

Rhode Island. Laws, statutes, etc
1886-87.

ACTS, RESOLVES AND REPORTS,
OF THE
GENERAL ASSEMBLY

OF THE
State of Rhode Island and Providence Plantations,

PART I.—MAY SESSION, 1886.

ACTS AND RESOLVES AND PROCEEDINGS IN GRAND COMMITTEE.....Pages 1-162.
REPORTS.....Appendix.

PART II.—JANUARY SESSION, 1887.

ACTS AND RESOLVES AND PROCEEDINGS IN GRAND COMMITTEE...Pages 163-354.
REPORTS.....Appendix.

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1887.

for the purpose of dyeing cotton and other substances, and the business incidental thereto and connected therewith, with all the privileges and subject to all the liabilities set forth in chapters 152 and 155 of the Public Statutes of Rhode Island and in any act in amendment thereof and in addition thereto.

SEC. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars, to be fixed in amount by the by-laws or vote of the corporation and to be divided into shares of one hundred dollars each. Said shares shall be transferred in such manner as shall be prescribed by the by-laws of said corporation, but no stockholder shall transfer his stock or any portion of the same without first giving the corporation the refusal of the same at the lowest price for which he is willing to sell.

SEC. 3. The stock or shares of each stockholder shall be pledged and liable to the corporation for all debts and demands due and owing from such stockholders to the corporation, whether overdue or due at a future day, and whether arising from assessments or in any other manner; and said shares may be sold for the payment of such debts and demands in such manner as the corporation may by by-laws prescribe, and in case the proceeds of such sale shall be insufficient to satisfy such debts or demands, with incidental expenses of sale, the corporation may have an action against the debtor for the balance due.

SEC. 4. Said corporation shall have an office or place of business in the city of Providence.

SEC. 5. This act shall take effect from and after its passage.

AN ACT TO INCORPORATE THE "EAST GREENWICH WATER SUPPLY COMPANY."

Passed May 28,
1886.

It is enacted by the General Assembly as follows :

SECTION 1. Benjamin C. Mudge, Arthur W. Forbes, James H. Eldredge and Thomas G. Allen, their associ-

East Greenwich
Water Supply
Co.,
(continued.)

ates, successors and assigns, are hereby made a body corporate and politic by the name of the "East Greenwich Water Supply Company," for the purpose of furnishing to said town of East Greenwich and such portion of the town of Warwick as lies within the East Greenwich Fire District, a supply of pure water to be used for domestic, manufacturing and other purposes and for fire protection, with all the powers and privileges, and subject to all the duties and liabilities set forth in chapters 152 and 155 of the Public Statutes, and in chapter 285 of the Public Laws, and in all acts in amendment of said chapters and in addition thereto, and by said name are made capable in law to purchase, possess, have, hold, enjoy and retain to them, their associates, successors and assigns, lands, tenements, hereditaments, goods, chattels and effects of whatsoever name or nature, and the same to mortgage, sell, assign, or otherwise dispose of; to ordain such by-laws and regulations, not being contrary to law, as to them shall seem expedient for the government and management of said corporation, to have a corporate seal, and generally to do all things necessary and proper to carry into effect the powers and privileges herein granted.

SEC. 2. Said corporation may distribute the water throughout the town of East Greenwich and such portion of the town of Warwick as lies within the East Greenwich Fire District, or authorize the same to be done, regulate its use and the price to be paid therefor. Said corporation, for the purposes aforesaid, may carry any works to be constructed or authorized to be constructed by them, over or under any highway, turnpike, railroad or street in such manner as not permanently to obstruct or impede travel thereon; and may enter upon and dig up any highway, turnpike, railroad or street, for the purpose of laying down pipes or building aqueducts upon or beneath the surface thereof, or for the purpose of repairing the same. Such work upon or in any highway or street shall be done under the direction and with the assent of the town council of the town in which such highway or street is located; and no such work upon or in any portion of

any railroad shall be done until after five days' notice in writing to the superintendent of such railroad of the intention of said corporation to do the same, and specifying in said notice the time when and place where such work is to be commenced. Said corporation shall be liable to such towns and railroad corporations severally, for such damages as may result to them or either of them in any way in the execution of the powers herein conferred upon said corporation. Said corporation shall have the exclusive right of the water aforesaid, taken by said corporation for the purposes aforesaid, and may maintain an action against any person for using the same without the consent of said corporation.

East Greenwich
Water Supply
Co.,
(continued.)

SEC. 3. Said corporation shall have the power and privilege to take, condemn, hold, use and permanently appropriate any land, water, rights of water and of way for the purposes aforesaid, or for the purposes mentioned in said chapter 285 of the Public Laws, under any contract which said Mudge may have entered into with said towns of East Greenwich and Warwick and with said East Greenwich Fire District, in the manner and subject to the restrictions provided in said chapter 285, in the same way as if said contract was originally made with said corporation, provided said Mudge shall grant to said corporation said power and privilege.

Sec. 4. The capital stock of said corporation shall not exceed seventy-five thousand dollars, and shall be divided into shares of one hundred dollars each.

SEC. 5. There shall be an annual meeting of said corporation holden in the town of East Greenwich on such day in each year as the by-laws of said corporation shall direct, for the choice of such officers as they may deem expedient; at all meetings of the corporation not less than a majority of the shares shall constitute a quorum for the transaction of business, and all matters shall be decided by a majority of the votes present, allowing each stockholder, in person or by proxy, one vote for every share by him owned.

SEC. 6. The president and directors shall meet at such times as they shall deem proper, a majority of

East Greenwich
Water Supply
Co.,
(continued.)

them to constitute a quorum. They shall have the immediate government and direction of the business and affairs of the company, shall appoint a treasurer and such other officers as they may deem expedient, who shall give bond to the company, with surety to the satisfaction of the directors, for the faithful performance of their duties. The said president and directors may make contracts, manage and dispose of the property and funds of the company, in such manner as they shall deem for the interest of the stockholders; they shall make such dividends of the profits as to them shall appear proper, and the said president and directors, as such, shall receive no compensation, unless by vote of a legal meeting of the stockholders.

SEC. 7. The stock and shares of each and every stockholder shall be pledged and liable for all debts and demands due and owing from said stockholders to said corporation, whether overdue or due at any future day, and whether the same shall arise from assessments or instalments, or in any other manner; and said stock or shares may be sold for the payments of such debts or demands in such manner as the by-laws of the corporation may prescribe; and in case the proceeds of such sale shall be insufficient to discharge such debts or demands, with incidental expenses of sale, the corporation may have their action against the debtor for the balance.

SEC. 8. If any person shall wilfully do or cause to be done any act whatever, whereby the works of said company, or any pipe, conduit, gate, dam, reservoir, hydrant, faucet, or any engine, machine or structure, or any matter or thing appertaining to the same shall be stopped, obstructed, impaired, weakened, injured or destroyed, or shall corrupt the water supply belonging to said company, the person so offending shall forfeit and pay to said company double the amount of damage sustained by means of such offence or injury, to be recovered by action of debt to be brought in the name of said company in any court of competent jurisdiction, together with all costs of suit.

SEC. 9. The lands, water and rights taken and acquired for the purposes of this act, and all the prop-

erty and improvements of every kind used in connection therewith for supplying said town of East Greenwich and such portion of the town of Warwick as lies in the East Greenwich Fire District with water, and all the rights and powers granted by this act may be at any time sold and transferred to and vested in said town of East Greenwich by said corporation, and thereupon shall be thenceforth freely and absolutely held, used, possessed and enjoyed by said town forever, and shall be conducted, operated, managed and maintained by said town in manner and form as the town council of said town from time to time by ordinance shall provide, and said town is hereby empowered to purchase the same at any time within twenty years from the date of the passage of this act by giving notice in writing of its desire to do so one year in advance, and to pay for the same and for the subsequent maintenance and support thereof as hereinafter further authorized by the bonds, scrip or finances of said town, as said town may deem best, provided such purchase shall be first voted on and approved by a majority of the electors of said town and said fire district qualified to vote on any proposition to impose a tax or for the expenditure of money, voting in a meeting legally called for that purpose. And after such purchase said town may distribute said water throughout said town, and by ordinance regulate the use thereof and the price to be paid therefor by the inhabitants of said town and other persons using the same, and all the terms on which the same may be used within or without the limits of the said town, and may enlarge, repair or strengthen dams, reservoirs, works, pipes and other structures and improvements in the premises, and generally may do whatever shall be necessary, desirable or appropriate for the purposes of this act.

SEC. 10. The East Greenwich Water Supply Company is hereby authorized to issue its bonds to an amount not exceeding seventy-five thousand dollars. Said bonds shall be signed by the president and the treasurer of said East Greenwich Water Supply Company and shall be for not more than one thousand dollars each, bearing interest not exceeding six per cent. per

East Greenwich
Water Supply
Co.,
(continued.)

East Greenwich
Water Supply
Co.,
(continued.)

annum, payable not more than twenty years from their date. The said East Greenwich Water Supply Company may secure said bonds by a mortgage of the lands and all the property and improvements of every kind used in connection therewith, belonging to said East Greenwich Water Supply Company, to trustees for the holders of said bonds, and all bonds shall be countersigned by said trustees.

SEC. 11. In all proceedings at law or in equity to which this corporation shall be a party, the leaving of an attested copy of any process with the treasurer, or the person acting as such, or at his last and usual place of abode or business, shall be deemed a good and sufficient service thereof.

SEC. 12. Any one of the persons named in the first section of this act is hereby authorized to call the first meeting of stockholders for organization and any other business of the corporation hereby formed, at such time and place, and giving such notice of said meeting as they may deem reasonable and proper.

SEC. 13. Said corporation shall have an office and place of business in said town of East Greenwich.

SEC. 14. Nothing herein contained shall be construed in any way to affect any contract or arrangement heretofore made or had between said Mudge and said town of East Greenwich or said East Greenwich Fire District.

SEC. 15. This act shall take effect upon its passage.

Passed May 28,
1886.

AN ACT TO INCORPORATE THE FRANKLIN ELECTRIC LIGHTING COMPANY.

It is enacted by the General Assembly as follows :

SECTION 1. Henry Lippitt, Frederick Grinnell, Charles Warren Lippitt, William T. Nicholson, William W. Douglas, their associates, successors and assigns, are hereby created a corporation for the purpose of generating, selling, leasing and using electricity for lighting, heating or mechanical purposes; and for