

SPECIAL ACTS AND RESOLUTIONS

OF THE

STATE OF CONNECTICUT,

WITH

AN APPENDIX,

CONTAINING

A LIST OF CORPORATIONS ORGANIZED UNDER GENERAL LAW SUBSEQUENT TO THE PUBLICATION OF VOL. IX.

345.2
C761s

VOLUME X.

From 1885 to 1889 Inclusive.

Pages 1-772

HARTFORD, CONN.:

PRESS OF THE CASE, LOCKWOOD & BRAINARD COMPANY.

1890.

dollars. For the payment of the commission for preparing laws made necessary by the constitutional amendment providing for biennial sessions of the general assembly, fifteen hundred dollars.

SEC. 2. This act shall take effect from its passage.

Approved, April 13, 1887.

[Substitute for House Joint Resolution No. 73.]

[186.]

AMENDING AN ACT INCORPORATING THE STAMFORD HORSE RAILROAD COMPANY.

Resolved by this Assembly: SECTION 1. That section six of the resolution incorporating The Stamford Horse Railroad Company (approved February twenty-fourth, 1886) be and the same is hereby amended by striking out the word "five," in line six, and inserting in lieu thereof the word "two," but nothing herein shall be so construed as to affect in any way a certain contract between the town of Stamford and the borough of Stamford and said horse railroad company, made on the thirtieth day of October, 1886, in reference to keeping in repair, concreting, or macadamizing the said road-bed of said horse railroad company and two feet in width on each side of said track, unless by agreement of the selectmen of said town of Stamford and the warden of said borough and the said horse railroad company as to any change in said contract.

SEC. 2. The road-bed on the Shippan road below the Cove road shall be so located as to meet the approval of the selectmen of the town of Stamford.

SEC. 3. The said horse railroad company shall have the right to pave said road-bed and two feet on each side of the same to the satisfaction of the selectmen of said town of Stamford and the warden and burgesses of said borough of Stamford.

SEC. 4. Any mortgage heretofore made or that may be made hereafter by said company of its personal as well as of its real property shall be deemed good and valid, when recorded in the office of the town clerk of said Stamford, against all subsequent conveyances, liens, or incumbrances of the property so mortgaged.

Approved, April 13, 1887.

[Substitute for House Joint Resolution No. 70.]

[187.]

INCORPORATING THE MYSTIC VALLEY WATER COMPANY.

Resolved by this Assembly: SECTION 1. That Thomas E. Packer, George E. Grinnell, William E. Wheeler, Jr., Henry B. Noyes, Allen Avery, John S. Heath, Stiles T. Stanton, D. Burrows Spalding, William Wheeler, Charles F. Parks, L. H. Fuller, with all such persons as may hereafter associate with them for the purposes of supplying the villages

of Mystic and Mystic Bridge, and the borough of Stonington in the town of Stonington, and the villages of Mystic River, except the section thereof hereinafter mentioned, and Noank in the town of Groton, and their immediate vicinity, with a supply of 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 Mystic Valley 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, goods, chattels, and effects, of whatever kind and quality necessary to give effect to the specified purpose of the said company, and for its accommodation, 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 well ordering and government of said corporation, not being 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. The territory herein specified shall not include that portion of the village of Mystic River situated on the north side of West Main street, and bounded on the south by said West Main street, on the west by Bank street, on the north by a line parallel with and one hundred and sixty-five feet distant from the north line of said West Main street, and on the east by the Mystic river. The present Mystic Water Company is hereby confirmed in its rights to maintain its pipes in the streets and highways of the village of Mystic River so far as they now extend, and the said Mystic Valley Water Company is authorized to purchase at any time all the property and rights of the Mystic Water Company, and thereafter to supply the territory above reserved.

SEC. 2. The capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same from time to time to two hundred 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 shall open books to receive subscriptions for the capital stock of said company, at such time and places as they, or a majority of them, may direct; and shall give such notice of the time and places of opening of such books as they may deem reasonable, and shall receive said subscriptions under such regulations as they may adopt for the purpose.

SEC. 4. The office of said company shall be located in either the town of Groton or the town of Stonington, and the stock, property, and affairs of said corporation shall be managed and conducted by not less than three nor more than seven directors, the number of said directors to be determined by the by-laws of said corporation, to be chosen by ballot from among and by the stockholders, which directors first chosen shall hold their offices until the next ensuing annual meeting of said corporation.

SEC. 5. The directors of said corporation shall elect from among

their number a president, who shall be president of the board and also president of the corporation, and shall also appoint a secretary, treasurer, and such clerks and agents as shall be deemed by them advisable for conducting the business of the company, and require such security to be given to them as they may think proper; and in case any vacancy shall occur in the board of directors, the remaining directors may choose a director or directors from among the stockholders to fill such vacancy, who shall hold the appointment until others are chosen in their place.

SEC. 6. The persons named in the first section hereof, or the major part of them, are hereby authorized and directed to call the first meeting of the stockholders of the company in such way and at such time and place as they may appoint, to organize under this charter by the election of directors; and the annual meeting of the stockholders for the choice of directors shall be holden at such time and place and upon such notice as the by-laws of the company may prescribe.

SEC. 7. 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 meetings of said directors, and other matters connected with the business and concerns of said company.

SEC. 8. 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, but at least twenty-five per cent. thereof shall be paid before any of the bonds specified in the sixteenth section hereof shall be issued; 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 shall be necessary, may be sold under the direction of said board at public auction after the lapse of sixty days from the time the payment became due, and all surplus money remaining from the avails of such sales, after deducting the payments due the company, the interest thereon, and necessary expenses of said sale, shall be paid over to such negligent stockholder.

SEC. 9. Said company shall have full power and 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 water to and distributing the same within and in the immediate vicinity of the territory specified in the first section hereof, and said company may, for the purpose aforesaid, carry and conduct any aqueduct or other works by them to be made and constructed under or over any water-course, street, turnpike road, railway or other way, or public grounds; *provided*, they put such water-course, street, turnpike road, railway, highway, or other way, as speedily as possible in as good condition as before laying and constructing said aqueduct or other works.

SEC. 10. Said company shall have full power, and it is hereby authorized and empowered, under the provisions of this charter, to construct, maintain, and repair such reservoir or reservoirs as they may deem expedient and necessary, and to take and use the water of any

spring or springs, stream or streams, or other waters, except within the limits of the second voting district of Groton, but not excepting Pequonnock lake, better known as Fish pond, and the Wells privilege, so called, lying partly within the limits of said second voting district, to such extent as may be deemed necessary and expedient in carrying into effect the object of this act; also to construct, repair, and maintain such canals and aqueducts as may become necessary and convenient for the retention and conveying of water at or to such points as they may desire, and be entitled to retain or convey the same; also to take and hold, by purchase or gift, or in the manner hereinafter provided, any real estate or easements necessary for the purpose of this act, or for laying and maintaining aqueducts and reservoirs for holding, conducting, and distributing water, and for all buildings and structures necessary for the most perfect and complete supply of the territory specified in the first section hereof with pure water for public and private uses, and for the preserving said lands and water for the uses of said company pure and free from all contamination and nuisances, drains, and sewers; and the said company may make, establish, and enforce all necessary and proper regulations and by-laws for the preservation of the same, *provided*, such regulations and by-laws shall not be contrary to the laws of this state or of the United States.

SEC. 11. Said company shall be liable to pay, and shall 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 real estate, water right, or easement, as aforesaid, or by constructing or laying 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 the reason of the taking of any land, water right, property, or estate for the purposes of this act, or in the construction, maintenance, or repair of the works of the said company, and such person or corporation has not agreed with said company, in writing, for such damages, land, or estate, the said company or persons or corporations may apply to the superior court for New London county, or to any judge of the superior court, within three years after the time of actual taking, 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 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 or property so damaged, or required and proposed to be taken for the purposes of this act, which assessment must be in writing, under the hand of said persons, and shall be final, except as hereinafter provided, and shall be returned with the application to the clerk of said superior court, who shall record it; and the said company shall pay to such owners or parties the damages so assessed. When said damages are paid, and not before, the said company may enter upon the premises and may proceed to the construction of said works. In case

the owners or parties aforesaid cannot be ascertained, said company shall pay the same within thirty days to the treasurer of the county of New London, to be by him paid to such person or persons as said court may direct, and in case the land or estate which said company may wish to take shall consist of several 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 parties so appointed shall assess the damages, if any, separately to the parties owning the separate parcels, and the same shall be proceeded with as hereinbefore provided, but said report, or if more than one assessment is included therein, any part thereof, may be rejected by said court for such cause as would justify the rejection of the report of a committee made to said court in any civil action, and in case of such rejection said court shall appoint three other judicious and disinterested persons to assess damages, and such assessments shall be proceeded with in all respects as hereinbefore provided, and shall be final.

SEC. 12. 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 to prevent unnecessary waste.

SEC. 13. Any person living within the limits of the territory specified in the first section hereof, and within reasonable distance of the mains of said company, shall be entitled to have and use water from the said mains, upon complying with the by-laws of said company and paying a reasonable compensation therefor.

SEC. 14. Any borough or fire district, now or that may hereafter be created within the limits of the territory specified in the first section hereof, is hereby authorized to contract with the said company for a supply of water for fire and other purposes, and is further authorized to include in the taxes of each year, and to assess on all the property, both real and personal, such sums as may be required to meet any liabilities under said contract or contracts.

SEC. 15. 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 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, every person or persons so offending shall be liable to said company in triple damages therefor.

SEC. 16. Said company shall have power and authority to issue its bonds, secured by a mortgage of its property, to an amount not exceeding three-quarters of its capital stock, for the purchase of real estate and machinery, the erection of buildings, and the operations incident to the construction of the works of said company and the thorough completion thereof, said bonds to bear a rate of interest not exceeding six per cent. per annum, which interest shall be payable semi-annually, and shall in no case be issued for a less sum than one hundred dollars.

SEC. 17. If said company shall not commence the work of construction within three years from January first, 1887, its corporate existence and powers shall cease.

Approved, April 13, 1887.

[House Joint Resolution No. 228.]

[188.]

AMENDING THE CHARTER OF THE TRAVELERS INSURANCE COMPANY OF HARTFORD.

WHEREAS, it is the duty of The Travelers Insurance Company of Hartford, Connecticut, in obedience to the laws of this state, to reserve a fund for the payment of its obligations, assuming its rate of mortality shown by the actuaries' table, and four per cent. compound interest upon investments, and as by its charter and the general laws of the state it is authorized to make certain investments of its funds and assets; now, therefore,

Resolved by this Assembly: That it is the business of said company to invest said funds as allowed by law, and to hold all real estate wherever situate which shall have been or shall hereafter be obtained in compliance with the provisions of the charter; and all such investments in and acquisitions of real estate are declared to be necessary, suitable, and proper for carrying forward the chartered purpose of said corporation. Said company shall have power to invest, in addition to the powers of investment in real estate granted in its charter and amendments, a sum not exceeding five per centum of its assets in productive real estate outside of this state.

Approved, April 13, 1887.

[Substitute for House Joint Resolution No. 72.]

[189.]

AMENDING THE CHARTER OF THE DANBURY GAS LIGHT COMPANY AND CHANGING ITS NAME TO THE DANBURY AND BETHEL GAS AND ELECTRIC LIGHT COMPANY.

Resolved by this Assembly: That the charter of The Danbury Gas Light Company (special laws, vol. III, page 566) be amended as follows, to wit: by adding the following sections:

SEC. 11. Said company is authorized and empowered to manufacture and sell electricity for the purposes of light and power, and for any other purposes, within the towns of Danbury and Bethel, and may light any public or private buildings or grounds, streets, avenues, lanes, parks, alleys, and squares, within said territory, by means of electricity conducted by wires above or below the surface of the ground, through, over, along, or across the streets and public grounds of said towns. Said corporation is authorized to erect and construct such buildings, poles, posts, fixtures, or other works or structures, suspend wires, lay