joseph Hermenegil Boudreau also known as Heremengil Boudreau to Joseph Herman Boudreau; Alice Antoinette Cannon to Alice Antoinette McCabe; Annie Maria Sullivan to Anna Marie Sullivan; Warren David Sandwell to Warren David Bodge; George Peter Poulas to Peter T. Koufopoulos; Gregoire Girard to Joseph Girard; Sofia Petriw to Zonia Petriw; Zella F. Spiracos to Zella E. Franklin; Shirley Alice Eileen McInnis to Shirley Alis Arline MacInnis; Tanya Lyn Spiracos to Tanya Lyn Franklin; Stanley John Czarnosz to Stanley John Carson; Agnes Lillian Ingeborg Frans to Agnes Lillian Ingeborg Johnson; Bertha Zazofsky to Bertha Stone; Grace Margaret Gaura to Grace Margaret Cote; Joseph Alfred Irving Pelletier to Irving Fred Pelletier; Joseph Albert Adrien Ricard to Andrew Joseph Ricard; Bolaslov Bogdan to Benjamin Walter Bogdan; Nancy N. Sutherland to Nancy N. Hurlburt; Stanley P. Poplawski to
Stanley P. Laski; Christina Margaret Schricker to Christina Margaret Klardie; Evanthia Marines to Evanthia Makarias; Spiridoola Lappas to Dora Berry; Theodore George Asteriou to Theodore George Astaire; James Gorham Polk to James Gorham Aston; Edna Jane Lakr to Edna Jane Dolzko; Bennie Owsiuk to Benny Olsen; Marie Rose Paquette to Rose Marie Allaire; Andrew Zarmarkupis to Andrew Watson; John Kurylak to John Kurylock; John J. Macuilevicious to John J. May; Soterios G. Plentzas to Joseph Plentzas; Lefterois Floras to Ted Floras; John Miloszek or Milosl to John Mills; Ronald Edward Chagnon to Ronald Edward Martin; Gordon Keith Chagnon to Gordon Keith Martin; Thorburn W. Warde to Thorburn W. Hills; LeBaeles W. Warde to LeBaeles W. Hills; Ordre T. Warde to Ordre T. Hills; Joseph Frederick Baril to Frederick Joseph Berry; Helen Nellie Butler to Helen Nellie Murphy; Hay Kuhn Wong to Hay Kuhn Lee; Helen Rzeznikiewicz to Helen R. Herbut; Robert W. Boulanger to Robert W. Lee; Charlotte Nellie Masztal to Charlotte Nellie Gervaise; Ladislaw Guerski to Walter Gurska; Victoria Anne Krystalopowicz to Victoria Anne Kristoff; Fannie Barbara Wheeler to Joann Barbara Wheeler; Sherry Baird to Daniel Manning Hazard; Beverly Ann Grzymski to Beverly Ann Noel; Agnes D. Gackowski to Agnes Paris; Walter Aksztulewicz to Walter Akstull; George Leo Feurstein to George Leo Firestone; Hanna Johnson to Hannah Ekdahl; Albert Romani to John Henry Romani; Armand S. Couturier to Arnold Sylvio Taylor; Marguerite Couturier to Marguerite Taylor; John Valopulus previously petitioned as Ptefanos Vlahopoulos to John J. Baroody; Irving George Barnard to Irving Morrill Barnard; Bibian Cote Piper to Bibian Cote; Stanley Malinowski alias Millinuski—Malinowski—Malinowsky or Mallinoski to Stanley Uzdavinis; Antonina Malinowski alias Millinuski—Malinowski or Mallinoski to Antonia Uzdavinis; John Malinowski alias Millinuski—Malinowski or Mallinoski to John Uzdavinis; Rita Malinowski alias Millinuski—Malinowski—Malinosky or Mallinoski to Rita Uzdavinis; Joanna Lou Zazofsky to Joanne Lou Stone; Frances Gale Zazofsky to Frances Gale Stone; Janet Fay Zazofsky to Janet Fay Stone.

Changed by Adoption—Sylvia Belle Clifford to Sylvia Belle Blaisdell; Frederick C. Butler to Frederick Butler Elliott; Harold Edward Moore to Harold Edward Jones; Mona Mae
Campas to Mona Mae Poirier; Peter George Campas to Peter George Poirier; Betty Jane Grant to Betty Jane McAfee; Marcel Paul Roland to Marcel Paul Roland Janelle; Rita Richard to Rita Richard Hewitt; Gerard Mercier to Gerard Rheauine; Joseph Robert Beckford to Joseph Robert Lavarnway; Carl Henry Stewart to Carl Henry Innie; Rita Lorraine Michel to Rita Lorraine Bruneau; Jeannine Phylis Michel to Jeannine Phylis Bruneau; Mary Ruth Nettie Noels baptized as Irene Fleurette Vaillancourt to Irene Fleurette Froton; William Joseph Heron to William Joseph Rogers; Clarence George Gobin to Clarence George Rodier; Lorraine Harrison to Lorraine Philbert; Michael Hall to Robert Joseph Jenkins; Brenda Jane Buffelli to Brenda Jane Taylor; Mary E. White to Mary Elizabeth Gardner; Rita Rose Hood to Rita Rose Cyr; Helenmary Boire to Helenmary Mack; Joan Ella Nickerson to Joan Ella Brooks; John William Smith to Joseph Harrison Kennard; Mary LeBorgne to Dorothy Marie Roux; Baby Chappell to Robert William Tate; Baby Hamilton to James R. Lavigne; Eva Wilkinson also known as Eva Belair to Eva Belair; David James Parlon to Donal Brenden Tobin; Baby Heath to William Oliver Mason, Jr.; Daniel Robert Dufour to Daniel Robert Flynn; Harold Edward Moore to Harold Edward Jones; Ernest Demers to Roger Ernest Plourde; Peggy Ann Bush to Peggy Ann Hall; Roy Walter Harriman to Roy Walter Hall; Margaret Janet MacDonald to Janet Margaret MacDonald; Dolores Niziankowicz to Dolores Sophia Timbas; Daniel Theodore Pappas to Daniel Theodore Roberge; Albert Leon Dube to Albert Leon Larochelle; Francis Sanders to Francis Sanders George; Agnes Caverly to Agnes Kennedy; Russell E. Dunn, Jr. to Russell E. Caron; Beatrice Vadeboncoeur to Beatrice Chase; John Ford to Richard Willwerth Gillespie; Joseph Insogna to Thomas Ignatius Kiley; Alfred Allen to Alfred Bosse; Robert Roger St. Pierre to Robert Roger Wajda; Robert Guptill to Robert Horatio Ball; Catherine Mary O'Leary to Patricia Margaret Flynn; Barbara Nicholi Champoux to Maureen Lois Gibbons; Yvette Jean Pitcher to Shirley Jean Pethick; Marie Irene Germaine Savageau to Marie Irene Germaine St. Jean; Paul Joseph Grogan to Robert Starita; Richard Raymond Genest to Richard Raymond Letendre; Shirley Ann Carley to Shirley Ann Salvail; John Kiritsis to John Francis Lakeman; Baby Poole to Mary Alice Reagan; Thomas William Kelly to Thomas William Levesque.
Raymond Roger Gamache to Raymond Roger Francoeur; Gianakis Marvrellis to John Hartofelis; Michael James St. Cyr to Ernest Anthony Trahan; Mark Paul St. Cyr to Edward Joseph Trahan; Fotini Mavrellis to Fotini Hartofelis; Beverly Jewell Bucy to Beverly Bucy Parks; Deanne Teresa LaFontaine to Deanne Teresa Webster; Mary Ardelia Starupski to Mary Ardelia Baio; Peter Christopher Holland to Peter Christopher Cordatos; William Arthur Thomas to William Arthur Saxon; Donald Sinkervitch to Donald Zibolis; Dorothy Ellen Bellefeuille to Dorothy Ellen Burnham; Baby Buchanan to Martha Anne Wood; William Angelo Marino, Jr. to James Howard Smith; Alfred Allard Clough, Jr. to Norman Alfred Field; Grace Frances Lepetre to Grace Frances Henderson; John Carter to David Collin Ainsworth; Ronald Underwood, Jr. to Ralph Andrew Ashton; Cynthia Lee Otis to Elaine Christine Schubert; Carl Harold Packer to Carl Harold Bienvenue; Richard Allen Packer to Richard Allen Bienvenue Thomas Bernard Stokel to Anthony Thomas Zdon; Robert Francis Robbins to Robert Francis Burden; Gerald Haley to Gerald Francis Shea; Maurice Richard Roberts to Janes Dana Clark; Anne-Marie Elizabeth Rush to Anne-Marie Elizabeth Tucker; Robert McLaughlin to Grover Robert Bohan; Norman Daniel LaPlante to Norman David Sanborn; Robert Daniel Marion to Donald Purlee Greenough; Maureen Olive to Maureen French; Irene Marie Tremblay to Irene Marie Legendre; Janice Diane Croteau to Janice Diane Collette; Joan Franggos to Joan Collette; Alfred Ernest Caldwell to Alfred Ernest Lemire; Sandra Louise Merchant to Sandra Louise Blackey; Robert Chase Hunt to Robert Chase Collins; Beverly June Hunt to Beverly June Collins; John Francis Hunt to John Francis Collins; Betty Jean Kirk Green to Betty Jean Walsh; Charles Joseph Caron to Charles Joseph Michie; Wayne Allan Connor to Wayne Allan Eaton; Mary Ellen Davis to Mary Ellen Hampton; Dorothy E. Robbins to Dorothy E. Gray; Louis Girard Zoes to Louis Girard Field; Roger George Zoes to Roger George Field; George Dennis Zoes to George Dennis Field; George Minasian to George Mougamian; Howard Irving Wirtanen to Howard Irving Beaubien; Therese Deschamps to Therese Roy; John Kirk to Edward Ralph Martin; Sandra R. Berube to Sandra R. Gagnon; Robert W. McGettigan to Robert W. Duda; Virginia Oikelmus to Virginia Aho; Dorothy Louise Pitcher to Dorothy Louise Pethick; Theresa Ann Lafontaine to
Theresa Ann Tansey; Therese Madeleine Bourque to Therese Madeleine Cote; Baby Laro to Margaret Regina Warren; John Robert Bourque to John Robert Patch; Mary Elizabeth Lawrence to Mary Elizabeth Coons; Grover Clifford Battye to Grover Clifford Morrill; Gail Elizabeth Adams to Gail Susan Desrosiers; Pauline Rita Anderson to Pauline Rita Bouchea; Charlotte Theresa Maloney to Charlotte Theresa Crisp; Joseph Roland William Guertin to Joseph Roland William Young; Robert Arthur Guynn to Robert Arthur Stewart; Donald James Miles to Donald Miles Clough; Janet Ann Belair to Janet Ann McQuade; William Henry Andrews to Carl Bullard; Donald J. Francis, Jr. to Donald J. Cross; Robert Theodore Glannon to Robert Theodore Flodin; Henry Charles Ricard to Henry Charles Heath; Phyllis Gray to Mary Jane Dunbar; Irene Elizabeth Chase to Irene Elizabeth Fellows; Lilja Raakel Kuusisto to Lilja Raakel Raitaneil; Kathryn Presby to Colleen Theresa Kendrigan; Sandra Lee Burpee to Diane Claire Grigas; Clarence Leo Ricard to Clarence Theodore Jameson, Jr.; Paula Arline Case to Paula Arline Mudge; Mary Ann Tagalakis to Mary Ann Connor; Baby Judkins to Lauralee Willard; Christine May Fulton to Christine May Ryan; Sidney Rosen to Sidney Diamond; Robert Burns, Jr. to Robert Dennis Bergeron; Marie Frances Griffin to Marie Frances McNeil; Infant Roy to Sylvia Marie Eva Couture; Thomas Clark to Richard Henry Baribeau; Patricia Ann Sheridan to Patricia Ann Tellier.

Cheshire County—Susie M. Bates to Maud Eva Bates; Myrtle E. Matson to Myrtle E. Hammond; Gerald M. Jones to William Lyle Cummings Jones; Richard W. Rice to Richard Warren Denico; Allan Roy Chambers to Alan Roy Chambers; Jean P. Lonie to Jean Pearson Tolman; James Miles to James H. Bealieu; Stephen P. Heil to Bernard James Heil; Jacob Hakola to Jacob Hackler; William M. Hakola to William M. Hackler; Demetrius C. Stamos to James Charles Stamos; Phyllis K. Thayer to Phyllis Ruth Doran; Robert D. Brock (Murdock) to Robert Domenico Contri; Ida Pauline Sherry to Dolly Beverly Stalbird; Newell J. Pair to Newell J. Paire; Male Wirein to Walter Harold Dodge; Baby Bergstrom to Lee Richard Hazeltine; Laura M. Doody to Dorothy May Doody; Earl W. Pregent to Donald William Pregent; Dorothy Kostopoulos to Dorothy Kostas; Irene Kostopoulos to Irene Kostas;
George Kostopoulos to George Kostas; Pauline Kostopoulos to Pauline Kostas; Mary Elizabeth Walker Hobson to Ruth Walker Hobson; Agnes Krystofowicz to Agnes Kristof; Warren A. Willard to Warren A. Robinson; Joseph A. Berthiaume to Joseph A. Barcomb; Peter Doyle to Elliott Case Beveridge; Lucy S. Parry to Lucy Shaw Mitchell; David M. Parry to David MacLean Mitchell; Donald C. Sharkey to Donald C. Stearns; Bette Ann Crouse to Bette Ann Class; Harlan E. Crouse to Harlan Eugene Class; Stuart Lane Butler to Stuart Lane Currier; Roselyn F. Petitt to Roselyn F. Carpenter; Robert W. Knowles to Robert W. Pickering; Carolyn M. Warner to Carolyn M. Page; Marjorie M. Nelson to Marjorie M. Brown; William David Edward Sherrad to Wm. David Edward Thompson; Maurice Simkovetz to Maurice Quint; John Murray to John Murphy; Caroline Ann Murray to Caroline Ann Murphy; Richard B. Fullam to Richard Thomas Beauregard; Richard Thomas Beauregard to Thomas Bradley Beauregard; Janice A. Woodward to Janice Arlene St. Germain; William G. D. Prairio to William Joseph Prairio; Isabelle A. Doyle to Isabelle Ann Royce; Philip M. Doyle to Philip Melvin Royce; Charles H. Tuomi to Charles Henry Tiilinen; Walter E. Ellis to Walter Edwin Mackey; June Dubal to June Diana Simonds; Otto Johnson to Arvo Matti Johnson; Freddie Maki to Fred Matthew Mackey; William P. Croteau to William Paul Springer; Lawrence . . . . to Lawrence John Enright; Ernest W. Preston to Ernest William Rhoades; Charles J. Gobeil to Charles John Taylor; Ivan L. Foley to William Foley Coughlin; Charlotte R. Stone to Charlotte Ruth Cox; Francis F. Derosier, Jr. to Francis William Davis; Norman Bruce Derosier to Norman Bruce Davis; Frank E. Grostein to Frank Elmer Parkhurst; Lorriane E. Gauthier to Lorriane E. Gauthier; Richard Louis Eno to Richard John Eno; Raymond E. Ladd (not changed); Mary P. Woods to Mary Elaine Payeski; Barbara J. Cook to Barbara Jean Brayman; Shirley Anne Cook to Shirley Anne Brayman; Arthur J. Roy to Leonard Onesine Roy; Ronald D. Boyle to Donald Donovan Higgins; David N. Cullinane to David Niles Garland; Ellen C. Atkins to Helen Christo Atkins; Julian Hurd Ellis to Earle Julian Ellis; Arthur Alfred Muhlenbein to Arthur Alfred Deters; Jeanne Barbara Vaillant to Jeanne Barbara Richter; Goldie MacPregent Amlaw to Lillian Mary Pregent Amlaw; Ronald Paul Fish to Ronald Paul Fish; Richard Allen
Primeau to Bruce Lee Guillow; Bradford Allan Howard to Bradford Allan Hulslander; Alvin Gene Garfield to Alvin Gene Watson; James Stacey Robertson to James Gordon Yendell; Mary Ann Robertson to Mary Ann Yendell; Cedemis Duvall to Sidney Duval; Emedio Joseph Dedomenico to Meo Joseph Dedo; Peter Bassett to Kenneth Wayne Marshall; Loretter Felix Howard to Loretter Feliz Whiting; James Francis Delisle to Francis James Delisle; Deborah Dean to Deborah Dean Bartlett; Angelino Di Bernardo to Angelo David Di Bernardo; Howard W. Sears to Howard William Hubbard; Kristoq Miti to Kriste Dimitri; Faith Agnes Lescord to Faith Agnes Ball; Alan P. Keough to Patrick Alan Shulenberger; Catherine Ann Kiniry to Catherine Ann Spinelli.

SULLIVAN COUNTY—Ronald Francis Jordan to Ronald Francis Palmer; Reva Avis Godfrey to Reva Avis Beland; Jessie E. Hall to Jerrie Elenore Hall; Joan L. Gray to Joan L. Cabral; Elizabeth Monahan to Elizabeth Rebecca Glynn; Donna Marie Baxter to Joanna Marie Brown; Robert Joseph Maloney to Robert J. LeClair; Alice Allene Black to Ileene Alice Black; Clinton Irving Guy Johnson to Irwin Clinton Philbrook; Doris A. Johnson to Doris A. Philbrook; Gary James Johnson to Gary James Philbrook; Eugene Neil Frazee to Eugene Neil Gagnon; Sylvia Mae Knight to Sylvia Mae Karins; Shirley Marie Knight to Shirley Marie Karins; Reynold Salmela to Reynold Salmela Styles; . . . . Serviss to Virginia Josselyn Young; Edward Nelson Blanchard to Edward Nelson Clow; Uno Jalmar or Elmer Mackey to David Elmer Mackey; Walter M. Avery to Cleveland Farewell; Beverly Ann Bellinger to Beverly Ann LaRouche; Helen Edith Clough to Thursa Mae Clough; Robert Ashton Price to Robert Joseph Desfosses; Erwin L. Nerenberg to Erwin L. Lane; Arlene Margaret Merton to Arlene Margaret Connolly; John Stephen Hilty to John Stephen Dustin; Sharone Lee Niles to Sharone Lee Rhoades; Branislawa Adamowitz to Felicia Evelyn Adams; Anna M. T. Lauste to Miriam Anne T. Laustee; Carolyn Marie Koivisto to Carolyn Marie Murgatroy; Patricia Mae Doucette to Patricia Mae Blaine; Frederick Ernest Hewey to Frederick Ernest Blaine; David Albert Brown to David Albert Blaine; Shirley Anne Cleveland to Shirley Anne Swan; Duane George Baraw to Duane George Latvala; Robert Lee Slattery to Thomas Robert Brown, Jr.;
Clayton George Paris to Clayton George Roy; Robert William Small to Robert William Keneson; Mary Leonora Bergeron to Rita Leonora Bergeron; Ida Hannah Shulins to Ann Ida Hannah Shulins; Ellen Mary Breed to Mary Ellen Breed; Richard Henry Peacor to Richard Henry Howard; Helen Winifred Joy to Helen Winifred Hawkins; Elizabeth Ann Sanborn to Elizabeth Ann Austin; Verna Mae Demars to Verna Mae Roy; Paul L. Hutchins to Perl Llewellyn Hutchins.

Grafton County—Helen Mary Austin to Charlotte Susan Parker; Kenneth Edward Allard to Kenneth Edward LaMott; Clifford Arland Bruce to Clifford Albert Smith; Donald Alan Burlock to Brian Charles Smith; Ronald Bruce Burlock to Bruce Everett Smith; David Allen Bresnahan to Terrence Neil St. Germain; Shaben Louis Corey to Paul Louis Corey; Linda M. Corey to Linda May Ingalls; Flora Isabel Ford Clevenson to Rebekah Florah Ford Clevenson; Barbara Jean Crowley to Barbara Jean Wallace; Diane Lea Ducharme to Marcia Mary Somes; Marion B. Hall to Marion Lucille Blodgett; Wendell John Holt to Robert Wendell Holt Hadley; Marion Lepa to Frank Lepa; Thomas F. McMahon to Thomas Francis Belisle; Clifford Moulton to Clifford Roger Champney; James Edward Michaud to James E. Harnish, Jr.; Martha C. Merrick to Martha C. Paselt; Richard Wayne Provener to Richard Wayne Day; Peter Honary Paquette to Peter Andrew Day; Christine Raczka to Elizabeth Mary Blais; Carole Leona Savage to Carole Leona Fournier; James Dominous Sheridan to Thomas Erwin Ball; Doris Marie Stebbins to Doris Marie Ball; Paul Reaves Stanford to Paul St. Francis, Jr.; Barbara Eileen Thurston to Barbara Eileen Macy; Robert Evan Wright alias Robert Tortorelli to Peter West Cooney; Dennis Le Roy Willey to Willard Howard Beckley; Cimone Mina White to Lillian Marion White; Baby Brown to John Harrison Hall, Jr.; Beverly Ann Boynton to Beverly Ann Gilpatric; Curtis Carson to Curtis Carson Rock; Irwin George Conery to George Douglas Taylor; Marilyn Norma Conery to Marilyn Taylor; Arthur Conner to Arthur Ranald Bailey; Sara Esther Conner to Sara Esther Bailey; Sandra Jane Conner to Sandra Jane Bailey; Baby Carey to Peter Edwards Carr; Althea M. Cheney to Althea E. Moulton; Calvin Lee Colburn to Calvin Lee Raymond; Judith Lee Finan to Judy Hughes; Janice Mae Goodwin to Janice Mae Cass; Robert Frank Harrison to
Robert Frank Revoir; Ruth M. Harrison to Ruth M. Revoir; Patricia Ireleen Hartwell to Patricia Eileen Bedell; Mary Rose Jette to Mary Rose Swain; Paul Joseph to Russell John Gwynn; Clifford Junior Martyn to Clifford Harry Martyn; Sheila Lee Madore to Sheila Lee Fields; Marvel Katherine Palmer to Marvel Katherine Guyer; Marjorie Janet Parent to Marjorie Janet Aldrich; David A. Palmer to David A. Mallard; Mary Phyllis White to Mary Phyllis Goodwin; Carol Ann Weeks to Carol Ann Pierson.

Coos County—Alice Ledger Theriault to Alice May Ledger; Normand Caron to Normand Nadeau; Francis Murphy to Francis James Brill; Neil Edberg to Neil Boucher; Margaret Mary Ryan to Margaret Mary Sheridan; Pasquale V. Ferrari to Edward Victorio Ferrari; Richard Leonard Sargent to Richard Leonard Merrick; Lorette Adrienne Dumais Audet to Lorette Adrienne Dumais; Linda Ann Blake to Linda Ann Savage; David Wolfgang Bernheimer to David Wolfgang Bernay; Priscilla Beatrice Elvira Spencer to Priscilla Beatrice Whittum; Alice Young LaDuke to Alice Young; Richard Arnold Flower to Richard Arnold Streeter; Charles Antony Malasky to Charles Antony Malas; Hilda Simonds Hayes Malasky to Hilda Simonds Hayes Malas; Marian Clarkson Weinberg to Marion Lamere Clarkson; Joseph Bouchard to Ned Pelletier; Ruby M. Samson to Luba M. Samson; Earl John Shaw to John Earl Shaw.

Changed by Adoption—Wallace Daniel Reed to Wallace Daniel Maker; Barry McKee to Barry McKee Stauffer; Lois Annette Wormell to Lois Annette Johnson; Judith Day to Marie Joan Suzanne Martel; Wallace E. Nicholson to Harold Chester Bowker; Nancy Lou Long to Nancy Lou Cole; Natalie Iris Drown to Natalie Iris Harriman; Rosalie Marie Drown to Rosalie Marie Harriman; David Arnols Covio to David Arnold Vallee; Alice Arlene Robinson to Beverly Mildred Boudle; Arlene Stanford (known as Beatrice Caroline Blodgett) to Arlene Nadeau; Robert Sproul to Marshall Alvern Thurlow; Emile Ernest Morel to Emile Ernest Pelchat; Lucienne Germaine Morel to Susan Germaine Poisson; Maureen Jennie White to Maureen White Kier; Leonard Landon Blake to Lenord Erwin Egan; Nancy Elizabeth Boutin to Nancy Elizabeth Daley; Phillip Aaron Swift to Philip Aaron Young; Rita
Doris Francoeur to Rita Doris Watson; Theresa Thomas LeBrun to Theresa Dubeau Lebrun; Mary Lee Richards to Mary Lee Nichols; Wilfred Roger Joseph Veilleux to Wilfred Roger Joseph Couture; Robert Wilson Shute to Robert Wilson Dow; Albert Langlois to Colindale Peter Brigham.

From January, 1943, to January, 1945, the registers of probate returned to the secretary of state the following changes of names made by the superior court in divorce proceedings:

Rockingham County—Irene O. Galinsky to Irene Oden; Verna May Webster to Verna May Packard; Alice Sabins to Alice Staples; Kathryn Howard Fairchild to Kathryn Elizabeth Howard; Dora Alberta Shapleigh to Dora Alberta Graham; Dorothea Mae Bilbao to Dorothea Mae Johnson; Virginia M. White to Virginia M. Turney; Becca Halprin to Becca Miller; Elinor B. Moulton to Elinor Clarissa Bachelder; Geraldine R. Ratta to Geraldine Elizabeth Reitze Heywood; Florence B. Callahan to Florence E. Bennett; Sophie Antoneilos to Sophie Pappas; Louise Entwistle to Louise Etheridge; Madeline E. Gordon to Madeline Edith Smith; Dorothy T. Hall to Dorothy Belle Todd; Jessie S. Hemm to Jessie Stacy; Ruth Atwell Hodgdon to Ruth Atwell Goodell; Doris Keen to Doris Philbrick; Sadie L. King to Sadie L. Pickering; Barbara E. Pierce to Barbara E. Trefethen; Janet E. Plante to Janet E. Tatham; June Beals to Edith June Odiorne; Eileen May Garant Perron to Eileen May Garant; Clara E. Pollard to Clara E. Mee; Cora Mary Rosa to Cora Mary Rainville; Helen R. Rinalducci to Helen Raedell Hankins; Ellen Barati to Ellen Tzrinska; Beulah A. Gilbert to Beulah Rumrill; Frances Cox Grover to Frances Cox; Rita M. Hamm to Rita Margarita Moreau; Ruth deR. Moulton to Ruth E. deRochemont; Ann Doreen Pennewaert to Ann Doreen Francis; Clarabelle E. Reschke to Clarabelle E. Wooldridge; Cecil Moeckel to Cecil Dussault; Laura M. Patterson to Laura Mnardorcheo; Mary Elizabeth Batchelder to Mary Elizabeth Hutchings; Elizabeth D. Bushey to Elizabeth Thompson; Marjorie V. Flynn to Marjorie V. Grover; Louise J. Harnowski to Louise Josephine Hurley; La Vena Mae Mathews to La Vena Mae Mock; Mavis R. Miller to Mavis R. Williamson; Madelyn E. Paige to Madelyn E. Knowles; Constance Pappalardo to Constance
Zangari; Marjorie H. Ross to Marjorie H. Clark; Lorenda M. Small to Lorenda Mae Dow.

STRAFFORD COUNTY—Marie Anna Poulin to Marie Anna Roy; Marie C. R. Boulanger to Cora Roy; Corine M. Joyal to Corinne Marie O'Donnell; Elizabeth F. Garland to Elizabeth Francena Caverly; Edith Marion Ashland to Marion Edith Trainor; Alice J. Alford to Alice Varney Jones; Margaret L. Flint to Margaret L. Bell; Helen Pray Dunlap to Helen Pray; Georgia E. Agnew to Georgia Ellen Dame; Bessie Louise LaFleur to Bessie Louise Smith; Emma Irene Thompson to Emma Irene Gray; Lucy A. Bureau Vachon to Lucy A. Bureau; Katherine E. Krisiak to Katherine E. Coyne; Evelyn H. Labonte to Evelyn H. Corliss; Marie Blanche Ida Mitchell to Marie Blanche Ida Routhier; Elizabeth A. Peavey to Elizabeth Spear Aldrich.

BELKNAP COUNTY—Vernila Louise DeMar to Vernila Louise Merchant; Elizabeth E. Daigneau to Elizabeth E. Greene; Marion P. Baker to Marion Phelps; Valena Nadeau to Valena Babineau; Marie M. Trudeau to Marie Martha Lepitre; Charlotte Adelaide Jefferson to Charlotte Adelaide Wittppen; Clara B. Howser to Clara Bunnell Gulley; Orellie E. Marston to Orellie E. McWilliams; Claire G. McClary to Claire Gallagher; Lillian Edith Lessard to Lillian Edith Hebert; June I. Moran to June I. Merrill; Philomene B. Burres to Philomene B. Wilson; Doris J. Phillips to Doris J. Cate; Evelyn B. Fortier to Evelyn B. Harvey.

CARROLL COUNTY—Ruth Bickford Londa to Ruth Bickford; Barbara L. Flanders to Barbara Louise Goodrich; Violet G. Irish to Violet Esther Graham; Geraldine P. Nickerson to Gladys Geraldine Pascoe.

MERRIMACK COUNTY—Glendel N. Thurston to Glendel Carole Nichols; Georgia A. Naughton to Georgia Allen; Eunice M. McKenzie to Eunice M. Ballard; Carol B. Patch to Carol B. Smith; Rose M. Pearl to Rose Place; Mary E. Ellis to Mary E. Bartlett; Sylvia I. Boomhower to Sylvia I. Russell; Virginia St. Armand to Virginia R. Merchant; Naomi B. Hermanson to Naomi B. Wentworth; Rose Anna Senneville to Rose Anna Plante; Ruth Martin Cherry to Ruth Fairbanks
Martin; Harriett Louise Sutton to Harriet Louise Clark; Jeanette T. LeBlanc Morgan to Jeannette T. LeBlanc; Arlene M. Shattuck to Arlene M. Webber; Esther Simpson to Esther S. Carter; Susan B. Bartlett to Susan Victoria Colby; Audrey Taylor Hill to Audrey Taylor.

HILLSBOROUGH COUNTY—Emilienne A. Bailey to Emilienne Alice Normand; Veronica Smith to Veronica Mathews; Mildred Welch to Mildred Upham; Mary Eickman to Mary Smith; Helen D. Mailhot to Helen Duncan; Leah V. Basham to Leah V. Davis; Katina Doukli Pialtos to Katina Doukli; Fernande V. Johnson to Fernande Gertrude Veilleux; Katherine E. O'Reilly to Katherine E. Cox; Thelma Golfinos to Thelma Zerbinos; Margaret E. Heron to Margaret E. Celen; Salome Vieira to Salome DeFreitas; Anna Crosby otherwise known as Anna Olson to Anna Rajotte; Evelyn Regan to Evelyn Babcock; Helen Gorey to Helen Putnam; Caroline J. Stoklosa to Caroline J. McGuire; Edith Strandberg to Edith Hale; Gladys F. Fagnant to Gladys Rose; Phyllis Shirley to Phyllis Elaine Whidden; Lorraine Pelissier to Lorraine Corinne Laplante; Eva Pelletier to Eva Blais; Marie A. Demers to Marie A. Glaude; Gertrude M. Freeman to Gertrude M. Sullivan; Phyllis R. Lowell to Phyllis R. Rabadeau; Marie Alma Senechal Moreau to Marie Alma Senechal; Olive Cassarino to Olive Irene Banks; Virginia K. Mallek to Virginia Krupa; Helena A. Whitney to Helena Alice Parkhurst; Peggy Harisidaes to Peggy Vallas; Mary Phyllis Rahman to Mary Phyllis Brown; Yvonne Neudeck Gelb to Yvonne Neudeck; Phyllis M. Pollock to Phyllis M. Steere; Leona White to Leona Segal; Helen L. LaPointe to Helen L. Hirschman; Sylvia Charron to Sylvia Cohen; Anna M. Spence to Anna M. Tamulonis; Barbara M. Beattie to Barbara M. Werden; Juliette Boivin to Juliette Provost; Yvonne Poehlman to Yvonne Patnaude; Marion Haase to Marion Harrison; Gladys May White to Gladys May Whitney; Ruth D. Lapierre to Ruth Genevieve Dionne; Mary Laure St. Pierre to Mary Laure Despres; Helen A. Titus to Helen A. Walsh; Patricia Collette to Patricia Young; Emma LaPlante to Emma Prassler; Irene E. Turner to Irene E. Paradis; Matilda Pearle Tumblin to Matilda Pearle Selig; Alice Filteau to Alice Deslaurier; Rose Barlow to Rose Duquette; Jennie W. Wyman to Jennie W. Witham; Grete P. Johnson to Grete P. Hansen.
Cheshire County—Helen M. Ingalls to Helen Marguerite Bartlett; Louise C. Jarvis to Louise C. Rudolf; Palma Lecuyer to Palma Pellerin; Florence E. Butterfield to Florence E. Tedford; Toini Irene Taylor to Toini Irene Jurva; Lillian E. Girouard to Lillian Everline Campbell; Miina Raatikainen to Miina Oja; Alta M. Forcier to Alta Muriel Beaudoin; Erma D. Dixon to Erma Mae Durant; Myrtle H. Toomey to Myrtle J. Hazleton; Laura E. Cardinal to Laura Emma Fortier; Rosanna D. Boyea to Rosanna Dinagan; Jennie Wilhelmina Steman to Jennie Wilhelmina Heinonen; Linda Ryan to Linda Ascani.

Sullivan County—Esther H. Coots to Esther Haswell; Mary Wuorela (also known as Mary Kanerva) to Mary Kanerva; Ruth E. Hastings to Ruth E. Niles; Margarette E. White to Margarette E. Parker; Hazel M. Dubreuil to Hazel M. Taylor; Dorothy M. Jondro to Dorothy M. Wilkins; Lois M. Foisy to Lois M. Tashro; Eunice M. Clements to Eunice M. Cairns; Katherine M. Carey to Catherine M. Burbee.

Grafton County—Grace P. C. Stetson to Grace Greenia; Virginia Enid Murphy to Virginia Enid Conrad; Natalie Inez Bonfilio to Natalie Inez Howard; Delma Evelyn Jordon to Delma Evelyn Dunkerton; Stella J. Thompson to Stella M. Jackson; Rosamond Elizabeth Brown to Rosamond Elizabeth Hazeltine; Martha Adams LeVoy to Martha Adams; Bessie A. Thornton to Bessie A. Eastman; Thelma H. Williamson to Thelma H. Fisher; Rena G. Cilley to Rena G. Goedef; Marjorie Daniels Place to Marjorie Daniels; Edith Sippell McFarland to Edith Sippell; Louise A. Bacon to Louise Anna Butman; Shirley Horrocks to Shirley Ayer Pearson; Velma A. Hill to Velma A. Corey; Hazel Adams Matevier to Hazel Emma Adams; Mabel M. Elmora to Mabel M. Hathorne; Eleanor R. Simpson to Eleanor Roelse; Virginia E. Beamis to Virginia E. Hartwell; Alta C. Bardill to Alta Croft Perry; Claire D. Silverstein to Claire Dunleavy; Dorothy M. Gray to Dorothy May Jordan.

Coos County—Beatrice J. Thibodeau to Beatrice Therrien; Jeannette Lawrence Myers to Jeannette Lawrence; Lucille May Merritt to Lucille May Thibeault; Elizabeth T. Crawford to Elizabeth Caroline Tilton; Veneda Wheeler Buzzell to Veneda Eunice Wheeler; Eunice C. Taylor to Eunice Chappell; Katie B. Herson to Katie B. Ball; Ellen Mildred Hopps to Ellen Mildred Portigue.
PRIVATE ACTS

CHAPTER 242.

AN ACT PROVIDING PENSIONS FOR SCHOOL TEACHERS OF THE TOWN OF NEW CASTLE.

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

1. Authority to Pension. The selectmen of the town of New Castle may, at the request of the superintendent of schools and two-thirds of the members of the school board actually voting in favor thereof, retire from active service any teacher of the public schools of said town who has performed faithful service as such teacher for a period of at least thirty years and may grant a pension to such retired teacher for a period not exceeding one year at a time.

2. Adoption of Provisions. The provisions of the foregoing section shall be effective only if adopted by the town of New Castle by major vote of the legal voters thereof at any regular annual meeting in the warrant for which due notice is given of the intention to act upon the matter. If such provisions shall be adopted the town shall determine the amount of such yearly pension and make appropriation therefor. The action relative to such pension may be rescinded in the same manner as the same was adopted.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 6, 1945.]

CHAPTER 243.

AN ACT TO CHANGE THE NAME OF FRATERNAL HELPING SOCIETY, IN THE NAME OF THE PRINCE WITOLD OF LITHUNIA, UNDER THE PROTECTION OF THE MOTHER OF GOD OF SZYDLOV, AND RELATIVE TO THE POWERS OF SAID CORPORATION.

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

1. Change of Name. Amend section 1 of chapter 225 of the Laws of 1907 by striking out the words, "Fraternal
Helping Society, in the Name of The Prince Witold of Lithuania, under the Protection of the Mother of God of Szydlov" and inserting in place thereof the following words, Vytauto Lithuanian Benefit Society, so that said section as amended shall read as follows: Section 1. That Sigmund Kondratas, Walter Yourkew, Vincenz Klimajtys, Frank Walinski and Pitor Twarjan and their associates and successors are hereby made a body politic and corporate by the name of Vytauto Lithuanian Benefit Society, said corporation to be located in Manchester, in the county of Hillsborough, where all its meetings shall be held; and by that name it may sue and be sued, prosecute and defend, and is hereby vested with all the powers and liabilities incident to corporations of a similar nature.

2. Power to Hold Property Increased. Amend section 3 of said chapter 225 by striking out the word "five" in the second line and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: Sect. 3. Said corporation may take and hold, by purchase, gift or bequest, real and personal estate to an amount not exceeding twenty-five thousand dollars, and may dispose of the same at pleasure.

3. Takes Effect. This act shall take effect upon its passage.

[Approved February 7, 1945.]

CHAPTER 244.

AN ACT RELATIVE TO THE PENSION SYSTEM FOR TEACHERS IN THE CITY OF MANCHESTER.

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

1. Manchester Teachers' Pension System. Amend section 1 of chapter 277 of the Laws of 1921 by striking out the words, "who has performed faithful service as a teacher in said Manchester for a period of at least thirty consecutive years," and inserting in place thereof the words, has served anywhere as a public school teacher for a period of thirty years, of which twenty years shall have been in said Manchester, so that said section as amended shall read as follows:
Section 1. The board of mayor and aldermen of the city of Manchester may, at the request of the superintendent of schools and two-thirds of the members of the school board actually voting in favor thereof, retire from active service any teacher of the public schools who has served anywhere as a public school teacher for a period of thirty years, of which twenty years shall have been in said Manchester, and may grant a pension to such retired teacher for a period not exceeding one year at a time.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 23, 1945.]

CHAPTER 245.

AN ACT AUTHORIZING THE CHESTER SCHOOL DISTRICT IN THE TOWN OF CHESTER TO BORROW MONEY AND TO ISSUE SERIAL NOTES OR BONDS.

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

1. Authority to Borrow Money. The Chester school district in the town of Chester is hereby authorized to borrow on its credit a sum not exceeding sixty thousand dollars for the purpose of erecting and equipping a schoolhouse in said district.

2. Bonds or Notes Authorized. The school board of said district is hereby authorized and empowered to issue for and in behalf of said district serial notes or bonds to the amount of sixty thousand dollars for the purpose of erecting and equipping a schoolhouse in said district.

3. Debt Limit. The debt authorized by this act shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

4. Application of Laws. Except as otherwise provided in this act the provisions of the municipal bonds statute shall apply to the notes or bonds herein authorized.

5. Takes Effect. This act shall take effect upon its passage.

[Approved February 27, 1945.]
CHAPTER 246.

AN ACT TO DISSOLVE THE NASHUA AND LOWELL RAILROAD CORPORATION.

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


2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]

CHAPTER 247.

AN ACT TO DISSOLVE THE CONCORD AND PORTSMOUTH RAILROAD.

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


2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]

CHAPTER 248.

AN ACT TO DISSOLVE THE WILTON RAILROAD COMPANY.

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

1. Wilton Railroad Company. The Wilton Railroad Company, a corporation created under the provisions of chap-
ter 194 of the Laws of 1844 as amended by chapter 195 of the Laws of 1844, is hereby dissolved.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]

CHAPTER 249.

AN ACT TO DISSOLVE THE PETERBOROUGH RAILROAD.

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

1. Peterborough Railroad. The Peterborough Railroad, a corporation created under the provisions of chapter 4314 of the Laws of 1866 as amended by chapter 76 of the Laws of 1869, is hereby dissolved.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]

CHAPTER 250.

AN ACT RELATIVE TO THE GORDON-NASH LIBRARY IN NEW HAMPTON.

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

1. Gordon-Nash Library. Section 2 of chapter 193 of the Laws of 1887, as amended by chapter 175 of the Laws of 1895, chapter 339 of the Laws of 1913, chapter 198 of the Laws of 1923, and chapter 293 of the Laws of 1933, limiting the amount of property which may be held by the Gordon-Nash Library in New Hampton, is hereby repealed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved February 28, 1945.]
CHAPTER 251.

AN ACT RELATIVE TO MANCHESTER PRIMARY ELECTION.

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

1. Change in Dates. Amend section 4 of chapter 284 of the Laws of 1943 by striking out the word “fourteen” and inserting in place thereof the word, twenty-one, and by striking out the word “seven” and inserting in place thereof the word, fourteen, so that said section as amended shall read as follows:

4. Declarations of Candidacy. The name of a candidate shall not be printed upon an official primary ballot unless not more than twenty-one nor less than fourteen days prior to such primary a declaration of candidacy shall have been filed and the filing fee shall have been paid, or the required number of primary petitions shall have been filed with the city clerk.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 252.

AN ACT RELATIVE TO THE CITY OF MANCHESTER.

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

1. Centennial Celebration. The city councils of the city of Manchester are hereby authorized to appropriate a sum not exceeding five thousand dollars ($5,000) for defraying the expenses of the centennial celebration of said city to be held June 30 to July 4, 1946.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]
CHAPTER 253.

AN ACT AUTHORIZING THE HARRISVILLE SCHOOL DISTRICT IN THE TOWN OF HARRISVILLE TO BORROW MONEY AND TO ISSUE SERIAL NOTES OR BONDS.

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

1. Authority to Borrow Money. The Harrisville school district in the town of Harrisville is hereby authorized to borrow on its credit a sum not exceeding thirty-five thousand dollars for the purpose of erecting and equipping a central schoolhouse for the town of Harrisville.

2. Bonds or Notes Authorized. The school board of said district is hereby authorized to issue for and in behalf of said district serial notes or bonds to the amount of thirty-five thousand dollars for the purpose of erecting and equipping a schoolhouse in said district.

3. Debt Limit. The debt authorized by this act to the extent of twenty thousand dollars shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

4. Application of Laws. Except as otherwise provided in this act the provisions of the municipal bonds statute shall apply to the notes or bonds herein authorized.

5. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 254.

AN ACT RELATIVE TO THE CLAREMONT SAVINGS BANK OF CLAREMONT, NEW HAMPSHIRE.

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

1. Claremont Savings Bank. Amend section 2 of chapter 178 of the Laws of 1907 by striking out in lines three, four and five of said section the words “not exceeding the sum of $5,000 from any one person, corporation or association except when made for the purpose of creating a sinking fund,” so that said section when amended shall read as follows: 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 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.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 255.

AN ACT RELATIVE TO THE CHARTER OF THE NEW HAMPSHIRE SAVINGS BANK.

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

1. New Hampshire Savings Bank. Amend section 5 of chapter 8 of the Laws of 1830 entitled "An Act to incorporate a provident institution for savings in the town of Concord to be called the New Hampshire Savings Bank in Concord," approved June 25, 1830, by striking out the word "fifty" where it occurs therein and inserting in place thereof the word, sixty-five, so that said section as amended shall read as follows: Sec. 5. And be it further enacted, That the number of members of said corporation shall not exceed sixty-five at any one time; and any number not less than seven shall constitute a quorum for the transaction of business at the annual and other meetings of the members of said corporation; provided that such meetings shall have been duly notified, in conformity to the by-laws of said corporation; and provided further that said corporation may by their by-laws require the attendance of one or more of their officers by them designated
to constitute a quorum for the election of new members in addition to the number of members herein before prescribed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 6, 1945.]

CHAPTER 256.

AN ACT TO ALLOW THE CITY OF NASHUA TO ESTABLISH A CAPITAL RESERVE FUND FOR CERTAIN PURPOSES.

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

1. Special Capital Reserve Fund. The city of Nashua is hereby authorized to establish a capital reserve fund for the construction of an annex to the public library of said city, by setting aside each year any rents received on property now owned by the city at the corner of Clinton and Lowell Streets, less the cost of repairs or improvements that have to be made to said property.

2. Investment. The money in such fund shall be kept in a separate account and not intermingled with other funds of said municipality. Said capital reserve fund shall be invested only by deposit in some savings bank or in the savings department of a national bank or trust company in this state, or in bonds, notes, or other obligations of the United States government, or in bonds or notes of this state or any of its political subdivisions, and when so invested the trustees hereinafter named shall not be liable for the loss thereof. Any interest earned or capital gains realized on the money so invested shall accrue to and become a part of the fund. Deposits in banks shall be made in the name of the city and it shall appear upon the book thereof that the same is a capital reserve fund.

3. Trustee of Fund. The city treasurer of said city of Nashua shall have custody of said capital reserve fund.

4. Limitation on Disbursement. The said fund shall be expended only for the construction of said annex.

5. Authority to Accept Gifts. The city of Nashua or the trustees of the Nashua Public Library are authorized to receive gifts or legacies from time to time and add the same to the capital reserve fund hereby established.
6. **Prohibition.** No person holding in custody such capital reserve fund shall make any payment of income or principal or authorize the same to be done except in accordance with the provisions hereof.

7. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1945.]

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**CHAPTER 257.**

AN ACT RELATIVE TO FILING AS CANDIDATE FOR SCHOOL COMMITTEE OF MANCHESTER.

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

1. **Manchester School Committee.** Amend section 3 of chapter 337 of the Laws of 1913 by striking out the word "thirty" in the third line and inserting in place thereof the word, thirty-six, so that said section as amended shall read as follows: 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-six 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.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 15, 1945.]

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**CHAPTER 258.**

AN ACT IN RELATION TO THE POLICE FORCE OF THE CITY OF KEENE.

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

1. **Police Force of the City of Keene.** Amend section 4 of chapter 153 of the Laws of 1905, as amended by chapter 323, Laws of 1925, by striking out said section and inserting in place thereof the following: Sect. 4. The police force of said
city shall consist of a chief of police and not exceeding fifteen regular police officers, who shall devote such time as shall be required by the commissioners to the performance of the duties of their office, and who shall not be engaged in any other business or occupation except as constables and special police officers whenever and in such numbers as they may deem best. All police officers shall be appointed by the police commissioners who may designate not exceeding three of the regular police officers as sergeants, and said commissioners shall have the right to remove any member of the police force when in their judgment the public good requires it. All police officers appointed as aforesaid shall have and exercise, when on duty, all the powers possessed by police officers and constables, except as to the service of civil process; and the chief and such of the regular officers as the commissioners may designate shall be constables for all purposes.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 16, 1945.]

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CHAPTER 259.

AN ACT LEGALIZING THE DEMOCRATIC CAUCUS HELD IN THE CITY OF BERLIN, FEBRUARY, 1945.

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

1. Proceedings Legalized. All votes and proceedings of the caucus held by the Democratic party in the city of Berlin, February 16, 1945, relative to the city election, 1945, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 16, 1945.]

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CHAPTER 260.

AN ACT TO RELIEVE MEMBERS OF THE POLICE FORCE OF THE CITY OF NASHUA FROM POLICE DUTY AT CERTAIN TIMES.

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

1. City of Nashua Police Force. The members of the regular and reserve police force of the city of Nashua shall be
relieved of police duties, without loss of pay, once in each six days, for a period of not less than twenty-four consecutive hours, except for the time required to answer at roll-call immediately before the beginning or immediately after the end of a tour of duty. The time and the manner of such relief shall be determined in each instance by the police commissioners of the city or under authority by their chief of police or other superior officer or officers. A member so relieved shall be exempt for the time from actual service and from presence for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the commissioners, or of the superintendent or other superior officer authorized thereto by the commissioners, require at any time that a member of the force should be deprived of his period of relief or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

2. Repeal. Chapter 340 of the Laws of 1917 relative to days of rest for police officers of the city of Nashua is hereby repealed.

3. Takes Effect. This act shall take effect upon its passage.

[Approved March 16, 1945.]

CHAPTER 261.

AN ACT RELATING TO LA CAISSE POPULAIRE STE. MARIE OR ST. MARY'S BANK.

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

1. Voting by Proxy. Amend section 6 of chapter 303 of the Laws of 1909 by striking out the words "there shall be no voting" appearing in the eighth line and inserting in place thereof the words, he may vote, so that said section as amended shall read as follows: Sect. 6. The annual meeting of the shareholders shall be held at such time and place as the by-laws specify. Special meetings may be called by the directors or by a majority of the committee of supervision and shall be called upon request in writing signed by ten or more
shareholders. The clerk shall notify shareholders of all meetings in the manner specified in the by-laws. At meetings of shareholders each shareholder shall have one vote regardless of the number of shares held by him, he may vote by proxy; and ten shareholders shall constitute a quorum. Any three of the incorporators may call the first meeting of the association by giving notice in writing to each of the other incorporators at least three days before said meeting.

2. Directors; Tenure of Office. Amend section 7 of said chapter by striking out said section and inserting in place thereof the following: Sect. 7. At the first annual meeting of the shareholders held under this act there shall be elected a board of directors not exceeding fifteen in number, one-third of whom shall be elected for a term of three years, one-third for a term of two years and one-third for a term of one year, and at each succeeding annual meeting one-third of the total number of directors shall be elected for a term of three years and until their successors are chosen and qualified. At any special meeting the shareholders may remove any or all of said directors for cause, provided such proposed removal is specifically stated in the call for such meeting.

3. Directors and Committees. Amend section 8 of said chapter as amended by section 2, chapter 305 of the Laws of 1933 and by section 1, chapter 261 of the Laws of 1943, by striking out the first sentence and inserting in place thereof the following: A meeting of the newly elected board of directors shall be held within ten days after the annual meeting of the shareholders at which meeting the directors shall elect a president, a vice-president, a treasurer, a clerk, and shall elect from their own number a committee of supervision and a committee of credit of three members each. They may elect such other officers and agents as they shall deem necessary, so that said section as amended shall read as follows: Sect. 8. A meeting of the newly elected board of directors shall be held within ten days after the annual meeting of the shareholders at which meeting the directors shall elect a president, a vice-president, a treasurer, a clerk, and shall elect from their own number a committee of supervision and a committee of credit of three members each. They may elect such other officers and agents as they shall deem necessary. The directors shall have the management of the affairs, funds and books of the association; they shall have authority to admit
members under the conditions specified in the by-laws, also to dismiss members as hereinafter provided. They shall determine the conditions as to the transfer or withdrawal of shares and shall fix the amount of surety bond which may be required of each officer or agent having custody of the funds. They shall have the power to declare dividends when the same are approved by the committee of supervision. The committee of supervision shall oversee all the business of the association, with the right at any time to inspect all the books, accounts, papers, security for loans and other property of the association. They may by unanimous vote suspend any director or member of any board or committee, and in every such case they shall immediately call a special meeting of the shareholders to act on such suspension and by the same mail shall notify said suspended person of his suspension. A majority of the committee may call a special meeting of the shareholders to consider any violation of law, by-law or sound management which said committee shall have discovered. They shall report in writing regarding their doings and findings, at the annual meeting of the shareholders, said report to include a statement of the receipts, disbursements, income, assets and liabilities of the association for the fiscal year. The committee of credit shall have authority regarding loans made by the association subject to the regulations of the board of directors, and every loan shall be approved by them in advance. The officers and agents elected by the directors as hereinbefore specified, may or may not be directors. They shall be sworn and shall hold office for the ensuing year or until their successors are elected and qualified. The members of the committee of supervision and of credit shall not directly or indirectly borrow from the association or become security for any borrower.

4. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]
CHAPTER 262.

AN ACT RELATIVE TO CONCORD HOSPITAL.

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

1. Concord Hospital. The real and personal property of the Concord Hospital now or hereafter owned by it for the charitable purposes for which the corporation was organized, shall be exempt from taxation.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 20, 1945.]

CHAPTER 263.

AN ACT AUTHORIZING THE CITY OF KEENE TO ESTABLISH CAPITAL RESERVE FUNDS.

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

1. Establishment of Reserves Authorized. The city councils of Keene, as provided by section 2, may raise and appropriate money for the establishment of a capital reserve fund for the financing of all or part of the cost of (a) the construction, reconstruction or acquisition of a specific capital improvement, or the acquisition of a specific item or specific items of equipment, or (b) the construction, reconstruction, or acquisition of a type of capital improvement or the acquisition of a type of equipment.

2. Meetings. The authority granted by section 1 shall be exercised only by a favorable vote of three-fourths of the members of each of the city councils. Said vote shall be taken only after the resolution for said capital reserve shall have been read in at least two regular meetings of each of the city councils. The resolution to consider the establishment of such a reserve shall distinctly state the purposes for which reserve is to be established.

3. Payments into Fund. There may be paid into any such capital reserve fund such amounts as may from time to time be raised and appropriated therefor, within the limits as provided in section 4, and the city councils may also vote to trans-
fer to said fund any unencumbered surplus funds remaining
on hand at the end of any fiscal year.
4. **Limitations on Appropriations.** The city councils shall
not raise and appropriate in any one year for such reserve an
amount in excess of one-tenth of one per cent of the last
assessed valuation of the city.
5. **Investment.** The moneys in each such fund shall be
kept in a separate account and not intermingled with other
funds of said city. Said capital reserve fund shall be in-
vested only by deposit in some savings bank or in the savings
department of a national bank or trust company in this state,
or in bonds, notes or other obligations of the United States
government, or in bonds or notes of this state and when so
invested the trustees hereinafter named shall not be liable for
the loss thereof. Any interest earned or capital gains realized
on the moneys so invested shall accrue to and become a part
of the fund. Deposits in banks shall be made in the name of
the city and it shall appear upon the book thereof that the
same is a capital reserve fund.
6. **Trustees of Funds.** The trustees of trust funds of
Keene shall have custody of any capital reserve of the city.
Said trustees shall give bond in such amount and in such form
as the state tax commission shall prescribe, and any such
trustee who shall make any payment of income or principal
from any such capital reserve fund before the approval of his
bond in writing by the tax commission shall be personally
liable to the city for any loss resulting from such payment, to
be recovered for the city at the suit of any citizen. The ex-
penses of said trustees in said capacity and the expense of
their bonds shall be charged as incidental city charges.
7. **Expenditures.** The trustees holding said capital reserve
funds in trust, as hereinbefore provided, shall hold the same
until such time as the city councils in the manner prescribed
by section 2, shall have named trustees or agents to carry out
the objects designated by said city councils. Expenditures from
said capital reserve funds shall be made only for or in con-
nection with the purposes for which said fund was established,
or as amended as provided by the next succeeding section.
8. **Change of Purpose.** After the purpose for which a
capital reserve fund is established has been determined, no
change shall be made in the purpose for which said fund may
be expended, unless and until such change has been author-
ized by a vote of three-fourths of all the members of the city
councils at a regular meeting. Notice of proposed change shall be inserted two times at an interval of one week in the Keene Sentinel before the next regular meeting.

9. Audit; Records. The accounts of the trustees of said city holding capital reserve funds shall be audited annually, the securities shall be exhibited to the city auditor and said auditor shall certify the facts found by the audit and the list of all securities held. Said trustees shall keep a record of all such capital reserve funds in a record book, which shall be open to the inspection of all persons of the city.

10. Prohibition. No person holding in custody such capital reserve fund shall make any payment of income or principal or authorize the same to be done except in accordance with the provisions hereof. Any person violating the provisions of this section shall be fined not exceeding five hundred dollars.

11. Takes Effect. This act shall take effect upon its passage.

[Approved March 21, 1945.]

CHAPTER 264.

AN ACT AUTHORIZING THE COUNTY OF ROCKINGHAM TO REIMBURSE THE TOWN OF EXETER FOR CERTAIN COUNTY TAXES.

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

1. Reimbursement. The county convention of Rockingham county is hereby authorized and directed to raise and appropriate the sum of forty-eight thousand, two hundred forty dollars and seventy-three cents ($48,240.73) to reimburse the town of Exeter for an excess in the amount of county taxes paid or abated by said town during the years 1935 to 1943, inclusive, on account of a judgment rendered against said town by the supreme court of the state relating to the taxation of Exeter Academy in said town.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 27, 1945.]
CHAPTER 265.

AN ACT RELATING TO ABSENTEE VOTING AT ANNUAL CITY ELECTIONS IN BERLIN.

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

1. Berlin Election; Absentee Voting. Amend chapter 121 of the Laws of 1897 by inserting after section 10 the following new section: Sect. 10-a. Any legal voter of said city who, by reason of physical disability, is unable to vote in person on the day of meeting for the election of city and ward officers, held in March annually, may vote at said election by so-called absentee ballot. The provisions of sections 61 to 75 of chapter 34 of the Revised Laws, so far as applicable hereto and not inconsistent herewith, shall apply to such absent voting in said city, provided that the city clerk shall prepare the forms and ballots for such voting and said clerk shall also prepare the instructions required in section 74 of said chapter 34.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]

CHAPTER 266.

AN ACT LEGALIZING THE ANNUAL TOWN MEETING IN THE TOWN OF PEMBROKE.

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

1. Proceedings Legalized. The votes and proceedings at the annual election in the town of Pembroke on the thirteenth day of March, 1945, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 3, 1945.]
CHAPTER 267.
AN ACT LEGALIZING THE ANNUAL TOWN MEETING IN THE TOWN OF LEBANON.

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

1. Proceedings Legalized. The votes and proceedings at the annual election in the town of Lebanon on the thirteenth day of March, 1945, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 5, 1945.]

CHAPTER 268.
AN ACT PROVIDING FOR A DEPUTY CITY CLERK FOR THE CITY OF MANCHESTER.

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

1. Deputy City Clerk; Appointment. The city clerk of the city of Manchester is hereby empowered to appoint from time to time as a deputy an employee of his office who may execute any instrument required by law to be signed by the city clerk, and in the absence or disability of the city clerk shall perform all his duties.

2. Oath. Such deputy city clerk before taking office shall be sworn to the faithful discharge of his duties.

3. Record of Appointment. Whenever a deputy city clerk is so appointed and sworn, the city clerk shall execute and maintain in his office a certificate of the appointment and oath of said deputy, and thereupon shall notify the board of mayor and aldermen thereof, and a record of said certificate shall be entered in the journal of said board.

4. Term of Office. Such deputy city clerk shall hold office during the pleasure of the city clerk.

5. Takes Effect. This act shall take effect upon its passage.

[Approved April 12, 1945.]
CHAPTER 269.

AN ACT RELATIVE TO HOURS OF DUTY FOR MEMBERS OF THE MANCHESTER FIRE DEPARTMENT.

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

1. Manchester Fire Department. Amend chapter 330 of the Laws of 1917, by inserting after section 4 the following new section: Sect. 4-a. Said commissioners shall establish and put into operation a system of hours of duty for the permanent members of the department so that the average weekly hours of any one of said members shall not exceed seventy-two in number.

2. Takes Effect; Limitation. This act shall take effect upon its passage, provided that the system of hours herein authorized shall become effective at such time as the fire commissioners may determine but not later than six months after the termination of the present war.

[Approved April 18, 1945.]

CHAPTER 270.

AN ACT TO VALIDATE CERTAIN SCHOOL BONDS OF THE TOWN OF EXETER.

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

1. Bonds Validated. The bonds of the town of Exeter, dated January 1, 1908, which were issued for the purpose of reimbursing the trust fund, given to the said town by the will of William Robinson, for sums spent therefrom for acquiring land and building thereon a public school building for the use, primarily, of female children of the said town (known as the Robinson Female Seminary), of which bonds there are now outstanding bonds to the aggregate principal amount of fifty-three thousand dollars, are hereby validated and confirmed as obligations of the town of Exeter. The said bonds may be sold by the trustees of the said seminary at public or private sale.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 18, 1945.]
CHAPTER 271.

AN ACT LEGALIZING THE ANNUAL MEETING OF THE CONWAY VILLAGE FIRE DISTRICT.

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

1. Proceedings Legalized. The notice, votes and proceedings at the annual meeting of the Conway Village fire district, held on the thirtieth day of March, 1945, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved April 19, 1945.]

CHAPTER 272.

AN ACT TO ESTABLISH THE CHARLES F. AND MARY E. FOLSOM HOME OF THE TOWN OF EXETER.

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

1. The Charles F. and Mary E. Folsom Home. Albertus T. Dudley, William A. Young, Clifton A. Towle, Mabel Cilley Fiske and Perley Gardner, all of Exeter in the county of Rockingham and State of New Hampshire, their associates and successors, are hereby made a corporation by the name of The Charles F. and Mary E. Folsom Home of Exeter, and by that name may sue and be sued and are hereby invested with all the powers and privileges and subject to all the liabilities incident to corporations of a charitable nature.

2. Purposes. The purpose of said corporation shall be to administer a fund in memory of Charles F. and Mary E. Folsom, as provided by the eighteenth paragraph of the will of Emma F. Folsom, late of Exeter, for the purpose of providing a charitable home for the shelter, support, care and maintenance of aged persons of both sexes of small assets and means, who may reside in Exeter and adjoining towns. The purpose of said corporation shall be exclusively charitable forever and there shall be no division of profits. Said corporation may receive, take and hold all the property, including real estate, comprising the residuum of the estate of said
CHAPTER 273.

AN ACT IN FAVOR OF THE ELLIOT COMMUNITY HOSPITAL OF KEENE.

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

1. County Appropriations. The county of Cheshire is hereby authorized to appropriate from time to time such sums of money in aid of the support and maintenance of the Elliot Community Hospital of Keene as in the opinion of the county convention may be necessary, provided that such appropriation shall not exceed a total of three thousand dollars in any one year.

2. Takes Effect. This act shall take effect January 1, 1947.

[Approved May 1, 1945.]

CHAPTER 274.

AN ACT RELATIVE TO LIFE, ACCIDENT AND HEALTH INSURANCE BENEFITS FOR EMPLOYEES OF THE CITY OF BERLIN.

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

1. Powers of the City of Berlin. The mayor and city council of the city of Berlin are hereby authorized to establish a
plan for providing life, accident, health and hospitalization insurance benefits for the regular employees of the city and may appropriate such sums of money as they may deem necessary for the purpose of paying a proportionate share of the cost of such benefits or any part thereof.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 2, 1945.]

CHAPTER 275.

AN ACT TO AUTHORIZE THE PENACOOK UNION SCHOOL DISTRICT TO BORROW MONEY AND TO ISSUE ITS BONDS FOR THE PURPOSE OF ERECTING AND EQUIPPING A GYMNASIUM AND AUDITORIUM.

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

1. Penacook Union School District Bond Issue. The Penacook Union School District is authorized to borrow on its credit for the purpose of the erection and original equipment and furnishing of a gymnasium and auditorium in Penacook Union School District upon land now owned by it, not to exceed one hundred thousand dollars, and to issue its bonds therefor, payable in annual payments so that the amount of the annual payment in any year shall not be less than the amount of the principal payable in any subsequent year, and the first payment shall be made not later than two years after the date of the bonds and the last payment shall be made not later than thirty years from the date of the bonds. The maturities and maximum rate of interest shall be determined at a regular or special meeting of Penacook Union School District called for the purpose. The bonds, except as otherwise herein provided, shall be issued in conformity with the Municipal Bonds Act, chapter 72 of the Revised Laws of New Hampshire, 1942, as amended.

2. Appropriation. Penacook Union School District is authorized to raise by taxation and appropriate money required to pay the indebtedness herein authorized, together with interest thereon and incidental expenses thereto appertaining.
3. **Debt Limit.** Eighty-six thousand dollars of the indebtedness hereby authorized shall be in excess of the statutory limit and shall not be considered in determining the statutory limit of indebtedness of the Penacook Union School District, and the balance of the indebtedness hereby authorized shall be included in determining the statutory limit of indebtedness of Penacook Union School District.

4. **Takes Effect.** This act shall take effect upon its passage.

[Approved May 16, 1945.]

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**CHAPTER 276.**

**AN ACT TO REPEAL CHARTERS OF CERTAIN CORPORATIONS.**

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

1. **Charters Repealed.** The charter or certificate of incorporation of each of the following named corporations is hereby repealed, revoked and annulled except as otherwise here specified:

   Acadia Shoe Company (Raymond, 1941)
   Allen, Inc., John K. (Rochester, 1938)
   Alpha Omega Trust Applied Optimor Triumph (Nashua, 1924)
   Alton Bay Company (Alton, 1936)
   Anctil Co., Inc., W. (Nashua, 1942)
   Ballard Company, Charles H. (Bradford, 1938)
   Big Brother Business Scientific Standard Service (Nashua, 1924)
   Boston-Laconia Machine Company of New Hampshire (Laconia, 1943)
   Bourgeois Express, Inc. (Greenville, 1942)
   Bourque Shoe Company, The (Raymond, 1933)
   Boutwell Garage, Inc. (Concord, 1928)
   Bristol Contracting Company (Bristol, 1932)
   Burke's Diner, Inc. (Hampton, 1941)
Campion, Inc., James (Hanover, 1927)
Castle Parlor Furniture Company (Manchester, 1941)
Chapin Distilling Co., Nahum (Newmarket, 1940)
Cheshire Foods, Inc. (Keene, 1941)
Claremont Sporting Goods Co., Inc. (formerly Hoisington's, Inc., Claremont, 1934)
Colebrook Farmers Cooperative, Inc. (Colebrook, 1940)
Concord Products, Inc. (Concord, 1942)
Concord Real Estate Company (Concord, 1896)
Consolidated Plumbing and Heating Co. (Dover, 1941)
Contoocook and Warner Sports Area, Inc. (Hopkinton, 1940)
Cooper's, Inc. (Franklin, 1939)
Craig-Scheer Inc. (Concord, 1941)
Currier & Langlois, Inc. (formerly N. O. Langlois & Sons, Inc., Lebanon, 1938)

Dartmouth Cemetery Association (Hanover, 1845)
Deerfield Lumber Company (Manchester, 1943)
Derry Loan and Discount Company (Derry, 1923)
Derryfield Warehouse & Realty Co., Inc. (Manchester, 1924)
Doherty & Brown Oil Company (Plymouth, 1940)
Doukas Cafe, Inc. (Keene, 1942)
Dover Industries, Inc. (Dover, 1940)
Dunn Laboratories, Inc. (Plaistow, 1943)

Economy Auto Supply Company (Dover, 1937)
Farmington Sportsman's Club, Inc. (Farmington, 1940)
Fearon's, Inc. (Manchester, 1938)
First Aid Stores, Inc. (Claremont, 1933)
Fletcher Co., Inc., P. E. (Nashua, 1934)
Franklin Knights of Columbus Building Association (Franklin, 1921)
Free Press Publishing Co. (Somersworth, 1931)

Galloway-Ratte Company (Walpole, 1939)
Geddes Company, J. R. (Keene, 1931)
Girard Construction Corporation (Rye, 1940)
Glazier Company, Inc. (formerly Temple Mountain Ski Forest, Inc., Peterboro, 1936)
Goodnow-Drugg, Incorporated (Winchester, 1931)
Granite State Mining Corporation (Wentworth, 1943)
Granite State Quarries Company, Inc. (Concord, 1935)
Granite State Stock Farm, Inc. (Dover, 1938)
Grenier Field Services, Inc. (Manchester, 1942)
Guilmet-Robichaud Cut Sole Company, Incorporated (Farmington, 1934)

Hampton Development Corporation (Hampton, 1937)
Harko Incorporated, Johnny (Manchester, 1934)
Head Brick Company, Incorporated (Hooksett, 1925)
Hill Coal Company, Inc. (Nashua, 1936)
Hillsborough County Transportation Company Inc. (Brookline, 1942)
Holland Cleansers & Dyers of N. H., Inc. (Manchester, 1934)
Hooksett Aqueduct Company (Hooksett, 1899)
Hooksett Nurseries Inc. (Hooksett, 1928)

Johnson & Son, Inc., A. T. (Hampton, 1932)
Jones Inc., K. L. (Rochester, 1939)

Laconia Industries, Inc. (Laconia, 1939)
Langan, Inc., F. M. (Manchester, 1940)
Lee’s Restaurant, Inc. (Littleton, 1927)
Leitch Heating Corporation (Concord, 1937)
Linwood Corporation, The (Franklin, 1929)
Littleton Dairy, Inc. (Littleton, 1939)
Lord-Merrow Excelsior Co., Inc. (Union, 1934)
Lyme Creamery Company (Lyme, 1888)

Manchester Sportswear Mfg. Co., Inc. (Manchester, 1941)
Manley Clothes Company (Nashua, 1939)
Marsh Manufacturing Company (Manchester, 1942)
Merchants Motor Delivery, Inc. (Keene, 1924)
Messenger Publishing Co. (Hillsboro, 1930)
Moris’ Clothes Shop Incorporated (Berlin, 1937)

Mt. Crotched Country Club Land Company, Inc. (Francestown, 1927)
Mutual Acceptance Corporation of New Hampshire (Manchester, 1940)

Nashua Sales Co., Inc. (Nashua, 1936)
National Heel Corporation (Raymond, 1935)
New England Furniture Company, Inc. (Berlin, 1935)
New England Non Metallics, Inc. (Concord, 1941)
New Hampshire Home Improvement Co. (Manchester, 1942)
New Hampshire Super Markets, Inc. (Keene, 1941)
New Idea Auto Sales Incorporated (Manchester, 1928)
New Splendid Cafe, Inc. (Berlin, 1936)
North Hampton Real Estate Corporation (North Hampton, 1932)

Ossipee Lumber Corporation (Ossipee, 1940)
Our Camp Inc. (Andover, 1932)

Paramount Do-Nut Corporation (Nashua, 1940)
Pasquaney Colony Association, Inc. (Bridgewater, 1937)
Pearson, Wallace and Williams, Inc. (Laconia, 1940)
Pioneer Office Appliance Co. (Manchester, 1940)
Pittsfield Agricultural Fair Association (Pittsfield, 1925)
Poley & Weber, Inc. (Berlin, 1939)
Poultry Mart, Inc., The (Concord, 1943)
Pulsifer Panel Co. Inc. (Dover, 1943)
Puritan Candy Shop of Concord (Concord, 1930)
Puritan Company, Inc. (Lawrence, Mass., 1931)

Queen City Apartments, Inc. (Manchester, 1935)
Quigley-Tarbox-Chevrolet, Inc. (Keene, 1930)

Raymond Poultrymen’s Exchange, Inc. (Raymond, 1943)
Rindge Corporation (East Rindge, 1943)
Riverside Leather Company (Pembroke, 1942)
Ruiter Realty Company Incorporated, The (Concord, 1939)

Sawyer Ice Company, Perley (Derry, 1937)
Seabrook Beach Community, Inc. (Seabrook, 1937)
Seabrook Wood Heel Co., Inc. (Seabrook, 1939)
Seydel-Stiles Entertainment Service Inc. (Nashua, 1940)
Shaka, Inc., Athan (Manchester, 1938)
Shaka Realty Co. Inc. (Manchester, 1938)
Souhegan Realty Inc. (Wilton, 1937)
Stark Motors, Inc. (formerly Manchester Hudson-Essex Corporation and Knight Motors Sales-Service, Inc., Manchester, 1929)

Stern Koch Co. (Manchester, 1940)
Stonehouse Farm, Incorporated (Durham, 1928)
Strafford Mining Co., Inc. (Rochester, 1943)
Sydeman Fruit Company, Inc. (Nashua, 1941)
Texcraft Products Co., Inc. (Manchester, 1935)
United Contractors Inc. (Manchester, 1942)
U. S. Lectric-Auto Stores, Inc. (Portsmouth, 1938)
Wade's Taxi Service, Inc. (Portsmouth, 1943)
Wallingford Associates, Inc. (Dover, 1932)
Wason Homestead (New Boston, 1902)
Watson Insurance Agency, Inc. (Manchester, 1941)
Wentworth Camps Inc., The (Wolfeboro, 1939)
Whitcomb Inc., H. L. (Peterborough, 1941)
White Mountain Airport Corporation, The (Conway, 1929)
Williams Mining Company (Orange, 1942)
Williams Transportation Co., Inc. (Merrimack, 1941)
Worthen's Inc. (Manchester, 1937)

The principal place of business and date and year of incorporation, when given in the above list, are included for the purpose of distinguishing corporations of the same or similar names.

2. Remedies Preserved. No remedy against any such corporation, its stockholders or officers, for any liability previously incurred, shall be impaired hereby.

3. Reinstatement. Any such corporation may, within ninety days after the date that this act takes effect, reinstate itself as a corporation by the payment of any fees in arrears and the filing with the secretary of state of any annual returns required by law and a statement under oath, signed by the clerk or secretary of such corporation, that it desires that its charter or certificate of incorporation shall remain in full force and effect.

4. Disposition of Property. Any corporation whose charter is hereby repealed, revoked and annulled, shall, nevertheless, continue as a body corporate for the term of three years from the date that this act takes effect, for the purpose of presenting and defending suits by or against it and of gradually closing and settling its concerns and distributing its assets, including the disposition and transfer of all or any part of its property and for no other purpose; provided that for the purpose of any suit or action by or against any such corporation, pending at the end of said term of three years, such corporation shall continue as a body corporate until ninety days after final judgment or decree in such suit or
action; and provided further that the superior court shall have power at any time when it shall be made to appear, upon the petition of any interested party, that the protection of proprietary or other rights requires the doing of any act or thing by or in behalf of any such corporation, to order the doing of such acts or things, and for this purpose may appoint and authorize an agent to act for and in the name of such corporation and any action so ordered and done shall be effective corporate action.

5. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]

CHAPTER 277.

AN ACT RELATIVE TO VACATIONS FOR EMPLOYEES OF THE CITY LIBRARY OF THE CITY OF MANCHESTER.

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

1. The City of Manchester. Amend section 1 of chapter 279 of the Laws of 1919, as amended by section 1, chapter 278 of the Laws of 1921, and section 1, chapter 275, Laws of 1943, by inserting after the words "school departments" in the second line the words, and employees of the city library, so that said section as amended shall read as follows: Section 1. All employees of city departments, excluding the police, fire and school departments and employees of the city library, who have been employed by the city continuously for the previous twelve months, shall be allowed twelve days' rest in each year's employment without loss of pay, the time to be at the discretion of the department head.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 16, 1945.]
CHAPTER 278.

AN ACT RELATIVE TO SALARIES OF THE ASSESSORS OF THE CITY OF CONCORD.

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

1. City of Concord; Salary of Assessors. The member of the board of assessors of the city of Concord acting as clerk of said board shall, during the time this act is in effect, be paid an annual salary of twenty-six hundred dollars, and the other members of said board shall be paid the annual salary of twenty-two hundred dollars in full for their services.

2. Inconsistent Provisions. Any provisions of section 38 of chapter 305, of the Laws of 1909, as amended by chapter 245 of the Laws of 1919, chapter 194 of the Laws of 1923, and chapter 258 of the Laws of 1931, as may be inconsistent with the provisions hereof are hereby suspended during the time this act is in effect.

3. Takes Effect. This act shall take effect upon its passage and shall be effective until January 1, 1947.

[Approved May 16, 1945.]

CHAPTER 279.

AN ACT TO VALIDATE CERTAIN LAND RECORDS IN COOS COUNTY.

WHEREAS, a large number of records of land conveyances in the office of the register of deeds for Coos county are defective in that they lack the certifying signature of a now deceased register and, whereas, Thelma Morse Murphy, present incumbent of that office, was the clerk who supervised the recording of all of such records and compared each record for accuracy with the original thereof; now, therefore,

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

1. Validation of Real Estate Records. Thelma Morse Murphy, register of deeds of the county of Coos, is authorized and empowered to certify and attest each record in her office, defective as hereinbefore stated, as a true record and the
attestation of each such record thus accomplished shall thereupon become legalized and validated.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 17, 1945.]

CHAPTER 280.

AN ACT TO INCREASE THE SALARY OF THE MAYOR OF MANCHESTER.

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

1. Mayor of the City of Manchester. Amend section 1 of chapter 223 of the Laws of 1883, as amended by chapter 203 of the Laws of 1907, by striking out said section and inserting in place thereof the following: Section 1. The salary of the mayor of the city of Manchester shall be five thousand dollars per year payable in equal semi-monthly payments. Said salary shall be in full compensation for services performed and personal expenses incurred, either as executive or as member of any board or committee of said city.

2. Takes Effect. This act shall take effect upon its passage.

[Approved May 18, 1945.]

CHAPTER 281.

AN ACT ESTABLISHING THE DOVER, SOMERSWORTH AND ROCHESTER AIRPORT AUTHORITY.

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

1. Authority; Incorporation. The Dover, Somersworth and Rochester Authority, hereinafter referred to as the "Authority," is hereby incorporated as a body politic with the powers and privileges herein provided.

2. Membership of the Authority. The mayor of the city of Dover, the mayor of the city of Somersworth and the mayor of the city of Rochester shall constitute the Authority,
and shall be vested with all the powers and charged with all the duties hereinafter granted to and imposed upon said Authority.

3. Compensation. No member of the Authority shall receive from it any compensation for services or reimbursement for expenses.

4. Establishment and Operation of Airport. The Authority is hereby authorized to establish and maintain an airport in the city of Dover, city of Somersworth or the city of Rochester.

5. Declaration of Purpose. The establishment and maintenance of said airport is declared to be for public purposes as an aid to national and state defense and for the convenience of the public, and the Authority shall be regarded as performing a governmental function in carrying out the provisions of this act.

6. Powers. The Authority shall have the power:
   (a) To sue and be sued.
   (b) To select and have a seal.
   (c) To adopt by-laws, not inconsistent with this act, for the conduct of its business.
   (d) To acquire, hold and dispose of, in any manner, real and personal property deemed necessary or desirable for its purposes.
   (e) To construct, maintain, reconstruct, improve, operate and manage said airport.
   (f) To accept grants and the cooperation of the United States of America, the state of New Hampshire, or any agencies thereof, in the construction, maintenance, reconstruction, improvement and operation of said airport, and to do any and all things necessary in order to avail itself of such aid and cooperation, and the Authority is specifically authorized to enter into agreements with the federal government and the state of New Hampshire through its various agencies relative to the construction of said airport and its operation after completion.
   (g) To prescribe and publish rules and regulations governing the use of said airport.
   (h) To levy and collect reasonable fees, not prohibited by law, for use of said airport and its facilities.
   (i) To grant leases of the facilities of the airport for reasonable periods of time.
(j) To employ such assistants, agents and servants, professional, technical or otherwise, as it shall deem necessary or desirable for its purposes, and fix their compensation.

(k) To do all other lawful acts necessary and incidental to the foregoing powers.

7. Limitation of Powers. The Authority shall have no power to commit the state of New Hampshire or any of its political subdivisions to any obligation or liability whatsoever, nor shall it have the power to encumber any of its real estate except in pursuance of the authority contained in section 6 (i).

8. Exemption from Taxes, Levies, and Executions. All property and rights acquired by the Authority in any of said three cities shall be exempt from all taxation. All property of the Authority shall be exempt from attachment, and all of its real property shall be exempt from levy and sale by virtue of any execution.

9. Revenue. The net revenue of the Authority shall be held and invested by it for the purpose of the future maintenance, operation and improvement of said airport.

10. Financial Aid. The county of Strafford and towns of said county are authorized to make conveyances and appropriations for the use of the Authority.

11. Audits and Reports. All financial transactions of the Authority shall be audited annually. The Authority shall make an annual report of its financial and other transactions for the preceding calendar year on or before the first day of February. This report and the report of such audits as shall be made as herein provided shall be filed with the clerk of the superior court for said county after completion, and shall be open for public inspection.

12. Penalties. Any violation of the published rules and regulations of the Authority relating to said airport, and any refusal or neglect to pay lawfully prescribed fees for use of said airport or its facilities, shall be deemed a misdemeanor and shall be punishable by a fine of not exceeding ten dollars, provided, however, that nothing herein contained shall be construed as a limitation upon the civil rights of the Authority.

13. Separability Clause. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act and application of such provision to other persons or circumstances shall not be affected thereby.
14. Takes Effect. This act shall take effect upon its passage.
[Approved May 18, 1945.]

CHAPTER 282.

AN ACT AUTHORIZING THE CANAAN SCHOOL DISTRICT IN THE TOWN OF CANAAN TO BORROW MONEY AND ISSUE BONDS OR NOTES.

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

1. Authority to Borrow Money. The Canaan school district in the town of Canaan is hereby authorized to borrow on its credit a sum not exceeding twenty-five thousand dollars for the purpose of constructing and equipping a new schoolhouse in said district, and for acquiring necessary real estate therefor.

2. Bonds or Notes Authorized. The school board of said district is hereby authorized and empowered to issue for and in behalf of said district serial notes or bonds to the amount of twenty-five thousand dollars for the purpose of constructing and equipping a schoolhouse in said district, and for acquiring necessary real estate therefor.

3. Debt Limit. The debt authorized by this act shall be the limit of bonded indebtedness for said district and shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 72 of the Revised Laws.

4. Application of Laws. Except as otherwise provided in this act the provision of the Municipal Bonds Statute shall apply to the notes or bonds herein authorized.

5. Takes Effect. This act shall take effect upon its passage.
[Approved May 18, 1945.]
CHAPTER 1.

AN ACT RELATIVE TO ABSENTEE VOTING.

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

1. Absentee Voting; Forms. Prior to the biennial election of 1944 the secretary of state shall prepare in such quantities as he may deem necessary the following papers:

   I. Official absent voting ballots similar in form to the official ballot to be used at said election, and similarly endorsed, but printed on paper differing in color from that used for official or sample ballots.

   II. Blank forms of application for such ballots worded as follows:

   a. (To be used by absentee voters whose names are on the check-list)

   To the city or town clerk of .................... I, ..............

   .................... hereby apply for an official absent voting ballot. I am a duly qualified voter, and as I believe, entitled to vote in ward ......, city or town ....................

   b. (To be used by absentees who wish to be registered)

   To the city or town clerk of .................... I, ..............

   .................... hereby apply for an official absent voting ballot. I believe I am entitled to be registered as a duly qualified voter in ward ......, city or town ....................

   I am a citizen of the United States having been born in the city or town of .................... in the State of ......

   .................... on the ............. day of ............. in the year ...... or having been naturalized on the ......

   day of .................... in the year ...... at .............

   in the State of .................... and my legal
residence is and has been since ............................
number ........ on ........................ street in the city or
town of ............................... I can read and write or
I was a legal voter of this state on January 1, 1904.

Mail absent voter's ballot to
(Signature) .............................
(Street and number) ........................
(City or town, state) ........................

In case of a voter physically disabled, the applicant will also
fill out the following:

On account of physical disability, I am unable to vote in
person.
(Signature) .............................

We, the undersigned, a majority of the registrars of voters
or supervisors of the check-list of the .........................
of ............................... hereby certify that to the best
of our knowledge and belief, said ............................... is a duly qualified voter in said ward, city or town of .......

........................................
........................................

Registrars of voters or supervisors of the check-list of the
........................................ of .............................

III. Envelopes of sufficient size to contain the ballots
specified in paragraph I, on which shall be printed the oaths
provided for in paragraphs IV and V.

IV. All persons voting by absentee ballot shall subscribe
and take one of the following oaths:

a. (To be used by registered absentee voters)
State of .................................
County of ................................. ss.
I, ...................................... do solemnly swear (or affirm)
that I am the identical person whom I represent myself to be;
that I am a duly qualified voter in the city or town of .......
........................................, New Hampshire, in ward .... ;
that I have a legal voting residence therein; and that I can
read and write, or that I was a legal voter of said state on
January 1, 1904. So help me God.

(Signature) .............................
b. (To be used by absentee voters who are not registered)

State of ........................................

County of ........................................ ss.

I, .................................................. do solemnly swear (or affirm) that I am the identical person whom I represent myself to be; that I am entitled to be registered and vote in the city or town of .................................., New Hampshire, in ward......; that I am a citizen of the United States having been born in the city or town of.............................. in the state of ........................................ on the ...................... day of ...................... in the year......... or having been naturalized on the ...................... day of ...................... in the year....... at ...................... in the State of ......................; that my legal residence is, and has been since ......................, number................ on ...................... street in the city or town of......................; that I can read and write. So help me God.

(Signature) ........................................

V. All persons voting by absentee ballot shall also subscribe and take the following oath: I, ......................... do solemnly swear (or affirm) that I will be absent on election day from the city or town in which I am qualified to vote, or because of physical disability I will be unable to vote in person at said election; that I have marked, enclosed and sealed the within ballot as stated hereon by the person taking my oath. So help me God.

(Signature) ........................................

Subscribed and sworn to before me by the above affiant this ...................... day of ...................... 19...... in the city or town of......................, State of ...................... and I hereby certify that when I was alone with the affiant, the affiant in my presence marked the ballot without my seeing how he marked it, after which he sealed said ballot in this envelope. I had no communication with the affiant as to how he was to vote.

(Seal, if any)

Name .............................................

Official Title ......................................
(Physician’s Certificate)
I, ........................................ of (address) ................. hereby certify that I am the attending physician of the affiant, that I have made a careful examination and am satisfied that he is unable by reason of physical disability to vote in person. 
(Signature) ........................................

VI. Envelopes of size sufficient to contain the preceding, addressed to the clerks of the several cities and towns within the state, upon which shall be printed, Enclosed is the ballot of an absent voter, and at the top thereof blank spaces for the name, address and voting place of the sender, with the words, Name, Address and Ward appropriately printed thereon.

VII. Copies of this section and other laws relative to absentee voting with such explanatory matter and instructions as the secretary of state, with the approval of the attorney general, shall deem appropriate to carry into effect the purposes hereof.

2. Registration; Supervisors’ Certificate. When an application for an official absent voting ballot is received by the clerk of a city or town, he shall transmit it to the registrars of voters or supervisors of the check-list of said city or town, who shall examine the same and, if they believe the signer to be a duly qualified voter, shall place his name upon the check-list unless he is already registered, and shall execute the certificate thereon and return the application to said clerk. Said clerk shall deliver or mail the papers described in section 1 hereof to all persons whose applications are certified as herein provided and shall keep lists of the names and addresses, arranged by voting places, of all persons to whom official absent voting ballots have been sent. Copies of said lists shall be open to inspection and shall be posted at the polling places during the day of election.

3. Laws Suspended. Such provisions of chapter 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

4. Takes Effect. This act shall take effect upon its passage and continue in effect until July 1, 1945.

[Approved March 29, 1944.]
CHAPTER 2.

AN ACT TO PROVIDE FOR ABSENTEE VOTING FOR PERSONS IN THE ARMED FORCES AND CIVILIANS SERVING THEREWITH.

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

1. Members of the Armed Forces and Civilians Serving Therewith. Any war absentee as hereinafter defined voting as herein permitted may substitute for the jurat required by chapter 34 of the Revised Laws and transmit with the sealed ballot a written statement in such form as the secretary of state shall prescribe, setting forth the facts required, made before any commissioned officer, non-commissioned officer not below the rank of sergeant, or petty officer, in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the administrator of the war shipping administration.

2. Definition of War Absentee. The term "war absentee" as used herein shall be construed to mean:

   I. Members of the armed forces and the merchant marine of the United States;

   II. Persons serving with the American Red Cross, the Society of Friends, the Women’s Auxiliary Service Pilots and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States. The term “members of the merchant marine of the United States” shall mean persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States war shipping administration.

3. War Ballots. The secretary of state shall prepare war ballots similar to the official ballot for the use of war absentees in such quantities as he may deem necessary together with envelopes upon which shall be printed the affidavits prescribed by an act passed at this special session of the legislature entitled, “An Act relative to absentee voting.” He shall determine their size, weight, type and color of paper.
4. **Applications.** Applications for war ballots for war absentees may be made in any form to the secretary of state by the war absentee or any one on his behalf, provided his name, service organization, service address and legal voting residence are disclosed. Upon receipt of any such application the secretary of state shall forward by mail a war ballot with the necessary envelopes to such war absentee.

5. **Information Furnished.** The registrars of voters or supervisors of the check-list are hereby required to furnish to the secretary of state upon his request any information relative to persons entitled to vote in their ward or town which may be necessary to enable him to determine the proper ballot to be sent to a war absentee. Whoever violates any provision of this section shall be fined not more than fifty dollars.

6. **Voting Procedure.** A war absentee who has received a war ballot may vote by mailing or causing to be delivered to the secretary of state such ballot marked and sworn to as follows: He shall deliver said ballot to any official authorized by law to administer oaths, or any officer described in section 1 hereof, for examination, who shall satisfy himself that it is unmarked and the voter shall not allow said official or officer to see how he marks it, and said voter shall mark said ballot in the presence of said official or officer and no other person. Said official or officer shall hold no communication with the voter, nor he with said official or officer, as to how he is to vote; provided, however, that in the case of any war absentee who, because of blindness, or other physical disability, is unable to mark his ballot, such official or officer may assist him to mark his ballot as directed by said voter. Such official or officer shall certify on the outside thereof that it was so marked with his assistance, and shall thereafter give no information regarding the same. After marking the ballot, the voter shall enclose and seal the same in the envelope provided for that purpose. He shall then execute before said official or officer the affidavit on said envelope and shall enclose and seal the envelope containing the ballot in the return mailing envelope, endorse thereon his name and voting place, and shall then mail the envelope or cause it to be delivered to the secretary of state.
7. **Procedure by Secretary of State.** Upon receipt of the envelope containing the war ballot the secretary of state shall send it to the clerk of the city or town of the voting place indicated on the envelope.

8. **Registration of Voters.** Upon receipt of the envelope containing a war ballot the clerk of the city or town shall open and retain the mailing envelope and deliver the voting envelope to the registrars of voters or supervisors of the check-list of the voting place indicated thereon who shall examine the same. The affidavit appearing on the outside of the envelope, if properly executed, shall be *prima facie* evidence of the voter's qualifications to become a voter. The registrars or supervisors of the check-list if satisfied of his qualifications shall place his name upon the check-list unless he is already registered. The registrars of voters or supervisors of the check-list shall then return the envelopes unopened to the city or town clerk who shall see that they check in number with the mailing envelopes. Said clerk shall attach the two corresponding envelopes and shall deliver them to the moderator before the hour for the closing of the polls upon election day to be counted. No war ballot shall be rejected by a moderator for the lack of an attached application.

9. **Conformity with Federal Legislation.** The secretary of state and all other appropriate officials or boards are hereby authorized to perform all acts which he or they may be authorized to perform by any federal statute affecting voting by those to whom the statute is applicable and to accept any federal funds which may be made available to defray any expense in connection therewith, in so far as the same may not be repugnant to the constitution of this state.

10. **Federal Ballots.** If a war absentee has properly complied with the provisions of any federal statute affecting voting by war absentees and has cast his ballot under such statute, said ballot shall be accepted by the secretary of state and counted by the moderator provided the voter is registered or eligible to be registered in this state but has been unable, due to the emergency conditions of the war, to cast a state war ballot. The fact that a state war ballot is not received by the secretary of state in time to be counted shall be
evidence that he is unable to cast such ballot. No federal ballot shall be counted, however, if the state war ballot has been received.

11. Laws Suspended. Such provisions of chapter 34 of the Revised Laws as are inconsistent with the provisions hereof shall be suspended during the effective dates hereof.

12. Takes Effect. This act shall take effect upon its passage and continue in effect until July 1, 1945.

[Approved March 29, 1944.]

CHAPTER 3.

AN ACT TO FACILITATE ABSENTEE VOTING BY CHANGING THE DATE OF THE PRIMARY.

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

1. 1944 Primary Election. A primary conducted by the regular election officers shall be held at the regular polling places in each town and ward in the state on Tuesday, July 11, 1944, for the nomination of all candidates to be voted for at the November, 1944, biennial election, except presidential electors. Said primary shall be governed by the provisions of chapter 33 of the Revised Laws except as hereinafter otherwise provided.

2. Notice of the Primary. On or before May 22, 1944, the secretary of state shall prepare and transmit to each town and ward clerk in the state a notice in writing, designating the offices for which candidates are to be chosen and delegates to the state convention to be elected.

3. Primary Declarations. The name of a candidate shall not be printed upon the official ballot for said primary unless not earlier than May 22, 1944, a declaration of candidacy shall have been filed by such candidate and the filing fee shall have
been paid or the required number of primary petitions shall have been filed.

4. **Primary Petitions.** The name of any person shall be printed upon the primary ballot of any party, without the filing of a declaration or the payment of a fee, 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 in place of such declaration, together with the written assent of such person to the printing of his name on said ballot as requested in said petitions:

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 11th day of July, 1944, 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 ..............................

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
5. Supplementary Petitions. Supplementary primary petitions may be filed, but not later than six o'clock in the afternoon of June 5, 1944, for those to be filed with the secretary of state, and for all others not later than six o'clock in the afternoon of June 2, 1944.

6. Filing Declarations. Declarations of and assents to candidacy and primary petitions to be filed with the secretary of state shall be filed not later than six o'clock in the afternoon of June 5, 1944, and all others not later than six o'clock in the afternoon of June 1, 1944, except as provided for supplementary petitions in the preceding section.

7. Sessions of the Supervisors. The supervisors shall be in session for the alteration of the registration of party members and for making additions to such registration before said primary. The sessions shall be on two days, at least, and shall not be later than May 20, 1944, nor earlier than May 10, 1944.

8. Party Registration. Whenever names are added to the check-list the supervisors shall register the party membership of the voter if he desires such membership registered; but if such voter has already been registered in any town or ward in this state as a member of any party he shall not be registered as a member of a different party later than May 20, 1944. The party membership of each voter may be registered by writing in ink, after the name of such voter, the first three letters of the name of the party with which he registered.

9. Change of Registration. Any person whose party membership has been registered may change such registration by appearing in person before the supervisors of the check-list for his town or ward not later than May 20, 1944, and stating to them, under oath or affirmation, if required, that he intends to affiliate with and generally supports the candidates of the party with which he offers to register. He may also change such registration at the 1944 primary, upon making oath or affirmation to the same effect, if challenged, but he shall not be permitted in such case to vote the ballot of any party at such primary.

10. Filling Vacancies. Vacancies upon any party ticket occurring after the 1944 primary shall be filed by the party
committee of the state, county, town or ward, as the case may require, and such committee shall file notice of the appointment made with the secretary of state before six o'clock in the afternoon of July 28, 1944. The names of persons so appointed shall be placed upon the official November election ballot. "Vacancies" for the purpose of this section shall mean only those cases where no candidate has filed and where the person whose name has been written in withdraws or refuses to accept the nomination.

11. State Conventions, Date, Call and Purposes. Not earlier than July 18, 1944, nor later than August 1, 1944, upon the call of the chairman of the state committee of the party, the nominees of each party for the offices of governor, councilors, state senators, representatives and state delegates elected shall meet in state convention for the purpose of adopting the platform of their party, nominating presidential electors and effecting an organization for the following two years. The names and residences of the presidential electors nominated by such convention shall be forthwith certified to the secretary of state by the chairman and clerk of the convention.

12. Nomination Papers. Nomination papers for the November election, 1944, shall be filed with the secretary of state on or before six o'clock in the afternoon of July 28, 1944, for all candidates for any office.

13. Appointment of Ballot-Law Commission. On or before May 1, 1944, the governor, with the advice of the council, shall appoint two persons from the two different political parties casting the largest number of votes at the preceding biennial election, who, with the attorney general, shall constitute a board of ballot-law commissioners.

14. Campaign Receipts and Expenditures; Penalties. Any person who violates the provisions of sections 20 to 27, inclusive, of chapter 42 of the Revised Laws, shall be fined not more than five hundred nor less than one hundred dollars and imprisoned not less than thirty nor more than ninety days. Any person who alleges that any of the provisions of said sections relating to the primary has been violated may, not
later than July 28, 1944, bring a proceeding in equity in the supreme court against the person alleged to have violated said provisions. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has violated any of such provisions, a decree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law. No candidate shall be entitled to the nomination or election until the sworn itemized statements required to be filed by him or in his behalf have been filed and published as provided in said sections.

15. Laws Suspended. Such provisions of chapter 33 of the Revised Laws and any other provisions of law relative to nomination of candidates inconsistent with the provisions hereof are hereby suspended during the effective dates hereof.

16. Recounts. The secretary of state shall fix a time for any recount after the 1944 primary not earlier than five days after the receipt of an application therefor and shall notify the opposing candidates thereof, and, as soon after the expiration of said five days as circumstances will permit, such recount shall be held and conducted as recounts of votes cast at elections are.

17. Posting of Check-lists. Notwithstanding the provisions of any existing law or special city charter or requirement for annual register of voters, the registrars of voters or supervisors of the check-list shall for the 1944 primary, in accordance with the provisions of section 5 of chapter 32 of the Revised Laws as amended by section 1, chapter 81, Laws of 1943, post the check-list used at the last election as corrected by them to the time of said posting. Further corrections to said lists shall be made in accordance with the provisions of sections 6, 6-a and 6-b of chapter 32 of the Revised Laws, as amended by chapter 81, Laws of 1943.

18. Takes Effect. This act shall take effect upon its passage and shall continue in effect until July 1, 1945.

[Approved March 29, 1944.]
CHAPTER 4.

AN ACT RELATING TO EXEMPTION FROM TAXATION OF VETERANS.

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

1. Veterans. Amend section 29 of chapter 73 of the Revised Laws, as amended by chapter 174 of the Laws of 1943, by striking out said section and inserting in place thereof the following: 29. Service Exemption. Any veteran who is a resident of this state and who served for thirty days or more in any war in which the United States has been engaged, or in World War II, and received an honorable discharge from the service of the United States in such war, and the wife or widow of any such veteran, in consideration or recognition of such service, shall be exempt each year from taxation upon his taxable property to the value of one thousand dollars; provided that before April fifteenth of each year he shall file with the selectmen or assessors his application therefor, under oath, on blanks prescribed by the state tax commission, showing that he and his wife do not own property, exclusive of any bona fide encumbrances thereon, to the value of five thousand dollars. In case such veteran shall satisfy the selectmen or assessors that he was prevented from filing said statement through accident, mistake or misfortune, said selectmen or assessors may receive such statement at a later date and grant an exemption thereunder. If such veteran is totally and permanently disabled from such service connection he and his wife or widow shall be exempt each year from taxation upon his taxable property to the value of three thousand dollars, provided he and his wife do not own property to the value of five thousand dollars, as hereinbefore provided. In case such veteran shall own taxable property in more than one town he shall take his exemption first in the town where he resides. If he does not own the exemption limit in value of taxable property in the town where he resides, he shall be entitled to take the balance of such exemption in any other town in the state where he owns taxable property.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 29, 1944.]
CHAPTER 5.

AN ACT EXEMPTING WIDOWS OF VETERANS OF WORLD WAR II FROM THE PAYMENT OF POLL TAXES.

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

1. Poll Taxes. Amend section 1 of chapter 73 of the Revised Laws by striking out said section and inserting in place thereof the following: 1. Persons Liable. A poll tax of two dollars shall be assessed on every 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, the widow of any veteran who served in any branch of the armed forces of the United States in any war in which the United States has been engaged, or World War II, and others exempt by special provisions of law.

2. Takes Effect. This act shall take effect as of April 1, 1944.

[Approved March 29, 1944.]

CHAPTER 6.

AN ACT MAKING APPROPRIATIONS FOR THE SPECIAL SESSION OF THE LEGISLATURE OF 1944.

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

1. Special Session. The sum of $18,157.85 is hereby appropriated for the purpose of defraying the expenses of the legislature in special session of 1944 as follows: For per diem, mileage and incidentals, $16,340.60; Ralph F. Seavey and Raymond B. Lakeman, sergeants-at-arms of the house and senate, respectively, $44.55 each; Richard F. Beyer, chaplain, $35.20; Thomas W. Fecteau, messenger, $39.60; J. Russell Bickford, messenger, $44; Chester Jewell, telephone messenger, $39.60; Herbert M. Thyng, library messenger, $35.20; Arthur L. Carpenter, telephone messenger, $35.20; Harold Fournier, custodian of mail and supplies, $44; Alice V. Flanders, house stenographer, $105.60; Bessie A. Callaghan,
senate stenographer, $79.20; Grace J. White, senate stenographer, $59.40; Marion C. Colby, house stenographer, $77; Melissa A. Bailey, house stenographer, $55; Irene L. Colby, appropriations stenographer, $44; Palmer Read, judiciary messenger, $35.20; Oney Russell, warden of the coat room, and Albion Parkhurst, assistant warden of the coat room, $35.20, each; Frank D. Gay, doorkeeper, $39.60; Lenne Twombly, Harry S. Yeaton, Sherman L. Greer and Joseph Comi, doorkeepers, $35.20, each; John F. Keegan, speaker's page, $26.40; Joseph P. Dorion, Julian L. Richards, pages, $22, each; Wells Tenney, Jr., Henry Lynch and Lee Loveland, pages, $24.75, each; Benjamin F. Greer, senate clerk, $200; Cyril J. Fretwell, house clerk, $50; Frank M. Ayer, assistant clerk of the senate, and Robert L. Stark, assistant clerk of the house, respectively, $150, each; Sullivan News Agency, $26; C. T. Bruno, $28.50.

The above mentioned sums shall be a charge upon the legislative appropriation.

2. **Takes Effect.** This act shall take effect upon its passage.

[Approved March 29, 1944.]
PRIVATE ACTS

CHAPTER 7.

AN ACT LEGALIZING A SCHOOL DISTRICT MEETING IN THE TOWN OF PETERBOROUGH.

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

1. Proceedings Legalized. The votes and proceedings at the annual school district meeting of the town of Peterborough, held on the fourteenth day of March, 1944, are hereby legalized, ratified and confirmed.

2. Takes Effect. This act shall take effect upon its passage.

[Approved March 29, 1944.]
CHAPTER 8.

AN ACT AUTHORIZING THE HAMPSTEAD SCHOOL DISTRICT IN THE TOWN OF HAMPSTEAD TO ISSUE NOTES OR BONDS FOR SCHOOL PURPOSES, AND TO EXCEED ITS DEBT LIMIT.

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

1. Authorization. The Hampstead School District in the town of Hampstead is hereby authorized to issue serial notes or bonds to an amount not exceeding twenty thousand dollars ($20,000), in addition to the amount which it may issue within its debt limitation, for the purpose of constructing and equipping a new school house. Said notes or bonds shall be signed by the school board, or a majority thereof, and countersigned by the treasurer.

2. Terms. Said issue of serial notes or bonds shall be due and payable at such times, not more than twenty years from the date of issue, in such amounts, and in such manner, as the school board of said district may determine and at a rate of interest to be fixed by said board.

3. Debt Limit Exceeding. The debt authorized by this act shall be exempt from the limitation imposed upon the borrowing capacity of said district by section 7 of chapter 73 of the Revised Laws.

4. Application of Laws. Except as otherwise provided herein the provisions of chapter 72 of the Revised Laws shall apply to the notes or bonds herein authorized.

5. Takes Effect. This act shall take effect upon its passage.

[Approved March 29, 1944.]
THE STATE OF NEW HAMPSHIRE

Office of Secretary of State.
Concord, September 15, 1945.

I hereby certify that the acts and resolutions and changes of names contained in this volume have been compared with the originals in this office and found to be correctly printed.

ENOCH D. FULLER,
Secretary of State.
INDEX
Prepared by
MARION G. ALEXANDER
## INDEX

TO

NEW HAMPSHIRE LAWS

SPECIAL SESSION, 1944

JANUARY SESSION, 1945

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absentee voting, applications</td>
<td>94-96, 128</td>
</tr>
<tr>
<td>ballots, prohibited marking</td>
<td>12</td>
</tr>
<tr>
<td>check-list</td>
<td>97</td>
</tr>
<tr>
<td>clerk, duties</td>
<td>129</td>
</tr>
<tr>
<td>definitions</td>
<td>127, 128</td>
</tr>
<tr>
<td>effective date of act</td>
<td>130</td>
</tr>
<tr>
<td>federal legislation, conformity with</td>
<td>129, 130</td>
</tr>
<tr>
<td>forms</td>
<td>94-96</td>
</tr>
<tr>
<td>penalty</td>
<td>128</td>
</tr>
<tr>
<td>registration of veterans</td>
<td>129</td>
</tr>
<tr>
<td>secretary of state, duties</td>
<td>129</td>
</tr>
<tr>
<td>substituted jurat</td>
<td>127</td>
</tr>
<tr>
<td>supervisors of check-list</td>
<td>97, 128, 129</td>
</tr>
<tr>
<td>suspension of laws</td>
<td>97, 130</td>
</tr>
<tr>
<td>use of federal ballot</td>
<td>130</td>
</tr>
<tr>
<td>voting procedure</td>
<td>128, 129</td>
</tr>
<tr>
<td>war ballots</td>
<td>128</td>
</tr>
<tr>
<td>1944 elections</td>
<td>523-530</td>
</tr>
<tr>
<td>Accidents, motor vehicle, report of date</td>
<td>22</td>
</tr>
<tr>
<td>Accountancy, board, appropriation</td>
<td>410, 412</td>
</tr>
<tr>
<td>Accounts receivable, assignment, account debtor, rights</td>
<td>19</td>
</tr>
<tr>
<td>accountability to assignee</td>
<td>19, 20</td>
</tr>
<tr>
<td>adjustments</td>
<td>20</td>
</tr>
<tr>
<td>claims against United States</td>
<td>20</td>
</tr>
<tr>
<td>definitions</td>
<td>18</td>
</tr>
<tr>
<td>validity</td>
<td>18, 19</td>
</tr>
<tr>
<td>Acknowledgment of instruments, forms authorized, validity of certain</td>
<td>16</td>
</tr>
<tr>
<td>Acqueduct and gas companies, damage for negligence</td>
<td>349</td>
</tr>
<tr>
<td>excavation in highway</td>
<td>349, 350</td>
</tr>
<tr>
<td>petition</td>
<td>349</td>
</tr>
<tr>
<td>procedure</td>
<td>349, 350</td>
</tr>
<tr>
<td>malicious injury</td>
<td>350</td>
</tr>
</tbody>
</table>
Action, limitation, see Limitation of action.

Adjutant general, repairs to state armories, appropriation ............ 379
general’s department, appropriation .......................... 384, 415, 416

Advertising, false, in connection with certification seed potatoes... 233
political, see Political advertising.
town, appropriations for ........................................... 110

Aerial survey, state, appropriation .................................. 86
authority to make ...................................................... 85
bond issue ............................................................... 86
cooperation with other agencies .................................... 86
custody of negatives .................................................. 85
disposal of prints ...................................................... 85
fund established ......................................................... 85

tramway, appropriation .................................................. 413, 444

Aeronautics, see Aircraft.
commission, appropriation ............................................. 406, 437, 438

Agricultural experiment station, director, member soil conservation
committee ............................................................... 197
extension service, director, member soil conservation
committee ............................................................... 197
fairs, distribution of racing funds .................................... 118
products, sale by weight, requirements ................................ 68
vehicles, use in transporting animals and products to
fairs ................................................................. 42, 43

Agriculture, animals diseased, see Animals, diseased, transportation
restrictions.
Bang’s disease, see Bovine animals.
commissioner, certification of seed potatoes ......................... 203
chairman soil conservation committee ............................... 197
cooperatives, assistance in organization ............................ 64
enforce forfeiture proceedings ....................................... 64
reports required ......................................................... 64

inspection of farm products for grade. ............................... 53, 54
dairies, inspection, see Dairies.
department of, appropriation ......................................... 384, 385, 410, 417
eggs, see Eggs, sale of.
farm products, see Farm products.
tractors, see Farm tractors.
livestock, diseases, importation regulations in general ............ 49, 50
transportation .......................................................... 98, 110, 111

(see also Animals).

Aircraft, foreign, exempt from registration .......................... 204
operator, registration exemption ..................................... 203
non-resident, registration exemption .................................. 204
reciprocal provisions for registration ................................. 204

Alcoholic beverages, fees for permits .................................. 152
grill room license for hotels ......................................... 208
study of, by interim commission ...................................... 463
transportation regulations ............................................. 151, 152
vehicle permit shall cover rolling stock ............................. 152
Animal industry, division of, appropriation ........................................ 385, 417
Animals, bovine, see Bovine animals.
diseased, transportation restrictions, certificate from state commissioner ...... 110, 111
mark for identification ................................................................. 111
required wording on waybills ..................................................... 111
tuberculous cattle ................................................................. 110, 111
vehicles cleaned after each shipment ........................................ 111
domestic, see Domestic animals.
transportation to agricultural fairs ................................................ 42, 43
Appeals, highway layouts, see Highway law.
Apportionment of public taxes ...................................................... 1-8
Appropriation, Bang’s disease eradication .......................................... 138
aerial survey of state ................................................................. 86
aid to dependent children .......................................................... 374
Babosic Lake channel, dredging ..................................................... 455
biennium for state departments ................................................... 382-445
Boisvert, in favor of ................................................................. 455
capital improvements, state ....................................................... 379-382
county government, study ......................................................... 458
Courtemanche, in favor of .......................................................... 453
deputy registers of probate ......................................................... 359
educational study ...................................................................... 460
Ellsworth highways ................................................................. 455, 456
emergency, for state institutions and departments ................................ 113, 114
employees’ retirement system ...................................................... 258
Exeter, reimbursement for overpayment taxes .................................... 446
Hampton Beach bath house .......................................................... 454
juvenile problems, study ............................................................ 462
memorial bridge over Merrimack River ......................................... 267
Mt. Sunapee project ................................................................. 201
omnibus bill ................................................................................. 463-465
Pierce memorial ......................................................................... 206
scholarships for orphans of World War II veterans .............................. 356, 357
senatorial districts, study ............................................................. 460
Special legislative session, 1944 ..................................................... 536, 537
state, biennium ............................................................................ 382-445
capital improvements ................................................................. 379-382
finances, interim commission ....................................................... 93
guard, pay and allowances .......................................................... 377, 378
Stewartstown highways .............................................................. 456
Summer Brook rearing station ....................................................... 71
Tenofsky, in favor of ................................................................. 461
town, see Town appropriation.
vocational and trade schools ......................................................... 371, 372
workmen’s compensation law study ............................................ 457
Arbitration agreements, validity of ................................................ 353
Arts and Crafts, League of, N. H., appropriation ......................... 386, 418
Assignments of accounts receivable, regulation of ........................................ 18-20
Atlantic State Marine Fisheries, appropriation ................................................. 387, 418
Attaches of legislature, compensation ............................................................. 84
Attorney general, assistant, powers and duties .................................................. 158-164
dissolution of fraternal benefit society, to request ............................................. 189
member of judicial council .................................................................................... 216
report from county commissioners on jail inspections .......................................... 131
general's department, appropriation .................................................................... 386, 417

Baboosic Lake, dredging channel ........................................................................ 455
Ballot law commission, appointment, 1946 ......................................................... 82
primary, see Election, primary.
Ballots, war, see Absentee voting.
Bangs disease, see Bovine animals.
Bank commission, appropriation ........................................................................ 406, 438
commissioner, disposal of valueless papers ........................................................ 36
Banks, see Savings banks.
Trust companies.
Barbed wire fence, adjoining highway ............................................................... 323
Barbers' board, appropriation .............................................................................. 400, 431
Barnstead, Upper and Lower Suncook Lakes named ......................................... 10
Bass, striped, restricted taking ............................................................................ 56
Beaudoin, Aurelle, in favor of .............................................................................. 437
Beaver, open season by declaration, bag limit ..................................................... 40, 41
Beer, see Alcoholic beverages.
Berlin, absentee voting ....................................................................................... 505
caucus legalized ................................................................................................. 428
city employees, insurance benefits ...................................................................... 509, 510
Bicycle riders, damages, liability for ................................................................... 3.9
permits .................................................................................................................. 330
prohibitions .......................................................................................................... 329
town by-laws ......................................................................................................... 330
Blind person, assistance in voting services, appropriation ................................. 214
Boat, taking without consent, penalty .................................................................. 71, 72
Boisvert, Honore M., in favor of ......................................................................... 455
Bonds, state, aerial survey capital improvements ............................................... 381, 382
emergency appropriations .................................................................................... 113, 114
employees' retirement system ............................................................................. 257
indemnities for condemned animals .................................................................... 137, 133
Mt. Sunapee project ............................................................................................... 201
protection of, loans for ......................................................................................... 114, 115
University building program ................................................................................ 374
veterans' bonus ..................................................................................................... 205, 206
town officers ......................................................................................................... 11
Bonus, war service, death of veteran .................................................................... 66, 67
in service, amount of benefit .............................................................................. 65, 67
definition of terms .............................................................................................. 66, 67
inactive military status .......................................................................................... 66
Bonus, war service, local representatives, payments to .......... 66, 67
loco parentis, persons standing in, right to bonus .......... 66
payment, amount of ........................................ 66
poll tax payment eliminated .................................. 205
preference to parent who exercised parental control .......... 67
proof of relationship .......................................... 67
qualifications .................................................. 65, 66
stepfather or stepmother, right to bonus .......... 66, 67
survivors, payments to ....................................... 66, 67
Bounties, appropriation ...................................... 392, 424
Bounty, porcupines .......................................... 369, 370
Bovine animals, condemned, amount of indemnity .......... 137
examination of carcasses of animals condemned .......... 136
vaccination of calves against Brucellosis ............... 135, 136
Brands or labels for standard farm products .............. 53, 54
Bread enrichment, see Flour and bread enrichment.
Bridge, World War II Memorial, see Roosevelt Memorial Bridge.
Bridges, construction, application for aid ............. 303
capacity ....................................................... 303
cost; how borne .............................................. 304, 305
definition ..................................................... 302
determination of necessity ................................... 303, 304
interstate ...................................................... 306
maintenance .................................................... 270, 307
state aid, application ........................................ 303
town aid ......................................................... 305, 306
suspended during war .......................................... 308
unincorporated places .......................................... 307
damaging, penalty ............................................. 326
regulation, by-laws, town .................................... 332
closing .......................................................... 333
interference with lighting, penalty ..................... 333
lighting .......................................................... 332
load, limit ....................................................... 333
posting by-laws ............................................... 332
town by-laws .................................................. 332
winter travel .................................................... 332
Brucellosis, (Bang’s Disease) see Bovine animals.
Budget, municipal, see Municipal budget.
Building and loan associations, loans, buildings in the town of
Hampton ......................................................... 153
collateral ......................................................... 153
real estate mortgages ........................................ 153
reserve fund ..................................................... 153
single payment shares .......................................... 154
surplus, division of ........................................... 153
codes, city, adoption by reference, amendment to ordinance
constitutionality ................................................. 109, 110
electric wiring ................................................... 108, 109
fire protection ................................................... 108, 109
Building codes, city, adoption by reference, grant of power .......... 108, 109
notice of hearing .......... 109
penalty clauses not to be adopted .......... 109
public examination of codes .......... 109
public hearing .......... 109
plumbing .......... 108, 109
on land of another owner, recording mortgage .......... 44, 45
Buildings and grounds, department appropriation .......... 391, 392, 423
erected over highways prohibited .......... 323
Bureau of Markets, appropriation .......... 385, 416
Burial expenses of war veterans .......... 83, 84
Bus, school, see School bus.
Busses, school, see School busses,

Canaan school district, bond issue .......... 521
Cancer commission, appropriation .......... 406, 433
Capital improvements, state .......... 379-382
reserves for towns, districts and counties, amount of reserve extension of time for appropriations .......... 33 32
Carroll county, commissioners, compensation .......... 55
treasurer, compensation .......... 56
Chase, J. Henry, estate of, in favor of .......... 453, 454
Check-list, supervisors, see Supervisors of the check-list.
Check-lists, name of absentee voters .......... 97, 526
no name of absentee to be added after last session for correction .......... 97
Cheshire county, appropriation for Elliot Hospital .......... 509
Chester school district, bond issue for schoolhouse .......... 430
Children, crippled, appropriation for aid .......... 402, 403, 434
dependent, additional appropriation .......... 374
aid to, age limit .......... 236, 237
appropriation, biennium .......... 405, 437
neglected and delinquent, age limit .......... 27

see Minors.

Chiropractic examiners, board of, appropriation .......... 400, 431
City building code, see Building codes.
clerk, recording conditional sales .......... 99-102, 108
elections, time polls open, biennial election .......... 78
municipal election .......... 78
presidential primary .......... 78, 79
primary .......... 78
emergency notes with state guarantee, time limitation repealed .......... 114
fire chief, appointment for indefinite term .......... 112, 113
forest fires, extinguishing, recovery of expenses .......... 33, 34
mayor, voting powers .......... 234, 235
City ordinance, for establishment of building codes by reference, 
see Building codes.
see also Municipal.
Municipality.
Claims, small, see Small claims.
Clams and clam worms, town regulations for taking .......... 132, 133
Claremont Savings Bank, deposits, limitation removed .......... 494, 495
Classification of highways, see Highway law.
state employees ........................................ 375, 376
Cleaning, service lien ...................................... 91
Codes, building, see Building codes.
Commissions, interim, see Interim commissions.
Comptroller, disposition of valueless papers authorized .......... 17
Comptroller's department, appropriation .................. 386, 417, 418
Concord and Portsmouth Railroad, charter dissolved ........ 491
assessors, salaries ....................................... 517
Hospital, tax exemption ................................... 502
Conditional sales law, uniform, application of ............ 107
buyer, primary rights .................................. 100
cancellation of contract ......................... 102, 103
certified copy may be recorded ..................... 108
concealment ............................................. 103, 104
copies, recording ..................................... 108
definitions .............................................. 99, 100
duty of recording officer ....................... 102
election of remedies ......................... 106, 107
fixtures ................................................ 101
fraudulent injury .................................. 103, 104
goods for resale .................................. 102
inconsistent laws repealed ..................... 108
increase ................................................. 107
loss ..................................................... 107
notice of intention to retake ......................... 104
prohibition of removal without notice .......... 103
railroad equipment ................................ 101, 102
recording period .................................. 102
place of .................................................. 101
recovery of part payments .......................... 107
redemption ............................................. 104, 105
removal, prohibition ................................ 103
re-recording .......................................... 103
resale by seller ................................. 105, 106
deficiency on ..................................... 106
option of parties ................................ 106
proceeds of ......................................... 106
retaking possession .................................. 104
rights of parties when no resale................. 106
rules for cases not provided for .............. 108
sale without notice .................................. 109
seller, primary rights ............................. 100
Conditional sales law, uniform, short title .................................. 108
  uniformity of interpretation .................................. 108
  void sales .................................................. 100
  waiver of statutory protection .................................. 107
Conservator, appointment for missing military personnel ................. 14-16
Constables, see Police officers.
Constitution, Part II, art. 50, general court .................................. 135
Constitutional convention, sense of voters for calling .................... 445
Conway village fire district, meeting legalized ............................. 508
Cooperative marketing associations, amendments to certificate ......... 196, 197
  by-laws, filing with commissioner .................................. 64
  forfeiture of charter for neglect to file report .................. 64
  investigation of management by commissioner ...................... 64
  reports .................................................. 63, 64
  statement of accounting required .................................. 63, 64
Cooperatives, see Cooperative marketing associations.
Coos county, fiscal agent, appointment .................................... 29
  bond .................................................. 29
  county commissioners, use of .................................... 30
  powers and duties .......................................... 29, 30
  qualifications ............................................. 29
  referendum vote ........................................... 30, 31
  reports .................................................. 30, 31
  salary .................................................. 29
  land records, validating ........................................ 517, 518
Corn meal, standard weights of containers .................................. 52
Corporation, trust mortgages, recordation .................................. 67
Corporations, building and loan associations, see Building and loan
  associations.
  charters dissolved .......................................... 491, 492
  repealed .................................................. 511-516
  cooperative marketing associations, see Cooperative.
    dissolution, continuance for settlement of pending actions .... 157, 158
  medical service, see Medical service corporations.
  railroad, see Railroad corporations.
Council of state governments, appropriation ................................ 382, 414
Counties, capital reserves, see Capital reserves.
  employee retirement ......................................... 360-365
County commissioners, annual salaries ..................................... 55, 56, 211
  highway layouts, see Highway law, layout, superior court.
    repairs .................................................. 313-317
  Hillsborough, compensation of clerks ................................ 119
  inspection of jails, report .................................... 131
  Rockingham, election ........................................ 238
  salary .................................................. 378
  contribution to costs of laying out highways ....................... 284
  conventions, executive committee .................................. 228
County conventions, membership .................................. 227, 228
special meetings ..................................................... 228
deeds, registry of, see Deeds, register of.
emergency notes with state guarantee, time limitation
repealed ............................................................. 114
government, study by interim committee ......................... 438
jails, see Jails, county.
probate offices, see Probate.
recreational activities, employment of officials .............. 120
fees for service .................................................... 120
land taken by eminent domain .................................. 120
maintenance ......................................................... 120

sheriffs, see Sheriffs.
solicitors, reports to judicial council .......................... 217
treasurers, annual salaries ....................................... 56
workmen's compensation on county highway projects ....... 309

Court justices, disability retirement ............................ 230, 231
municipal, see Municipal court.
probate, see Probate court.
small claims, see Small claims.
superior, see Superior court.
supreme, see Supreme court.

Courtemanche, Euzebe E., in favor of ........................ 453

Courts, receiving evidence of death or presumed death of missing
persons ............................................................... 47, 48

Crime, expedition of trials ....................................... 34, 35
Criminal cases, arraignment upon complaint ................. 34, 35
waiving of indictment ........................................... 34, 35

Cucumbers, sale by weight ........................................ 68

Dairies, inspection by commissioner of agriculture .......... 115
penalty for violation of orders .................................. 115

Dairyman's Association, Granite State, appropriation .... 385, 416
Deaf, education of the, appropriation ........................ 401, 432
Death, official findings of, receiving in any court .......... 47, 48

Deeds, register of, Coos county ................................ 517, 518
discharge of corporate trust mortgages ....................... 67
filing of corporate trust mortgages ........................... 67
recording conditional sales ..................................... 102

Deer, method of taking .......................................... 28, 29, 57, 58
wild, rifles, use of ............................................... 28, 29, 57, 58
time for taking .................................................... 215

Densmore, Clifton E., in favor of ............................. 456
Disabled American Veterans, authority for sale of artificial flowers
and flags ............................................................ 24
membership on board of managers to
Soldiers' Home .................................................... 265
taxation exemption ............................................... 154-156
town appropriation for meeting place ......................... 46

Dogs, war, exemption from annual license fee ............... 97, 98
Domestic animals, importation from other states .......... 49, 50

see also Animals.
Dover, Somersworth, Rochester Authority, airport to establish ... 519
  audits ........................................ 522
  financial aid ................................... 522
  incorporation .................................. 518
  membership ................................... 518, 519
  powers ....................................... 519, 520
  tax exemption .................................. 520
Driveways onto highway, location ................................ 323
  permit from highway commissioner ......................... 323
Dubois, Clarence A. and others, in favor of .................. 463; 464
Dumbarton Oaks Conference, vote of people ..................... 446
Dyeing, service lien .................................. 91

Education, board of, appropriation ............................ 400, 401, 431-433
  see also Vocational and state trade schools.
  commissioner of, salary .................................. 355
  see also School teachers.
Educational system, state, study by interim commission ....... 459, 460
Eggs, sale of, fresh eggs defined .............................. 354
  grades .......................................... 354
  size to be marked .................................. 354
Eisenhower, Gen. Dwight, resolution in appreciation of ........ 459
Election, absentee voting, see Absentee voting.
  check-lists, see Check-lists.
  city, see City elections.
  general, procedure after death of candidate .................. 23
  inspectors, number authorized ............................ 88
  1944 primary .................................... 530, 533
  1946 primary, see Primary, 1946.
    referendum for Coos county ............................ 30, 31
  officers, assistance to voters ............................ 213, 214
  political advertising, see Political advertising.
  primary, form of official ballots .......................... 11, 12
    procedure after death of candidate ....................... 23
  prohibited marking on ballots ............................ 12, 214
  qualifications for voting ............................... 212, 213
  recounts, see Recounts.
  Rockingham county commissioners ............................ 238
  town officers, non-partisan ballot, filing fee ............... 227
  transfer cards for change of residence ..................... 212, 213
  voting, assistance .................................. 214
  residential qualifications ............................. 212, 213
Electric power poles and structures in highways .............. 341-349
  wiring, city ordinances, see Building codes.
Elliot Community Hospital, Keene, county appropriation ....... 509
Ellsworth highways, repair of ............................... 455, 456
Emblem of state, see State emblem.
Emergency appropriation for state departments and institutions... 113, 114
  borrowing by towns or cities ........................... 114
Eminent domain, land for recreational activities ................ 120
Engineering, practice of, appeals ........................................... 226
  board, appointment ...................................................... 218, 219
    compensation .......................................................... 219
  organization .............................................................. 219
  powers and duties ........................................................ 220
  qualifications ............................................................. 219
  removal ................................................................. 219
  term of office ........................................................... 218, 219
  certificates ............................................................... 223, 224
  definitions ............................................................... 218
  disbursements ............................................................ 220
  examinations .............................................................. 223
  interstate registration ................................................ 225
  men in armed forces ................................................... 225
  penalties ................................................................. 226
  practitioners at time act becomes effective 224, 225
  records ................................................................. 220, 221
  registration, fees ...................................................... 222, 223
    general requirements ................................................ 221, 222
    requirements for registration ..................................... 221-226
  revocation of certificates ........................................... 225, 226
  roster ................................................................. 221
  state board ............................................................. 218-223

Enrichment of bread, see Flour and bread enrichment.

Entry fee for small claims .................................................. 58, 59

Executive department, appropriation .................................... 382, 383, 414
  see also Governor and Council

Exeter, home for aged, see Folsom
  reimbursement county tax ............................................. 504
    for overpayment of state tax ...................................... 446
  school bonds validated ................................................ 507

Eye, loss of by injured employee, artificial appliance to replace ... 202

Fairs, agricultural, distribution of funds to, from racing receipts.. 118
    transportation of animals and products to ..................... 42, 43

Farm products, brands, use restricted .................................. 53
    establishment of grades and standards .......................... 54
    inspection by commissioner ....................................... 54
    labels, use restricted .............................................. 53, 54
  tractor, municipal permit fee for registration ................... 72
    not taxed as vehicle ............................................... 73

Federal missing persons act, acceptance of findings .................. 47, 48
    surplus property, acceptance of donations ..................... 117
    purchases for municipalities ..................................... 117
    state purchasing agent, authority ................................ 116
  see also United States.

Federation of the World, declaration .................................... 447-451

Fees, registration of professional engineers .......................... 222, 223
  sheriffs and deputies ................................................ 45
  state recreational facilities, distribution ........................ 263
    establishment ..................................................... 261, 262
Fences, barbed wire, see Barbed wire.

removal for highway purposes .................................. 324

snow, see Snow fences.

Fidelity insurance companies, see Insurance, fidelity.

Finances, state, interim commission to study, appointment .......... 93

appropriation .......... 93

compensation .......... 93

duties .......... 93

vacancies .......... 93

Financial responsibility, motor vehicle, see Motor vehicle, financial

responsibility.

Fines, municipal court, disposition .................................. 54, 55

Fire chief, term of office .................................. 112, 113

insurance companies, see Insurance, fire.

protection, city ordinances, see Building codes.

Firearms, use in taking wild deer .................................. 28, 29

Firemen, disabled, relief fund, applicability of statute .......... 61

established .......... 61

exemptions .......... 62

report of expenditures .......... 61

state appropriation, additional .......... 62

Firemen's Relief Association, appropriation .................................. 386, 418

retirement board, appropriation .................................. 410, 442

system, age limitation .......... 366

beneficiaries named .......... 368, 369

default benefits .......... 366, 367

declaration of policy .......... 365, 366

disability benefits .......... 365, 367

exemptions .......... 369

line of duty .......... 366, 367

military service .......... 368

ordinary disability allowance .......... 367, 368

sickness .......... 368

Fires, forest, extinguishing, recovery of expenses by city or town .................................. 33, 34

supervision, appropriation .................................. 387, 419

kindling without permit, liability for payment of expenses .................................. 33, 34

permission required to kindle upon land of another .................................. 260, 261

Fiscal agent, county of Coos, see Coos.

Fish and game, accidents, shooting, see Fish and game, shooting

accidents.

bass, striped, taking .......... 56

deer, taking, see Deer.

department, appropriation .................................. 410-412, 442-444

director, member soil conservation board .......... 197

fox, see Fox.

game birds, see Game.

lake trout, see Lake trout.

licenses, special, for fishing only .......... 53

net, use in taking striped bass prohibited .......... 56

prohibited devices for taking fish and wild animals .......... 65
Fish and game, rearing station at Summer Brook in Ossipee, appropriation ........................................ 71
salmon, see Salmon.
seine, use in taking striped bass prohibited ........ 56
shooting accidents, revocation of license ............ 53
Flood control, land acquired for, tax loss .......... 36, 37
Flour and bread enrichment, definitions 123, 124
enforcement by state board ......................... 124
exception .................................. 124
inspection of premises ............................ 124
publication of rules ................................ 124
standard weights of containers ......................... 52
Flowers, artificial, sale on streets ..................... 24
Folsom, Charles F. and Mary E., Home, established 508, 509
Forest fire, wardens, special deputies, appointment 156
compensation ................................ 156
duties .................................... 156
Fires, see Fires, forest.
planning, see Reforestation week.
Forester, state, member soil conservation board .......... 197
special deputy forest fire wardens, to appoint .... 156
tree wardens, to appoint ........................ 337, 338
Forestry and recreation, appropriation ................. 387, 388, 418, 419
commission, authority to make rules and regulations ........................................ 261
Mt. Sunapee project, to operate 203, 201
recreation director, appointment ........................ 259
compensation ................................ 259
duties .................................... 259-261
trees within highway limits, see Highway law, trees.
Fox, protection, game laws eliminated ................ 132
Franconia Notch improvements .......................... 379
Franklin Pierce homestead, appropriation ................ 391, 423
memorial, appropriation .............................. 206
authorized .................................. 206
taking wild deer ................................ 57, 58
Fraternal benefit societies, code, amendments ......... 178, 179
annual license ................................ 180, 181
benefits ................................... 169, 170, 173, 184
certificates incontestable ......................... 183, 184
children, benefits on lives of ....................... 173
consolidations ................................ 179, 180
constitution .................................. 184
definitions .................................. 168
dissolution .................................. 189
examinations ................................ 188, 189
exemption of certain societies 169, 190, 191
foreign society ................................ 181, 182, 189, 190
funds ..................................... 174
hospitals, may maintain .............................. 195
insurance commissioner .............................. 188-190
Index

Fraternal benefit societies, code, investments ........................................ 175
license, annual ................................................... 180, 181
limitation of action ....................................... 182, 183
mergers ............................................................ 179, 180
misrepresentations ............................................. 192, 193
office ............................................................... 183
officers not personally liable ............... 183
organization .................................................... 175-178
penalties ......................................................... 172-195
qualification for membership ............. 170
reinsurance ..................................................... 193
reports ........................................................... 184-185
review of commissioner's findings ...... 196
revocation of license ........................................ 190
service of process .......................................... 182
short title ....................................................... 196
standard provisions ......................... 171-173
taxation exemption ........................................ 191
valuations required ................................. 184-188
waiver of contract ......................................... 183

Helping Society, name changed .......................... 488, 489
property holding ............................................... 489

Fur bearing animals defined ............................ 132

G. I. Bill of Rights, rights of minors ..................... 50, 51, 236

Game, beaver, see Beaver.
  birds, grouse .................................................. 239
  migratory ...................................................... 239
  quail .......................................................... 239
  snipe .......................................................... 239
  woodcock ...................................................... 239
  pheasants, see Pheasants.
  prohibited use of certain rifles in taking ............ 166

Gas companies, see Aqueduct and gas.

Gasoline tanks, auxiliary, on motor vehicles prohibited .......... 32

Gates and bars, highways ................................... 277, 283, 290

General court, see Legislature.

Goats, taxation of .............................................. 88, 89

Gordon-Nash Library, New Hampton, property holding ............ 492

Governor and Council, aerial survey of state, to provide .......... 85-87
  appointment of interim commission to study finances .......... 93
  approval of rules of classification board ........ 376
  classification plan board appointment ................. 375
  department appropriation .................................. 382, 383, 414
  education, commissioner, salary to approve ............... 355
  employees' retirement trustees appointment ............ 249
  engineers, state board to appoint ......................... 218, 219
  fiscal agent, appointment .................................. 29
  Hampton sea wall, construction .......................... 210
  highway lay outs, see Highway law.
Governor and council, judicial council, members to appoint .......... 216
loans to protect certain state bonds .......... 114, 115
Pierce memorial, to supervise ................................. 206
recreation director, to appoint .......................... 259
fees, to approve ........................................... 260, 261
recreational project, Mt. Sunapee, to approve .... 200
soil conservation rules, to approve .......... 198
soldiers' memorial parks, to administer .... 230
superior court justices, appointment .......... 231
supreme court justices, appointment .......... 232
proclamation for reforestation week ............. 112
Grade crossings, Dalton, extension of appropriation .......... 447
Grafton county probate office, clerk hire ............. 26
Grill room license for hotels ......................... 208
Grouse, open season for taking ................. 239
Guardians, legal investment, "prudent man" investment .......... 27, 28
Hairdressers board, appropriation .................. 412, 444
Hampstead school district, bond issue for school house .......... 539
Hampton Beach bath house, appropriation ........... 379
repairs ...................................................... 434
buildings on land of another owner, loans by building .......... 153
and loan associations .....................................
leased land, deemed real estate for purpose of investment .......... 212
Harbor toll bridge, tolls .................................. 210
sea wall, construction .................................. 210
highway fund charge ...................................... 210
Harrisville school district, bond issue for schoolhouse .......... 494
Hawkers and peddlers, sale of artificial flowers .......... 24
Health department, register of vital statistics .......... 131
state health officer ..................................... 130, 131
service, industrial, authority to conduct ........... 207
investigation ............................................... 207
penalty for violation of rules ........................ 208
rules, adoption by state board ................. 207
Health, state department of, appropriation ............ 402-404, 433-435
see also Flour and bread enrichment.
Highway commissioner, member soil conservation board .......... 197
(see also Highway law, state department)
Mt. Sunapee recreation project, to construct .......... 200
funds, Hampton sea wall .................................. 210
memorial bridge charged against .......... 267
Law ......................................................... 267-351
aqueduct and gas companies ......................... 349, 350
(see also Aqueduct.)
barbed wire fence, adjoining .......... 323
bicycle riders ............................................. 329, 330
(see also Bicycle.)
bridge aid .................................................. 302-308
regulations ................................................. 332, 333
(see also Bridges, construction.)
Highway Law, classification ............................ 268, 269  
  highway defined ........................................ 268  
  primary system ......................................... 268  
  secondary system ...................................... 268  
  closing class IV or V ................................. 333  
  construction class I, trunk line ..................... 269  
  class II, state aid .................................... 269  
  class III, recreational ................................ 270  
  class IV, compact section ............................ 270  
  class V, town roads .................................... 270  
  national system ....................................... 269  
  conveyance to state from town or city ............... 332  
  discontinuance, classes I, II, assessment of damages 289  
    certification to landowner ........................... 289  
    determination by selectmen ........................ 288  
    notice ................................................. 289  
    payment of judgment ............................... 289  
    recording certificate .............................. 289  
    reversion to town .................................. 288, 289  
  classes IV, V, VI, appeal ............................ 290  
    consent of court .................................... 290  
    damages ............................................. 290  
    dedicated ways ................................. 289, 290  
    gates and bars ..................................... 289, 290  
    petition for damages ............................... 290, 291  
    power of town .................................... 289  
    release by town ................................... 291  
    town not liable after ............................. 291  
  driveways, construction, grade and location ....... 323  
    penalty ............................................. 323  
    permit required .................................... 323  
  encroachments, see Highway Law, obstructions.  
  excavations, bond required .......................... 322  
    exceptions ......................................... 322, 323  
    permit .............................................. 322  
    restoration ......................................... 322  
  federal aid, acceptance of provisions ................ 296  
    credit of state pledged ........................... 296  
    interstate highways .............................. 297  
    maintenance ...................................... 296, 297  
    use of state money ................................ 296  
  highway agents, accounts ........................... 310  
    bond .................................................. 310  
    compensation ..................................... 310  
    duties ............................................. 310, 311  
  election ............................................. 309, 310
Highway Law, highway agents, filling vacancy ......................... 310
term ........................................ 311
highways not in any town, collection of tax ......................... 314
county liability .......... 313
liability of landowners. 313, 314
law of the road, intersecting ways ................................. 328
liability ................................ 328
meeting vehicles ................. 327
passing vehicles .............. 327, 328
penalty ................................ 328
lay out, governor and council, appeal .................... 274
commission ............................... 271, 272
deposit in court ................. 274
dispute ................................. 273, 274
hearing ............................... 272, 273
judgment against petitioners ................................... 274
non-residents ................. 272, 273
notice ................................ 272
occasion ......................... 271
owners defined ............. 272
unknown .................... 273
payment ....................... 275
return .......................... 273
tender ....................... 273
certificate ................... 274
tree rights ................... 275
selectmen, appeals .................. 278-283
apportionment of cost ........ 276
assessment of damages .......... 276
boundary lines .............. 278
conditional ................. 277, 278
costs ................................ 284
county contribution ...... 284
damages ....................... 283
disputes .......................... 277
gates and bars .............. 277
hearing ....................... 276
joint action, two towns ........ 276
non-resident ................. 275, 276
notice .......................... 275, 276
petition ....................... 275
resident owner ............ 275
return .......................... 276
tender ....................... 277
towns on Connecticut River .... 278
winter roads ................... 278
superior court, appeals .................. 278, 279
assessment by jury ............ 282, 283
boundary streams .......... 282
costs ................................ 283
Highway Law, lay out, superior court, county commissioners, reference to .......................... 280
 damages ........................................ 281
deposit ........................................ 279
evidence ........................................ 281
executions ..................................... 283
fees of commissioners ....................... 283
hearings ...................................... 260, 281
judgment against petition ................. 279
landowners ................................... 281
notice .......................................... 279
recording ..................................... 283
reports filed ................................ 281
hearing on .................................... 282
road in two towns ............................ 2:2
suit for damages ............................. 283
tender ......................................... 282
to public waters, appeal of assessment ... 285
commission appointed ...................... 284
duties .......................................... 285
gates and bars ................................. 285
location ....................................... 284
notice ......................................... 284
occasion ....................................... 284
payment ....................................... 285
reservoirs .................................... 284
towns not liable .............................. 285, 286
liability for damages, civil liability .... 315, 316
persons ........................................ 320, 321
towns ........................................... 314-319
venue ........................................... 321
lights on vehicles, burden of proof ....... 328
enforcement .................................. 329
exemption ...................................... 328
party responsible ............................ 329
penalty ........................................ 329
period of lighting ............................ 323
refusal to give name ....................... 328, 329
limited access highways, commissioner to regulate .............................. 288
construction .................................. 288
definition ..................................... 286
design .......................................... 286
existing roads used ......................... 287
layout .......................................... 286
liability ....................................... 288
local service roads ......................... 287
no commercial enterprises ............... 288
occasion ....................................... 286
penalty ........................................ 288
posting ........................................ 288
signs ............................................ 287
Highway Law, maintenance, class II ....................... 297
  county liability ...................................... 313
  federal aid ........................................... 296, 297
  limited access ....................................... 288
  town roads ........................................... 302
malicious injuries, aqueduct companies, penalty ........................................ 350
  sewer systems ........................................ 337
names, highways ........................................ 332
town streets .......................................... 331
obstructions, barbed wire fence ......................... 323
  buildings ............................................. 323
  fences ................................................ 323, 324
  nails ................................................... 324
penalty ..................................................... 323
prohibition .............................................. 323
removal by officials ................................. 325
snow ...................................................... 324
trigs, leaving prohibited ........................ 325
water turned onto road ................................ 324
recreational roads, location ....................... 270
  maintenance by state ............................... 270
regulation of use, highway commissioner, authority ...
  penalty .............................................. 321
  posting ............................................... 321
  return ............................................... 321
(see also Stop signs—this topic).
  selectmen ............................................. 350
repair by towns, another town contribution ........... 311, 312
  by county commissioners .......................... 316, 317
contracts ............................................... 309
county contribution .................................... 311
damages from change of grade ........................ 312
  gravel ................................................. 311
neglect ................................................. 314, 315
  obstructions during ................................. 311
road agents, see Highway law, highway agents.
sewers, abatement .................................... 336
  assessment, collection ................................ 336
    installments ...................................... 336
    levy ................................................. 335
    not required when ................................ 336
commissioners ......................................... 336, 337
construction ........................................... 334
funds ..................................................... 335
lien ....................................................... 335, 336
malicious injury ...................................... 337
permit for digging streets ........................ 337
rentals .................................................... 335
taking land ........................................... 334, 335
town may adopt provisions ........................... 337
Highway Law, sidewalks, appeal from assessments .................. 334
    assessing abutters ............................. 334
    maintenance .................................. 334
    repair ........................................ 334
    town may adopt provisions ................... 337

snow fences ........................................ 313

state aid, class II, additional payments .......................... 299, 300
    application ................................... 297, 298
    apportionment ................................. 298
    contribution by town .......................... 298
    designation ................................... 297
    expenditures .................................. 298, 299
    notice to towns ............................... 297
    reconstruction ............................... 299
    surplus ......................................... 299
    unexpended funds .............................. 299
    unimproved portions ........................... 297
    war time, suspension .......................... 300

state department, acquisition of land .............................. 293
    certified copies .............................. 293
    closing highways .............................. 294, 295
    commissioner, appointment ................... 291
        assistants ............................... 292
        general powers ........................... 292
        offices ................................... 292
        removal ................................... 291, 292
        salary ..................................... 292
        term of office ............................. 291
    detours ........................................ 294, 295
    disposal of papers ............................ 295
    engineers, advice to towns .................... 295
    entry on private lands ........................ 293
    expenditures .................................. 292, 293
    interstate bridges ............................ 295
    purchase of materials ........................ 293
    reclassification of highways .................. 294
    reestablishment highway boundaries .......... 294
    report ........................................ 295
    snow fences, appeal ........................... 293, 294
        construction ............................. 293
        damages .................................... 293
    supervision, highway agents' .......... 295, 296
        stop signs, approval required ............. 321
        damaging .................................. 322
        legal erection ............................. 321
    taxes, town, amount ............................ 309
        collection .................................. 309
        expenditure .............................. 309
        insufficiency .............................. 309
    telegraph, telephone poles and wires, authority to erect ...... 341, 342
        change of location ........................ 344
Highway Law, telegraph, telephone poles and wires, damages ............. 345
interference with travel ............. 345, 346
joint licenses ............. 346
liability of proprietors ............. 346
licenses ............. 343, 344
no prescriptive right ............. 347
permits ............. 342, 343
petition to court ............. 347
removal ............. 347-349
renewal of structures ............. 346
return ............. 344, 345
selectmen, duties, fees ............. 343-345
services ............. 345
town indemnified by proprietors ............. 347
transfer of license ............. 346
trees, cutting ............. 347
town road aid, allotment for maintenance ............. 302
application ............. 300
apportionment ............. 301
appropriations by towns ............. 302
contribution by town ............. 300, 301
expenditure ............. 301
notice to towns ............. 300
unexpended funds ............. 301, 302
use of allotments by state ............. 302
what towns entitled ............. 300
traffic signals, approval required ............. 321
damaging ............. 322
legal erection ............. 321
penalty for false erection ............. 321, 322
trees, acquisition ............. 338, 339
advertising on, prohibited ............. 339
appropriation by town ............. 339
brush, burning ............. 340, 341
disposal ............. 341
clearing highways ............. 340
control by town ............. 338
gifts to towns ............. 339, 340
improvements by abutters ............. 340
penalty for cutting violation tree laws ............. 341
public ownership ............. 340
removal ............. 339
regulation by highway commissioner ............. 341
Highway Law, trees, taking in highway lay out ........................................ 275
  tree rights ........................................ 341
  wardens, appointment ........................................ 333
  duties ........................................ 338, 3.9
  removal ........................................ 338
  wires and poles through ........................................ 347
  wagon wheels, chaining prohibited ........................................ 331
  width ........................................ 333, 331
  workmen, highway and bridge projects, compensation
  for injuries ........................................ 308, 309
(see also Highway Law).
Highways, maintenance, motor vehicle fines credited to .............. 89, 93
Hillsborough county commissioners, compensation of clerks .......... 119
  salary ........................................ 211
  sheriff, allowance for clerk hire ........................................ 119
Historical Society, New Hampshire, appropriation .......... 386, 418
Hogs, taxation of ........................................ 88, 89
Hominy, standard weights of containers ........................................ 52
Horse racing, pari mutuel pools, authority to conduct .............. 117, 118
  breakage ........................................ 118
  commissions ........................................ 117, 118
  distribution of funds ........................................ 118
  promotion of agriculture ........................................ 118
  time limitation ........................................ 117
Horses, condemned, amount of indemnity ........................................ 137
Horticultural Society, New Hampshire, appropriation .......... 385, 416
Hospital service corporations, agents, limitation on residence ...... 209
Hotels, grill room license for sale liquor ........................................ 203
  lodging houses, tourist camps, guests to sign register ............ 133, 134
  inspection of register ........................................ 134
Indemnities for condemned animals ........................................ 137, 138
Indictment, waiving in criminal cases ........................................ 34, 35
Industrial health, see Health service, industrial.
  hygiene, appropriation ........................................ 403, 435
  school, additional appropriation ........................................ 380
  appropriation ........................................ 393, 394, 424, 425
Inheritance tax, see Taxation, legacy and successions.
Insect and plant disease suppression, appropriation .......... 385, 416
Inspectors of elections, number authorized ........................................ 88
Insurance commissioner, determination, reciprocal provisions, medical
  service corporations ........................................ 90, 91
  see Fraternal benefit societies.
  companies, fees for licenses ........................................ 60
  reports ........................................ 59, 60
  later filing ........................................ 60
  taxation ........................................ 60, 61
  department, appropriation ........................................ 388, 420
  fidelity companies, annual statement ........................................ 59, 60
  fees ........................................ 59
  taxes ........................................ 60, 61
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insurance, fire companies, annual statement</td>
<td>59, 60</td>
</tr>
<tr>
<td>fees</td>
<td>60</td>
</tr>
<tr>
<td>taxes for doing business</td>
<td>60, 61</td>
</tr>
<tr>
<td>life companies, annual statement</td>
<td>59, 60</td>
</tr>
<tr>
<td>fees</td>
<td>60</td>
</tr>
<tr>
<td>taxes</td>
<td>61</td>
</tr>
<tr>
<td>Interim commissions, alcoholic beverages</td>
<td>463</td>
</tr>
<tr>
<td>classifying motor vehicle operators' licenses</td>
<td>452</td>
</tr>
<tr>
<td>county government, study</td>
<td>458</td>
</tr>
<tr>
<td>juvenile problems</td>
<td>462</td>
</tr>
<tr>
<td>old age assistance, study</td>
<td>462, 463</td>
</tr>
<tr>
<td>senatorial districts, redistricting</td>
<td>460</td>
</tr>
<tr>
<td>state educational system, study</td>
<td>459, 460</td>
</tr>
<tr>
<td>finances</td>
<td>93</td>
</tr>
<tr>
<td>workmen's compensation law, study</td>
<td>457</td>
</tr>
<tr>
<td>Interstate highways, national system</td>
<td>269</td>
</tr>
<tr>
<td>importation of livestock</td>
<td>49, 50</td>
</tr>
<tr>
<td>Investments, guardians</td>
<td>27, 28</td>
</tr>
<tr>
<td>legal, fraternal benefit societies</td>
<td>175</td>
</tr>
<tr>
<td>of trust companies, limitations</td>
<td>232, 233</td>
</tr>
<tr>
<td>market value of security</td>
<td>233, 234</td>
</tr>
<tr>
<td>Jails, county, disposal of</td>
<td>121</td>
</tr>
<tr>
<td>inspection by county commissioners, time for making written report to</td>
<td>131</td>
</tr>
<tr>
<td>attorney general</td>
<td></td>
</tr>
<tr>
<td>Judicial council, appointment</td>
<td>216</td>
</tr>
<tr>
<td>biennial reports</td>
<td>217</td>
</tr>
<tr>
<td>cooperation, other officials</td>
<td>217</td>
</tr>
<tr>
<td>duties</td>
<td>216, 217</td>
</tr>
<tr>
<td>expenses</td>
<td>217</td>
</tr>
<tr>
<td>meetings</td>
<td>217</td>
</tr>
<tr>
<td>membership, appointment</td>
<td>216</td>
</tr>
<tr>
<td>organization</td>
<td>217</td>
</tr>
<tr>
<td>tenure of office</td>
<td>216</td>
</tr>
<tr>
<td>Juvenile court, exception for motor vehicle violations by minors</td>
<td>23, 24</td>
</tr>
<tr>
<td>problems, study of</td>
<td>462</td>
</tr>
<tr>
<td>Keene, capital reserve, appropriation</td>
<td>503</td>
</tr>
<tr>
<td>audit</td>
<td>504</td>
</tr>
<tr>
<td>authorized</td>
<td>502</td>
</tr>
<tr>
<td>change of purpose</td>
<td>503, 504</td>
</tr>
<tr>
<td>investment</td>
<td>503</td>
</tr>
<tr>
<td>meetings</td>
<td>502</td>
</tr>
<tr>
<td>prohibition</td>
<td>504</td>
</tr>
<tr>
<td>trustees of funds</td>
<td>503</td>
</tr>
<tr>
<td>police force, membership</td>
<td>497, 498</td>
</tr>
<tr>
<td>Teachers' College, additional appropriation</td>
<td>379</td>
</tr>
<tr>
<td>appropriation</td>
<td>400, 401, 432</td>
</tr>
</tbody>
</table>
Labels, farm products, see Brands or labels.
Labor, arbitration agreements, see Arbitration agreements.
   bureau of, appropriation .................................. 388, 389, 420
   commissioner, industrial health rules ...................... 207
   disposal of valueless papers by commissioner .............. 44
   preference, veterans, Soldiers’ Home ........................ 266
   unions, service performed in employ, exempt under un-
   employment compensation law ................................. 49
see also Health service, industrial.
   Unemployment compensation.
   Workmen’s compensation.
Laconia State School, additional appropriation .................. 380
   appropriation ............................................ 394, 395, 425, 426
Lake trout, temporary open season 1945 .......................... 92, 122
Laundering, service liens ...................................... 91
Laws of the road, see Highway Law, law of the road.
Laws, Revised, see Revised Laws.
   Session, see Session Laws.
   Lay out of highways, see Highway Law, lay out.
Lebanon, annual meeting legalized .................................. 506
Legacy tax, see Taxation, legacy and successions.
Legal investments, savings banks, see Savings banks.
   and trust companies ...................................... 73-76
   single trustee of trust funds ............................... 76-78
Legislature, see County conventions.
   appropriation ............................................ 382, 414
   special session .......................................... 536, 537
   compensation of attaches ................................... 84
   special sessions, convening ................................ 134
   notice to each member ..................................... 134, 135
   petition for calling ....................................... 134
   postponement of date by governor .......................... 135
   secretary of state to set date .............................. 135
   vote required on necessity for calling .................... 135
Liens, cleaning, laundering, dyeing, notice of sale .............. 91
   record of sale .......................................... 91
   sale for service .......................................... 91
   sewer rentals ............................................ 335, 336
Life insurance companies, see Insurance, life companies.
Limitation of action, fraternals .................................. 182, 183
Liquor, see Alcoholic beverages.
   alcoholic, special license for hotel grill rooms .......... 208
   Commission, additional appropriation ...................... 380
   appropriation ............................................ 407, 438, 439
Litchfield, see Merrimack and Litchfield.
Litigant corporations, dissolution of ............................ 157,158
Livestock, transportation, diseased animals, see Animals, diseased.
   motor vehicle, disposition of fees ......................... 93
   fees .................................................. 98
   license required ......................................... 93
   penalty for violations ................................... 98
see also Agriculture.
Lodging houses, register, see Hotels, lodging houses.

Malicious injuries, see Highway Law, malicious.

Manchester, appropriation for centennial celebration .......... 493
    city library employees, vacations ......................... 516
    deputy city clerk, appointment .......................... 506
    oath .......................... 506
    record ........................ 506
    term of office .......................... 506
    fire department, hours of duty .......................... 507
    mayor, salary .......................... 518
    primary elections, declarations of candidacy ............. 493
    school committee, election .............................. 497
    teachers' pension system .............................. 489, 490
Maple Producers' Assn., New Hampshire, appropriation .......... 385, 416
Marketing associations, cooperative, see Cooperative marketing
    associations.

Marriage, jurisdiction of court to annul where neither party resident 13, 14
Maternal and child health, appropriation ....................... 402, 403, 434
Mayor and aldermen, appointment of election inspectors .......... 88
    Manchester, see Manchester.
    voting powers ............................................ 234, 235
Medical service corporations, foreign .......................... 90
    insurance commissioner duties .......................... 90
    license required ........................................ 90, 91
    reciprocal provisions .................................. 90, 91
Medicine, board of registration in, appropriation ............. 404, 435
Merrimack and Litchfield, bridge over Merrimack river ........ 267
Migratory game birds defined .................................. 239
Military drills in schools ..................................... 461
    organizations, appropriation .......................... 386, 418
    personnel missing, appointment of conservator .......... 14-16
    service, acceptance of police retirement act, after .... 164, 165
    professional engineers, registration .................... 225
    reinstatement of state employees ....................... 121, 122
    reinstatement of teachers ............................. 214, 215
    state guard, see State guard.
    uniforms, unauthorized wearing, penalty .................. 25

see also Bonus,
    Servicemen.
    Veterans.
    War.
Milk control board, appropriation ............................. 404, 435, 436
    production, see Dairies.
Minors, motor vehicle violations not presented in juvenile court 23, 24
    war veterans, G. I. Bill of Rights, authority to contract
    under ................................................. 50, 51, 236
    powers as to conveyence of property ..................... 50, 51, 236

see also Children
Missing persons, evidence of death, receipt by court .......... 47, 48
Mont Vernon, manner of taking deer ........................................ 28, 29
Mortgage, corporate trust, recording ..................................... 67
personal property recorded ................................................. 44, 45
on buildings in Hampton on land of another owner .............. 153
real estate, rights of minors to execute ............................. 50, 51, 235
subsequent advances for repairs ......................................... 63
unincorporated places, recording ........................................ 44, 45
Motor vehicle, agricultural vehicles, see Agricultural vehicles.
  appropriation for department ........................................... 389, 390, 420, 421
  auxiliary gas tanks prohibited ........................................ 32
  change of name or address, notification required ............... 38, 39
  commissioner, restricted licenses for operation ................ 235
  farm tractors, fee for registration .................................. 72
  financial responsibility, application of security ............... 31
  written notice of suit .................................................. 31
  fines credited to highway department ............................... 89, 90
  legal length ................................................................... 51
  licenses, classification, study ......................................... 452
  examination .................................................................. 235
  restricted for limited operation ...................................... 235
  municipal permits, clerk fees, from applicant ................. 358
  town .......................................................................... 357, 358
  number plates for state and government use .................... 9, 10
  operation, nonresident privileges ..................................... 116
  reciprocal provisions ..................................................... 116
  operator, change of name or address .............................. 38, 39
  licenses, application ..................................................... 39
  reciprocal provisions for operation without registration .... 40
  registration, applications ................................................. 38, 39
  school bus, see School bus: School busses.
  taking without consent of owner ..................................... 71, 72
  transportation of livestock, see Livestock.
  trucks, auxiliary gas tanks ............................................. 32
  violations by minors, jurisdiction of court ....................... 23, 24
  records and reports ....................................................... 22
Motto, state, established ...................................................... 199
Mt. Sunapee, recreational project, appropriation .................... 201
  disposition of revenue .................................................... 201
  highway commissioner to construct ................................ 200
  maintenance .................................................................. 200, 201
  plans ........................................................................... 20
  requirements for approval .............................................. 200
  tolls ............................................................................ 201
  tramway or lifting device ............................................... 200
Mt. Washington observatory, appropriation ............................ 386, 418
Municipal, budget law, penalty for violating ......................... 13
  cooperation with soil conservation district ...................... 197
  court, attending, sheriff fees ......................................... 45
  expenses, payment .......................................................... 54
Municipal court, fines, disposition ........................................ 54
jurisdiction over children, age limit ................................. 27
payment of fines to town .............................................. 54, 55
report of motor vehicle violations .................................... 22
small claims, see Small claims.
see also Juvenile court.
officers, reports to judicial council ................................... 217
permit fee for registration motor vehicle farm tractors ......... 72
Municipality, purchase of federal surplus commodities ......... 117
reimbursement for loss of taxes on flood control land .......... 36, 37
veterans reemployment, borrowing for payments ............... 21, 22
compensation .............................................................. 21
constitutionality ......................................................... 22
discontinued offices .................................................... 21
jurisdiction of superior court ......................................... 22
required ................................................................. 20, 21
term ....................................................................... 21
treatment of civilians .................................................. 21

see also City.
Town.

Nails, depositing on highways prohibited .......................... 324, 325
Names changed, Fraternal Helping Society to Vytauto Lithuanian Benefit Society ................................. 488, 489
Lower Suncook Pond to Lower Suncook Lake ..................... 10
probate court ............................................................ 465-486
superior court ............................................................ 486-489
Upper Suncook Pond to Upper Suncook Lake ..................... 10
highways and streets ................................................... 331, 332
Roosevelt bridge ......................................................... 267, 356
Soldiers' Memorial Parks ............................................. 229
Nashua and Lowell Railroad Corporation, charter dissolved .... 491
capital reserve fund for library, establishment ..................... 496
investment ............................................................... 496
purpose ................................................................. 496, 497
trustee ................................................................. 496

police, days of rest .................................................... 498, 499
New Castle, pensions for school teachers ........................... 488
Hampshire Savings Bank, number of members of corporation .... 495, 496
see also State.

Newspapers, limitation of rates received for political advertising 264, 265
Non-partisam ballot system, filing fee ............................... 227
Non-resident estates, taxation, see Taxation, legacy.
privileges, see Motor vehicle.
Number plates, motor vehicle, see Motor vehicle.

Obstructions in highways, see Highway Law.
Old age assistance, appropriation ..................................... 405, 436
qualifications for eligibility ........................................... 38
study of, by interim committee ....................................... 462, 403
Home Week Association, appropriation ............................ 386, 418
Omnibus bill, legislative .................................................. 463-465
Optometry, board of, appropriation .................................. 404, 435
 membership ................................................................. 48

Pari mutuel pools, see Horse racing.
Pembroke, annual meeting legalized .................................. 505
Penacook Union School District, bond issue ...................... 510, 511
Pensions, school teachers, Manchester ............................. 489, 490
 New Castle ........................................................................ 488
 see also Teachers' retirement system.
Personal property, recording mortgages ............................ 44, 45, 67
Peterborough Railroad, charter dissolved ......................... 492
 school meeting legalized .................................................. 537
Pharmacy commission, appropriation ............................... 408, 439
Pheasants, open season and bag limit ............................... 37
Pierce, Franklin, see Franklin Pierce.
Planning and development commission, appropriation ........ 408, 439, 440
director, member soil conservation board ........................ 197
 Troubadour mailing to servicemen .................................. 452
Plumbing, city ordinances, see Building codes.
Plymouth teachers college, appropriation ......................... 401, 432
 special repairs ............................................................... 3/9
Police officers, constables, town, election of permanent ...... 167
 removal for cause ......................................................... 167
 tenure of office ............................................................ 167
 vote of town, effect ....................................................... 167
town, one day rest in eight ............................................. 122
retirement, acceptance of chapter .................................... 164
 age requirement ............................................................ 165
 eligibility for benefits ................................................... 164, 165
 extension of time for acceptance of benefits ..................... 165
 military service ............................................................. 165
 payment of back assessments ......................................... 165
 war service, effect .......................................................... 17
Policemen's retirement board, appropriation ...................... 410, 442
Political advertising, maximum charges ......................... 264
 penalties for violations .................................................. 264
 radio announcements ..................................................... 264
 rates to be filed with secretary of state .......................... 264, 265
 signatures required ....................................................... 264
 parties, county committee ............................................. 358
 local organization .......................................................... 358
 state committee ............................................................. 358
 see also County conventions.
 Primary, 1946.
Poll tax, persons liable .................................................... 536
 special for payment of bonus, eliminated ......................... 205
time of delivery of list to collector ................................ 10, 11
Polls for election, time open in cities .............................. 78, 79
Porcupines, bounty .................................................. 369, 370
Potatoes, seed, certification ........................................... 203
false advertising .................................................... 203
inspection ............................................................ 203
labeling prohibited .................................................... 203
rules of commissioner of agriculture .................................. 203
Presidential primary, time polls open .................................. 78
Primary, 1944 .......................................................... 530-533
1946, ballot law commission ........................................... 82
campaign receipts ..................................................... 82
change of registration .................................................. 81
date ................................................................. 79
declarations of candidacy ............................................... 79, 81
filling vacancies ....................................................... 81
nomination papers ..................................................... 82
notice of ............................................................. 79
party registration ....................................................... 81
petitions ............................................................... 79, 80
recounts ............................................................... 83
sessions of the supervisors .......................................... 81
state convention ....................................................... 82
supplementary petitions .............................................. 80, 81
suspension of laws ................................................... 82

see also Election.
Prison industries, appropriation ..................................... 412, 444
Prisoners' Aid Association ............................................ 386, 418
Probate court, appointment of conservator ......................... 14-16
appropriation ........................................................ 384, 415
deputy registers, salaries ............................................ 359
register, clerk hire .................................................. 26
Probation board, appropriation ...................................... 404, 433
Process, service of, see Service of process.
Property, see Personal property.
Real estate.
Public health nursing, appropriation ................................ 403, 434
service commission, appropriation ................................ 408, 440
taxes, apportionment for assessment ................................ 1-8
trusts, see Trusts, public.
welfare, aid to dependent children, age limit ...................... 236, 237
appropriation for department ....................................... 404, 405, 433, 437
commissioner, jurisdiction over neglected children ............ 27
dependent children, additional appropriation ..................... 374
old age assistance, see Old age assistance.
Purchasing agent, state, see State purchasing agent.
Quail, no open season ................................................ 239
Racing commission, appropriation ..................................... 409, 440
horse, see Horse racing.
Radio, broadcast of paid political matter, prohibitions .......... 264, 265
Railing on highway, approval .................................. 318
standards .......................................................... 318
Railroad corporations, free transportation to servicemen .... 73
equipment, conditional sales contracts .......................... 101, 102
evacuation of highways .......................................... 322, 323
Real estate, corporate trust mortgages, recordation ........... 67
mortgage, see Mortgages.
sale of, rights of minors ........................................... 50, 51, 236
tax sale, notice requirements ...................................... 92
see also Tax sales, real estate.
Recording, conditional sales ..................................... 100, 102, 108
corporate trust mortgages ........................................... 67
personal property mortgages ...................................... 44, 45
unincorporated places .............................................. 44, 45
Recounts, election ............................................... 41, 42, 49, 83, 534
Recreation, forestry and, commission see Forestry and recreation.
Recreational activities, county, see County.
municipal, power to conduct ..................................... 119, 120
state, administration .............................................. 260, 261
fees ................................................................ 260, 261
see also Mt. Sunapee.
town, see Town.
roads, named .......................................................... 270
Redemption under conditional sales law ......................... 104, 105
Re-employment of veterans, see Municipality.
Referees and masters, appropriation ............................. 383, 384, 415
Reforestation week, proclamation by governor ................. 112
Regional development associations, appropriation ............ 408, 440
Register of public trusts, see Trusts, public.
probate, see Probate.
Registry of deed, see Deeds, register of.
Remedial care furnished for injured workmen .................. 202
Residence requirements for voting ............................... 212, 213
Retirement, justices, permanent disability ....................... 230, 232
municipal subdivisions, benefits .................................. 363
contributions ......................................................... 353, 356
definitions .............................................................. 360, 361
general conditions .................................................. 361
limitation of payments ............................................. 365
membership ............................................................ 362, 363
policemen, see Police retirement.
state employees, accidental death benefits ..................... 247, 248
actuary, appointment ............................................... 250
duties ................................................................. 251
administration ....................................................... 249, 256
appropriation .......................................................... 258
benefits, accidental .................................................. 245, 246
ordinary disability ................................................... 245
service ................................................................. 243, 244
bonds, state ........................................................... 257
Retirement, state employees, definitions .................................. 240, 241
establishment ....................................................... 239, 241
funds .............................................................. 251-2:7
optional allowances .............................................. 248, 249
prior service credit .............................................. 243
protection against fraud .......................................... 258
restoration to service ............................................ 247
return of contributions ........................................... 248
taxation, exemption ................................................ 257, 258
trustees, annual report ............................................ 250
appointment ......................................................... 249
assistants .......................................................... 250
chairman ............................................................ 249
compensation ....................................................... 250
term of office ....................................................... 249
vacancies ........................................................... 249
waiver of membership ............................................. 242
who are members ................................................... 242, 258

teachers system, see Teachers.

Revised Laws, amended, repealed, etc,

chapter 4, s. 4, flood control ..................................... 36, 37
9, s. 23, attaches' compensation .................................. 84
new chapter 9-A, special sessions legislature ..................... 134, 135
13, new s. 5, state emblem ....................................... 167, 168
    new s. 6, state motto ......................................... 199
18, s. 1, New Hampshire Soldiers' Home ........................ 265
    s. 2, membership requirements .............................. 265, 266
    s. 5, labor preference ....................................... 266
22, s. 11, state accounts ......................................... 89, 90
23, new s. 17, comptroller ....................................... 17
24, s. 13-i, public trusts ......................................... 87, 88
new chapter 27-A, employees' retirement system .................. 239-258
31, s. 8, qualifications for voting ................................ 212, 213
32, s. 4, supervisors of check-list ............................... 136, 137
33, provisions suspended .......................................... 82, 534
    s. 28, primary ballot form ................................... 11, 12
    s. 34, recount .................................................. 42
    s. 60, political party organization ........................ 358
    s. 62, petition ................................................ 42
    s. 67, election procedure .................................... 23
34, elections ........................................................ 127, 130
    provisions suspended ........................................ 97, 526, 530
s. 25, election inspectors ....................................... 83
new s. 36-a, time polls open ..................................... 78
s. 59, ballots ..................................................... 12, 213, 214
s. 68, ballots ..................................................... 12
s. 74, absentee voting ............................................ 12
s. 78, absentee voting ............................................ 12, 214
s. 104, recounts ................................................ 41, 42
s. 105, recounts ................................................ 49
s. 114, non-partisan ballot system ................................ 227
<table>
<thead>
<tr>
<th>Revised Laws, amended, repealed, etc.</th>
<th>[1945]</th>
</tr>
</thead>
<tbody>
<tr>
<td>chapter 38, s. 3, time polls open</td>
<td>78, 79</td>
</tr>
<tr>
<td>42, s. 6, political advertising</td>
<td>264</td>
</tr>
<tr>
<td>s. 9, payments for publication</td>
<td>264</td>
</tr>
<tr>
<td>new s. 9-a, rates to be filed</td>
<td>265</td>
</tr>
<tr>
<td>ss. 20 to 27, violations</td>
<td>82</td>
</tr>
<tr>
<td>44, new s. 1-a, recreational activities</td>
<td>120</td>
</tr>
<tr>
<td>s. 5, county conventions</td>
<td>227, 228</td>
</tr>
<tr>
<td>new s. 20-a, executive committees</td>
<td>223</td>
</tr>
<tr>
<td>45, s. 14, Rockingham County</td>
<td>238</td>
</tr>
<tr>
<td>46, s. 6, sheriff's bond</td>
<td>26, 27</td>
</tr>
<tr>
<td>47, s. 27, county commissioners</td>
<td>55, 56, 211, 378</td>
</tr>
<tr>
<td>s. 28, Hillsborough County commissioners</td>
<td>119</td>
</tr>
<tr>
<td>48, s. 13, county treasurers</td>
<td>56</td>
</tr>
<tr>
<td>51, s. 4, X, town appropriations</td>
<td>46</td>
</tr>
<tr>
<td>s. 4, XI, memorial day</td>
<td>46</td>
</tr>
<tr>
<td>s. 4, XIX, advertising appropriations</td>
<td>110</td>
</tr>
<tr>
<td>s. 22, town trust funds</td>
<td>57</td>
</tr>
<tr>
<td>new s. 22-a, single trustee</td>
<td>76, 77</td>
</tr>
<tr>
<td>new s. 23-a, investments restricted</td>
<td>77</td>
</tr>
<tr>
<td>s. 29, bond</td>
<td>77, 78</td>
</tr>
<tr>
<td>s. 34, recreational activities</td>
<td>119, 120</td>
</tr>
<tr>
<td>52, s. 6, municipal budget law</td>
<td>13</td>
</tr>
<tr>
<td>57, new s. 3-a, town meetings</td>
<td>35</td>
</tr>
<tr>
<td>59, s. 15, highway regulation</td>
<td>350</td>
</tr>
<tr>
<td>s. 28, tax collectors</td>
<td>8</td>
</tr>
<tr>
<td>s. 42, bonds of town officers</td>
<td>11</td>
</tr>
<tr>
<td>new s. 42-a, permanent police officers</td>
<td>122</td>
</tr>
<tr>
<td>new s. 45-a, town officers</td>
<td>167</td>
</tr>
<tr>
<td>new s. 45-b, tenure of office</td>
<td>167</td>
</tr>
<tr>
<td>62, s. 12, city elections</td>
<td>78</td>
</tr>
<tr>
<td>63, s. 9, mayors of cities</td>
<td>231</td>
</tr>
<tr>
<td>66, new s. 9-a, fire chief, deputy chief</td>
<td>112, 113</td>
</tr>
<tr>
<td>new ss. 18 to 23, building codes</td>
<td>108-110</td>
</tr>
<tr>
<td>70, new s. 13-a, village district meetings</td>
<td>35</td>
</tr>
<tr>
<td>73, s. 7, taxation of U. S. property</td>
<td>44</td>
</tr>
<tr>
<td>s. 16, III, farm tractors</td>
<td>73</td>
</tr>
<tr>
<td>s. 16, VI, taxable property</td>
<td>88, 89</td>
</tr>
<tr>
<td>s. 23, exemptions</td>
<td>155</td>
</tr>
<tr>
<td>s. 24, Disabled American Veterans</td>
<td>154, 155</td>
</tr>
<tr>
<td>s. 26, exemptions</td>
<td>155</td>
</tr>
<tr>
<td>s. 27, exemptions</td>
<td>155</td>
</tr>
<tr>
<td>s. 28, exemptions</td>
<td>155</td>
</tr>
<tr>
<td>77, s. 6, municipal reports</td>
<td>13</td>
</tr>
<tr>
<td>s. 10, poll tax warrants</td>
<td>10</td>
</tr>
<tr>
<td>80, s. 19, real estate tax sales</td>
<td>92</td>
</tr>
<tr>
<td>new s. 22-a, tax sales</td>
<td>24, 25</td>
</tr>
<tr>
<td>s. 42, bonds of tax officers</td>
<td>11</td>
</tr>
<tr>
<td>87, s. 1, legacy and succession taxes</td>
<td>8, 9, 158</td>
</tr>
<tr>
<td>s. 2, repealed</td>
<td>158</td>
</tr>
<tr>
<td>s. 7, transfer</td>
<td>164</td>
</tr>
</tbody>
</table>
Revised Laws, amended, repealed, etc.
chapter 87, s. 8, transfer ................................. 164
new s. 15-a, gifts and transfers .......................... 158, 159
s. 10, transfer of duties ................................. 164
s. 17, transfer of duties ................................. 164
s. 18, transfer of duties ................................. 164
s. 20, transfer of duties ................................. 164
s. 23, transfer of duties ................................. 164
s. 24, transfer of duties ................................. 164
s. 25, transfer of duties ................................. 164
s. 26, transfer of duties ................................. 164
s. 27, domiciliary ......................................... 159
s. 28, transfer of duties ................................. 164
s. 29, transfer of duties ................................. 164
s. 32, transfer of duties ................................. 164
s. 33, gains or losses on sales .......................... 159
s. 34, transfer of duties ................................. 164
s. 37, transfer of duties ................................. 164
s. 39, transfer of duties ................................. 164
s. 40, appeals from assessment .......................... 160
s. 41, abatement or repayment ............................ 160
s. 44, settlement ........................................... 160, 161
s. 45, transfer of duties ................................. 164
s. 46, transfer of duties ................................. 164
s. 51, payment of taxes .................................. 161
s. 54, grantee or donee liability ........................ 161
s. 61, transfer of duties ................................. 164
s. 63, compromise of tax .................................. 161
s. 64, adjustment .......................................... 162
s. 65, adjustment .......................................... 162
s. 68, adjustment .......................................... 164
s. 69, deposit boxes ...................................... 162, 163
s. 70, disposition of property ............................ 163
s. 71, joint deposits ...................................... 163
s. 72, transfer of duties ................................. 164
s. 74, hearings ............................................. 163, 164
s. 75, transfer of duties ................................. 164
s. 76, transfer of duties ................................. 164
s. 77, transfer of duties ................................. 164
s. 78, transfer of duties ................................. 164
89, transfer tax ........................................... 164
90, highway law ........................................... 267-350
91, repealed .............................................. 350
92, repealed .............................................. 350
93, repealed .............................................. 350
94, repealed .............................................. 350
95, repealed .............................................. 350
96, repealed .............................................. 350
97, repealed .............................................. 350
98, repealed .............................................. 350
99, repealed .............................................. 350
Revised Laws, amended, repealed, etc.

chapter 100, repealed ........................................... 350
101, repealed ...................................................... 350
102, repealed ...................................................... 350
103, repealed ...................................................... 350
104, repealed ...................................................... 350
105, repealed ...................................................... 350
106, repealed ...................................................... 350
107, repealed ...................................................... 350
108, repealed ...................................................... 350
109, repealed ...................................................... 350
110, repealed ...................................................... 350
111, repealed ...................................................... 350
112, repealed ...................................................... 350
113, repealed ...................................................... 350
114, repealed ...................................................... 350
116, s. 1, motor vehicles ........................................ 38, 39
    new s. 1-a, notification .................................... 39
    s. 20, farm tractors ........................................ 72
    s. 22, motor vehicle municipal permits .................. 357, 358
    s. 30, repealed .............................................. 40
    s. 31, repealed .............................................. 40
    s. 32, repealed .............................................. 40
    s. 33, repealed .............................................. 40
    s. 34, repealed .............................................. 40
    s. 35, operation of motor vehicles ....................... 40
    s. 38, repealed .............................................. 40
    s. 41, repealed .............................................. 40
117, s. 1, operator’s licenses .................................. 39
    new s. 1-a, notification .................................... 39
    s. 2, examination ........................................... 235
    new s. 2-a, powers of commissioner ....................... 235
    s. 13, motor vehicle operators ............................ 116
118, s. 1, 1V, agricultural vehicles .......................... 42, 43
    new s. 11-a, vehicles owned by government ............... 9
    s. 25, motor vehicle violations ............................ 22, 23
    s. 30, municipal court fines ................................ 54, 55
119, s. 14, school busses ....................................... 43
    new s. 14-a, operators of school busses ................. 84, 85
    new s. 14-b, exceptions .................................... 85
    s. 38, legal length of motor vehicles .................... 51
    new s. 52, taking of, motor vehicle ...................... 71
120, new s. 22-a, auxiliary tanks ................................ 32
122, s. 7, motor vehicle financial responsibility .......... 31
124, s. 16, veterans’ aid ...................................... 83
126, s. 12, (a), old age assistance ............................ 38
    s. 12, (c), aid to dependent children .................... 236, 237
132, s. 1, neglected and delinquent children ............... 27
    s. 26, motor vehicle prosecutions ....................... 23, 24
134, s. 49, salary of commissioners of education .......... 355
135, s. 44, school superintendents ............................ 401, 433
Revised Laws, amended, repealed, etc.

Chapter 135, s. 8, new IV, assessments .......... 126
s. 9, interest rate ............................. 125
s. 10, mortality table ......................... 125
s. 11, benefits .................................. 125
new s. 13-a, teachers' retirement allowance ... 125, 126
new s. 13-b, teachers in service ................ 214, 215
139, new s. 7-a, school meetings ................ 35, 36
141, s. 1, school buildings ...................... 126, 127
143, new s. 107, military uniforms ............... 25
144, s. 7, state guard ........................... 377
147, s. 4, registrar of vital statistics ............. 130, 131
s. 8, vital statistics ............................ 131
new s. 12-a, industrial health service .......... 207
new s. 12-b, commissioner of labor .............. 207, 208
new s. 12-c, penalty ............................ 208
164, new s. 12-a, flour and bread enrichment ...... 123, 124
170, s. 20, first-class hotels ...................... 208
s. 71, fees ........................................ 152
s. 85, transportation of alcoholic beverages .... 151, 152
171, s. 15, pari mutuel pools .............. 117
s. 16, distribution of funds ...................... 118
175, new s. 5-a, fire chief ......................... 112
180, new s. 2, porcupines ......................... 359, 370
s. 5, payment .................................... 370
new s. 9-a, war dogs ............................ 97, 98
188, s. 19, hawkers and peddlers .............. 24
192, s. 26, I, shell beans and cucumbers ....... 68
new s. 30-a, standard weights of containers .... 52
s. 31, penalty .................................... 52
194, s. 57, inspection of dairies .................. 115
new Chapter 197-A, seed potatoes ................. 203, 204
198, s. 1, V, sale of eggs ......................... 354
s. 1, VI, repealed ................................ 354
s. 1, VII, repealed .............................. 354
s. 1, VII-1, repealed ............................ 354
s. 1, IX, repealed ................................ 354
s. 1, X, repealed ................................ 354
s. 3, fresh eggs .................................. 354
s. 5, standards .................................. 354
s. 6, repealed ..................................... 354
201, s. 5, measurement of round timber .......... 111
208, s. 7, registers for hotels and other public places ........ 133, 134
210, new s. 6-a, bureau of labor records .......... 44
216, s. 14, workmen's compensation ............... 202
218, s. 1, (4) new (o) employment exclusions ..... 49
s. 1, C, benefit year for unemployment law ... 16, 17
s. 1, H, (3) unemployment compensation ....... 138, 139
s. 1, H, (4) employer ............................ 139
s. 1, I, (4) (a) exclusions ....................... 139
Revised Laws, amended, repealed, etc.

chapter 218, s. 1, I, (4) (m) agents ........................................ 139
s. 1, J, employment office .................................................. 139, 140
s. 1, P, wages ................................................................. 140
s. 1, new S, agricultural labor .............................................. 140, 141
s. 2, B, (1), (2) unemployment compensation ......................... 69, 70
s. 3, D, (2) unemployment compensation .................................. 141
s. 4, B, unemployment compensation ....................................... 141
s. 4, E, (5) disqualification ............................................... 142
s. 5, B, initial determination .............................................. 142, 143
s. 5, C, appeal ............................................................... 143
s. 6, C, accounts ............................................................. 143, 144
s. 6, D, rating .................................................................. 145, 146
s. 6, E, new (7) merit ......................................................... 146
s. 6, new F, successorship ..................................................... 146, 147
s. 7, B, coverage ................................................................ 147
s. 7, C, (1) termination ......................................................... 147, 148
s. 7, C, (2) coverage ........................................................... 148
s. 9, G, reports .................................................................. 148, 149
s. 11, B, collections ............................................................ 149, 150
s. 11, F, refunds ................................................................ 150
s. 13, E, (2) penalties ......................................................... 150, 151

220, s. 1, firemen's retirement system ........................................ 365
s. 5, limitations .................................................................. 366
s. 16, disability benefits ...................................................... 366, 367
new s. 16-a, other benefits .................................................. 367, 368
new s. 17-a, continuous service credit ..................................... 368
s. 18, named beneficiaries .................................................... 368, 369
s. 19, exemptions ............................................................... 369

221, application .................................................................. 167
s. 4, police retirement act ...................................................... 164, 165
new s. 11-a, war service of police .......................................... 17

222, s. 18, University of New Hampshire .......................... 374, 399, 431
s. 21, income .................................................................... 375
s. 23, suspended .................................................................. 33

223, s. 31, farm products ...................................................... 53, 54

229, new s. 46-a, brucellosis .................................................. 135, 136
s. 51, examination of carcasses ............................................ 136
s. 54, domestic animal importation ....................................... 49, 50
s. 57, indemnity for condemned domestic animals ...................... 137
s. 67, branding cattle .......................................................... 111

230, s. 4, livestock shipment .................................................. 110, 111
s. 8, livestock transporting ................................................... 98
new s. 8-a, fees .................................................................. 98
s. 11, penalty ..................................................................... 98

233, s. 3, director of recreation .............................................. 259
s. 4, duties of directors ......................................................... 259, 260
new s. 16-a, special deputy forest fire wardens ......................... 156
s. 34, powers of agents ....................................................... 260
s. 35, (a) regulation of fires .................................................. 260, 261
s. 36, forest fires ............................................................... 33, 34
1945] Index 579

Revised Laws, amended, repealed, etc.

chapter 234, s. 6, approval of expenditures ................. 261
s. 7, commission to make rules 261
s. 10, contracts 261
s. 12, approval 262
s. 13, limit of approval 262
s. 14, fees for services 262, 263
s. 15, distribution of fees 263

241, s. 1, fur-bearing animals 132
s. 3, taking game 166
s. 9, snaring wild animals 65
s. 35, shooting by mistake 53

242, s. 3, wild deer 215
s. 4, wild deer 28, 29, 57, 58

243, s. 1, game birds 238, 239
s. 2, pheasants 37
s. 3, quail 239
s. 4, woodcock 239
s. 12, repealed 239

244, s. 2, repealed 132
ss. 3 to 5, penalties 162
s. 6, beaver 40, 41
s. 8, trapping 41
ss. 12 to 14, penalties 132
ss. 15, 16, 17, penalties 132
s. 19, fines 132

245, s. 15, fishing 92
new s. 59-a, striped bass 56
s. 63, clam industry 132, 133
s. 65, fines 56, 57

253, s. 2, optometry board 48

261, new s. 3-a, real estate mortgages 63

262, s. 3, mortgages 67
new s. 3-a, buildings on land of separate owners 44, 45, 67
s. 4, application 67
s. 5, application 45, 67
s. 6, application 67
new s. 6-a, corporate trust mortgages 67

ss. 29 to 42, repealed 108

new chapter 262-B, conditional sales law 99-108
new chapter 263-A, s. 1, definitions 18
s. 2, assignments valid 18, 19
s. 3, rights of debtor 19
s. 4, accountability 19, 20
s. 5, returned property 20
s. 6, assignment against United States 20

264, new ss. 41, 42, 43, liens of cleaners and others 91

273, s. 5, cooperative marketing associations 196, 197
s. 40, cooperative marketing associations 63, 64
new s. 40-a, forfeiture 64
new s. 40-b, forbearance 64
Revised Laws, amended, repealed, etc.
chapter 274, s. 97, dissolution of litigant corporations .... 157
s. 98, limited corporations .............................. 157, 158
292, application ........................................ 73
304, application ........................................ 73
306, s. 25, new IV, V, VI, registration of aircraft ...... 204
307, new s. 15, records of bank commissioner ........... 36
310, s. 3, 1, guaranteed loans to servicemen ............ 73-75
s. 3, new I-a, legal investments of savings banks ........ 212
s. 3, II, guaranteed loans to servicemen ................ 73-75
313, s. 31, trust companies ............................. 75, 76
s. 37, trust companies .................................. 2, 2, 233
new s. 37-a, limitations qualified ...................... 233, 234
314, s. 10, building and loan associations ............... 153
ss. 15, 16, repealed .................................... 154
s. 25, surplus or reserve fund .......................... 153
314, s. 36, single payment shares ........................ 154
323, new s. 37-a, insurance ................................ 60
new s. 57, fees ......................................... 60
new s. 58, tax .......................................... 60, 61
new s. 59, exemption .................................... 61
new s. 60, tax .......................................... 61
new s. 61, effective date ................................ 61
new s. 62, relief fund ................................... 61
new s. 63, expenditure ................................... 61
new s. 64, additional relief ................................ 62
new s. 65, exemption ..................................... 62
new s. 66, regulations .................................... 62
new s. 67, definitions ................................... 62
325, ss. 52 to 59, insurance .............................. 169
ss. 60 to 72, repealed ................................... 62
new chapter 333, fraternal benefit societies .............. 168-194
334, s. 4, III, repealed .................................. 204
334-A, s. 3, II, medical service corporations ............ 90
new s. 13, reciprocity ................................... 91, 91
339, new s. 2-a, decree of nullity ........................ 13, 14
342, s. 22, investments by guardians ..................... 27, 28
new chapter 342-A, s. 1, appointment of conservator .... 15
s. 2, bond .............................................. 15
s. 3, termination ........................................ 15, 16
chapter 347, s. 21, salaries of deputy registers ........... 359
s. 22, Grafton County probate office ..................... 26
351, s. 12, probate of wills ................................ 14
new chapter 352-A, s. 1, official findings of death ....... 47
s. 2, missing in action ................................... 47
s. 3, prima facie evidence of signature .................. 47, 48
s. 4, separability ...................................... 48
369, s. 1, justices ...................................... 231
new s. 1-a, permanent disability ......................... 231, 232
Revised Laws, amended, repealed, etc.

chapter 370, s. 1, superior court retired justices .......... 230
  new s. 1-a, permanent disability ........................ 230, 231
  new s. 2, court fees for sheriffs ......................... 45
  new s. 28-a, sheriff for Hillsborough county ............ 119
new chapter 381-A, judicial council ........................ 216, 217
  new s. 1, uniform acknowledgment law .................... 16
  new s. 28, court stenographers ........................... 355
  new s. 3, 1-a, 1-b, expedition of criminal trials .......... 34, 35
  new s. 36, penalties ..................................... 71, 72
461, s. 3, 5, 7, commitment ................................ 34
  5, criminal cases ........................................ 34
  7, commitment ............................................ 34
382-A, s. 1, 28, 28-a, sheriff for Hillsborough county 74
  new s. 1-a, permanent disability ........................ 230, 231
  new s. 2, court fees for sheriffs ......................... 45
  new s. 28-a, sheriff for Hillsborough county ............ 119

Rifles, full automatic, prohibition against use ............ 166
  use of in taking wild deer ................................ 28, 29, 57, 58
Rochester airport, see Dover, Somersworth, Rochester.
Rockingham county, commissioner districts established .... 238
  commissioners, salary .................................... 378
  reimburse Exeter for tax overpayment .................... 504
  Sheriff's salary ......................................... 352
Roosevelt Memorial Bridge, appropriation .................... 267
  construction authorized .................................. 267
  federal assistance ....................................... 267
  location .................................................. 267
  location .................................................. 267
  name ...................................................... 267, 356
Round timber, rules for measurement ........................ 111
Rye Harbor improvements, appropriation lapse ................ 209, 210

Saint, see under St.
Sales, conditional, see Conditional sales law.
Salmon, temporary open season, 1945 ........................ 92, 122
Savings banks, legal investments, buildings on land at Hampton... 212
  guaranteed loans to servicemen ......................... 73-75
  New Hampshire real estate .............................. 74
Scammell, Alexander, memorial bridge approaches, administration 230
  appropriation .......................................... 228
  park named ............................................. 229
Scholarships for orphans of war veterans .................... 356, 357
School buildings, new, application of act .................. 127
  recommendations from state board ....................... 127
  school board approval ................................... 126, 127
  bus operator, age limit .................................. 85
  certificate required .................................... 84, 85
  school board to investigate ............................ 84, 85
  busses, inspection by motor vehicle commissioner ....... 43
  districts, assessments for teachers' retirement allowances. 126
School districts, meetings, special, publication of warrant .......... 35, 36
teachers' pension systems, see Pensions, school teachers.
see also Teachers.

vocational and trade schools, see Vocational.

Secretary of state, absentee ballots, providing ..................... 128-130
  aerial survey fund, custody .................................. 85
  appropriation for department ................................. 390, 421, 422
  special session of general court, calling .......................... 135
  rates for political advertising to be filed with ... 265
  recount notices, election ..................................... 49

Seed potatoes, see Potatoes, seed.

Selectmen, appointment of election inspectors .......................... 88
  certain returns to state and county treasurers eliminated ........ 13
  poll tax warrant to collector .................................. 10, 11
  removal of permanent police officers ........................... 167
  wires in highways, jurisdiction over ............................ 341-349

see also Highway Law, layout.

Senatorial districts, redistricting, study of .......................... 460
Service of process, fraternal benefit societies ......................... 181
Servicemen, free transportation ..................................... 73
  loans from savings banks ...................................... 73-76
  Readjustment Act of 1944, loans guaranteed under .... 74-76

see also Military.

Session Laws, amended, repealed, etc.
1830, chapter 8, s. 5, N. H. Savings Bank .......................... 495, 496
1835, chapter 37, Nashua Railroad .................................. 491
1838, chapter 21, Nashua Railroad .................................. 491
1844, chapter 194, Wilton Railroad .................................. 491, 492
  195, Wilton Railroad ........................................... 491, 492
1855, chapter 1777, Concord and Portsmouth Railroad ................ 491
1856, chapter 1906, Concord and Portsmouth Railroad ................. 491
1859, chapter 2284, Concord and Portsmouth Railroad ................. 491
1861, chapter 2540, Concord and Portsmouth Railroad ................. 491
1866, chapter 4314, Peterborough Railroad .......................... 492
1867, chapter 97, Concord and Portsmouth Railroad .................. 491
1869, chapter 76, Peterborough Railroad ............................. 492
1881, chapter 168, Concord and Portsmouth Railroad .................. 491
1883, chapter 223, s. 1, Mayor of City of Manchester ............... 518
1887, chapter 193, s. 2, Gordon-Nash Library .......................... 492
1893, chapter 247, Concord and Portsmouth Railroad .................. 491
1895, chapter 175, Gordon-Nash Library .............................. 492
1897, chapter 121, new s. 10-a, absentee voting in Berlin .......... 305
1905, chapter 153, s. 4, Keene police ................................ 497, 498
1907, chapter 178, s. 2, Claremont Savings Bank ..................... 494, 495
  203, Mayor of City of Manchester ............................... 518
  225, s. 1, benefit society .............................. 488, 489
    s. 3, property .............................................. 489
1909, chapter 303, s. 6, St. Mary's Bank ............................ 499, 500
    s. 7, directors ............................................. 500
    s. 8, committees ............................................. 500, 501
chapter 305, s. 38, Concord ...................................... 517
Session Laws, amended, repealed, etc.
1913, chapter 337, s. 3, Manchester school committee ............... 497
339, Gordon-Nash Library ........................................ 492
1917, chapter 330, new s. 4-a, Manchester fire department .......... 507
349, repealed .................................................. 499
1919, chapter 245, Concord ......................................... 517
279, s. 1, City of Manchester .................................... 516
1921, chapter 277, s. 1, Manchester ................................ 490
278, s. 1, City of Manchester .................................... 516
1923, chapter 194, Concord ......................................... 517
198, Gordon-Nash Library .......................................... 492
1925, chapter 323, Keene police .................................... 497, 498
1931, chapter 126, sinking fund .................................... 374
258, Concord .................................................... 517
1933, chapter 63, s. 8, repealed .................................... 114
293, Gordon-Nash Library .......................................... 492
305, s. 2, St. Mary’s Bank ........................................ 500
1935, chapter 39, repealed .......................................... 114
1937, chapter 1, repealed ........................................... 114
124, bridges ........................................................ 228
s. 3, administration .............................................. 230
1939, chapter 38, repealed .......................................... 114
159, s. 2, bonds .................................................... 138
207, s. 8, Hampton Harbor Toll Bridge ............................ 210
218, s. 6-a, repealed ............................................... 210
1941, chapter 8, repealed ........................................... 114
86, repealed ....................................................... 209
87, s. 4, Hampton Harbor Toll Bridge .............................. 210
161, s. 3, repealed ................................................ 210
190, Mt. Sunapee .................................................... 201
s. 2, project ...................................................... 270
s. 3, plans ........................................................ 200
s. 4, construction .................................................. 200
s. 5, operation ..................................................... 200, 201
s. 7, bonds .......................................................... 201
s. 9, tolls and charges ............................................ 201, 202
218, reinstatement .................................................. 237
s. 4-a, repealed .................................................... 122
s. 6-a, state employees after military service ..................... 121
new s. 6-c, reinstatement ......................................... 121, 122
1943, chapter 2, recounts ............................................ 41
15, registrar of vital statistics .................................... 130
22, s. 1, non-partisan ballot system ............................... 227
23, repealed ........................................................ 209
33, s. 3, real estate tax sales .................................... 92
35, s. 1, orphans of veterans ...................................... 356, 357
s. 4, appropriation ................................................. 357
53, s. 2, supervisors of check-list ................................. 352, 353
56, s. 4, benefits .................................................. 141
s. 5, benefit for total unemployment .............................. 69
57, repealed ........................................................ 267, 350
Session Laws, amended, repealed, etc.
1943, chapter 61, s. 3, state bonds .......................... 114, 115
63, Grafton county probate office .......................... 26
64, s. 1, beaver ........................................ 40, 41
65, auxiliary tanks ........................................ 32
68, repealed ............................................. 350
69, repealed ............................................. 114
70, s. 1, town trust funds ................................. 57, 76, 77
72, reinstatement .......................................... 237
s. 1, repealed ........................................... 122
s. 2, state employees after military service .......................... 121
79, repealed ............................................. 350
83, pari mutuel pools ....................................... 117, 118
97, uniform acknowledgment law ............................ 16
102, veterans' aid ......................................... 83
108, legal length of motor vehicles ........................ 51
111, trust companies ....................................... 232, 233
119, county commissioners ................................. 55, 56, 211
121, repealed ............................................. 350
123, repealed ............................................. 350
124, clam industry ........................................ 32, 33
125, Grafton county probate office ........................ 26
126, repealed ............................................. 350
134, s. 1, real estate tax sales ........................... 92
135, s. 1, wild deer ....................................... 28, 29
s. 2, wild deer ........................................... 57, 58
138, optometry board ....................................... 48
145, s. 4, duties of board ................................ 376
new s. 5-a, classification plan board ..................... 375, 376
s. 7, governor and council ................................. 376
150, county commissioners ................................. 55, 56, 211
155, Mt. Sunapee .......................................... 201
160, s. 6, capital reserve funds of towns .................. 33
s. 13, capital reserve funds of towns ..................... 32
166, medical service corporations .......................... 90, 91
168, repealed ............................................. 103
169, repealed ............................................. 62
170, repealed ............................................. 360
172, livestock transporting ................................ 93
178, accounts ............................................. 143
179, suspended ........................................... 378
181, public trusts .......................................... 87, 88
185, appropriation extended ............................... 382
187, s. 1, qualifications for voting ........................ 212
191, wild deer ............................................ 215
195, s. 1, county sheriffs ................................. 352
s. 2, county commissioners ............................... 55, 56, 211
199, repealed ............................................. 370
201, s. 1, bonus for war service .......................... 65, 65
s. 4, distribution of payments ............................ 66, 67
s. 5, veterans bonus ..................................... 205
Session Laws, amended, repealed, etc.
1943, chapter 201, s. 7, bonds or notes ..................................... 205, 206
s. 9, short-term notes ......................................................... 206
202, county commissioners .................................................. 55, 56, 211
203, reinstatement ............................................................. 121, 122, 237
234, military drill ............................................................. 461
261, s. 1, St. Mary's Bank .................................................... 500
275, s. 1, city of Manchester ................................................ 516
284, s. 4, Manchester .......................................................... 493
1945, chapter 3, taxation of legacies and successions .................... 159
9, ballots .............................................................................. 214
31, s. 1, wild deer .................................................................... 58
60, s. 1, war veterans ........................................................... 236
66, Hillsborough county commissioners .................................... 211
84, s. 1, legal investments of savings banks ............................... 212
99, repealed ........................................................................... 122
101, elections ........................................................................... 128
122, reinstatement ................................................................... 237
187, s. 3, memorial bridge ..................................................... 356
Sewers, see Highway Law, sewers.
Sheep Breeders' Association, New Hampshire, appropriation ... 385, 416
taxation of .............................................................................. 88, 89
Shell beans, sale by weight ..................................................... 68
Sheriffs, bond, change in date for filing .................................. 26, 27
deputies, fees ........................................................................... 45
fees for attending court ........................................................... 45
Hillsborough county, allowance for clerk hire ............................. 119
reports to judicial council ....................................................... 217
salaries ................................................................................. 352
Sidewalk defined ................................................................. 329
Sidewalks, see Highway Law.
Sinking fund, state, transfer to general funds .............................. 374
Small claims, disposition of fees ............................................. 58, 59
entry fee ................................................................................... 58, 59
postage expense ....................................................................... 58, 59
record of claim ......................................................................... 59
Snaring of wild animals prohibited .......................................... 65
Snipe, taking ............................................................................. 239
Snow fences ............................................................................. 293, 313
obstructions on highways ....................................................... 324
Soil conservation advisory board .......................................... 197
committee ............................................................................... 197, 198
district established ................................................................. 197
erosion control ......................................................................... 198
federal grants ........................................................................... 198
land owner approval required ............................................... 198, 199
municipal cooperation ............................................................. 199
Soldiers' Home, N. H., appropriation ...................................... 335, 396, 426, 427
board of managers ................................................................... 205
commandant ........................................................................... 266
establishment .......................................................................... 265
labor preference for veterans .................................................. 266
Soldiers' Memorial Parks designated ........................................... 229
    governor and council to administer ..................................... 230
    sailors, see Servicemen.
    Veterans.
    Somersworth airport, see Dover, Somersworth.
    Standard bushel for certain products .................................... 68
    State aerial survey, see Aerial survey.
    appropriations, see Appropriation.
    bonds, see Bonds, state.
    convention, political, designation of committees .................... 358
    date, 1944 ................................................................. 533
    1946 ................................................................. 82
    emblem established ......................................................... 167, 168
    employees' association panel for classification board ................ 375, 376
    retirement system ......................................................... 259
    classification plan board, duties ....................................... 376
    membership ............................................................... 375, 376
    reinstatement after war service, application .......................... 121
    change of
    status ................................................................. 122
    compensation ............................................................ 121
    definitions ............................................................. 121
    labor department ......................................................... 237, 238
    employees' retirement, see Retirement, state employees.
    temporary additional compensation ...................................... 359
    amount ................................................................. 360
    basis for increase ...................................................... 360
    finances, see Finances, state.
    forester, powers and duties ............................................... 260-262
    see also Forestry and recreation.
    funds, transfer from sinking fund ....................................... 374
    guard, appropriation .................................................... 384, 415
    compensation for members ................................................ 377, 378
    hospital, appropriations ................................................ 379, 380, 396, 397, 427, 428
    house annex sinking fund, appropriation ................................ 410, 442
    industrial school, see Industrial school.
    library, appropriations ................................................... 380, 390, 391, 422
    moneys, application of receipts ........................................ 89, 90
    motto, see Motto, state.
    police, appropriation .................................................... 391, 422
    prison, appropriations ................................................... 380, 397, 398, 428-430
    purchasing agent, appropriation for department ....................... 390, 421
    see also Federal surplus commodities.
    sanatorium, appropriations ............................................... 380, 398, 399, 433, 431
    treasurer, reimbursement to municipality for loss of taxes ........ 36, 37
    transfer of tax duties to assistant attorney general ................ 164
    Stewartstown, repair of highways ...................................... 456
    St. Mary's Bank, directors, tenure of office .......................... 500
    election of officers .................................................... 500, 501
    voting by proxy ........................................................ 499, 500
Stop signs, highway, see Highway Law.
Stream flow gauging, appropriation .................................. 406, 437
Streets, names .......................................................... 331
     see also Highway Law.
Sullivan, General John, memorial bridge, approaches, administration
     appropriation ......................................................... 228
     park named ......................................................... 229
Summer brook rearing station for fish, appropriation extended .... 71
Summer cottages, highways to ......................................... 312, 313
Suncook lakes named, Lower Suncook Lake .......................... 10
     Upper Suncook Lake ............................................. 10
Superior court, appropriation ......................................... 383, 415
     criminal cases, arraignment upon complaint after waiving
     indictment ........................................................ 34, 35
     fees for sheriffs and deputies ................................... 45
     jurisdiction, annulment of marriage ............................ 13, 14
     reemployment of veterans after war service .................. 20, 22
     justice, member of judicial council ............................. 216
     justices, appointment ............................................ 230, 231
     election of benefits for retirement ............................ 231
     number ............................................................. 230
     retirement for disability .......................................... 230, 231
highway layouts, see Highway Law, layout, superior court.
     report of motor vehicle violations .............................. 22
     rules to establish for waiver of indictment ................. 34, 35
     stenographers, compensation .................................... 355
     telegraph, etc., lines in highways, appeal ................... 345
Supervisors of checklist, 1944 primary ................................ 529, 534
     1946 primary ..................................................... 81
     filling vacancies ................................................ 136, 137
     registration of voters ........................................... 129, 529
     temporary disqualification ...................................... 352-353
     transfer cards for voting changes ............................. 212, 213
     voting qualifications ............................................ 212, 213
     see also Elections.
Supreme court, appropriation .......................................... 383, 414
     hearings on election law violations ............................ 82, 533, 534
     justice, member of judicial council ............................ 216
     justices, appointment ............................................ 231
     election of retirement benefits ................................ 232
     number ............................................................. 231
     retirement for permanent disability ........................... 231, 232
Surplus commodities, see Federal surplus property.

Tax collector, bond ..................................................... 11
     deputy, appointment .............................................. 11
     bond ............................................................... 11
Index

Tax collector, deputy, powers and duties .................................. 11
  incapacity, appointment of agent ........................................ 24, 25
  sewer liens ........................................................................ 336
  time of appointment ............................................................ 8
commission, appropriation ......................................................... 409, 410, 441, 442
  approval bond of single trustee, trust funds ......................... 77, 78
  certificate of emergency for appointment agent at tax sale ........ 24, 25
exemptions, Dover, Rochester Authority .................................... 520
  employees’ retirement benefits ............................................. 257, 258
  fraternal benefit societies ................................................... 191
  institutional ..................................................................... 154-156
  veterans organizations ....................................................... 154-156
goats .................................................................................. 88, 89
highway not in any town, landowners liability ........................... 313, 314
hogs ..................................................................................... 88, 89
insurance companies .................................................................. 60, 61
loss for land acquired for flood control, reimbursement .......... 36, 37
poll, see Poll tax.
  real estate, institutional exemptions ...................................... 154-156
  property of United States .................................................... 44
sales, notice requirements ........................................................ 92
  power of agent in incapacity of collector ................................ 24, 25
  vehicles other than motor vehicles and farm tractors .............. 73
sheep ...................................................................................... 88, 89
town highway ........................................................................... 309

see also Highway Law.

Taxation, legacy and succession, abatement .............................. 160
  appeals from assessment ..................................................... 160
  compromise of tax ................................................................ 161
  dispute as to domicile .......................................................... 162
  examination of safe deposit boxes ........................................ 162, 163
  gains on sale of property ..................................................... 159
  gifts reportable .................................................................... 158, 159
  investigations ...................................................................... 163, 164
  joint deposits ..................................................................... 163
  liability of grantee or donee ................................................ 161
  losses on sale of property ..................................................... 159
  nonresident, settlement without administration ..................... 160, 161
  transfer tax ....................................................................... 164
  persons exempt .................................................................... 8, 9, 158
  taxable ................................................................................ 8, 9, 158
  powers, assistant attorney general ........................................ 158-164
  property taxable .................................................................... 158
  rate of tax .......................................................................... 158
  real estate, nonresidents ...................................................... 158
  repayment .......................................................................... 160
  unascertained appointees .................................................... 162
  value of property for assessment .......................................... 159

Taxes, public, apportionment ..................................................... 1-8
Teachers' retirement system, additional allowance .......................... 125, 126
appropriation for department ........................................ 410, 442
assessments upon districts ........................................... 126
date for application for membership .................................. 125
disbursing officers, duties ........................................... 126
military service ...................................................... 214, 215
prior service credit .................................................. 125
Telegraph, poles and structures in highways ......................... 341-349
Telephone, poles and structures in highways ......................... 341-349
Tenofsky, Samuel W., in favor of ..................................... 461
Timber, round, rules for measurement ................................ 111
Toll bridge, Hampton Harbor, see Hampton Harbor.
Tourist camps, register for, see Hotels, lodging houses.
Town aid for highways, see Highway Law.
  appropriations, acquisition, trees within highways .......... 339
  advertising ....................................................... 110
  highways .......................................................... 300, 309
  memorial committee ............................................... 46
  memorials for veterans ........................................... 46
by-laws, bridges, use of ............................................. 332
  clams and clam worms, regulations for taking ................. 132, 133
  use of bicycles on roads ........................................ 339
capital reserve funds, see Capital reserves.
clerk, bond .......................................................... 11
  fees for municipal permit, motor vehicle ....................... 357, 358
  recording conditional sales ...................................... 99-102, 108
control of trees along highways .................................... 338
disposition of fines collected by municipal court ............... 54, 55
emergency notes with state guarantee, time limitation repealed 114
employees, retirement system ..................................... 360-365
fire chief, appointment .............................................. 112
  removal for cause ................................................ 112
  term, indefinite .................................................. 112
forest fires, extinguishing, recovery of expenses ............... 33, 34
highways, compensation for injured workmen ..................... 308, 309
  (see also Highway Law).
meeting, annual, vote to elect permanent police officers ...... 167
meetings, special, publication of warrant ........................ 35
police officers, constables, see Police officers.
recreational activities, employment of officials .................. 120
  fees ............................................................... 120
  leases ........................................................... 120
  maintenance ....................................................... 120
  neighborhood center buildings ................................... 120
  public playgrounds .............................................. 120
  swimming pools ................................................. 120
  taking land ...................................................... 120
tax collector, see Tax collector.
treasurer, bond ..................................................... 11
trust funds, see Trust funds, town.
  (see also Municipal and Municipality).
Tractor, farm, *see* Farm tractor.

Trade school, state, established .............................................. 370-372

Tramway commission, appropriation ........................................ 413, 444

Mt. Sunapee, *see* Mt. Sunapee.

Transportation, diseased livestock, *see* Animals, diseased, transportation restrictions.

of alcoholic beverages, regulations ........................................ 151, 152

Travel bureau, state, appropriation ........................................ 386, 417

Treasurer, state, appropriation for department ............................. 392, 423, 424

professional engineers fund .................................................... 2.0


Trials in criminal cases, *see* Criminal cases.

Troubadour, mailing to servicemen ........................................... 452

Trout, lake, *see* Lake trout.

Trucks, motor vehicle, auxiliary gas tanks .................................. 32

Trust companies, guaranteed loans to servicemen ........................... 73-75

investments, limitations .......................................................... 232-234

market value of securities ...................................................... 233, 234

New Hampshire real estate ....................................................... 74

fund obligations, state, appropriation ...................................... 392, 424

funds, town, single trustee, authorized .................................... 76, 77

bond ......................................................................................... 77, 78

investments ................................................................................. 77

trustees, duties ................................................................. 57

organization ............................................................................... 57

term ......................................................................................... 57

vouchers required before disbursement ...................................... 57

Trusts, public, register of, fiduciaries included ............................... 87

reports required by trustees ....................................................... 87, 88

Tuberculous cattle, *see* Animals, diseased, transportation restrictions, persons, aid to, appropriation .............................. 403, 434

Unemployment compensation, adjustments ...................................... 150

agricultural labor inclusions ..................................................... 140, 141

appeals ....................................................................................... 143

benefit eligibility conditions ..................................................... 141

collection of payments from employers ....................................... 149, 150

definition of benefit year ........................................................ 16, 17

definitions ................................................................................. 138-140

disqualifications for benefits ..................................................... 141, 142

employers' ratings ..................................................................... 145, 146

voluntary coverage ..................................................................... 147, 148

employing unit defined .................................................................. 138, 139

employment exclusions .............................................................. 139

office defined ............................................................................. 139, 140

former employees, reinstatement ................................................ 237

general experience rating .......................................................... 145, 146

initial determination of claims ................................................... 142, 143

maximum total amount of benefits ............................................ 69, 70

merit ratings .............................................................................. 146

penalties ..................................................................................... 150, 151
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unemployment compensation, records of employing units</td>
<td>148, 149</td>
</tr>
<tr>
<td>refunds</td>
<td>150</td>
</tr>
<tr>
<td>reports required</td>
<td>148, 149</td>
</tr>
<tr>
<td>separate accounts of employers</td>
<td>143, 144</td>
</tr>
<tr>
<td>service as insurance agent</td>
<td>139</td>
</tr>
<tr>
<td>exemptions, employ of labor organization</td>
<td>49</td>
</tr>
<tr>
<td>successorship to trade or business</td>
<td>146, 147</td>
</tr>
<tr>
<td>termination of employers' coverage</td>
<td>147, 148</td>
</tr>
<tr>
<td>wages defined</td>
<td>140</td>
</tr>
<tr>
<td>weekly benefit amount</td>
<td>69, 70</td>
</tr>
<tr>
<td>Uniform acknowledgment law, see Acknowledgment of instruments, laws, conditional sales, see Conditional sales law.</td>
<td></td>
</tr>
<tr>
<td>Uniforms, military, see Military uniforms.</td>
<td></td>
</tr>
<tr>
<td>Unincorporated places, bridges</td>
<td>307</td>
</tr>
<tr>
<td>recording mortgages, personal property</td>
<td>44, 45</td>
</tr>
<tr>
<td>road aid</td>
<td>300-332</td>
</tr>
<tr>
<td>Unions, labor, see Labor unions.</td>
<td></td>
</tr>
<tr>
<td>United States Employment Service, persons inducted into, re-instatement</td>
<td>236, 237</td>
</tr>
<tr>
<td>taxation of real estate</td>
<td>44</td>
</tr>
<tr>
<td>University of New Hampshire, appropriation</td>
<td>379, 431</td>
</tr>
<tr>
<td>building program</td>
<td>374, 375</td>
</tr>
<tr>
<td>non-resident students not restricted</td>
<td>33</td>
</tr>
<tr>
<td>Unorganized places, see Unincorporated places.</td>
<td></td>
</tr>
<tr>
<td>Utility, public, companies, wires and poles in highways, see Highway, Law, telegraph.</td>
<td></td>
</tr>
<tr>
<td>Vaccination of bovine animals against Brucellosis (Bang's disease)</td>
<td>135</td>
</tr>
<tr>
<td>Vehicle, transporting alcoholic beverages, permit required</td>
<td>152</td>
</tr>
<tr>
<td>Vehicles, taxation, see Tax, vehicles.</td>
<td></td>
</tr>
<tr>
<td>Venue, highway damages</td>
<td>321</td>
</tr>
<tr>
<td>Veterans, admittance to Soldiers' Home Association, N. H.</td>
<td>205</td>
</tr>
<tr>
<td>bonus, see Bonus</td>
<td>386, 418</td>
</tr>
<tr>
<td>burial expenses, application form</td>
<td>83, 84</td>
</tr>
<tr>
<td>council, state, appropriation</td>
<td>405, 437</td>
</tr>
<tr>
<td>Disabled American, see Disabled American Veterans.</td>
<td></td>
</tr>
<tr>
<td>Foreign Wars, rooms in state house</td>
<td>454</td>
</tr>
<tr>
<td>guaranteed re-employment, see Municipality, veterans.</td>
<td></td>
</tr>
<tr>
<td>labor preferences</td>
<td>266</td>
</tr>
<tr>
<td>minor, see Minors</td>
<td></td>
</tr>
<tr>
<td>official evidence of death</td>
<td>47, 48</td>
</tr>
<tr>
<td>organizations, see Disabled American Veterans.</td>
<td></td>
</tr>
<tr>
<td>orphans, scholarships for</td>
<td></td>
</tr>
<tr>
<td>service exemption from taxation</td>
<td>535</td>
</tr>
<tr>
<td>(see also Military service).</td>
<td>405, 437</td>
</tr>
<tr>
<td>Veterinary surgeons, appropriation</td>
<td></td>
</tr>
<tr>
<td>Village districts, capital reserves, see Capital reserves.</td>
<td></td>
</tr>
<tr>
<td>meetings, special, publication of warrants</td>
<td>35</td>
</tr>
<tr>
<td>Index</td>
<td>[1945]</td>
</tr>
<tr>
<td>-------</td>
<td>--------</td>
</tr>
<tr>
<td>Vital statistics, appropriation</td>
<td>402, 433</td>
</tr>
<tr>
<td>registrar, appointment</td>
<td>131</td>
</tr>
<tr>
<td>duties</td>
<td>131</td>
</tr>
<tr>
<td>Vocational and state trade schools, appropriation</td>
<td>371, 372</td>
</tr>
<tr>
<td>director of trade school</td>
<td>370, 371</td>
</tr>
<tr>
<td>federal grants</td>
<td>374</td>
</tr>
<tr>
<td>purpose</td>
<td>370</td>
</tr>
<tr>
<td>schools designated vocational schools</td>
<td>372</td>
</tr>
<tr>
<td>state aid for tuition</td>
<td>372</td>
</tr>
<tr>
<td>board to establish</td>
<td>371</td>
</tr>
<tr>
<td>tuition</td>
<td>371</td>
</tr>
<tr>
<td>rehabilitation, appropriation</td>
<td>400, 432</td>
</tr>
<tr>
<td>schools, established</td>
<td>370-372</td>
</tr>
<tr>
<td>Voters, see Absentee voting.</td>
<td></td>
</tr>
<tr>
<td>Election.</td>
<td></td>
</tr>
<tr>
<td>Vytauto Lithuanian Benefit Society, name given</td>
<td>488, 489</td>
</tr>
<tr>
<td>property holding</td>
<td>489</td>
</tr>
<tr>
<td>War ballots, see Absentee voting.</td>
<td></td>
</tr>
<tr>
<td>bonus, see Bonus.</td>
<td></td>
</tr>
<tr>
<td>dogs, exemption from annual license fee</td>
<td>97, 58</td>
</tr>
<tr>
<td>emergency legislation, bridge aid suspended</td>
<td>308</td>
</tr>
<tr>
<td>conservator for missing persons</td>
<td>14-16</td>
</tr>
<tr>
<td>free transportation</td>
<td>73</td>
</tr>
<tr>
<td>highway aid suspended</td>
<td>300</td>
</tr>
<tr>
<td>re-employment of veterans by municipalities</td>
<td>20-22</td>
</tr>
<tr>
<td>(see also Municipalities).</td>
<td></td>
</tr>
<tr>
<td>service by members of police retirement system</td>
<td>17</td>
</tr>
<tr>
<td>service bonus, see Bonus.</td>
<td></td>
</tr>
<tr>
<td>termination of, vote of appreciation</td>
<td>459</td>
</tr>
<tr>
<td>veterans, minors, see Minors.</td>
<td></td>
</tr>
<tr>
<td>Warehouse receipts, limitation on investment by trust companies</td>
<td>234</td>
</tr>
<tr>
<td>Water control commission, appropriation</td>
<td>406, 437</td>
</tr>
<tr>
<td>resources board, appropriation</td>
<td>406, 437</td>
</tr>
<tr>
<td>Waters, public, layout of highway to, see Highway Law, layout.</td>
<td></td>
</tr>
<tr>
<td>Webster, Daniel, birthplace, appropriation</td>
<td>391, 423</td>
</tr>
<tr>
<td>Weights and measures, appropriation</td>
<td>392, 424</td>
</tr>
<tr>
<td>flour and meal containers, standard weights</td>
<td>52</td>
</tr>
<tr>
<td>sale by weight</td>
<td>68</td>
</tr>
<tr>
<td>see Timber, round.</td>
<td></td>
</tr>
<tr>
<td>Welfare, public, see Public welfare.</td>
<td></td>
</tr>
<tr>
<td>Wheels, wagon, see Highway Law, wagon wheels.</td>
<td></td>
</tr>
<tr>
<td>White pine blister rust appropriation</td>
<td>388, 419.</td>
</tr>
<tr>
<td>Widows, World War II veterans, poll tax exemption</td>
<td>536</td>
</tr>
<tr>
<td>Wild animals, snaring prohibited</td>
<td>65</td>
</tr>
<tr>
<td>Wills, allowance when witnesses incompetent or unavailable</td>
<td>14</td>
</tr>
<tr>
<td>Wilton Railroad Company, charter dissolved</td>
<td>491, 492</td>
</tr>
<tr>
<td>Wires in highways, see Highway Law, telegraph.</td>
<td></td>
</tr>
<tr>
<td>Witness fees, town neglect to repair highways</td>
<td>315</td>
</tr>
</tbody>
</table>
Witnesses to wills, incompetent or unavailable .................................. 14
Woodcock, open season for taking ................................................... 239
Words defined, highways ............................................................... 28
    military service ............................................................... 121
    professional engineering .................................................. 218
    retirement system, state employees ................................. 240, 241
    soil conservation district .............................................. 197
Workmen's compensation, artificial appliance furnished .................. 202
    physician, selection by employee ................................... 202
    remedial care ............................................................... 202
    state aid highway projects ......................................... 308, 309
    study by interim committee ......................................... 457
World cooperation, vote of people on question ............................ 446
    Federation, see Federation of the World.
War II areas designated as soldiers' memorial parks .................... 229
    orphans of veterans, scholarships ................................. 356, 357
    widows, see Widows.