

RESOLUTIONS
 AND
 PRIVATE ACTS,
 PASSED BY THE GENERAL ASSEMBLY
 OF THE
 STATE OF CONNECTICUT,
 MAY SESSION, 1849.

PUBLISHED IN CONFORMITY WITH A RESOLUTION OF THE GENERAL
 ASSEMBLY.



State of Connecticut, ss.
 OFFICE OF THE SECRETARY OF STATE, JUNE, 1849.

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 1849.

DISCONTINUING A PORTION OF THE NEW LONDON AND LYME
TURNPIKE ROAD.

Upon the petition of the New London and Lyme turnpike company, praying for a discontinuance of a certain portion of their road :—

Resolved, That so much of said company's road, in the town of Lyme, as lies south and west of its junction with the main street, near the dwelling house of Charles L. Peck, be, and the same is hereby discontinued as a part of said company's road, and they are forever released and discharged from all obligations further to maintain and keep in repair said portion of said road hereby discontinued.

REPEALING CHARTER OF THE STILL RIVER TURNPIKE COMPANY.

Resolved by this Assembly, That the charter of the Still River turnpike company, be, and the same is hereby repealed, and that said company are forever released from all obligations to keep said road in repair. And that so much of said road as lies in the towns of Winchester and Colebrook, respectively, shall be assumed and kept in repair as public highways by said towns.

INCORPORATING THE NEW HAVEN WATER COMPANY.

SEC. 1. *Resolved by this Assembly*, That Henry Peck, Ezra C. Read, Henry Hotchkiss, James Brewster, and Wooster Hotchkiss, with all such persons as are or may be, from time to time associated with them, for the purpose of supply-

ing the city of New Haven with pure water, for public and domestic use, their successors and assigns, be, and they are hereby incorporated for said purpose, by the name and style of the "New 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 and quality soever, necessary to give effect to the specified purposes of this company, and for the accommodation of their business and concerns, and the same to sell, grant, demise, alien and dispose of; to sue and be sued, plead and be impleaded, defend and be defended in all courts in this state or elsewhere; 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, and the laws of this state, and of 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 said company, may consist of one hundred thousand dollars, with the privilege of increasing the same to two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, which shares shall be deemed personal property, and be transferred 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 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 said subscriptions, under such regulations as they may adopt for the purpose, and in case an amount not less than

fifty thousand dollars, shall be subscribed to the capital stock of said company, they may at their discretion, close the books of subscription, and proceed to the organization of said company, as hereinafter provided.

SEC. 4. The government and direction of the affairs of said company, shall be vested in a board of seven directors, who shall be chosen by the stockholders of said company, in the manner hereinafter provided—said directors shall also be stockholders in said company, and shall hold their offices till others are duly elected and qualified to take their places as directors, and the said directors, (a majority of whom shall be 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 said company,—they shall also choose a clerk, and a treasurer, which treasurer shall give bond with security to said company, in such sum 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 of 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 meetings of the stockholders of said company, each share shall entitle the holder 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 the choice of directors, 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 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 said 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, and of 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 their directors, and other matters appertaining to their business and concerns, and may appoint as many 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.

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 fit ; and in case any stockholder shall refuse or neglect 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 by the direction of said corporation at public auction, after the lapse of sixty days from the time when the payment became due ; and all surplus money, the avails of such sale, after deducting the payments due, and interest thereof and the necessary expenses of the sale, shall be paid over to such negligent stockholder.

SEC. 8. Said corporation shall have full power, and they are hereby authorized to open the grounds in any streets, lanes, avenues, highways and public grounds, for the pur-

pose of laying down and sinking, or repairing, such pipes or conduits as may be necessary for conducting the water in manner aforesaid ; provided, that such streets, lanes, avenues, highways and public grounds, shall not be injured, but all be left in as good and perfect condition, as before the laying of said pipes or conduits. And said company, for the purposes of this act, may take and use such waters and streams as may be necessary, first obtaining the assent of such person or persons, or corporation, if any, that may have rights in, or to the same.

SEC. 9. When at any time it shall be thought necessary for the purposes of this act, to lay down or sink said pipes or conduits, in the grounds of any private person or persons, and to conduct said water across the land, or under the soil of such person or persons, the said corporation shall by petition to the county court of New Haven county, at any stated or adjourned session thereof, or at any special court to be convened for that or any other purpose, first giving reasonable notice to the parties interested, pray for a committee to view such lands of such person or persons, and to assess the damage such person or persons may suffer by reason of sinking said water across or under his, her or their land or soil, which said committee said county court are hereby authorized to appoint ; and said committee shall as soon as may be, after giving such notice of the time and place of their meeting to the parties interested, as the judge of said county court for New Haven shall prescribe, view the lands of such person or persons, and assess the damages each individual shall sustain by reason of sinking said pipes, and conducting said water across his, her, or their lands for the purposes aforesaid, and make report thereof to the same or the next county court for New Haven county ; and after said committee shall have viewed the land of such person or persons, and assessed said damages said corporation may proceed to enter upon the lands of such person or persons, and lay down or sink said pipes or conduits, with-

out being liable to any action of trespass or other action therefor, and if at any time hereafter it shall be necessary for said corporation to enter upon such lands of such persons, to repair said pipes, any damage done to any such person or persons, shall be paid by said corporation, according to an assessment thereof to be made by three disinterested freeholders, to be appointed by said county court of New Haven county ; but if said corporation shall neglect or refuse to pay the sum or sums so assessed, then said county court may award execution or executions therefor, in the name of the person or persons to whom said sum or sums shall be so assessed.

SEC. 10. 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 be open at all times for the inspection of the stockholders.

SEC. 11. This act may be altered, amended, or repealed, at the pleasure of the General Assembly.

INCORPORATING THE EAST WHARF COMPANY, OF MADISON.

SEC. 1. *Resolved*, That Erastus C. Scranton, Sereno H. Scranton, Martin L. Dowd, Henry Scranton, Hubbard Scranton, Austin Dowd, Selah Lee, Chloe M. Bishop, Timothy V. Meigs, Amos Bishop, John Griswold, Catharine W. Hand, Jonathan L. Wilcox and their associates, or all such persons as from time to time may be associated with them, be, and they are hereby constituted a body politic and corporate, by the name of "The East Wharf Company, of Madison," for the purpose of constructing, maintaining and extending their wharf, with all necessary slips and piers, lying on Long Island Sound, on the east side of the village of Madison, and by that name to sue and be sued, plead and be impleaded, defend and be defended