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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.

[House Joint Resolution No. 66.]

[25.]

MAKING AN APPROPRIATION FOR THE BENEFIT OF THE GROTON
MONUMENT ASSOCIATION.

Resolved by this Assembly: That the comptroller is hereby directed to draw his order on the treasurer in favor of The Groton Monument Association, for the sum of five thousand dollars, to be used by said association for the repair of the Groton monument, and the extension, improvement, and repair of the property of said association, connected with said monument, in the town of Groton.

Approved, March 1, 1893.

[Senate Joint Resolution No. 78.]

[26.]

INCORPORATING THE ROCKVILLE WATER AND AQUEDUCT COMPANY.

Resolved by this Assembly: SECTION 1. The Rockville Water Power Company and The Rockville Aqueduct Company may sell, transfer, merge, and consolidate their corporate rights, powers, and estate into a new corporation to be known as The Rockville Water and Aqueduct Company, upon such considerations, terms, stipulations, and conditions as may be agreed upon between said corporations.

SEC. 2. Said corporation is organized for the purpose of supplying water to operate sundry manufacturing establishments in the town of Vernon, with the same powers, and under the same conditions as now appertain to The Rockville Water Power Company, and also for the purpose of supplying the city of Rockville, in the town of Vernon, with an abundant supply of pure water for household, fire, and other purposes. And said corporation shall be and is 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 whatever 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, alien, and dispose of, to sue and be sued, plead and be impleaded, defend and be defended, in all the 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 of 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.

SEC. 3. The capital stock of this company shall consist of one hundred and twenty-five thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, to be divided into shares of twenty-five dollars each, and be transferable in such manner and at such places as the by-laws of said company shall direct.

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, a majority of whom shall constitute a quorum. Said directors shall hold their offices until others are duly elected and qualified in their places; and the directors, a majority 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 the company. They shall also choose a secretary and 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 first meeting of the stockholders of said company shall be called in such way and at such time and place as may be agreed upon by The Rockville Water Power Company and The Rockville Aqueduct Company, for the choice of directors of this company; and in all 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 vote 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 its by-laws may prescribe; and in case it shall so happen that an election of the directors shall not be made upon the day so 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 vacancies in their own number which shall 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 requirements and requisitions 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 such 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 given over to such negligent stockholder.

SEC. 8. Said company shall have full power, and it 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 to and distributing water within said town of Vernon, including said city of Rockville in said town. And said company may, for the purposes aforesaid, carry and conduct any aqueduct or other works

by them to be made and constructed under and over any water-course, street, turnpike road, railroad, highway, or other public way, or public grounds; *provided*, they put such water-course, street, turnpike road, railroad, or other way in as good and perfect condition as before laying and constructing said aqueduct or other works.

SEC. 9. Said company shall have power to construct, repair, and maintain such reservoirs as it may deem expedient and necessary to hold and keep such water as it may have the right to take and use, may construct, repair, and maintain such canals or aqueducts as may be deemed necessary or convenient to carry water to such points in said city of Rockville as may be desired; may take and hold by purchase or otherwise any land or real estate necessary to carry into full effect the purposes of this act, and may make, establish, and enforce all necessary and proper regulations and by-laws for the preservation of any structure by them made, but such regulations and by-laws shall not be contrary to the laws of this state or of the United States; and said company may lay all necessary and suitable pipes from Snipsic Lake or other sources to supply said city of Rockville with water for domestic, fire, and other purposes; *provided*, that the court of common council of the said city may designate the point or points where each and every hydrant shall be located in or upon any street or streets within said city, and said company shall carry a sufficient supply of water to said hydrants; *provided, further*, that said company shall not be obliged to furnish water at any point more than fifty feet above the present top of the dam at Snipsic Lake.

SEC. 10. 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 of any pipes, aqueducts, or 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 for the purposes of this act, or in the construction of the works of said company, and such persons 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 Tolland 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 said judge, shall appoint three disinterested and judicious persons, (any vacancies in said 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 the said work; or in case the owners or parties aforesaid cannot then be ascer-

tained, shall pay the same within thirty days to the treasurer of the county of Tolland, to be by him paid to such person or persons as said court shall direct.

SEC. 11. The owner 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 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 any 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 pipe, 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, he shall be liable to said company in triple damages therefor.

Approved, March 1, 1893.

[Senate Joint Resolution No. 41.]

[27.]

AUTHORIZING THE TORRINGTON WATER COMPANY TO INCREASE ITS CAPITAL STOCK.

Resolved by this Assembly: That the Torrington Water Company be and it is hereby authorized and empowered to increase its capital stock from time to time, in the manner specified in its charter; *provided, however,* that the total amount of the capital stock of said company shall not at any time exceed one hundred and fifty thousand dollars as the par value thereof, represented by six thousand shares.

Approved, March 1, 1893.

[Senate Joint Resolution No. 35.]

[28.]

AUTHORIZING THE PURCHASE AND DISTRIBUTION OF THE CONNECTICUT INDEX-DIGEST.

Resolved by this Assembly: That the comptroller be and he is hereby directed to purchase, at the lowest net publisher's price, a sufficient number of copies of the revised and enlarged Index-Digest of Connecticut Reports, as soon as published, and furnish one copy to every town, probate court, court of common pleas, superior court, district, city, and borough court, and to the reporter and each judge of the supreme court of errors of this state, to be deposited and kept in the town clerks' offices and in the court rooms of said several courts for public use and reference.

Approved, March 1, 1893.