

SPECIAL ACTS AND RESOLUTIONS

OF THE

STATE OF CONNECTICUT,

WITH

AN APPENDIX,

CONTAINING

A LIST OF CORPORATIONS ORGANIZED UNDER GENERAL LAW SUBSEQUENT TO THE PUBLICATION OF VOL. VII.

VOLUME IX.

FROM 1881 TO 1884 INCLUSIVE.

HARTFORD, CONN.:
PRESS OF THE CASE, LOCKWOOD & BRAINARD COMPANY.

1885.

[House Joint Resolution No. 196.]

[173.]

ANNEXING PREMISES OF ANGELINE R. CUMMINGS OF LEBANON TO THE FIRST SCHOOL DISTRICT OF WINDHAM.

Resolved by this Assembly: That the real estate now owned by Angeline R. Cummings in the first school district of Lebanon be, and the same is hereby, annexed to and made part of the first school district of Windham, to which latter district the residents on said premises shall belong.

Approved May 1, 1883.

[House Joint Resolution No. 230.]

[174.]

AUTHORIZING THE BOROUGH OF WILLIMANTIC TO SUPPLY WATER.

Resolved by this Assembly: SECTION 1. The warden, burgesses, and freemen of the borough of Willimantic, in the town and county of Windham, are hereby authorized and empowered to take and use the water of any stream, lake, or pond, except the Willimantic river, within the limits of the town of Windham, or within the limits of any town adjoining said Windham, except lake Wamgambaug in the town of Coventry, to hold, convey, and distribute such water in, to, and through said borough, by means of reservoirs, pipes, aqueducts, and any other suitable works, in such quantities as the necessities and convenience of said borough may require; to take and hold any lands, property, or privileges, and to exercise any powers not inconsistent with the laws of this state that may be necessary or convenient for carrying into full effect the purpose of this act.

SEC. 2. Said borough shall, upon its acceptance of the provisions of this act, proceed to elect three persons who shall act as a board of water commissioners, and a suitable person to act as treasurer of the water fund, all of whom shall be sworn to a faithful discharge of their duties, and shall hold office as follows: the treasurer and one of said commissioners until January first, 1835; one of said commissioners until January first, 1886, and one of said commissioners until January first, 1887. At the annual borough meeting of said borough, holden in the year 1884, for the choice of borough officers, there shall be elected a water commissioner, who shall be voted for on the same piece of paper and in the same manner and form as other borough officers, for the term of three years from the first day of January succeeding such election; and also a treasurer of the water fund, to hold office one year from the same date; and at each subsequent meeting holden for the choice of borough officers, one person shall be elected for a water commissioner, to hold office for the term of

three years, and one person shall be elected for treasurer of the water fund, to hold office one year from the same date. All vacancies which shall occur in either of the said offices by death, resignation, or otherwise, shall be filled as soon as may be by the warden and burgesses, until the next annual election of borough officers, at which meeting persons shall be elected to fill said vacancies for the unexpired term. Such commissioners and treasurer shall give bonds with sufficient surety for the faithful performance of their several trusts in such sums, and shall receive for their services such compensation, as the warden and burgesses shall prescribe, and shall hold office until their successors are duly elected and qualified. The warden and burgesses shall have power, by a two-thirds vote, to remove any commissioner for official misconduct after due notice and hearing.

SEC. 3. Said commissioners are hereby authorized and empowered to enter in and upon any land or water for the purpose of making surveys, and to take conveyances for and in the name of the borough, of all lands, property, or privileges necessary or convenient for accomplishing the purposes of this act, to hold and divert in sufficient quantity the water of any stream either within or without said borough, excepting the Willimantic river and Lake Wangamabaug aforesaid, by the construction of suitable dams across the same; to enter upon any lands near such proposed dams, and procure earth, stone, or other materials for the construction and maintenance thereof, and to make suitable waste-ways for the surplus water of such streams; to change the location of any road or passway which may be covered, by any reservoir so formed, and take land therefor; to enter upon and make use of the ground or soil under any railroad, street, public or private way, public or private ground, and lay, construct, and maintain all necessary pipes and aqueducts in such manner as least to damage or impede travel thereon; to make contracts for labor and material for the general purposes of this act; to make and establish public reservoirs and hydrants, subject to the acceptance of the warden and burgesses; to make rules and regulations regarding the use and distribution of said water, and establish the prices to be paid therefor; to collect all water rents and pay over the same to the treasurer of the water fund; to audit, allow, and draw orders on said treasurer for the payment of all claims against said borough on account of said works, including payment of interest on notes or bonds issued on account of such works; and generally to attend to the construction, care, supervision, and management of said water-works, and to exercise any additional powers that may from time to time be conferred upon them by said borough.

SEC. 4. The said commissioners are hereby empowered to convey or lease for a term of years, to any person, persons, or corporation, the rights and powers conveyed by this act, for the purpose of introducing water into said borough for public and private use, provided they shall be so authorized by a vote of the freemen of said borough in a special meeting legally called for that purpose.

SEC. 5. The said borough shall be liable to pay all the damages that shall be sustained by any person or persons, or corporations, by the taking of any land or estate, as aforesaid, or by the construction or laying of any reservoirs, pipes, aqueducts, or other works for the purposes of

this act. And if at any time it shall appear that any damage has occurred, or may be likely to occur, to any person or persons, or corporation, by reason of taking or using their land or estate for the purposes of this act, or in the construction of said water-works, and the said board of commissioners cannot agree with the owner or owners of such property or privileges as to the amount of compensation or damages, the same may be assessed by three disinterested persons under oath, to be appointed by either judge of the superior court, on application made to said judge by or on behalf of either party after such notice shall be given of such application as such judge shall prescribe. Said appraisers shall report their doings, embracing the amount of their assessments, to the clerk of the superior court of Windham county, to be by him recorded; and thereupon such assessment shall be taken and held to be a final adjustment of said compensation and damages between said parties; the payment or deposit of the same with the county treasurer to the use of such owner or owners shall release said borough from liability to any further claim for compensation or damages.

SEC. 6. For the purpose of defraying the cost of construction of said water-works, and expenses incident thereto, and for no other purpose whatever, said borough is hereby authorized and empowered to issue notes, bonds, or certificates of debt, to be denominated on the face thereof, Water Fund of the Borough of Willimantic, to an amount not exceeding in the whole the sum of two hundred thousand dollars, bearing interest at no greater rate than five per cent. per annum, the principal of which shall be payable at some certain time or times within thirty years after the date of issue: and the amount of said notes, bonds, or certificates, which may at any time be issued, together with times of payment of the principal and interest thereof, and the rate of interest, shall be prescribed by said borough in legal borough meeting for that purpose called and held; and said notes, bonds, or certificates, shall be signed by the warden and countersigned by the clerk of said borough, who shall register the number and amount of each bond issued, on the records of said borough. And said bond and certificate shall, when issued, be obligatory upon said borough, and the inhabitants thereof, according to the purport and tenor of the same.

SEC. 7. The board of water commissioners shall be the trustees of the notes, bonds, or certificates of debt issued by said borough; shall superintend the issuing of the same, and regulate the form thereof; and after the same or any part thereof shall be issued, they may sell them in such manner as they may deem best, at not less than their par value; or they may pledge the same for money temporarily borrowed by them; and said board shall keep a record of all such notes, bonds, or certificates issued, disposed of, or pledged, and all moneys received by said board shall be by them forthwith paid over to the treasurer of the water fund.

SEC. 8. The board of water commissioners shall have power to assess annually and collect such rent as they may deem reasonable for each public hydrant established by them, with the consent of the warden and burgesses, for the purpose of extinguishing fires, or for other public purposes, by the laying of a tax on the ratable estate of all persons liable to borough taxation, which said tax shall be estimated by the warden and

burgesses of said borough, and recommended to a borough meeting specially called for the purpose of laying the same.

SEC. 9. In case the avails of water rent in any year shall be inadequate to meet the current expenses of said water-works and interest on said scrip, the deficiency shall be supplied by the laying of a tax on the ratable estate of all persons liable to taxation, which said tax shall be estimated by the warden and burgesses, and recommended to a borough meeting specially called for laying the same, and said meeting may then lay such tax as shall be necessary to meet the aforesaid deficiency; and said borough, at any borough 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, and such tax may be collected in the same manner as other borough taxes. And the avails of all such taxes shall be paid over to the treasurer of the water fund, subject to the order of the board of water commissioners.

SEC. 10. The avails of all water rents shall be first applied to defraying the current expenses of said water-works, after which, the payment of the interest on said notes, bonds, or certificates; and if there shall at any time be an excess, the board of water commissioners shall report the fact to the warden and burgesses, who may direct whether the same be applied to the extinguishment of the principal debt incurred by the issuing of said notes, bonds, or certificates, or to any other purpose in connection with said works.

SEC. 11. Any claim of said borough for the use of water shall be a lien upon the real estate or property wherein or in connection with which such water was used; and said lien may be foreclosed before any court having jurisdiction in the same manner as mortgages are now foreclosed. The board of water commissioners shall also have power to issue warrants for the collection of all such claims in the form prescribed by law for the collection of taxes, which warrants shall be signed by said commissioners and directed to some constable, or indifferent person named therein, who shall have the same power to levy and collect the same as collectors of town and state taxes now have by law.

SEC. 12. It shall be the duty of the board of water commissioners to keep a record of their official proceedings, and an accurate account of their receipts and disbursements, verified by proper vouchers, which accounts shall be open at all proper times to the inspection of any tax payer of the borough, and said commissioners shall render at each annual borough meeting a statement of their receipts and disbursements, on account of the construction of said works, and a separate statement of receipts from revenue of the same, and payments for interest and current expenses after the opening of such works for public use, which statement shall be sworn to by one or more of said commissioners, and recorded on the records of said borough. They shall also report to the same meeting a statement of their doings, including a general exhibit of the state of the work, and estimate of sums required to be expended therefor, a report of claims outstanding against the borough on account of such works, and such other matters of information in regard to said works as may be called for. The treasurer of the water fund shall also render to the same

meeting a statement of his account, and the commissioners and treasurer shall render such statement and report to the warden and burgesses at any time when required by them.

SEC. 13. If any person shall wilfully and maliciously contaminate the water in any reservoir, hydrant, aqueduct, pipe, or other portion of said water works, or destroy or injure any material or property used or designed to be used in connection therewith, such person, on conviction thereof, before any court having competent jurisdiction, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding one year, or by such fine and imprisonment both. And said borough shall have power to enact by-laws in the manner prescribed by law for the enactment of other by-laws imposing penalties and forfeitures for violation of any of the rules or regulations of the board of water commissioners, provided that such penalty or forfeiture shall not exceed the sum of twenty dollars for any one offense.

SEC. 14. This act shall not go into effect until it has been accepted by said borough at a meeting specially warned for that purpose within one year from the passage hereof, at which meeting the votes shall be taken by ballot, marked "yes" and "no," and if the majority of the ballots so cast in said meeting shall have upon the same the word "yes," then this act shall take effect and be in full force. The boxes to receive the ballots aforesaid shall be kept open at least three hours, and the hour of opening and closing the same shall be specified in the call for the meeting, and if at said meeting this act shall be accepted, then said borough may, at a special meeting called for that purpose, vote upon the matter of issuing said notes, bonds, or certificates, and to elect by ballot said commissioners and treasurer of the water fund, and to transact any other business contemplated in the provisions of this act, provided notice thereof shall have been inserted in the call for said meeting.

SEC. 15. This act shall be to all intents and purposes a public act, and take effect from the day of its acceptance as herein provided by said borough of Willimantic, and may be amended or repealed by the general assembly.

Approved May 1, 1883.

[House Joint Resolution No. 147.]

[175.]

INCORPORATING CONCLAVE NO. 14, KNIGHTS OF SHERWOOD FOREST, UNIFORMED BRANCH, ANCIENT ORDER FORESTERS.

Resolved by this Assembly: SECTION 1. Isaac Hayes, N. P. Tyler, George Lounds, I. J. S. Doherty, W. Y. Butler, William O'Keefe, James F. Healey, Edward Winder, Thomas Nesbitt, J. H. Flagg, and Richard Tynham, with such persons as they may associate with them, and their successors, are hereby created a corporation by the name of The Conclave