

SPECIAL LAWS

OF THE

STATE OF CONNECTICUT.

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UNDER AUTHORITY OF THE GENERAL ASSEMBLY.

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the town clerk and selectmen, upon a question referred to them under the eleventh section of this act, shall be deemed guilty of perjury, and shall be liable to the penalties thereof, and any person who shall willfully make any false statement, or give any false name or answer to any presiding or assistant presiding officer, or to the selectmen and town clerk, while in session, in any matter relating to the right of any person to vote, shall pay a fine of fifty dollars, or be imprisoned in the county jail three months.

SEC. 16. If any member of the board of selectmen or the town clerk, or any presiding or assistant presiding officer of any such annual town meeting, shall, without just or reasonable cause, refuse or neglect to perform any of the duties prescribed by this act, he shall, on conviction thereof, be subject to a fine of three hundred dollars, and if any such member, or such clerk, presiding or assistant presiding officer, shall be guilty of fraud in performing said duties, he shall be subject to a fine not exceeding five hundred dollars, and to imprisonment in the county jail six months.

SEC. 17. Chapter ninety-seven of the public acts passed May session, 1867, is hereby repealed, and all other acts and parts of acts, so far as they are inconsistent herewith, are hereby repealed.

Approved, July 29th, 1868.

Incorporating the Stamford Water Company.

Resolved by this Assembly, SEC. 1. That James H. Hoyt, H. Granville Scofield, Edwin L. Brady, Edward A. Quintard, William T. Minor, with all such persons as are or may be from time to time associated with them for the purpose of supplying the village of Stamford with an abundant supply of pure water for public and domestic use, and for manufacturing and other purposes, their successors and assigns, be, and they are hereby incorporated for said purpose by the name and style of the Stamford Water Company, and by that name shall be and hereby are 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 grant, sell, 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 break 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 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 and regulations and provisions hereinafter prescribed.

SEC. 2. The capital stock of said company shall consist of one hundred and fifty thousand dollars, to be divided into shares of one hundred

dollars each, which shares shall be deemed personal property, and be transferable only on the books of the company, as provided by the by-laws of the company.

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 time and place 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 thirty thousand dollars shall be subscribed, proceed to the organization of said company, as hereinafter provided.

SEC. 4. The government and direction of the affairs of the said company shall be vested in a board of not less than five, nor more than seven directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, a majority of whom shall be residents of Stamford. Said directors shall hold their office till others are duly elected 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 bonds with security to said company in such sums 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 subscriptions to the capital stock are hereby authorized and directed, after the amount required in said section shall have been subscribed, 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 one share shall entitle the holder to one vote, which may be given by the 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 shall prescribe, and in case it shall so happen that an election for 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 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 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 of the United States and of this State, or the provisions of this resolve, the transfer of shares, the duty 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 directors shall have power to make and declare such divi-

dend or 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 neglect or refuse to make payment pursuant to the requisitions of the board of directors, the stock of such stockholder, or so much thereof as may be necessary, may be sold by the direction of said directors at public auction, after the lapse of sixty days after and from the time when the payment became due, and all surplus money, the avails of such sales, after deducting the payments due and interest thereon, and the necessary expenses of the sale, shall be paid over to such negligent stockholder; and the persons authorized by the third section to open books for subscriptions to the capital stock are hereby authorized and directed to act as a board of directors for one year from and after the date of this act, and no election for directors shall occur until the expiration of such year, and the said persons acting as directors shall have all the powers of directors as said powers are set forth in this act, and shall be governed by such rules and regulations in all their acts as apply under this act to the directors of this company, and the said incorporators acting as directors shall elect such officers as in this act provided for to be elected by the directors, who shall have the same powers as those to be elected by the directors, and said incorporators shall, for the space of one year from and after the date of this act, have all the powers and privileges belonging to such directors, and may perform all of their duties.

SEC. 8. Said company shall have full power, and they are 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 or borough of Stamford or its vicinity, under the direction and by the consent of the warden and burgesses of the borough of Stamford, and the selectmen of the town of Stamford, respectively, and the duration of said openings and excavations shall be regulated by the said warden, burgesses and selectmen; and the said company may, for the purposes aforesaid, carry and conduct any aqueduct or other works to be by them made and constructed over or under any water course, street, turnpike road, railroad, highway or other way or public grounds, provided they put such water-course, street, turnpike road, railroad, highway or other way, in as good condition as before the laying or constructing of said aqueduct or other works.

SEC. 9. The said company shall have full power and are hereby authorized and empowered under the provisions of this charter, to construct, repair and maintain such reservoir or reservoirs as they may deem expedient or necessary to take and use the water of the stream running from north to south through said Stamford, called Mill river, and to construct, repair and maintain such dam or dams across said Mill river, as they deem expedient or necessary, and to construct, repair and maintain such canals or aqueducts as may be now or hereafter may become

necessary or convenient for the conveyance of water to such point as they may desire in or near the borough of Stamford. The said company shall be liable to pay all the damages that shall be sustained by any person or persons, or corporations, in their property or estate, by the taking of any land or real estate as aforesaid, or the laying of any pipes, aqueducts, reservoirs, dams or other works for the purpose of this act; and if at any time it shall appear that any damage has occurred or is likely to occur to any person or persons, corporation or corporations, by the reason of taking their land or estate for the purpose 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 damage, land or estate, the said company, persons or corporations may apply to the superior court of Fairfield 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 judicious persons, (and vacancies in such number which may occur, to be filled by such 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 owner 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 then be ascertained, shall pay the same within thirty days to the treasurer of the county of Fairfield, to be by him paid to such person or persons as said court shall direct.

SEC. 10. The 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, reservoirs or other works for the purposes of this act, but no person or persons or corporation shall be entitled to recover any damages from this company on account of said company's use for their purposes of the sufficient supply of water from Mill river, and that no party or parties or corporation shall be entitled to any damage from this company because of the diversion of a part of the water of Mill river into the pipes of this company, for the purpose of supplying the borough of Stamford with water.

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 intrusted 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; and if any person shall, without the consent of said company, use any of the said water, either within or without said borough, an action of trespass on the case may be maintained against such person or persons by said company for the recovery of damages therefor.

SEC. 12. If any person or persons shall wilfully, wantonly or mali-

ciously divert the water or any part thereof of any of the aqueducts, reservoirs, streams of water, 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 shall bathe within the limits that may be taken or prescribed by said company pursuant to the provisions of this act, or shall destroy or injure any aqueduct, pipe, reservoir, conduit, hydrant, machinery, building, 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 damages therefor.

SEC. 13. The said company shall cause to be kept at their office proper books of accounts. in which shall be fairly kept and truly entered all the transactions of the company, which books shall be at all reasonable times open for the inspection of the stockholders of the said company, and of commissioners that may be appointed by the general assembly.

SEC. 14. And said company shall have power and authority to issue its bonds to an amount not exceeding one-half its capital stock for the purchase of real estate, machinery, and in the erection of buildings and the operations incident to the completion of its works for the purposes herein specified, said bonds to bear a rate of interest not exceeding seven per cent. per annum, with interest payable semi-annually, and in no case be issued for less than one hundred dollars; said bonds to be countersigned by the president and secretary of the company, and to be by them certified on the face to be for an amount not exceeding one-half the capital stock, and said bonds when so issued shall be a lien and incumbrance in the nature of a mortgage, prior to any other incumbrance on said property; and said president and secretary shall annually make return to the town clerk's office, of the town of Stamford, stating the amount so issued by said company.

SEC. 15. The act of May session, 1859, incorporating the Stamford Water Company, is hereby repealed.

SEC. 16. This resolve may be altered, amended or repealed at the pleasure of the general assembly.

Approved, July 29th, 1868.

An Act amending the Charter of the City of Hartford, and the Charter of the City of New Haven, respectively.

Be it enacted by the Senate and House of Representatives, in General Assembly convened, SEC. 1. The courts of common council of the cities of Hartford and New Haven respectively, shall have power to pass ordinances providing for the punishment of all willful or malicious injuries to the fire alarm telegraph and fire apparatus and property of said cities, and for the unlawful making, use or possession of keys to the alarm boxes connected with said telegraph; and the penalty for violating the provisions of any ordinance passed in pursuance of this act, may be a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding three months, or such fine and imprisonment both.