

Town Agents Office

RESOLVES

AND

PRIVATE LAWS

OF THE

STATE OF CONNECTICUT.

FROM THE YEAR 1789 TO THE YEAR 1836.

PUBLISHED BY AUTHORITY OF RESOLUTIONS OF THE GENERAL
ASSEMBLY, PASSED MAY 1835 AND 1836, UNDER THE
SUPERVISION OF A SPECIAL COMMITTEE.

VOLUME I.



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1837.

eral 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 thirty 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 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 upon such sign post twenty days before said sale.

The profits and emoluments accruing to said corporation from said supplying and distributing of pure water, after deducting the necessary charges and expenses, 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.

Provided, that this resolve, or any part thereof, may, at any time, be altered, amended or revoked by the General Assembly.

New Haven Aqueduct was incorporated in May, 1804; the work if constructed now ceases to exist.

AN ACT INCORPORATING THE PROPRIETORS OF THE AQUEDUCT AT NEW LONDON—PASSED, MAY 1800.

Sec. 1. *Be it enacted by the Governor and Council and House of Representatives in General Court Assembled,* That George Hallam, Benjamin Butler, Robert Allyn, David Frink, Isaac Treby, and all such persons as are, or from time to time may be associated with them, for the purpose of conducting water into the city of New London by means of subterraneous pipes, and their successors be, and they are hereby incorporated for that purpose, and made a body politic by the name of "*The Proprietors of the Aqueduct at New London;*" and by that name shall be capable of suing and being sued, pleading and being impleaded, and may purchase, hold, sell and convey estate real and personal, to an amount not exceeding four thousand dollars, to be holden by said proprietors at any one time.

Sec. 2. The first meeting of said proprietors shall be holden at such time and place in the city of New London, as the said George Hallam, Benjamin Butler, Robert Allyn, David Frink and Isaac Treby shall appoint, by publishing a notification thereof in a newspaper printed in said city: and the subsequent meetings of said proprietors shall be holden at such time and place in said city, and be convened in such manner as shall from time to time be agreed on by vote of said proprietors, in legal meeting assembled.

Sec. 3. Said proprietors at any legal meeting, shall have power to appoint a chairman, treasurer and clerk; and also three directors to manage the prudential business of said corporation. And such treasurer, clerk and directors, shall continue in office until others be chosen in their stead—such clerk shall be sworn faithfully to discharge the duties of his office; and it shall be his duty to record the votes, orders and proceedings of said corpo-

ration—and also all transfers of the stock of said proprietors, and to give true and attested copies of such records, when thereto required.

Sec. 4. The stock of said corporation shall be divided into ten shares, which shares shall be assignable according to such rules as shall be instituted by 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.

Sec. 5. 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.

Sec. 6. 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 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.

Sec. 7. 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.

IN ADDITION AND ALTERATION—PASSED, MAY 1802.

Be it enacted by the Governor and Council and House of Representatives, in General Court assembled, That the proprietors of the aqueduct at New London, shall be, and hereby are 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 whatsoever, and the same to sell, grant, alien, and dispose of; and to sue and be sued, plead and be impleaded, defend and be defended, in all courts in this State, or elsewhere, in as full and ample manner as any corporation can or may do.

The capital stock of the proprietors of the said aqueduct at New London, 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 transfera-

ble and assignable, subject to the provisions and regulations of the by-laws of said corporation, any thing in said former act of incorporation to the contrary notwithstanding.

If at any time it shall be thought necessary for purposes of this or the former act of incorporation, to sink the pipes or conduits in the private grounds of any private person or persons, and to conduct the water across the lands, or under the soil of such person or persons; the said corporation, shall, and may enter thereon, for the purposes aforesaid, and break or open the ground of any person or persons, through or across whose lands it shall or may be deemed necessary to pass to conduct said water into said city of New London, and having laid said pipes or conduits as aforesaid, said corporation, shall and may at all times, enter upon the lands of any person or persons where said pipes or conduits have been laid or sunk for the purposes aforesaid, and break and open the ground or soil of any person or persons where said pipes or conduits have been laid or sunk, for the purpose of taking up, repairing and sinking the same.

Always Provided, That in every case in which it shall or may be necessary for said corporation to enter upon the lands or break the ground or soil of any person or persons as aforesaid, either for the purpose of sinking or repairing said pipes or conduits, the damages thereby suffered by any individual or individuals, across or under whose lands or soil the same shall be laid or sunk, shall be paid to said individual or individuals, by said corporation, to be assessed by a committee to be appointed by the County Court, in and for the county of New London; in case the said corporation, and the individual or individuals by whom damage is or shall be sustained in manner aforesaid, cannot agree on the same.

**RESOLVE CONFIRMING THE CHARTER OF NEW LONDON AQUEDUCT COMPANY,
PASSED, MAY 1824.**

Whereas it appears to this Assembly, that at an adjourned meeting of the proprietors of the aqueduct company, at New London, holden at the Merchants Coffee House in New London on Friday the 27th June, 1800, said meeting voted, that a meeting of the proprietors of the aqueduct at New London, shall be held at New London on the 2nd Monday in July annually, when the election of officers shall be made, (except on the second Monday in July 1800 :) and whereas it appears that there have been some omissions in not holding the annual meetings of said aqueduct company, in conformity to said vote of said aqueduct company.

Resolved by this Assembly, That all and singular the provisions of said resolve incorporating said aqueduct company, be, and the same are hereby revived and declared to be in full force, notwithstanding the omission to hold some of the annual meetings aforesaid, and said corporation shall have and enjoy all the privileges and immunities; and be subject to all the duties specified in their act of incorporation, in as full and ample a manner as though they had held regular annual meetings, at the time provided by a by-law, or by-laws of said corporation—and if hereafter the annual meeting of said corporation, should not be held at the time in said by-law, or by-laws specified, the said corporation shall not, for that reason, be dissolved, but the same may be held on some subsequent day, to be named by the chairman, or some one of the directors of said corporation, first giving notice of the same, and of the place and object of such meeting, by notice thereof put

upon the sign post in New London, or by publishing the same in some newspaper, printed in New London.

RESOLVE INCORPORATING NEWTOWN AQUEDUCT COMPANY,
PASSED, OCTOBER 1803.

Upon petition of Daniel Burham, and others.

Resolved by this Assembly, That the petitioners and such persons as may hereafter associate with them, their successors, heirs and assigns be, and they are hereby constituted a corporation by the name of "*Newtown Aqueduct Company,*" and by that name to sue and be sued in all courts of record, to ordain and establish such by-laws, ordinances and regulations as shall appear necessary for the government of said company not contrary to law, subject nevertheless to be repealed by the Superior Court of this State.

That a meeting of said company shall be holden at the dwelling house of Michael Parks in said Newtown on the thirty-first day of October instant, and the annual, and other meetings of said company shall be holden from time to time as said company shall direct for the choice of necessary officers, establishing regulations, and doing the business of said company and the members of said company shall have as many votes as they hold shares or interest in said company.

Said company shall have power to purchase and hold such lands as they shall deem necessary for erecting a fountain or fountains of water and carrying the water to the petitioners dwelling houses and such others as shall wish to purchase the same, or become interested therein, and that said company may sink their logs or aqueduct on, and across the public roads, or highways, as may be most for the interest of said company provided they do not destroy or injure the public travel on such roads or highways.

Newtownship Aqueduct in New Haven, incorporated May 1809, but no action under the charter.

RESOLVE INCORPORATING THE NORWICH COLD SPRING AQUEDUCT COMPANY,
PASSED, MAY 1832.

Sec. 1. Resolved by the Senate and House of Representatives, in General Assembly convened, That William P. Eaton, Thomas Robinson, and all such persons, as are, or from time to time, may be associated with them, for the purpose of conducting water into the city of Norwich by means of subterraneous pipes, and their successors, be, and they are hereby incorporated for said purpose, by the name of "*The Norwich Cold Spring 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 answer-