

# SPECIAL LAWS

OF THE

# STATE OF CONNECTICUT.

COMPILED AND PUBLISHED  
UNDER AUTHORITY OF THE GENERAL ASSEMBLY.

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## VOLUME VI.

FROM THE YEAR 1866 TO THE YEAR 1870, INCLUSIVE.

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HARTFORD:  
CASE, LOCKWOOD & BRAINARD, PRINTERS.  
1872.

proved July 1st, A. D. 1863, the resolution approved July 21st, A. D. 1865, the resolution approved June 20th, A. D. 1860, the resolutions approved July 3d, A. D. 1861, the resolution approved June 25th, A. D. 1861, the resolution approved June 29th, A. D. 1862, the resolution approved June 24th, A. D. 1863, the resolution approved June 10th, A. D. 1863, the resolution approved July 1st, A. D. 1863, the resolution approved July 7th, A. D. 1865, the resolution approved June 20th, A. D. 1866, the resolution approved July 24th, A. D. 1867, the resolution approved July 12th, A. D. 1867, and the resolution approved July 26th, A. D. 1867, is hereby confirmed and enacted word for word as contained in said several resolutions.

SEC. 2. All ordinances and votes passed, and all acts of every kind whatsoever, done in pursuance of and under the authority of said resolutions, are hereby confirmed and ratified and declared to be lawful, as fully and to the same extent, as if each of said resolutions had been enacted under the style of this act. And the duties, powers and authority and all other matters prescribed and contained in said resolutions, confirmed and enacted in the preceding section, are to be construed in the same manner as if each of said resolutions had been originally passed under the style of this act: *provided*, that nothing herein contained shall affect any suit or proceeding in law now pending, in which the validity of any of said resolutions or matters therein contained, has been questioned.

Approved, July 24th, 1868.

### Amending the Charter of the City of Meriden.

*Resolved by this Assembly*, SEC. 1. That the mayor, aldermen, common council and freemen of the city of Meriden, be and are hereby authorized to take and convey in the manner hereinafter prescribed, from Black Pond, so called, lying in the town of Middlefield, and from any pond, stream or streams, or spring or springs, lying near or adjacent to said Black Pond, and from any pond, stream or streams, or spring or springs, or reservoir, within the limits of the town of Meriden, or within the limits of any town adjoining the town of Meriden, such supply of water as the necessities and convenience of the inhabitants of said city of Meriden may require: and are also hereby authorized and empowered to issue bonds, notes, scrip or certificates of debt under the corporate name and seal of said city, bearing interest at no greater rate than seven per cent. per annum, to any amount not exceeding in the whole the sum of two hundred thousand dollars, the principal of which said bonds, notes, scrip, or certificates, shall be payable at some certain time or times within thirty years from the issuing of the same; and said bonds, notes, scrip or certificates shall be denominated the Water Fund of the City of Meriden, and the avails thereof shall be applied and expended to and for the purpose of supplying said city with pure and wholesome water, according to the mode or plan adopted in pursuance of the provisions of this act, and for no other purpose whatsoever; and said bonds, notes, scrip or certificates, when issued and delivered by said city, or by the officers or agents duly authorized for that purpose, shall be obligatory upon said

city, and the inhabitants thereof, according to the purport and tenor of the same, in the same manner and to the same extent as debts lawfully contracted by cities or towns in this state.

SEC. 2. The court of common council of said city shall, within twenty days after this act or resolution shall go into effect, at a meeting specially called and holden for that purpose, designate and appoint four persons, residents of said city, which four persons, when so designated and appointed by said court of common council, shall act as a board of water commissioners, with all the powers conferred by this act, until others shall be chosen and sworn in their stead; and at the annual meeting of said city of Meriden, which shall be holden on the first Monday of June, A. D. 1869, for the choice of city officers, there shall be chosen to take the place of said four persons designated and appointed by said court of common council, four water commissioners, who shall be voted for on the same piece of paper with such other officers as are by law to be chosen at said annual city meeting, and shall be elected by a plurality vote; and the persons previously acting as such commissioners, or any other tax-payer and resident of said city, shall be eligible for the office of water commissioner. Said commissioners, when elected at said annual city meeting, shall hold their offices for the following terms, viz: of the four persons so elected, the two persons having the highest and the lowest number of votes, shall hold their offices for the term of two years, and the other two persons so elected shall hold their offices for the term of one year; and in case of a tie vote between two or more of said persons so chosen, their respective terms shall be determined by lot, to be drawn by them in the presence of the mayor and clerk of said city; and at said annual city meeting, to be holden on the first Monday of June, A. D. 1869, no person shall vote for more than two of said commissioners, and the vote of any person having thereon the names of more than two persons as said water commissioners, shall be rejected in the count of the ballots for water commissioners; and at all subsequent annual meetings of said city held for the choice of city officers, there shall be chosen two water commissioners, to hold their offices for the term of two years: *provided*, that at all such subsequent annual meetings no person shall vote for more than one of said commissioners, and any ballot having thereon the name of more than one person as water commissioner shall be rejected in counting the ballots for said water commissioners. The four persons designated and appointed by the court of common council as aforesaid, and the persons elected as their successors at the annual meeting to be held on the first Monday of June, A. D. 1869, and at the annual city meetings for the choice of city officers thereafter, shall be known as and called The Board of Water Commissioners of the City of Meriden, and shall have all the powers herein conferred on said board, and shall hold their respective offices as hereinbefore provided, and until their successors are chosen and sworn in their stead.

SEC. 3. All vacancies which shall occur in said board by death, resignation or in any other manner, shall be filled by the court of common council of said city, at a meeting specially warned and held for that purpose within two weeks after said vacancy shall occur; and said court

of common council shall have power by a two-thirds vote of the whole number of said court of common council to remove any commissioner for official misconduct: *provided*, that any commissioner so removed, on a charge of official misconduct, shall have the right of appeal to the next term of the superior court for the county of New Haven, to be held after the action of the court of common council is made known to him, and the clerk of the court of common council shall transmit to said superior court a copy of the vote or action of the common council thereon; and unless said superior court shall find such commissioner guilty of official misconduct, upon a hearing had thereon, the action of said court of common council for his removal shall be of no effect.

SEC. 4. Said board of water commissioners shall elect a president, who shall devote his time and attention to the construction, supervision, care and management of the water works, under the general advice and direction of the commissioners, and to such other business of the city as shall be assigned to him by said court of common council; and said court of common council shall fix the compensation of the president of said board, but they shall allow no salary or compensation to the other members of said board, except as a remuneration for time actually spent on the duties of said board, and for necessary expenses of such members.

SEC. 5. The board of water commissioners are empowered, and it shall be their duty, to ascertain a feasible place for the introduction and proper distribution of water into and through the city of Meriden, to employ engineers and surveyors with reference thereto, and to estimate the probable cost of carrying such plan into execution, to make conditional contracts with the proprietors of any estate, real, personal or mixed, or of any franchise, right or privilege, which shall be required for the aforesaid purpose; to report their plan, estimates of expense and revenue, and conditional contracts, with appropriate reasons and calculations to the court of common council of said city, who may approve or reject the same; and whenever any contract provisionally entered into by said board shall be ratified by said court of common council, the same shall be obligatory upon said city.

SEC. 6. Whenever any plan of said board shall be approved by said court of common council, said board shall immediately thereupon be empowered to take and hold for, and on behalf of said city, any lands, or other estate necessary for the construction of any dams, canals, aqueducts, reservoir or reservoirs, or other works, or for the erection and construction of any building or buildings, or machinery, or for laying any pipes or conductors for conveying water into or through said city, or to secure and maintain any portion of the water works, and in general to do any other act or acts necessary or convenient for accomplishing the purposes contemplated by this act, and to distribute said water through said city in pursuance of the subsequent provisions of this act; to establish hydrants under the direction of said court of common council; to prosecute or defend any action or process at law or in equity, by the name of the Board of Water Commissioners of the City [of] Meriden, against any person or persons or corporation, for the breach of any contract, express or implied, relating to the performance of any work or labor upon said water works, or the management of the same, or the

distribution of the water, or for money due for the use of the water, or for any injury or trespass, or nuisance affecting the water, machinery, pipes, buildings, apparatus or other things under their superintendence, or for any improper use of the water, or any wasting thereof, or upon any contract or promise made with and to them as water commissioners, or with their predecessors or successors in office: and said board shall be regarded as a corporation for the purpose of suing and being sued, and may employ an attorney or attorneys to appear for them in all cases brought by or against them.

SEC. 7. Said board are hereby authorized to enter in and upon any land or water, 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 board 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 or her estate, by the doings of said commissioners, 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 the purposes specified in this act, or that is damaged by the doings of said commissioners under the same; and they being sworn to a faithful and impartial discharge of their duties shall estimate the amount of compensation which said owners shall receive, and report the same in writing to the clerk of the superior court for New Haven county, which report shall be recorded by said clerk. Said judge of the superior court may thereupon confirm the doings of said appraisers, and direct whether said commissioners shall pay the same to said owners, or shall invest or deposit the same in such manner as such judge may prescribe, in full compensation for the property acquired, or the injury done by said commissioners, and on compliance with the order of said judge, said commissioners may proceed with the construction of their works without any liability to any further claim for compensation for damages. And several persons or corporations, or owners of different rights of property or franchises, may be made parties and embraced in the same applications made as aforesaid, their respective interests or rights of property being therein described.

SEC. 8. Said board are hereby authorized and empowered to enter into agreement with the owner or owners of any franchise, or mill site, or water privilege, or with the owners of several and distinct franchises, mill sites or water privileges, which are damaged or injured by the taking of any water for the uses of said city under this act, for the erection and construction of a reservoir or reservoirs at any convenient place or places, as said board and said party or parties may agree upon as a compensation or part compensation, for the damage or injury to the franchises, sites or privileges owned by said parties: *provided, however*, that no agreement as above shall be valid or binding on said city until the same shall be ratified by the court of common council of said city, at a meet-

ing specially warned and held within fifteen days after such agreement shall have been submitted to said common council by said board; and whenever any agreement entered into as aforesaid shall be ratified by said court of common council, the same shall be obligatory upon said city; and thereupon said board of water commissioners shall be and they are hereby authorized and empowered immediately to take and hold any lands or real estate necessary for the construction of such reservoir or reservoirs, or that will be flowed or covered with water in consequence of the construction thereof, and also all lands necessary for the construction of such dams, embankments or earthworks, as may be required in the building of said reservoir or reservoirs, and generally to do anything necessary or convenient in the construction of the same; and the damages arising in consequence of the taking of any property as aforesaid may be mutually agreed upon by said board and the owner or owners of said property; and in case of disagreement between said board and any owner or owners as to such compensation or as to the amount of damage, or in case any such owner shall be an infant or married woman, or insane, or absent from the state, or the owner of an uncertain or contingent interest, the amount of compensation in each and all such cases shall be estimated by three disinterested persons, to be appointed by a judge of the superior court in the same manner as is provided in section seven for the appraisal of damages in case of disagreement; and all the proceedings with reference to said appraisal, including the report of the appraisers, the return and recording the approval thereof, and the mode of payment of the sum fixed by the said appraisers, shall be the same in all respects as is provided in said seventh section; and upon compliance with the order of said judge, said commissioners may proceed with the construction of said reservoir or reservoirs, without any liability to any further claim for compensation or damages. The appraisers appointed as aforesaid in fixing the amount of compensation or damage to any owner or owners in consequence of the construction of such reservoirs shall take into account and allow the benefits that may accrue to the respective parties in consequence of such construction or erection.

SEC. 9. Whenever any reservoir or reservoirs shall be constructed under and in accordance with the provisions of the preceding section, then the benefit to be derived from the same shall be taken into account, and considered and allowed in fixing the amount of compensation or damages to be paid to any party or parties other than those with whom said agreement is made for the injury or damage to any franchise or water right or water privilege at any point below where said reservoir or reservoirs are or may be constructed, and on the stream or streams into which the water from such reservoir or reservoirs shall flow.

SEC. 10. Said board of water commissioners, after the approval of their plans, by the court of common council, as is hereinbefore provided, shall be empowered to make use of the ground or soil under any road, railroad, highway, street, private way, lane or alley within this state, for the purpose of constructing the work contemplated by this act, but shall, in all such cases, cause the surface of such road, railroad, highway, street, private way, lane or alley to be restored to its usual condition, and damages done thereto, to be repaired, and all damages sustained by

any person or corporation in consequence of the interruption of travel, to be paid to such person or corporation.

SEC. 11. In case said city shall take or use the water of the pond known as Black Pond, lying partly in said Meriden and partly in Middlefield, said city shall construct, complete and furnish certain reservoirs for the use and benefit of the persons and parties owning mills and mill sites on the streams flowing from Black Pond below said reservoirs, to wit: A reservoir to be made by constructing an embankment or earthwork dam, near the house of John McGuire, in said Meriden, across the stream flowing from the Chauncey Hall Swamp, so called; said dam to be of sufficient height, so that the flow line thereof shall be twelve feet above the ordinary level of the water in the brook at that point, with such other embankments and dikes as may be necessary to raise said water to the height aforesaid, and by turning the stream that flows from the swamp north of the house of George Greer, in said Meriden, into said reservoir; and also, if necessary for the purpose of filling said reservoir, by turning into the same the stream which now flows from between the hills north of the house of George L. Hall, in said Meriden. Also, a reservoir to be made by constructing a stone dam at or near the site of the present dam at Baldwin's mill, on said Black Pond stream, in said Meriden, said dam to be built ten feet higher than the top of the present dam. Each of said dams shall be provided with proper discharge pipes, sluices or gates, and to be constructed in accordance with the plans and directions of some competent engineer, who shall be mutually agreed upon by said water commissioners and the parties in interest on said stream, or who, in case they cannot agree, shall be appointed by any judge of the superior court, on application of any person or party in interest, reasonable notice having been given. Said dams, embankments and earthworks shall be fully completed and perfected by said city, and a reasonable time allowed for the same to fill before any water shall be taken or drawn from Black Pond under and by virtue of the powers and privileges conferred by this resolution. And when said reservoirs shall have been thus furnished and accepted, said city shall succeed to all the rights and privileges in and to the water of Black Pond, now held by the persons and parties for whose use and benefit said reservoirs shall be constructed, as aforesaid: *provided*, said city shall assume and discharge all liabilities which said persons and parties may be under, respecting the construction and maintenance of the dam and embankments and the use and regulation of the waters at the Black Pond reservoir. Said commissioners are hereby authorized and empowered to construct said dams, embankments and earthworks, and to take and hold, by purchase or otherwise, on behalf of said city, any lands or real estate necessary or convenient for the purpose of constructing and filling said reservoirs, and also any lands which may be flowed or covered by water by reason of such dams, embankments and earthworks; and said commissioners are furthermore authorized and empowered to divert, by the use of appropriate means, the streams aforesaid into said first-named reservoir. Said water commissioners are hereby authorized and empowered, on behalf of said city, to agree with any person or persons whose lands shall be taken or used for the purposes mentioned in this section, or who shall be injured by the diversion of any stream or water-

course into said reservoir, as to the amount of damage or compensation to be paid by said city to such persons for the taking or using of said lands or the diversion of said streams; and whenever disagreement shall be had between said water commissioners and the owner or owners of any property taken, used or damaged as aforesaid, as to the amount of compensation or damages to be paid to such person or persons therefor, or whenever such owner or owners shall be incapable in law of contracting, or be absent from the state, such compensation or damages may be assessed by three disinterested persons, under oath, appointed by either judge of the superior court, on application made to said judge by or on behalf of either party, after such notice of such application as said judge shall see fit to prescribe, which said appraisers shall report their doings, embracing the amount of their assessment, to the clerk of the superior court for New Haven county, if the lands so taken or damaged are in New Haven county, and to the clerk of the superior court for Middlesex county, if such lands are in said Middlesex county, which reports shall be recorded by said clerk; and thereupon such assessment shall be taken and held to be a final adjustment of said compensation and damages between said parties, and upon the payment thereof, or the deposit of the same with the county treasurer of said county, to the use of such owner or owners, said commissioners may proceed with the construction of said reservoirs and the diversion of said streams, without liability to any further claim for compensation or damage. Such reservoirs, when constructed and accepted, shall be and remain for the use and benefit of the persons and parties owning mills and mill sites on said stream below said reservoirs, and the city shall not be bound to repair the same after they shall have been accepted by said engineer, but the care, custody, use and control of the same shall rest and remain in said owners of mills and mill sites, and their successors, who are hereby authorized to repair and maintain the same, and who for that purpose, and for the purpose of using, controlling and regulating the same, are hereby authorized to enter upon the lands necessary or convenient for said purposes.

SEC. 12. Said commissioners may make contracts for labor and materials for the general purposes contemplated by this act, and all contracts for materials to be furnished, or services to be rendered, shall be in writing, and three originals shall be made of each of such contracts, which shall be numbered with the same number, and indorsed with a summary of the work to be done or materials to be furnished, and the date of the contract; one of which originals shall be held by said commissioners, one by the contractor, and one by such city officer as shall be designated by the court of common council of said city. And no commissioner shall have any pecuniary interest, direct or indirect, in any such contract, and no contract shall be made unless good and satisfactory security for the faithful performance of the same be given by the contractor, at the time of making such contract, and the security in all such cases shall be taken to the Board of Water Commissioners of the City of Meriden.

SEC. 13. Said commissioners shall advertise in one or more newspapers, to be selected by the court of common council, for sealed proposals for such contracts, and specify times and places, when and where the said proposals are to be received; and such proposals shall, in order



to be received and acted upon, set forth a specified sum or price to be paid for materials and services, or for either, without condition, limitation or alternative, and shall be accompanied with a bond satisfactory to the said commissioners, conditioned, in the event of the acceptance of such proposition, for the faithful execution of the proposition or contract. And said commissioners shall receive no more than one proposition from the same person or persons, for the same contract, but shall reject all which are offered by such person or persons as offer more than one. And no contract shall be assigned without the assent of both the board of water commissioners and the court of common council of said city.

SEC. 14. Said commissioners or board shall be the trustees of the bonds, notes, scrip or certificates of debt issued by said city of Meriden, and are hereby authorized to superintend the issuing of the same, and to regulate the particular form thereof, and after the same or any part of them shall be issued, said commissioners may sell such notes, bonds, scrip or certificates of debt at public or private sale for their par value, or at such higher rate as said bonds, notes, scrip or certificates of debt shall command, or said board may pledge the same for loans, not usurious, under the direction of the court of common council, at such times as the proceeds of the same shall be required to meet the appropriations made or allowed for the surveying, preparing, constructing and maintaining said water works; and a duplicate record shall be kept by said commissioners of all bonds, notes, scrip or certificates issued, disposed of or pledged in pursuance of the provisions of this act, with the date of such disposition, the name of the person or persons to whom such disposition was made, and such other facts as are or may be necessary to show what has been the action of said commissioners thereon; one copy of which record shall be by said commissioners delivered to the city treasurer, and all moneys accruing from the sale, pledge, or disposition of said bonds, notes, scrip or certificates of debt, shall be received by the president of said board, and by none other, and shall be deposited by him in one or more of the banks in the city of Meriden, and said moneys shall be drawn out only on the order of the treasurer of said city; said bonds, notes, scrip or certificates of debt shall be signed by the president of said board of water commissioners, and countersigned by the treasurer of said city.

SEC. 15. All claims against said commissioners or said city on account of said water works, may be presented to said commissioners, and when approved by them shall be laid before the common council of said city, who may allow the same, and direct the president of the said board to draw his order on the city treasurer for the amount of any such claim.

SEC. 16. Said commissioners shall superintend the construction of the work, and keep a record of their official proceedings in that behalf, and report to the court of common council a general exhibit of the state of the works, including a detailed account of the sums of money required to be expended therefor, and such other matters as may be called for by said court of common council, which said report shall be made semi-annually, and at such other intermediate times as said court of common council may designate, and said commissioners shall keep regular books of accounts.

SEC. 17. After the completion of the work according to the plan or plans approved by the court of common council of said city, the board shall regulate the distribution and use of water in all places, and prescribe the purposes to which the same shall be applied: *provided*, that whenever said water is to be distributed or conducted through and into public hydrants or sewers, or applied to any public use, such as the extinguishment of fires or watering streets, or other like purposes, said commissioners shall act under the direction of said court of common council in relation thereto. Said commissioners shall, with the assent of said court of common council, establish scales of prices or terms upon which water shall be furnished, and regulate the time or times of payment, and collect all water rents, and shall faithfully account for the same, which prices or rents, when so established, shall not be reduced below a fair and reasonable compensation for the use of said water, so long as the aggregate of said water rents shall be or by such reduction shall become insufficient to pay the annual expenses of said water works, and the interest upon the debt of the city incurred in building the same, except by a vote of two-thirds of the legal voters of said city at a meeting specially called for that purpose. And said commissioners shall make such by-laws or regulations for the preservation, protection and management of the said water works, as may be deemed advisable, and enforce the same by suitable penalties, and when said by-laws or regulations have been approved by the common council, they shall be of binding validity; and said commissioners may bring, in the name of the Board of Water Commissioners of the City of Meriden, actions of debt on such by-laws, to recover any penalty for the breach of the same.

SEC. 18. Said commissioners shall keep a register of all persons who use the water, and of the prices by them payable therefor, and shall apply the avails of the water rents to the payment of the ordinary and current expenses of said water works, such as repairs, the hire of clerks and agents, and of extending pipes into new localities (under the direction of the court of common council), and shall pay any excess of such avails over the sum requisite for the last mentioned purposes, to the city treasurer, on the first Monday of each and every month; an account of water rents received and expended during the preceding month, having been first audited by the city auditor, and by him approved. The account so presented shall be attested by the oath or affirmation of at least one member of said board.

SEC. 19. It shall be the duty of the city treasurer to apply any avails of water rents by him received to the payment of interest on the aforesaid bonds, notes, scrip or certificates of debt; and if there shall be any excess to report the fact to the court of common council, who may direct whether the same shall be applied to the extinguishment of the principal debt, by the issuing of said bonds, notes, scrip or certificates of debt, or to the enlargement of said water works.

SEC. 20. In case the avails of water rents in any year shall be inadequate to meet the current expenses of said water works, and the interests on bonds, notes, scrip or certificates of indebtedness, the deficiency shall be supplied by the levying a tax on the polls and ratable estate of all persons liable to city taxation, which said tax shall be estimated by the court of common council of said city, and recommended

to the city meeting, specially called for the purpose of laying the same; and said meeting may then lay such tax as shall be necessary. And said city, at any city meeting specially called and holden for that purpose, may lay taxes for the purpose of paying the principal debt aforesaid, or any part thereof, by the establishment of a sinking fund, or in any other proper manner.

SEC. 21. Taxes laid for the purpose mentioned in the preceding section may be collected in the same manner and at the same time as other city taxes, and any claim of said commissioners for the use of water shall be a lien upon the house, tenement or lot wherein or in connection with which said water was used by any owner or occupier thereof. And said lien may be foreclosed before any court having competent jurisdiction, in the same manner as a mortgage is now foreclosed according to the rules of equity.

SEC. 22. Said commissioners may require additional rents for the use of water whenever extra quantities shall be used, exceeding the quantities estimated for the same class of buildings, establishments or trades in the scale of prices by them adopted; and said commissioners shall make no contract for the use of water for a longer time than one year, except with the consent of the court of common council.

SEC. 23. A majority of said commissioners shall constitute a quorum for the transaction of any business allowed or required by the powers or duties of said board. And no member of said commission shall be able to act as such until he has been sworn to a faithful performance of his duty as such commissioner; and the president of said board shall give a bond, with at least one sufficient surety, in the sum of not less than twenty thousand dollars, conditioned for the faithful performance of his duties under this act.

SEC. 24. If any person shall maliciously or wilfully divert or corrupt the water collected or conducted in or into any reservoir, cistern, hydrant, conductor, engine, pipe or any portion of the water works contemplated by this act, or destroy or injure any work, machinery, materials or property erected, constructed, used or designed to be used within the city of Meriden or elsewhere, for the purpose of procuring or keeping a supply of water, he shall forfeit and pay to said city treble damages, in an action of trespass brought by said commissioners; and such person, on conviction thereof before any court having jurisdiction of the offense, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year, or by such fine and imprisonment both.

SEC. 25. This act shall be to all intents and purposes a public act, and may be altered or amended by the general assembly, and shall take effect when accepted by said city at a special city meeting, duly warned and held within thirty days after the passage of this resolution by the general assembly, for the purpose of voting upon the acceptance of this act or resolution, at which meeting of said city the vote shall be by ballot; and the ballots having the word Yes written or printed thereon shall be considered as in favor of the acceptance of the act, and the ballots with the word No written or printed thereon shall be counted as against the acceptance of this act. And if a majority of the votes so given shall be in the affirmative, then this act shall be in full force, and

unless the majority of the votes so given shall be in the affirmative, this act shall not take effect. The boxes to receive the ballots aforesaid at said special meeting shall be kept open from nine o'clock in the fore- until five o'clock in the afternoon, and said ballots shall be counted in the same manner as is provided for counting the ballots at the annual meetings of said city.

Approved, July 24th, 1868.

[Organized, June, 1868.]

### Incorporating the Hartford and Salisbury Ore Company.

*Whereas*, the Hartford and Salisbury Ore Company, a corporation organized under the joint stock laws of this state, to carry on the business of mining iron in Salisbury, in said state, find that their interests would be greatly promoted by the grant to them of more definite and extended powers in respect thereto: therefore,

*Resolved by this Assembly*, SEC. 1. That said Hartford and Salisbury Ore Company may, and shall hereafter have the right to, and exercise their corporate franchises, and have and enjoy all the rights, powers and privileges herein granted, and after their acceptance of this present act, conduct and carry on their business under the provisions hereof exclusively in the same way and manner and to the same extent in all respects as if said corporation had been originally organized under a charter containing like provisions.

SEC. 2. The said Hartford and Salisbury Ore Company shall have and enjoy their said corporate franchises, and all the rights, powers and privileges herein granted for the purpose of mining iron and other metals or minerals, and of smelting, refining or otherwise dealing with the ores containing such metals or minerals; and in and by their said corporate name, they and their successors and assigns shall be, and hereby are, authorized and empowered, in addition to the mines, mining leases, lands, ores, goods, chattels, machinery, property and effects now belonging to or leased by said company, to purchase, lease, take, hold, occupy, possess and enjoy, to them, their successors and assigns, such other mines, mining leases, lands, ores, goods, chattels, machinery, property and effects of whatever kind they may be, as shall be necessary or convenient, to enable them to carry on their business to the best advantage, and the directors of said company may make a separate and distinct interest of such mine or mines into such number of shares as they may deem expedient; (also to make and enter into, and become parties to any contract or contracts with any other corporation, association or person, which may be thought desirable and advantageous for the successful prosecution of said business;) also to sue and be sued, plead and be impleaded, defend and be defended, answer and be answered unto, in any court of record, or elsewhere. The said corporation may have and use a common seal, and may alter the same at pleasure.

SEC. 3. The said corporation, in addition to their present capital, shall have the power, and are hereby authorized to increase the same by vote of the directors, from time to time, to an amount not exceeding five hundred thousand dollars; except as herein provided. The shares of said