

ent for carrying into effect the object of its institution, not contrary to the laws of this state or of the United States.

The capital stock and property to be held by said corporation may consist of any sum not exceeding three thousand dollars, to be divided into such number of shares and at such value and sum for each share as the corporation may deem proper; the same to be taken and deemed to be personal estate, and transferable on the books of the company.

Each stockholder, at any meeting of the corporation, shall be entitled to give as many votes on each question as he may own shares; and any stockholder may authorize any other stockholder by proxy to vote on his share or shares.

Said corporation shall have power to open the ground in the streets and highways of the city of Norwich, for the purpose of sinking or repairing the water-pipes and conduits of said company, when necessity may require. *Always provided*, that the passage of travelers and of teams, carriages, &c., shall not thereby be endangered; and when so opened the same shall by said corporation be within a reasonable time thereafter duly repaired.

All installments which may at any time be ordered by the stockholders to be paid by the respective owners of stock in said company, shall be paid at such times as said stockholders at a general meeting shall order; and said company may sue for and recover by a proper action at law against any stockholder, his or her installment or sum which shall have been ordered by said stockholders to be paid by him or her.

The said Daniel B. Miner may call the first meeting of said stockholders at such place in said city of Norwich as he may appoint, giving at least two days' notice, in writing, to be delivered to such stockholder or left at his usual place of abode; after which first meeting the times and places of meeting shall be regulated by the by-laws of said company; but at least one general meeting shall be holden annually.

All officers chosen by said company shall hold their respective offices till others are chosen in their stead.

This resolve may be altered, amended or repealed at the pleasure of the general assembly.

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INCORPORATING THE HARTFORD WATER COMPANY.

PASSED 1851.

*Resolved by this Assembly*, SEC. 1. That Joseph Trumbull, Calvin Day, E. G. Howe, James M. Bunce, William T. Lee, E. K. Hunt, Daniel Buck, Jr., R. D. Hubbard, William D. Ely, with all such persons as are or may be, from time to time, associated with them, for the purpose of supplying the city and town of Hartford with pure water for public and private uses, their successors and assigns, be and they are hereby incorporated for said purpose, by the name and style of "The Hartford Water Company;"

and by that name shall be and are hereby made capable in law to have, purchase, receive, possess, hold and enjoy, to them and their successors, lands, rents, franchises, tenements, hereditaments, goods, chattels and effects of what kind and quality soever, necessary or expedient to give effect to the specified purposes of this company, or 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 courts in this state and elsewhere; to make and have a common seal, and the same to break, alter and renew at pleasure; also, to make, ordain, establish and put in execution such by-laws, ordinances and regulations, as may be deemed necessary or convenient for the well ordering and government of said corporation, and carrying into effect the provisions of this act, and not contrary thereto, nor to the constitution or laws of this state or of the United States.

SEC. 2. The capital stock of said company shall consist of two hundred thousand dollars, with the privilege of increasing the same to three hundred thousand dollars, to be divided into shares of twenty-five dollars each, which shares shall be deemed and shall be personal property, and be transferable in such manner and at such place within the city of Hartford, as the by-laws of the company shall prescribe; and no assessment shall be laid thereon of a greater amount than twenty-five dollars on each share. Nor shall said company have power to increase the capital stock thereof until the whole of the original stock shall have been paid in and expended.

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 within the city of Hartford, as they, or a majority of them, shall direct, and shall give such notice of the times and places of opening said books as they may deem reasonable, and shall receive said subscriptions under such regulations as they may adopt for that purpose; and this they may do from time to time, if necessary, until the amount of one hundred thousand dollars shall be subscribed to the capital stock; and when an amount not less than said sum of one hundred thousand dollars shall have been so subscribed, they may, at their discretion, close the books of subscription, and proceed to the organization of the said company as herein after provided; and the construction of the works of said company may, thereupon, be commenced and proceeded with under this act. And there shall be paid into the treasury of said corporation, by each subscriber to said capital stock, within thirty days after the organization of said corporation, an installment of three dollars on each share.

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, two-thirds of whom shall be inhabitants of this state, who shall be chosen by the stockholders of said company in the manner herein after provided; said directors shall also be stockholders in said company, and shall hold their offices till others are duly elected and qualified to take their place 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 secretary, who shall be secretary of the

board and of the company, and shall be sworn to a faithful discharge of his duty; and a treasurer, who shall give bond with security to said company, in such sum as the directors may require, for the faithful discharge of his trust; and said directors shall have power to fill vacancies in their number, whether occasioned by death, resignation or otherwise.

SEC. 5. The annual meeting of the stockholders of said company shall be holden on the first Monday of May, annually, in the city of Hartford; and until the first annual meeting under this act, the persons named in the first section of this act, being stockholders, shall be directors of said company, with power to fill vacancies in their number, so that their whole number shall not exceed the number prescribed by this act, and shall hold their office until a new election by the corporation.

And the directors may call a meeting of the stockholders, if they shall deem proper, at any time previous to said annual meeting, for the purpose of choosing directors, or for any other purpose provided in this act, and at such time and place as they may appoint for such meeting, giving reasonable notice thereof; and in all meetings of the stockholders of said company, each share shall entitle the holder to one vote, which may be given by said stockholders in person or by lawful proxy.

And the directors may call other meetings of the stockholders at such times and places, and on such notice as by the by-laws are prescribed; and in case it happen that an election of directors shall not be made at the annual meeting, or at any other called for that purpose, said company shall not be deemed to be therefor dissolved, but such election may be holden on any day which shall be appointed therefor by the directors of said company.

SEC. 6. In case it shall so happen that none, or less than five, of the persons named in the first section of this act shall be subscribers to the stock of the company, then so many of them as shall be subscribers, or in default of these, a majority of the persons named in said first section, shall, on the books of subscription being so closed, call a meeting of the stockholders for the election of directors.

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 refuse or neglect to make payment pursuant to the requisitions of the board of directors, the stock of said stockholders, or so much thereof as shall be necessary, may be sold by the order of said directors, at public auction, after the lapse of sixty days from the time when such payment became due; and all surplus money, the avails of such sale, after deducting the payments due and interest, and the necessary expenses of such sale, shall be paid over to such negligent stockholder.

SEC. 8. Said company shall have full power, and they are hereby authorized to take, hold and convey, into and through said city and town of Hartford, the waters of Connecticut river, or other waters, to such extent, and in such manner, as may be necessary or expedient, in carrying into effect the objects of this act; and may take and hold, by purchase or otherwise, any lands or real estate necessary for the purposes of this act, and for laying and maintaining aqueducts for conducting, discharging, disposing of and distributing water, and for forming a reservoir or reser-

voirs, and for all buildings, structures, machinery and fixtures necessary to the most perfect and complete supply of said city and town of Hartford with pure water for all public and private uses, and for preserving said lands and waters for the uses of said company, pure and free from all contamination, nuisances, ditches, drains and sewers, and from the access of persons, animals, boats, rafts, scows or other vessels, and from the erection of any buildings or structures other than those used or employed by said company for the purposes of this act: and they may make, establish and enforce all necessary and proper regulations and by-laws for the preservation of the same. *Provided*, that such regulations and by-laws shall not be contrary to the laws of this state, or of the United States.

SEC. 9. And the said company may make and build one or more permanent aqueducts from the said river, into and through the town and city of Hartford, and may secure and maintain the same by any works suitable therefor,—may connect such aqueducts with each other,—may make and maintain reservoirs within and without said city,—may make and establish such public hydrants, and in such places as may from time to time be deemed proper, and prescribe the purposes for, and the manner in which they may be used, and may change and discontinue the same,—may distribute the water throughout the town and city, and for this purpose may lay down pipes to any house or building, the owner or owners thereof consenting thereto,—may regulate the use of the said water within and without the said city, and establish the prices or rents to be paid therefor. And the said company may, for the purposes aforesaid, carry and conduct any aqueduct, or other works by them to be made and constructed, over or under any water-course, street, turnpike road, railroad, highway, or other way, or public grounds, and may dig up the same for the purpose of making, repairing, laying down or maintaining any aqueduct or pipes beneath the surface thereof, and may do any other acts necessary and proper for the purposes of this act; *provided* they put such water course, street, turnpike road, railroad, highway or other way in as good and perfect condition as before the laying or constructing of the said aqueducts or other works to be approved as to such roads by the commissioners thereon, and as to the public grounds, streets or other ways, within the limits of said city, by the mayor, aldermen and common council, and in all other cases by the selectmen of said town of Hartford.

SEC. 10. When the lands or other property or estate of any *feme-covert*, infant or person *non compos mentis*, shall be necessary for the purposes of this act, the husband of such *feme-covert*, and the guardian of such infant or person *non compos mentis*, may, in such cases, be notified, and may release all damages for any lands or estate necessary, or taken as aforesaid, in the same manner as they might if the said land or estate were holden in their own right respectively.

SEC. 11. The said company shall be liable to pay all damages that shall be sustained by any person or persons in their property or estate, by the taking of any land or real estate as aforesaid, and the constructing or laying of any pipes, aqueducts, reservoirs or other works for the purposes of this act. And if at any time before or after the commencement of the works of said company it shall appear that any damage has accrued or may 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,

and such person or persons have not agreed with said company in writing for such damage, land or estate, the said company may apply to the superior court for Hartford 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 and judicious persons, (any vacancies which may occur to be filled by said court or judge,) who shall, after reasonable notice to the parties, (which may be given in the manner aforementioned,) 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 hands 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 proceed to the construction of their said works, or in case the owner or parties aforesaid cannot be then ascertained, shall pay the same within thirty days to the treasurer of the county of Hartford, to be by him paid to such person or persons as said county court shall direct.

SEC. 12. 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, entrusted with the superintendence of the works, may, at reasonable times, enter all premises so supplied, to examine the pipes and fixtures, and prevent any unnecessary waste. And if any person or persons shall, without the consent of said company, use any of the said water, either within or without the city, an action of trespass on the case may be maintained against such person or persons by the said company, for the recovery of damages therefor.

SEC. 13. If any person or persons shall willfully, wantonly or maliciously divert the water, or any part thereof, of any of the aqueducts, reservoirs, streams, waters 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 the said company, by the authority or for the purposes of this act, every such person or persons shall forfeit and pay to the said company three times the amount of the damages that shall be assessed therefor, to be recovered by any proper action.

SEC. 14. The said company shall cause to be kept at their office proper books of accounts, 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, and of commissioners that may be appointed by the general assembly.

SEC. 15. It shall be the duty of the directors of said company to cause to be made, (annually, in the month of April,) a true statement of its income, expenses, profits and losses, for the previous year, and a like statement annually shall be made to the general assembly by said directors, under the oath of one or more of them; and to declare such divi-

dends among the stockholders, from time to time, as the profits of their business shall enable them to make.

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

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INCORPORATING THE NEW HAVEN WATER COMPANY.

PASSED 1849.

*Resolved by this Assembly,* SEC. 1. That Henry Peck, Ezra C. Read, Henry Hotchkiss, James Brewster, and Wooster Hotchkiss, with all such persons as are or may be from time to time associated with them, for the purpose of supplying the city of New Haven with pure water for public and domestic use, their successors and assigns, be and they are hereby incorporated for said purpose, by the name and style of the "New Haven Water 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 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 sell, grant, demise, alien and dispose of; to sue and be sued, plead and be impleaded, defend and be defended in all courts in this state or elsewhere; 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, regulations and provisions herein after prescribed.

SEC. 2. The capital stock of said company may consist of one hundred thousand dollars, with the privilege of increasing the same to two hundred and fifty thousand dollars, to be divided into shares of fifty dollars each, which shares shall be deemed personal property, and be transferred in such manner and at such places as the by-laws of said company shall direct.

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 times and places 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 fifty thousand dollars shall be subscribed to the capital stock of said company, they may at their discretion close the books of subscription, and proceed to the organization of said company, as herein after provided.

SEC. 4. The government and direction of the affairs of said company