

SPECIAL LAWS

OF THE

STATE OF CONNECTICUT,

WITH AN

APPENDIX

CONTAINING A

LIST OF CORPORATIONS ORGANIZED UNDER GENERAL LAWS.

COMPILED AND PUBLISHED

BY AUTHORITY OF THE GENERAL ASSEMBLY.

VOLUME VIII.

FROM THE YEAR 1876 TO THE YEAR 1880, INCLUSIVE.

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mond, Charles H. Kenyon, Zadoc C. Crowell, Amos W. Prentice, David A. Wells, and Edward Harland, and all such other persons as may from time to time be associated with them, together with their successors, be, and they hereby are, created and constituted a body politic and corporate, by the name of The Norwich Public Library, for the purpose of establishing and maintaining a public library for the citizens of Norwich and vicinity, and by that name shall have perpetual succession, and be capable in law to purchase, and receive, and hold, and convey all kinds of property in promoting the aforesaid purpose, to sue and be sued, defend and be defended, in all courts whatsoever, may have a common seal, and may change and alter the same at pleasure, may elect a president and such other officers and agents as they may find necessary and convenient, and make and carry into effect such by-laws and regulations, not inconsistent with the provisions of this act, as they may deem necessary to promote and secure the objects of the corporation. The first meeting of said corporation shall be held at the mayor's office, in the city of Norwich, on the first Tuesday of June, 1878. *Provided*, that this act may be altered, amended, or repealed at the pleasure of the general assembly.

Approved, March 26, 1878.

An Act Relating to Burials in St. Mary Cemetery.

Be it enacted by the Senate and House of Representatives in General Assembly convened: That burials may be made in Saint Mary Cemetery in the town of Waterford in the county of New London from the city of New London in the same manner that the same could be made were said cemetery within the limits of said city, any law to the contrary notwithstanding.

Approved, March 26, 1878.

Incorporating the Mount Carmel Water Company.

Resolved by this Assembly: SECTION 1. That James Ives, Ira T. Smith, J. A. Grannis, and Andrew H. Smith, with all such persons as are or may be from time to time associated with them for the purpose of supplying the village of Mount Carmel and vicinity in the town of Hamden with an abundant supply of water for public and domestic uses, their successors and assigns, be, and they are hereby, incorporated for said purpose by the name and style of the Mount Carmel Water Company, and by that name shall be, and hereby are, made capable in law to have, purchase, receive, possess, and enjoy to themselves and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of what kind and quality soever, necessary to give effect to the specific purposes of this company and for the accommodation of their business and concerns, and the same to sell, grant, demise, aliene, and dispose of, to sue and be sued, plead and be impleaded, defend and

be defended in all courts in this state or elsewhere; to make and have a common seal and the same to alter and 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 governing of said corporation, not being contrary to this act and the laws of this state and the United States; and to do and execute all and singular the matters and things which to them may or shall appertain to do, subject to the rules, regulations, and provisions hereinafter prescribed.

SEC. 2. The capital stock of this company shall consist of five thousand dollars, with liberty to increase the same from time to time to an amount not exceeding in the whole the sum of twenty thousand dollars, and such additional stock shall be created only by a majority vote of the stockholders of said corporation, at a meeting thereof specially called for the purpose, and solely and exclusively for the purpose of enabling said company to more fully and completely accomplish the objects and purposes for which it is incorporated as hereinbefore set forth, and no certificate of capital stock shall be issued except for capital actually paid in, and each share of said stock shall be twenty-five dollars, and said shares shall be deemed personal property and be transferred only on the books of said company, in such form as the directors of said corporation shall prescribe.

SEC. 3. The persons named in the first section hereof, or a majority 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 times and places of opening said books as they may deem reasonable, and shall receive such 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 manner hereinafter provided; said directors shall hold their offices until others are duly elected and qualified to take their places as directors; and said directors (a majority of whom shall constitute a quorum for the transaction of business) shall elect one of their number to be president of the board, who shall also be president of the company. They shall also choose a stockholder to be secretary and treasurer, who shall give a bond with surety to said company in such sum as said directors shall deem proper 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 capital stock are hereby authorized and directed after the books of subscription to 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 at all meetings of the stockholders of said company 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 for choice of directors shall be holden at such time and place and upon such notice as said company by their by-laws may prescribe; and in case it shall so happen that an election of 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 shall be holden on any day which shall be appointed by the directors or by the holders of one-half of the capital stock of said company, and special meetings of said corporation may be called in the same manner; and said directors shall have power to fill any vacancies in their own number caused 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 disposition and management of the stock, property, estate, and effects of said company, not contrary to the laws and constitution of the United States or this state, or the provisions of this act, the transfer of shares, the duties and conduct of their officers and servants, also for the election and meeting of directors, and other matters appertaining to their business and concerns, and may appoint such officers and servants, with such salaries as shall to them seem necessary; and the said board of directors shall have power to make and declare such dividend and dividends among the stockholders, from time to time, as the profits and earnings of the business of said company shall enable them to do, unless otherwise directed by a vote of the stockholders at a meeting of the corporation legally held.

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

SEC. 8. Said company shall have full power, and it is 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 Mount Carmel and its vicinity. And said corporation may, for the purposes aforesaid, carry and conduct any aqueduct, or other works by them to be made and constructed, under or over any watercourse, street, road, or railroad, or other way, or public grounds. And whenever said company shall desire to open the grounds of any street, road, highway, or public grounds, as aforesaid, it shall first obtain permission so to do from the selectmen of the town in which said street, road, highway, or public ground is located. And whenever it shall desire to open the grounds of any railroad it shall first obtain permission so to do from the superintendent or official manager of such railroad, or, in case of the refusal of said superintendent or manager, from the railroad commissioners of this state. And said company shall put said street, road, highway, public grounds, or railroad in as good and perfect condition as before laying or constructing said aqueduct or other works.

SEC. 9. Said company shall have full power, and it is hereby authorized and empowered, under the provisions of this charter, to construct, repair, and maintain such reservoir or reservoirs as it may deem expedient or necessary; to take and use the water of any spring or springs, stream or streams, or other waters, to such an extent and in such a manner as may be necessary or expedient in carrying into effect the object of this act, to construct, repair, and maintain such canals or aqueducts or other works, as may become necessary or convenient, for the conveyance of water to such point or points as said company may desire in said village of Mount Carmel and its vicinity; also, to take and hold, by purchase or otherwise, any lands or other 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, and for forming and constructing a reservoir or reservoirs, and for all buildings, structures, machinery, fixtures, and other structures necessary for the most perfect and complete supply of the said village of Mount Carmel and its vicinity with pure water for all domestic and public purposes, and for preserving said lands and waters for the uses of said company pure and free from all contamination, nuisance, ditches, drains, and sewers; and the directors of said company may make, establish, and enforce all necessary and proper regulations and by-laws for the preservation of the same: *provided*, that such regulations and by-laws shall not be contrary to the laws of this state or of the United States; and *provided further*, that nothing in this act contained shall be so construed as to authorize said company to materially interfere in any way with the rights or property of the New Haven Water Company, or to dam or in any way obstruct the customary flow of Mill river, which is the chief source of supply of said New Haven Water Company.

SEC. 10. The said company shall be liable to pay all damages that shall be sustained by any person or persons, corporation or corporations, in their property or estate by the taking of any land or real estate or the water of any stream as aforesaid, or the constructing or laying of any pipes, aqueducts, reservoirs, or other works for the purposes 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 or any easement therein for the purposes of this act in the construction of the works of said company, and such persons or corporations have not agreed in writing with said company for such damages, land, or estate, the said company, or such persons or corporations, 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 their said works; or, in case the owners or parties aforesaid cannot be 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. And in case the land or estate which said company may wish to take, as aforesaid, shall consist of separate parcels owned by different parties, the application made to the superior court or to said judge may include all or any number of said separate parcels, the same being therein specifically described; and said persons so appointed shall assess the damages, if any, separately to the parties owning said separate parcels, and the same shall be proceeded with in all other respects as hereinbefore provided.

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

SEC. 12. If any person or persons shall willfully, 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, or render it impure, or commit any nuisance therein; or shall destroy or injure any aqueduct, pipe, reservoir, conduit, hydrant, machinery, or building, structure, or other property held, owned, or used by said company, by authority or for the purposes of this act, every such person or persons shall be liable to said company in treble damages therefor.

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

Approved, March 26, 1878.

Incorporating Melchizedeck Lodge No. 200, I. O. B. B.

Resolved by this Assembly: SECTION 1. That Maier Kaiser, Jacob Buckner, Solomon Levi, Sigmund Thalinger, and Joseph Pollak, and all such other persons as may be, from time to time, associated with them, together with their successors, be, and they are hereby, constituted a body politic and corporate by the name of Melchizedeck Lodge No. 200, I. O. B. B.; and by that name may have perpetual succession, for the sole purpose of mutual benevolence and the intellectual and moral improvement of its members; and shall be capable in law to purchase, receive, hold, and convey real and personal estate to an amount not at any time exceeding ten thousand dollars; to sue and be sued, implead and be impleaded, defend and be defended, in all courts and places whatsoever; may have a common seal and may change the same at pleasure; may choose such officers as they may find necessary and con-