

SPECIAL ACTS AND RESOLUTIONS
OF THE
STATE OF CONNECTICUT,
WITH
APPENDIXES

CONTAINING

A LIST OF JOINT STOCK CORPORATIONS ORGANIZED UNDER GENERAL LAW FROM MAY 1, 1893, TO APRIL 30, 1895, FROM MAY 1, 1895, TO APRIL 30, 1897, AND OF OTHER CORPORATIONS ORGANIZED UNDER GENERAL LAW FROM JULY 1, 1889, TO JUNE 30, 1897.

VOLUME XII—1895 AND 1897.

HARTFORD, CONN.:
PRESS OF THE CASE, LOCKWOOD & BRAINARD COMPANY.
1897.

[House Joint Resolution No. 347.]

[62.]

INCORPORATING THE FARMINGTON WATER COMPANY.

Resolved by this Assembly: SECTION 1. That Adrian R. Wadsworth, Henry N. Whittlesey, Erastus Gay, Edward H. Deming, and Charles W. Lewis, with such persons as may hereafter be associated with them, for the purpose of supplying the village of Farmington and vicinity with pure water for domestic and mechanical purposes, their successors and assigns, be and they hereby are incorporated under the name of The Farmington Water Company, and by that name shall be, and hereby are, made capable in law to buy, sell, hold, and enjoy to them and their successors real and personal estate, so far as may be convenient or necessary to give effect to the specified purpose of the corporation and the accommodation of their business, to sue and be sued, plead and be impleaded, defend and be defended in the courts of this state and elsewhere; to have a common seal which may be changed or renewed at pleasure, and to establish such by-laws and rules for the government of the corporation, not being contrary to law, as may be convenient or necessary.

SEC. 2. The capital stock shall be twenty thousand dollars, with liberty to increase the same from time to time to thirty thousand dollars, divided into shares of twenty-five dollars each, transferable as provided by the by-laws.

SEC. 3. The persons heretofore named or a majority of them shall open books to receive subscriptions to the capital stock, under such regulations, at such times and places, as they or a majority shall direct, giving reasonable notice of such time and place; and in case an amount of not less than five thousand dollars shall be subscribed, proceed to the organization of the company; and are hereby authorized to call the first meeting of the stockholders in such way and at such time and place as they may appoint for the choice of directors of the company.

SEC. 4. The management of the corporation shall be invested in a board of not less than three nor more than five directors chosen by the stockholders, each of whom shall be entitled to one vote for each share owned by him, in person or by proxy. The directors shall hold their office for one year, and until others are chosen in their places; and shall choose from their number a president, secretary, and treasurer, and have power to fill vacancies in their board until the next annual meeting.

SEC. 5. The stockholders shall fix the time for the annual meeting for the choice of directors; and if it shall happen that an election of directors shall not be made on the day of the annual meeting, the company shall not for that reason be dissolved, but the meeting shall be held by the appointment of the directors for the purpose of said election.

SEC. 6. The directors may require the payment of the subscriptions to the capital stock upon such conditions, at such times and places, and in such proportions as they may deem proper; and on refusal or neglect of payment cause suit to be brought to recover such amounts as may become due of such subscriptions and pursue the same to final judgment.

SEC. 7. In case of neglect or refusal to make payment of stock subscriptions or installments of the same after they become due, the stock of any delinquent stockholder or so much as may be necessary thereof may

be sold under the direction of the board of directors at public auction, or otherwise, after the lapse of sixty days from the time the payments became due, and after deducting the payments due the company with the interest thereon, and the necessary expenses of the sale, the surplus, if any, shall be paid over to such delinquent stockholders. The directors shall also have power to make rules and regulations for managing the business of the company, unless the same shall be made by the company.

SEC. 8. Said company shall have full power, and is hereby authorized and empowered to construct, maintain, and repair such reservoirs as it may deem expedient or necessary; to construct, repair, and maintain dams across such streams as it may deem necessary; to take, hire, or to construct, repair, and maintain such pipes or canals or aqueducts as may become necessary or convenient for the conveyance of water to such points as it may desire in or near said village. And said corporation is hereby authorized and empowered to open the ground in any streets, highways, and public grounds, with the consent of the selectmen, for the purpose of building, laying down, sinking, and repairing such pipes or conduits as may be required for conducting and distributing water within said village, provided it shall put such streets, highways, and grounds in as good condition as before said laying or repairing; *provided*, that nothing in this charter contained shall in any manner affect or impair any of the rights heretofore secured to Austin F. Williams, his heirs, successors, or legal representatives by decree of the superior court for Hartford county, in the aqueduct formerly owned by him, nor authorize the corporation hereby created to take up, or in any manner interfere with any other reservoirs, pipes, canals, or water-works already established or laid by lawful authority in said town of Farmington.

SEC. 9. Said company shall be liable to pay all damages that shall be sustained by the taking of land, water, or real estate or the laying or building of any pipes, aqueducts, or other works for the purpose of this act; and if at any time it shall appear that any person or persons have suffered or are likely to suffer any damage by reason of taking their land, water, or estate, or the water of any stream to the prejudice of such person or persons, and such person or persons have not agreed with the company for such damage to land or estate by said company, such person or persons may apply in writing to the court of common pleas for Hartford county, or to the judge thereof, giving reasonable notice, or such notice as the court or judge shall order, to the adverse party of such application, and thereupon said court shall appoint some disinterested person or persons, not more than three in number, who shall, after reasonable notice to the parties, assess, if the facts require, just damages to the respective owners or parties interested in the premises, so required and taken, which assessment shall be in writing signed by the said assessor or assessors, and returned to the clerk of said court, who shall record it with the application. Said company shall pay the damages assessed to the respective owners or persons entitled to the same.

SEC. 10. The agents of said company may at all reasonable times enter all premises supplied by it with water, to examine pipes and fixtures, to prevent waste, and if any person shall, without consent of said company, use any of said water, a civil action may be maintained against such person for recovery of the value thereof.

SEC. 11. If any person or persons shall wilfully or maliciously divert

the water or any part thereof of any of the aqueducts, reservoirs, streams, water courses, or water sources which shall be taken, used, or constructed by said company, or shall corrupt the same, or render it impure, or commit any nuisance therein, or bathe in the limits that shall be taken or prescribed by said company under the provisions of this act, or shall destroy or injure any pipe, conduit, aqueduct, or reservoir, hydrant, machinery, building, or 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 damage therefor.

Approved, March 28, 1895.

[Substitute for House Joint Resolutions Nos. 46 and 251.]

[63.]

INCORPORATING THE SHORT BEACH IMPROVEMENT ASSOCIATION.

Resolved by this Assembly: SECTION 1. That all of the owners of cottages and dwellings within the limits hereinafter specified in the locality known as Short Beach in the town of Branford, New Haven county, are hereby constituted a body politic and corporate by the name of the Short Beach Improvement Association, and by that name they and their successors shall be a corporation in law capable of suing and being sued, pleading and being impleaded, in all courts of whatever nature, and shall be vested with and possess the powers hereinafter specified.

SEC. 2. The limits of the territory of said Short Beach Improvement Association are hereby defined and established as follows, to wit: all that territory in said town of Branford on the shore of Long Island sound, bounded and described as follows: commencing at Page's cove bridge, so called, thence running due north five hundred feet, thence westerly on a line five hundred feet northerly, equidistant from main road to Farm river, thence southerly by low-water line of said river to the Gut, so called, thence easterly by low-water line to Page's cove, thence northerly by low-water line to place of beginning.

SEC. 3. All electors of this state now owning a cottage or dwelling within said limits, and all electors of this state who shall own any cottage or dwelling within said limits, shall be freemen of said Short Beach Improvement Association, and entitled to vote in any meeting of such freemen, and shall be eligible to any office provided for in this charter. If the owner of any cottage or dwelling within said limits shall not be an elector of this state, then such owner may select and appoint by proxy some person who shall be an elector of this state to act instead of and for said owner.

SEC. 4. The first meeting of the freemen of said corporation shall be held on July fifth, 1895, at the chapel at said Short Beach for the purpose of electing a sanitary board to consist of five freemen of said Short Beach Improvement Association, who shall hold office until the first day of October, 1896, and until others shall be chosen in their places, unless they shall sooner sell their property, or remove from the limits of said association. Annual meetings thereafter shall be held on the last Friday evening of July of each year, at such place as the sani-