

RESOLVES


AND

PRIVATE LAWS

OF THE

STATE OF CONNECTICUT,

FROM THE YEAR 1836 TO THE YEAR 1857.



PUBLISHED UNDER AND BY VIRTUE OF A
RESOLUTION OF THE GENERAL ASSEMBLY, PASSED MAY SESSION, 1856,
UNDER THE SUPERVISION OF A SPECIAL COMMITTEE.

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VOLUME IV.  
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NEW HAVEN:
THOMAS J. STAFFORD, PRINTER.

1857.

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pure, or commit any nuisance therein, or shall bathe within the limits that may be taken or prescribed by said company, pursuant to the provisions of this act; or shall destroy or injure any aqueduct, pipe, reservoir, conduit, hydrant, machinery, building, structure or other property, held, owned or used by said company, by the authority or for the purposes of this act, every such person or persons shall be liable to said company in treble damages therefor.

SEC. 14. The said company shall cause to be kept at their office proper books of accounts, in which shall be fairly and truly entered all the transactions of the company, which books shall at all times be open for the inspection of the stockholders of said company, and of commissioners that may be appointed by the general assembly.

SEC. 15. And said company shall have power and authority to issue its bonds to an amount not exceeding one-half the actual expenditure of said company in the purchase of real estate, machinery, and in the erection of buildings and the operations incident to the completion of its works for the purposes herein specified. Said bonds to bear a rate of interest not exceeding seven per cent. per annum, which interest shall be payable semi-annually, and shall in no case be issued for a less sum than one hundred dollars. Said bonds to be countersigned by the commissioners of said company, that are herein or may hereafter be appointed by the general assembly, and to be certified by said commissioners on their face to be for an amount not exceeding the one-half said expenditures, and said bonds, when so issued by said company, shall be and remain a lien and incumbrance, in the nature of a mortgage, prior to any other incumbrance on said property, and said commissioners shall annually make return to the town clerk's office of the town of Bridgeport, stating the amount so issued by said company.

SEC. 16. This act shall be subject to be altered, amended or repealed at the pleasure of the general assembly.

Resolved, That Charles B. Foot and W. H. Noble be commissioners to issue bonds as aforesaid.

SEC. 17. If said company shall fail to comply with, and in all respects to perform the terms, conditions, stipulations and provisions contained in the proposition of the said Nathaniel Green relative to supplying said city with water, on file in the office of the city clerk of said city, reference thereto being had, then all the rights, powers and privileges conferred by this act shall cease and determine.

INCORPORATING THE CANTERBURY AQUEDUCT COMPANY.

PASSED 1843.

Resolved by this Assembly, That Andrew T. Judson, Isaac Knight, Job Angel and Joseph Palmer, and all such other persons as may be from

time to time associated with them, together with their successors and assigns, are hereby made, created and constituted a body corporate and politic, by the name of "The Canterbury Aqueduct Company," for the purpose of conducting into the village of Canterbury, by means of subterraneous pipes, water, for the use, convenience and safety of said corporators and their successors. And the said Canterbury aqueduct company, by that name, are hereby made capable in law to have, purchase, receive, possess, hold and enjoy, to them and their successors, lands, tenements, hereditaments, leases, goods, chattels and estate, of what kind and quality soever, and the same at pleasure to sell, grant, alien and dispose of, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all courts in this state or elsewhere, both in law and equity; and also to make, ordain, establish and put in execution, by suit or otherwise, such by-laws, ordinances and regulations as may be deemed necessary for the well ordering and government of said corporation, not being contrary to this act, the laws of this state, or of the United States; which said by-laws, ordinances and regulations said corporation is hereby empowered to make.

SEC. 2. The capital stock and property to be held by said corporation may consist of any sum not exceeding one thousand dollars; and the capital stock thereof may be divided into such number of shares, and at such value and sum for each, as the corporation may deem proper; and the shares may be transferable and assignable in such manner as the by-laws of the said corporation may provide.

SEC. 3. The corporation may from time to time apportion to each share the quantity of water to be drawn by each proprietor of a share, and the size of the branch pipe to be used by such proprietor; and in case any one stockholder or proprietor shall be the owner and holder of more shares than one, then said corporation may apportion to him, if so desired, the size of the branch pipe or number of pipes and quantity of water to be drawn from the main aqueduct by him.

SEC. 4. There shall be a meeting of the members of said corporation on the 8th day of June, 1843, in said Canterbury, or on such other day as may be designated in a written notice by one of the corporators above named, on the sign-post of the first society of Canterbury, at least five days before the day designated for such meeting; and when met in the manner above mentioned, said corporation may elect a president, secretary, treasurer and two directors; and thereafter the annual meetings of said corporation shall be holden on some day in May, to be specified in the by-laws of said corporation, and said officers shall be elected annually. The president shall preside at all meetings, and call special meetings when he may think proper. The treasurer shall collect from time to time all such moneys, installments, assessments and taxes as may be required by vote of said corporation, and pay the same out on such orders as the directors may give. The secretary shall be sworn to a faithful discharge of his trust, and record all the proceedings and doings of the corporation. The directors shall have the management of the financial affairs of said corporation, making their report annually of all their doings.

SEC. 5. Each stockholder, at any meeting of the corporation, shall be entitled to give as many votes on each question as he may own shares;

and any stockholder may authorize any other stockholder by proxy to vote on his share or shares.

SEC. 6. Said corporation shall have full power to open the ground in any part of the streets or highways in the said village of Canterbury, for the purpose of sinking or repairing the main pipes and conduits, or the branch pipes or conduits, when necessity may require; *always provided*, that the passage of teams and carriages shall not thereby be endangered: and when so opened, within a reasonable time thereafter, shall be by said corporation duly repaired.

SEC. 7. The members of said corporation, in legal meeting warned by the president for that purpose, by their vote shall have power to assess taxes upon the several members, in proportion to their stock in said corporation, to be applied for effecting the purposes of this act, and for the keeping in suitable and good repair the said aqueduct or the branches thereof: and if any member of said corporation shall neglect to pay any such tax within the term of thirty days after notice given him by the treasurer, the said treasurer may apply to any justice of the peace in said town of Canterbury, and obtain from him a warrant in proper form, which he is hereby authorized to grant for the collection of the said tax, and the cost of such warrant and the fees for collecting the same, which said warrant shall be directed to either constable of said town of Canterbury, and be proceeded with in all respects as warrants for the collection of town taxes.

SEC. 8. *Provided*, that this resolve may at any time be altered, amended or revoked by the general assembly.

CONFIRMING ACTS OF CANTERBURY AQUEDUCT COMPANY.

PASSED 1845.

WHEREAS, the Canterbury Aqueduct Company, a corporation created by a resolve of this general assembly, at their session in May, 1843, have accidentally failed to elect their annual officers on the first Monday of May, 1845, as required by the act of incorporation and the by-laws of said company, and have since made the election,—otherwise conforming to the said act of incorporation and by-laws, excepting the day on which said election was made:

Resolved by the Senate and House of Representatives, in General Assembly convened, That the election of officers made by the said corporation on the fourth Monday of May, 1845, be and the same is hereby confirmed; and the same shall be deemed a compliance with said act of incorporation and the by-laws thereof, in the same manner as if made on the first Monday of May, 1845.