

SPECIAL ACTS
PASSED BY THE
GENERAL ASSEMBLY
OF THE
STATE OF CONNECTICUT
AT THE
SPECIAL SESSION MARCH, 1958
A N D
JANUARY SESSION, 1959

JAN 14 1960



PREPARED PURSUANT TO SECTION 3-83 OF THE
GENERAL STATUTES, REVISION OF 1958

by

Secretary of State

HARTFORD

1959

may be referred by said court upon motion of any party thereto to a state referee for hearing and such referee shall proceed to hear the same and file a report thereon in accordance with the rules of the superior court. If the report is accepted, such assessment shall be conclusive upon such owner and the city of Hartford. The city shall pay to any landowner the amount of damages less the amount of benefits assessed in respect of his property upon certification of the amount by the clerk of said court and acceptance thereof by the property owner. Said clerk shall notify the director of public works in writing when any assessment or reassessment of benefits and damages shall have been accepted. The amount of such benefits after deducting the amount of damages so assessed by the director of public works or reassessed by the court, shall constitute a lien upon the land against which such benefits were assessed from the date of the final passage of the ordinance of intention to proceed until the amount thereof shall have been paid by the owner of such land to the city, with interest at such rate commencing at such time and with such provision for the payment of the assessment installments, and the issuance of assessment certificates as may be provided by ordinance. No such lien shall continue against such land unless notice of the same shall be filed by the director of public works with the city clerk within thirty days after the council accepts such assessment or after the acceptance by the court of such reassessment.

Approved June 16, 1959.

[House Bill No. 3915.]

[402.]

AN ACT CONCERNING CREATION OF THE BROAD BROOK WATER COMPANY.

SECTION 1. Chester A. Wiese of West Hartford, Hazel S. Cutta of Broad Brook, Chester A. Wiese, Jr. of West Hartford, and such other persons as may be associated with them, their successors and assigns, are constituted a body corporate and politic by the name of the Broad Brook Water Company, to be located in the town of East Windsor, with power under that name to exercise, in addition to all other powers herein specifically granted, all the powers and privileges granted by the general statutes, for the purpose of supplying water for public, domestic and other uses within the territorial limits designated in section 2 of this act.

SEC. 2. Said corporation shall serve the town of East Windsor.

SEC. 3. Said company shall have a capital stock of fifty thousand dollars divided into such classes of shares, either with or without par value, as may be determined by its incorporators. Said company is authorized to increase, reduce or alter its capital stock from time to time to any amount, in the manner provided in the general statutes pertaining to increases, reductions or alterations of capital stock by specially chartered corporations or corporations organized under the general statutes, and to issue, subject to the approval of the public utilities commission, additional shares of capital stock to any amount with or without par value and with such preferences, voting powers, restrictions and qualifications, if any, as shall be determined in the vote, authorizing such issue, provided no shares having a par value shall be issued for less than par in cash or in property at the actual value thereof.

SEC. 4. Said corporation is authorized to issue, subject to the approval of the public utilities commission, bonds, debentures and other certificates of indebtedness to any amount and may secure the same by mortgage or other lien on all or any part of its property and franchises.

SEC. 5. The government and direction of the affairs of said corporation shall be vested in a board of directors, of not less than three in number, who shall be chosen by the stockholders in the manner provided in the by-laws of said corporation.

SEC. 6. In the same manner as is provided in sections 16-229 to 16-231, inclusive, of the general statutes for public service companies, said corporation is authorized to open the ground in any streets, lanes, avenues, highways and public grounds within its territorial limits for the purpose of laying water mains and sanitary and storm drains and installing hydrants, building services and such other works as may be necessary in accordance with this act; and to reopen such streets, lanes, avenues, highways and public grounds as may be necessary to repair such works from time to time, provided such streets, lanes, avenues, highways and public grounds shall not be injured but shall be left in as good condition as before installing or repairing such works. Said corporation shall repair all defects or injuries to such streets, lanes, avenues, highways and public grounds caused by its use of the same for the purposes of this act, and may, for such purposes, and subject to the approval of the public utilities commission, carry and conduct any aqueduct or other works to be made or constructed by it under or over any water course, street, railroad, highway, private way or public grounds, pro-

vided such water course, street, railroad, highway, private way or public grounds shall be restored as speedily as possible to as good condition as before laying and constructing such work.

SEC. 7. Said company is authorized to construct, repair, maintain and use such reservoir or reservoirs as may be deemed expedient or necessary; to take and use the water of any spring or springs or stream or streams, or any other waters, to such extent and in such manner as may be necessary or expedient in carrying into effect the objects of this act; to construct, repair and maintain such canals or aqueducts as may become necessary or convenient for the conveyance of water to such places as may be desired and to take and hold, by purchases or otherwise, any lands or real estate necessary for the purposes of this act, and for laying and maintaining pipes and aqueducts for conducting, discharging, disposing of and distributing water, for forming a reservoir or reservoirs, for all buildings, structures, machinery and necessary fixtures and for preserving such lands and waters for the use of said company, pure and free from all contamination, nuisances, ditches, drains and sewers, and from the erection of any buildings and structures other than those employed and used for the purposes of this act, and it may make, establish and enforce all necessary and proper regulations and by-laws for the preservation of the same, provided such regulations and by-laws shall be in accordance with the laws of this state and of the United States.

SEC. 8. Said corporation shall pay all damages that shall be sustained by any person or persons or corporation in their property or estate, by the taking of any real estate or easement, by the taking of water from any brooks, springs, ponds, lakes or any other source or by constructing or laying any pipes, aqueducts or reservoirs or other works for the purposes of this act, which damages, unless the same shall be agreed upon by the parties, shall be assessed by a committee to be appointed by the superior court for Hartford county or by a judge of said court, upon application made to it or him by said corporation or by any person or corporation sustaining such damages, which application shall be accompanied by a summons served upon the opposing party as in the case of civil process before said court.

SEC. 9. The committee appointed by said court shall consist of three disinterested persons who, after being sworn and giving reasonable notice, shall hear the parties, view the property in question, assess just damages, if any, to the respective owners or parties interested in the premises or property so damaged or required or proposed to be taken for the purposes of this act, as the case may be, and report their doings to the court, which

report may be rejected at the discretion of the court.

SEC. 10. Said court may make any order necessary for the protection of the rights of all persons or corporations interested in such property, or sustaining such damages, but such property shall not be taken or interfered with by said corporation until the amount of such judgment shall be paid to the person to whom it is due, or deposited for the use of such person with the treasurer of Hartford county or, after October 1, 1960, with the state treasurer, and, in case the land or estate which the company may wish to take shall consist of separate parcels owned by different parties, the application made to the superior court or to a judge thereof may include all or any number of such separate parcels, the same being therein specifically described, and the persons so appointed shall assess the damages, if any, separately to the parties owning the separate parcels.

SEC. 11. The agents of said corporation intrusted with the superintendence of such work may, at all reasonable times, enter any premises where water is supplied by it to examine the pipes and fixtures and to prevent all unnecessary waste.

Approved June 16, 1959.

[House Bill No. 2599.]

[403.]

AN ACT CONCERNING THE CRIPPLED CHILDREN'S AID SOCIETY.

SECTION 1. Florence H. Bates, of the town of Branford, Susan K. Greist, Laura F. Henze, Harriet B. Kirby, Ruth C. Sanford, Alma S. Wetzler, all of the city of New Haven, and Lillian E. Kirby, of the town of Cheshire, and such persons as may hereafter succeed or be associated with them in accordance with the by-laws of the corporation, are constituted a body politic and corporate under the name of The Crippled Children's Aid Society, to be located in the city of New Haven.

SEC. 2. The objects of said corporation shall be the following, to wit: (a) The relief of crippled children and other handicapped persons by affording them material assistance by providing medical and surgical services, supplying necessary orthopedic appliances, and by providing such further means of physical, mental, social and hygienic uplift as may tend to remove or alleviate the handicap of such persons, and to promote their welfare, health and happiness; (b) to establish and maintain hospitals, convalescent homes and camps; to provide foster care or other specialized services for crippled persons who are