

PRIVATE
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SPECIAL LAWS
OF THE
STATE OF CONNECTICUT.

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UNDER AUTHORITY OF THE GENERAL ASSEMBLY.

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Incorporating the Fair Haven Water Company.

Resolved by this Assembly, SEC. 1. That William M. White, Smith G. Tuttle, Charles Ives, George C. Newell, and D. D. Ives, with all such persons as may be from time to time associated with them, for the purpose of supplying the village of Fair Haven, lying east of Mill river, and lying partly in the town of East Haven and partly in the town of New Haven, with an abundant supply of pure water for public, mechanical and domestic use, their successors and assigns, be and they are hereby incorporated for said purpose, by the name and style of the Fair Haven Water Company; and by that name shall be and are hereby made capable in law to have, purchase, receive, possess and enjoy, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of what kind soever, to give effect to the specified purposes of said company, and for the accommodation of their business and concerns; and the same to sell, grant, demise, aliene and dispose of, sue and be sued, plead and be impleaded, defend and be defended, in all courts of this state and elsewhere; to make and have a common seal, and the same to alter or renew at pleasure; also to make, ordain, establish and put in execution such by-laws, ordinances and regulations as shall be deemed necessary and convenient for the well ordering and government of said corporation, not being contrary to this act, the laws of this state or the United States; and to do and execute, all and singular, the matters and things which to them may appertain to do, subject to the rules and regulations hereinafter prescribed: *provided, however,* that nothing in this act contained shall be so construed as to allow said company to lay any pipes within the limits of the city of New Haven, or do any other act for the purpose of introducing water within the limits of said city.

SEC. 2. The capital stock of this company shall consist of one hundred thousand dollars, with the privilege of increasing the same to one hundred and fifty thousand dollars, to be divided in shares of twenty-five dollars each; which shares shall be deemed personal property, and be transferable in such manner and at such places as the by-laws of said company shall direct.

SEC. 3. The persons named in the first section hereof, or a major part of them, shall open books to receive subscriptions for the capital stock of said company, at such times and places as they, or a majority of them, shall direct; and shall give such notice of the time and places of opening such books as they may deem reasonable, and shall receive said subscriptions under such regulations as they may adopt for the purpose.

SEC. 4. The government and direction of the affairs of said company shall be vested in a board of not less than three nor more than five directors, who shall be chosen by the stockholders of said company, in the manner hereinafter provided, a majority of whom shall constitute a quorum. Said directors shall hold their offices till others are duly elected and qualified in their places; and the directors (any two of whom shall be a quorum for the transaction of business), shall elect one of their number to be president of their board, who shall also be president of said company. They shall also choose a secretary and a treasurer; which treasurer shall give bonds, with surety, to said company, in such sums as said directors may require, for the faithful discharge of his trust.

SEC. 5. The persons authorized by the third section of this act to open books for subscription to the capital stock, are hereby authorized and directed, after the books for subscription to the capital stock of said company are closed, to call the first meeting of the stockholders of said company, in such way and at such time and place as they may appoint, for the choice of directors of said company ; and in all the meetings of the stockholders of said company, for the choice of directors or otherwise, each share shall entitle the holder thereof to one vote, which may be given by said stockholder in person or by lawful proxy ; and the annual meeting of the stockholders of said company shall be holden at such time and place, and upon such notice, as said company in their by-laws may prescribe ; and in case it shall so happen that an election of the directors shall not be made on the day appointed by the by-laws of said company, said company shall not for that cause be deemed to be dissolved, but such election may be holden on any day which shall be appointed by the directors of said company ; and said directors shall have power to fill any vacancies in their own number which may occur by death, resignation, or otherwise.

SEC. 6. The directors shall have full power to make and prescribe such by-laws, rules and regulations as they shall deem needful and proper, touching the business, management and effects of said company, not contrary to law ; also, for the election and meeting of their directors, and other matters connected with their business and concerns.

SEC. 7. The directors of said company may require the payment of the sum or sums subscribed to the capital stock of said company, at such times and in such proportions, and upon such conditions as they may deem proper ; and in case any stockholder shall neglect or refuse to make payment pursuant to the requisitions of the board of directors, the stock of such stockholders, or so much thereof as shall be necessary, may be sold, under the direction of said board, at public auction or otherwise, after the lapse of sixty days from the time the payment became due ; and all surplus money, the avails of such sales, after deducting the payments due the company, the interest thereon, and necessary expenses of said sale, shall be paid over to such negligent stockholder.

SEC. 8. Said company shall have full power, and they are hereby authorized and empowered, to open the grounds in any streets, lanes, avenues, highways and public grounds, for the purpose of laying down and sinking, or for repairing, such pipes or conduits as may be necessary for conducting to and distributing water within the village of Fair Haven. And said company may, for the purposes aforesaid, carry and conduct any aqueduct, or other works by them to be made and constructed, under or over any water course, street, turnpike road, railroad, highway, or other way or public grounds : *provided*, they put such water-course, street, turnpike road, railroad, highway, or other way, in as good and perfect condition as before laying and constructing said aqueduct or other works.

SEC. 9. The said company shall have full power, and are hereby authorized and empowered, under the provisions of this charter herein named, to construct, repair and maintain such reservoir or reservoirs as they may deem expedient or necessary ; to take and use the water of any spring or springs, stream or streams, or other water, to such extent and in such manner as may be necessary and expedient in carrying into effect

the object of this act ; also, to construct, repair and maintain such canals or aqueducts as may become necessary or convenient for the retention or conveyance of water to such point as they may desire ; also to take and hold, by purchase or otherwise, any lands or real estate necessary for the purposes of this act, and for laying and maintaining aqueducts and reservoirs for holding and conducting, and distributing water, and for all buildings and structures necessary for the most perfect and complete supply of said Fair.Haven with pure water for public, mechanical and private uses, and for preserving said lands and water, for the uses of said company, pure and free from all contamination and nuisances, drains and sewers ; and the said company 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 not be contrary to the laws of this state or of the United States.

SEC. 10. The said company shall be liable to pay all the damages that shall be sustained by any person or persons, or corporation, in their property or estate, by the taking of any land or real estate, as aforesaid, or the constructing or laying any pipes, aqueducts, reservoirs, or other works for the purpose of this act. And if, at any time, it shall appear that any damage has accrued, or may be likely to accrue, to any person or persons, corporation or corporations, by reason of the taking of their land or estate, for the purpose of this act, or in the construction of the works of said company, and such person or corporations have not agreed with said company, in writing, for such damages, land or estate, the said company, or persons, or corporation, may apply to the superior court for New Haven county, or to any judge of the superior court who may by law judge between the parties, causing ordinary legal notice, or such notice as any judge of said court may prescribe, to be given to the adverse party, of such application ; and thereupon said superior court, or such judge shall appoint three disinterested and judicious persons (any vacancy or vacancies in such number, which may occur to be filled by said court or judge), who shall, after reasonable notice to the parties, assess just damages, if any, to the respective owners or parties interested in the premises so required and taken for the purposes of this act, which assessment shall be in writing, under the hand of said persons, and shall be final, and shall be returned (with the application) to the clerk of said superior court, who shall record it ; and said company shall pay to such owners or parties the damages so assessed, and when so paid may enter upon the premises and may proceed to the construction of said works ; or, in case the owner or parties aforesaid can not be then ascertained, shall pay the same within thirty days to the treasurer of the county of New Haven, to be by him paid to such person or persons as said court shall direct.

SEC. 11. The occupant of any house, tenement, or building, who shall take the water of said company, shall be liable to the price of the rent of the same ; and the agents of said company entrusted with the superintendence of the works, may, at all reasonable times, enter the premises so supplied, to examine the pipes and fixtures, and prevent unnecessary waste.

SEC. 12. If any person or persons shall wilfully, wantonly, or maliciously divert the water, or obstruct the same, or any part thereof, from

or in any aqueduct, reservoir, stream or spring, or other place which shall be taken, or used, or constructed by said company, or shall corrupt the same by committing any nuisance therein, or otherwise, every person or persons so offending shall be liable to said company in triple damages therefor.

SEC. 13. This act shall be subject to be altered, amended or repealed at the pleasure of the general assembly.

Approved July 2, 1861.

Relating to Turnpike Roads in the City of Hartford.

Resolved by this Assembly, That whenever any turnpike company, a portion of whose road lies within the city of Hartford, shall desire to discontinue that portion of their said road, they shall give notice thereof by leaving with the mayor of said city a written application to that effect; and if said application shall be favorably considered, and leave granted by the court of common council of said city, then it shall be lawful for the directors of such turnpike company to enter into an agreement in writing, signed by a majority of such directors on behalf of such company, and by the mayor on behalf of said city, for the relinquishment and discontinuance of that portion of said road which lies within the limits of said city, and its transfer to said city as a highway; and said city shall thereafter have the same control over that portion of said road so discontinued that it has over other highways and streets within its limits, and all interest of said company in such portion of said road so discontinued shall forever terminate and be at an end. Said agreement shall be duly signed, sealed, and acknowledged like a deed of land, and recorded in the land records of the town of Hartford.

Approved July 3, 1861.

Authorizing the City of Hartford to make Appropriations for Improving the Channel of Connecticut River.

Resolved by this Assembly, That the court of common council of the city of Hartford, be and they are hereby authorized and empowered to appropriate at their discretion, a sum of money not exceeding the sum of two thousand dollars annually, towards the improvement of the navigation of the Connecticut river, such appropriation to be made and expended at such times, and in such manner, as said court of common council shall direct.

Approved July 3, 1861.

Amending the Charter of the City of Hartford.

Resolved by this Assembly, That the board of water commissioners of the city of Hartford, are hereby empowered to make such by-laws or