

said proprietors, in legal meeting assembled; and each proprietor shall have right, either in person or by attorney, at the meeting of said corporation, to give in a number of votes equal to his number of shares. *Provided*, the number of votes to be given in by any one proprietor shall in no case exceed the number of five; and all questions in said meetings shall be decided by a plurality of votes given in as aforesaid.

§ 5. *And be it further enacted*, That said proprietors be, and they hereby are authorized to open the ground in any part of the streets and highways in said city, for the purpose of sinking or repairing pipes and conduits as may be necessary for conducting the water in manner aforesaid. *Provided*, That said highways or streets shall not be opened by said proprietors in such manner as to prevent the passing of teams or carriages therein with convenience: and that after opening the grounds in said streets or highways, said proprietors shall be holden to put the same again in repair, under the penalty of being prosecuted for a nuisance.

Right to open ground in high-ways.

Proviso.

§ 6. *And be it further enacted*, That said proprietors in legal meeting assembled, shall have power from time to time by their vote to assess taxes to be paid by the several proprietors in proportion to their stock in said corporation, to be applied and laid out for effecting the purposes of this act: and if any proprietor shall neglect to pay any tax so assessed, within twenty days after the same shall have become payable, the directors of said corporation or any two of them, shall have power to cause so much of the stock of such proprietor to be sold at public vendue at the sign-post in the city of New-London, as may be necessary to pay the tax then due and neglected to be paid as aforesaid: *Provided*, That a notification of the amount of such tax and the time of such sale, be posted up on said sign-post twenty days before such sale.

Proprietors may levy taxes.

Mode of enforcing the collection.

§ 7. *And be it further enacted*, That the profits and emoluments accruing to said corporation, from a disposal of the water to be conducted in said city in manner aforesaid shall, after deducting all necessary expenses and charges be divided among said proprietors in proportion to their respective shares, at such times as shall be agreed upon by said proprietors, in legal meeting assembled.

Profits to be divided among the proprietors.

### CHAP. III.

## An Act incorporating Chauncey Gleason, Elias Cowles, and their Associates.

[Enacted in October, 1801.]

§ 1. **B**E it enacted by the Governour, and Council, and House of Representatives, in General Court assembled, That Chauncey Gleason, Elias Cowles and all such persons, as are or from time to time may be associated with them, for the purpose of conducting pure and wholesome water into the

Style and powers of corporation.

city of Hartford by means of subterraneous pipes, their successors and assigns be, and they are hereby incorporated for said purpose by the name and style of "*The Gleason and Cowles Aqueduct 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, hereditaments, goods, chattels and effects of what kind or quality soever, and the same to sell, grant, demise, alien or dispose of; and to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts in this state or elsewhere; and 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, or of the United States; and to do and execute all and singular matters and things which to them may or shall appertain to do, subject to the rules, restrictions, and provisions herein after prescribed.

Capital stock \$0,000 dollrs.

§ 2. *And be it further enacted*, That the capital stock of said corporation may consist of *twenty thousand dollars*, to be divided into four hundred shares, of fifty dollars each, to be held and possessed by the members of said corporation, in such manner and proportion as by the by-laws of said corporation shall be established: which said shares may and shall be transferrable and assignable, subject to the regulations and provisions of said by-laws.

Meet before 1st January, 1802.

§ 3. *And be it further enacted*, That there shall be a meeting of the members of said corporation, at such time before the first day of January, Anno Domini one thousand, eight hundred and two, and at such place in said city of Hartford, as the said Chauncey Gleason and Elias Cowles shall appoint, by publishing a notification thereof, at least twelve days before said meeting, in the paper printed in said city, called the Connecticut Courant, and the subsequent meetings of said corporation, shall be convened in such manner, and at such time or times, as shall from time to time be agreed on by the votes of the said corporation.

Have power to appoint chairman, and officers of the company.

§ 4. *And be it further enacted*, That the members of said corporation at any legal meeting, shall have power to appoint a chairman, treasurer and clerk, and also, three directors to manage the prudential affairs of said corporation, and such chairman, treasurer and clerk, shall continue in office, until others shall be chosen in their stead, and such clerk who shall be sworn to make true entries of the acts and proceedings of said corporation, shall duly record the votes, orders, rules and ordinances of said corporation; and when he shall be required, shall duly record all transfers of stock which may or shall be made by the members of said corporation.

Clerk's duty.

Members right to vote in person or by proxy according to the

§ 5. *And be it further enacted*, That each member of said corporation shall have right either in person, or by his attorney lawfully authorized for that purpose, to vote in the meetings of said corporation, according to the number of shares he

holds in the said capital stock, provided the number of votes to be given in by any one person, shall in no case exceed the number of ten, and all questions shall be decided in said meeting by a plurality of votes given in as aforesaid.

§ 6. *And be it further enacted,* That said corporation shall have full powers, and they are hereby authorized to open the grounds in any part of the streets or highways, in either of the towns of Hartford or Farmington, and in said city of Hartford, for the purpose of sinking or repairing such pipes, or conduits as may be necessary for conducting the water in manner aforesaid, provided that such streets and highways shall not be so opened as to obstruct or hinder the passing of teams and carriages therein; and after the grounds in said streets or highways, shall be opened as aforesaid, the said corporation shall be bound to repair the same as soon as may be, under penalty of being prosecuted for a nuisance.

§ 7. *And be it further enacted,* That if it shall at any time be thought necessary for the purposes of this act, to sink said pipes or conduits in the grounds of any private person or persons, and to conduct said water across the lands or under the soil of such person or persons; the said corporation shall by petition to the county court, at any stated or adjourned session thereof, or at any special court to be convened for that or any other purpose, pray for a committee to view such lands of such person or persons, and to assess the damage such person or persons may suffer by reason of sinking said pipes, and conducting said water across, or under his, her, or their land or soil, which said committee, said county court are hereby authorized to appoint; and said committee shall as soon as may be, view the lands of such person or persons, and assess the damage each individual shall sustain, by reason of sinking said pipes, and conducting said water across his, her, or their lands for the purpose aforesaid, and make report thereof to the same or the next county court for said Hartford county. And after said committee shall have viewed the lands of such person or persons, and assessed said damages, said corporation may proceed to enter upon the lands of such person or persons, and to sink said pipes without being liable to any action of trespass or other action therefor; but if said corporation shall neglect or refuse to pay the sum or sums assessed to each of such persons within a reasonable time after said sums are or shall be so assessed, then said county court may award execution or executions therefor against said corporation, in the name of the person or persons to whom the said sum or sums shall be so assessed. And if at any time hereafter it shall be necessary for said corporation to enter upon the lands of such person or persons, to repair said pipes, any damage done to any such person or persons, shall be paid by said corporation according to an assessment thereof to be made by a majority of the civil authority in said town of Hartford.

§ 8. *And be it further enacted,* That the members of said corporation in legal meeting assembled, shall have power

shares they hold.

May open the grounds in streets, &c.

Not to obstruct the passage of teams, &c. Where they have broke ground, to repair.

Must petition county court for committee, &c. to view—

Committee to assess damages.

After such assessment may enter upon private person's lands, &c.

May assess taxes upon

members of  
corporation.

from time to time by their vote to assess taxes to be paid by the several members in proportion to their stock in said corporation, to be applied for effecting the purposes of this act; and if any member of said corporation shall neglect to pay any tax so assessed within twenty days after the same shall have become payable, the directors of said corporation, or any two of them, shall have power to cause so much of the stock of such member to be sold at public vendue, at the sign-post in the said city, as may be necessary to pay the tax then due and neglected to be paid as aforesaid; provided the amount of such tax and the time of such sale, be posted up on said sign-post, twenty days before such sale.

May sell stock  
at vendue.

Profits from  
sale of the wa-  
ter to be divi-  
ded among  
the stock-  
holders.

§ 9. *And be it further enacted*, That the profits and emoluments accruing to said corporation, from the sale of the water to be brought into said city in the manner aforesaid, after deducting the necessary charges and expences, shall be divided among the members of said corporation in proportion to their respective shares in the stock of said corporation, at such times as said members shall appoint by their vote in legal meeting.

#### CHAP. IV.

An Act in addition to an Act entitled "an Act incorporating Chauncey Gleason, Elias Cowles, and their associates."

[Enacted in May, 1803.]

Preamble.

*WHEREAS* the county court, in and for the county of Hartford, at their session in *did*, in pursuance of the seventh paragraph of the act to which this is an addition, appoint the Hon. John Chester, Shubael Griswold, Esq. and Mr. Daniel Buck, to assess the damages each individual might sustain by sinking the pipes or conduits of said corporation in the grounds of private persons; and said committee not having executed said appointment, because of the difficulties attending the strict execution of the said seventh paragraph:

#### WHEREFORE,

Committee of  
the county  
court may as-  
sess the dam-  
ages done to  
individuals.

**B**E it enacted by the Governour and Council and House of Representatives, That said committee be and they are hereby authorized to view, and assess the damage done to every individual by means of sinking said pipes or conduits in his or her grounds, and to make their report to the said county court, at the sessions thereof in August, 1803. And when said committee shall have so made their report, and the same shall have been accepted by said court, it shall be deemed to all intents and purposes a valid report, and shall create the same duties and give the same rights to all persons interested, as if the same had been made in strict conformity to the seventh paragraph, of the law to which this is an addition.

Report ac-  
cepted to be  
valid, &c.