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SPECIAL ACTS AND RESOLUTIONS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF CONNECTICUT,

AT THE

January Session, 1893.



PUBLISHED BY AUTHORITY.

HARTFORD, CONN.:
PRESS OF THE CASE, LOCKWOOD & BRAINARD COMPANY.
1893.

SEC. 8. All of the affairs of said corporation shall be managed by a board of not less than five nor more than nine directors, who shall be chosen by ballot solely from among and by the stockholders, and shall continue in office until the next annual meeting and until others are chosen in their stead. The directors may choose one of their number for president, and whenever the office of president or director shall become vacant by resignation or otherwise, may fill the vacancy, if in the office of president, from among their own number, and if in the office of director, from among the stockholders, for the remainder of the year. The directors may appoint a secretary and treasurer, which offices may be filled by the same person, and such other officers and agents as may be deemed necessary for the transaction of the business of said corporation, fix their compensation, and determine the nature and amount of the security to be given by any of them for the faithful performance of their duties. All elections for president or directors shall be by ballot, and said trustees shall determine how many of their own body shall constitute a quorum for the transaction of business.

SEC. 9. The annual meeting of the stockholders shall be held at Ridgefield, on the first Tuesday of October in each year, and special meetings of the stockholders may be called by the directors whenever and on such notice as they judge proper.

SEC. 10. In order to carry out the provisions of this charter and to organize said corporation, the persons named in the first section of this act, or a majority of them, are hereby authorized and appointed to receive subscriptions to said capital stock, and the payment of the first installment thereon, and when all of said stock shall have been subscribed for, and the first installment has been paid thereon, then the persons named in the first section of this act, or a majority of them, are hereby authorized to call a meeting of the stockholders at such time and place and on such notice as they shall judge proper for the purpose of choosing directors, who when chosen shall continue in office until the first annual meeting of said corporation thereafter held.

Approved, May 18, 1893.

[Senate Joint Resolution No. 36.]

[375.]

INCORPORATING THE NEWTOWN WATER COMPANY.

Resolved by this Assembly: SECTION 1. That Michael J. Houlihan, Daniel W. Kissam, Julius W. Knowlton, Charles H. Northrop, Smith P. Glover, Isaac W. Harris, Thomas H. Madigan, and William H. Glover, with all such persons as may hereafter associate with them, for the purpose of supplying the borough and town of Newtown and vicinity with pure water for public, domestic, and other uses, their successors and assigns, be and they are hereby incorporated under the name and style of The Newtown 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 and goods, chattels and effects of whatever kind and quality necessary to give effect to the

specified purpose of said company, and for the accommodation of it, and to grant, sell, convey, and dispose of the same; to sue and be sued, plead and be impleaded, defend and be defended, in all courts in this state or elsewhere; to have a common seal and the same to renew at pleasure; also to make, ordain, and establish such by-laws as shall be deemed necessary and convenient for the government of said corporation, not contrary to the laws of this state or of the United States; and to do and execute all and singular the matters and things which to them shall appertain, subject to the provisions hereinafter contained.

SEC. 2. Said company shall be located in the town of Newtown, and its capital stock shall be ten thousand dollars, divided into shares of twenty-five dollars each, twenty-five per centum of which shall be paid in before said company can exercise the privileges and powers herein conferred. Said capital stock may be increased to fifty thousand dollars at the pleasure of said company, but no such increase shall be made, except as the same shall be paid for in cash or its equivalent.

SEC. 3. The persons named in the first section of this act, or a majority of them, shall open books for the subscriptions to the capital stock of said company, and shall receive said subscriptions under such regulations as they may adopt for the purpose; and when the whole of the capital stock has been subscribed for, and twenty-five per centum paid in, in cash, the persons authorized by this section to open books for the subscriptions to the capital stock are hereby authorized and directed to call the first meeting of the subscribers to the capital stock, at such time and place as they may appoint, for the choice of directors of said company. Said directors may call in the balance of the subscriptions to the capital stock, and require the same to be paid by installments at such times and places as they shall deem proper, giving such notice thereof as the by-laws and regulations of said corporation shall prescribe; and in case any stockholder shall neglect or refuse payment of such installment or installments for the term of thirty days after the same shall become due and payable, and after due notice thereof, the stock of such negligent stockholder, or so much thereof as shall be necessary, shall be sold by the directors at public auction, on giving at least ten days' notice of such sale in some newspaper published in Newtown, and the proceeds of such sale shall be applied in payment of said installment and the expenses attending such sale, and the balance, if any, shall be returned to such negligent stockholder; and such sale shall entitle the purchaser to all the rights of a stockholder to the extent of the shares so purchased.

SEC. 4. The government and direction of said company shall be vested in a board of not less than three nor more than seven directors, a majority of whom shall be a quorum for the transaction of business, and they shall elect one of their number to be president of the board, who shall also be president of the company. Said directors shall have power to make and prescribe such rules and regulations as they shall deem needful and proper, touching the sale, disposition, and management of the water, property, estate, and effects of said company, not provided for by the by-laws of said company and not contrary to law.

SEC. 5. Said company is hereby authorized and empowered to open the ground 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 water to and distributing the same within the town and borough of Newtown and vicinity, and said company may, for the purpose aforesaid, carry and conduct any aqueduct or other works, by them to be made or constructed, under or over any water-course, street, road, railway, or other way, or public grounds; *provided*, they put such water-course, road, highway, railway, or other way, as speedily as possible, in as good condition as before laying or constructing said aqueduct or other works. and subject to the approval of the selectmen of the town of Newtown; and *provided*, that any work done on any railroad shall be done under the supervision and direction of the company owning or operating such railroad.

SEC. 6. Said company is hereby authorized and empowered, under the provisions of this charter, to construct, build, repair, and maintain such reservoir or reservoirs, aqueduct or aqueducts, and tanks, and to take water from any river, stream, brook, pond, or lake, or from such other source as said company may desire, for the purpose of carrying out the provisions of this act.

SEC. 7. 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, or by taking the water from any river, stream, brook, ponds, or lakes, or from any other source, or by constructing or laying any pipes, aqueducts, or reservoirs, or other works for the purpose of this act, which damages, unless agreed upon by the parties, shall be assessed by a committee, to be appointed by the superior court for Fairfield county, upon application made to said court by said corporation, or by any person or corporation sustaining such damages, which application shall be accompanied by a summons served upon the owner of the property as in case of civil process before the court.

SEC. 8. 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 and proposed to be taken for the purposes of this act, as the case may be, and report their doings to the court, and such report may be rejected in the discretion of the court.

SEC. 9. Said court may make any order necessary for the protection of the rights of all persons or corporations interested in said property, or sustaining such damages, but said property shall not be taken or interfered with by said corporation, until the amount of said judgment shall be paid to the person to whom it is due, or deposited for his use with the treasurer of Fairfield county.

SEC. 10. The occupant of any house, tenement, or building, who shall take the water of said company, shall be liable for the price of the rent of the same, and the agents of said company intrusted 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. 11. Said company may borrow money from time to time, to

such an amount and upon such terms as the stockholders, at a special meeting or meetings called for that purpose may determine to be for the best interests of the company, and may secure the repayment of the same by issuing bonds secured by a mortgage or mortgages of its franchise and property. Said mortgages when recorded in the land records of the town of Newtown shall be a valid lien or liens upon said franchise and property, but the amount of such bonds shall at no time exceed seventy-five per centum of the actual amount paid in, in cash, to the capital stock of said company.

Approved, May 18, 1893.

[Senate Joint Resolution No. 227.]

[376.]

CONCERNING RECORDS OF BIRTHS, MARRIAGES, AND DEATHS IN
EAST HAVEN.

Resolved by this Assembly: SECTION 1. That the selectmen of the town of New Haven are hereby authorized to cause all the records of births, marriages, and deaths of the town of East Haven before September 20, 1831, to be copied.

SEC. 2. Such copies of said records, when copied, and when certified by the registrar of births, marriages, and deaths of the town of New Haven shall be kept by said registrar.

SEC. 3. The selectmen of the town of New Haven are hereby authorized to fix the cost of making such copies, and to pay for the same out of the treasury of the town of New Haven.

Approved, May 18, 1893.

[House Joint Resolution No. 388.]

[377.]

INCORPORATING THE WOODBURY WATER COMPANY.

Resolved by this Assembly: SECTION 1. That Walter S. Curtiss, Horace D. Curtiss, Julius H. Cowles, Asahel W. Mitchell, Floyd F. Hitchcock, Charles M. Harvey, Arthur D. Warner, with all such persons as may from time to time be associated with them, their successors and assigns, be and they hereby are incorporated by the name and style of The Woodbury Water Company, to be located in the town of Woodbury in Litchfield county, for the purpose of supplying the adjacent villages of Woodbury and Hotchkissville, and their vicinity in said Woodbury, with an abundant supply of pure water for public and private use; and by that name they are hereby made capable in law to take, have, purchase, receive, possess, and enjoy to them, and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of any kind and quality soever, necessary or convenient for the specified purposes of said company, and for its business and concerns, and the same to sell, grant, demise, alien, and dispose of, to sue and be sued, to plead and be impleaded, defend and be defended in all courts in this state, or