

SPECIAL LAWS

OF THE

STATE OF CONNECTICUT,

WITH AN

APPENDIX

CONTAINING A

LIST OF CORPORATIONS ORGANIZED UNDER GENERAL LAWS.

COMPILED AND PUBLISHED

BY AUTHORITY OF THE GENERAL ASSEMBLY.

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VOLUME VIII.

FROM THE YEAR 1876 TO THE YEAR 1880, INCLUSIVE.

HARTFORD, CONN.:

PRESS OF THE CASE, LOCKWOOD & BRAINARD COMPANY.

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the directors shall elect from their number a president and a vice-president of said company; and said directors shall have power to appoint a secretary and treasurer, and such other officers of said corporation as the by-laws may prescribe, and may do all other acts, and exercise such other powers, as they shall deem expedient for the well-ordering of the affairs of said corporation.

SEC. 6. The president shall have power, at any time, to call a special meeting of said stockholders, and it shall be his duty to call such meeting if thereto requested by the holders of one-quarter of said stock, and public notice shall be given at least one week previous to any meeting of the stockholders, whether annual or special, by advertising in a newspaper published in the city of Norwich, and all questions at any meeting of the stockholders shall be determined by a majority of votes given, allowing one vote to each share, and said stockholders shall be entitled to vote in person or by proxy duly appointed.

SEC. 7. Hugh H. Osgood, John W. Stedman, and Charles Webb are hereby appointed commissioners for the purpose of receiving subscriptions to the capital stock of the company hereby incorporated, and the first installment thereon; and they, or any two of them, are hereby empowered to open books for such subscription, in the city of Norwich, at such time and place as shall be appointed by them, of which one week's previous notice shall be given by publishing the same in one daily paper published in the city of Norwich, and should there be more than thirty thousand dollars of the capital stock subscribed, then the said commissioners, or any two of them, shall distribute and apportion the stock among the subscribers pro rata.

SEC. 8. If any person shall willfully and maliciously do, or cause to be done, any act whereby any building or other works of said company, or any pipes, radiators, or other apparatus belonging to said company will be injured, stopped, obstructed, or destroyed, he shall be deemed guilty of a misdemeanor, and being convicted thereof shall be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail not exceeding six months, or by such fine and imprisonment both, at the discretion of the court having cognizance of such offence; *provided*, however, that such criminal prosecution shall not affect any right of action which said corporation may have by civil suit against the person or persons injuring or obstructing any of the buildings, apparatus or other works of said corporation used for carrying on the business authorized by this act.

SEC. 9. This act may be amended or repealed at the pleasure of the general assembly.

Approved, March 24, 1880.

Incorporating the Greenwich Water Company.

Resolved by this Assembly: SECTION 1. That Elias C. Benedict, William Rockefeller, Jeremiah Milbank, Sylvester Mead, Luke A. Lockwood, John Voorhis, Philip W. Holmes, Luther P. Hubbard, A. Foster Higgins, Allen H. Close, and Edwin A. Knapp be, and they

hereby are, with their successors and assigns, made and established a corporation by the name of the Greenwich Water Company, to be located in the town of Greenwich, in Fairfield county, for the purpose of furnishing the inhabitants of the borough of Greenwich and of said town of Greenwich and its vicinity with an abundant supply of water for public and domestic use; and by that name be, and hereby are, 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 to give effect to the specified purposes of said company and for its business and concerns, and the same to sell, grant, devise, 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 from time to time be deemed necessary and convenient for the well-ordering and government of said company, not being contrary to this act or 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 or shall appertain to do, subject to the rules, regulations, and provisions hereinafter prescribed.

SEC. 2. The capital stock of said company shall be sixty thousand dollars (\$60,000), with liberty to increase the same from time to time to an amount not exceeding one hundred thousand dollars (\$100,000); and such addition or increase shall be made only by a major vote of the stockholders present at a meeting specially warned for that purpose. The capital stock of said company shall be divided into shares of twenty-five dollars (\$25) each, which shares shall be deemed personal property, and be transferable only on the books of said company, in such manner as its by-laws shall prescribe; and said company shall at all times have a lien on any and every stockholder's share or shares of capital stock for all debts due from such stockholder to said 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 times and places as they or a majority of them shall direct; and shall give such notice of the times and places of opening 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 government and direction of the affairs of said company shall be vested in a board of not less than five nor more than nine directors, who shall be chosen by the stockholders of said company in the manner hereinafter provided, a majority of whom shall be residents of said town of Greenwich. Said directors shall hold their offices for the term of one year, and until others are duly elected and qualified to take their places as directors; and the said directors (any three of whom present at a meeting duly warned and held 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 secretary and a treasurer, which treasurer shall give to said company bonds with sureties in such sum as said directors may require, for the faithful discharge of his trust.

SEC. 5. The persons named in the first section hereof, or a major part of them, are hereby authorized and directed to call the first meeting of the stockholders of said 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 in all meetings of the stockholders of said company each share of stock 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 its 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 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 elections and meetings of said directors, and other matters connected with the business and concerns of said company.

SEC. 7. The said company, within one year after the same shall have been organized under this act, shall lodge with the town clerk of said town of Greenwich a certificate, specifying the amount of the capital stock, and the number of shares thereof held by each stockholder; and whenever any addition is made thereto, a certificate of the amount so added, together with the number of shares and the names of the holders thereof, shall be left and lodged with the said town clerk within one month after the same is paid in.

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 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 directors 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; and the said board of directors shall have power to make and declare such 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. 9. Said company shall have full power, and it is hereby authorized to open the grounds in any streets, lanes, avenues, highways, and public grounds, for the purpose of laying down and sinking or repairing such pipes or conduits as may be necessary for conducting the water in the 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.

SEC. 10. Said company is hereby authorized to enter in and upon any land or water in said town of Greenwich for the purpose of making surveys, and to agree with the owner or owners of any property or franchise which may be required for the purposes of this act, as to the amount of compensation to be paid to such owner or owners for the same, and in case of disagreement between said company and any owner or owners as to such compensation, or as to the amount of damages which ought to be awarded to any person claiming to be injured in his estate by the doings of said company, or in case any such owner shall be an infant or married woman, or insane, or absent from this state, or unknown, or the owner of a contingent or uncertain interest, either judge of the superior court may on the application of either party cause such notice to be given of said application as said judge shall see fit to prescribe, and after proof thereof may nominate and appoint three disinterested persons to examine such property as is to be taken for or damaged by the doings of said company, and they, being duly sworn to a faithful and impartial discharge of their duty, shall estimate the amount of compensation which said owner shall receive, and report the same in writing to the clerk of the superior court for Fairfield county, to be by him recorded. Said judge of the superior court may thereupon confirm the doings of said appraisers, and direct said company to pay the same in such manner as said judge may prescribe, in full compensation for the property acquired, or the injury done by said company, and on compliance with the order of said judge, said company may proceed with the construction of their work without any liability to any further claim for compensation for damages.

SEC. 11. The occupant of any house, tenement, or building who shall take the water of said company shall be liable for the rent or price 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 or persons, without the consent of said company, shall use any of the said water, either within or without said town of Greenwich, 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 maliciously, divert the water, or any part thereof, of any of the aqueducts, reservoirs, streams, water, or water-sources which shall be constructed, used, or taken 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. Every person living within the limits of the borough of Greenwich shall be entitled to have and use an ample supply of water from the mains of said company, upon complying with the by-laws of said company, and paying a reasonable compensation therefor.

SEC. 14. The said company shall cause to be kept at its office proper books of account, in which shall be fairly and truly entered all the transactions of the company, which books shall at all times be open for the inspection of the stockholders of said company.

SEC. 15. 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 and machinery, the erection of buildings, and in the operations incident to the construction and completion of its works for the purposes herein specified; said bonds to bear a rate of interest not exceeding six per cent. per annum, payable semi-annually, and in no case to 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 when so issued, said bonds shall be a lien and encumbrance in the nature of a mortgage prior to any other encumbrances on said property; and said president and secretary shall annually make return to the office of the town clerk of said town of Greenwich, stating the amount of bonds so issued by said company.

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

Approved, March 24, 1880.

Authorizing the Farmers and Mechanics Savings Bank of Middletown to Construct a Building.

Resolved by this Assembly: That the Farmers and Mechanics Savings Bank of Middletown be, and they hereby are, authorized to construct a building on their lot known as the "North Church lot," adjoining the custom house in the city of Middletown, to be used for business and other purposes from which a revenue can be derived, at an expense not exceeding thirty-five thousand dollars.

Approved, March 24, 1880.

Relating to Uniforms First Company Governor's Horse Guard.

Resolved by this Assembly: SECTION 1. That the comptroller be, and he hereby is, authorized and directed to draw his order on the treasurer, in favor of the major of the First Company Governor's Horse Guard, for a sum equal to twenty-five dollars for each enlisted member of said company who shall be returned under the sworn certificate of said major as duly enlisted in said company and actually doing active duty therein on the first day of April, 1880, said amount to be used by said major exclusively for the repair, renovation, and purchase of uniforms and parts of uniforms, and for no other purpose; *provided*, that a bond, satisfactory to the treasurer of the state, shall be first executed and delivered to said treasurer, conditioned that said moneys shall be faithfully applied to the purposes set forth in this resolution; and *pro-*