

An Act incorporating  
the City of New Britain

Approved by the  
Senate and House of Representatives  
in General Assembly convened,  
July 15, 1870.

Approved by the freemen  
of the Borough of New Britain  
by a vote of 521 to 520,  
January 13, 1871.

Copied from the  
New Britain Record  
October 7+14, 1870

# The New Britain Record.

VOLUME V.

NEW BRITAIN, CONN., FRIDAY, OCTOBER 7, 1870.

NUMBER 28.

NEW BRITAIN, CONN., FRIDAY, OCTOBER 14, 1870.

NUMBER 29.

## AN ACT INCORPORATING THE CITY OF NEW BRITAIN.

Be it enacted by the Senate and House of Representatives in General Assembly convened :

SEC. 1. All the inhabitants, being electors of this state, dwelling in the town of New Britain, within the following limits, to wit: commencing at a stone monument three hundred rods due west from the center of the front wall of the Normal School building in said town; thence running due north in a straight line two hundred and twelve rods to a stone monument; thence at right angles due east in a straight line six hundred rods to a stone monument; thence due south in a straight line parallel with said west line to the southerly limit of said town, at a stone monument; thence westward on said southerly limit of said town to a stone monument; thence due north in a straight line parallel with said east line to place of beginning, being the community hitherto incorporated and known under the name of the warden, burgesses and freemen of the borough of New Britain, are hereby constituted and declared to be and remain forever one and the same body politic and corporate, by the name of the city of New Britain; to have perpetual succession, to be one person in law, capable of suing and being sued, pleading and being impleaded in all suits whatsoever, and of purchasing, holding and conveying any estate, real and personal, to have a common seal, with power to change the same, and to hold and exercise such powers and privileges hitherto exercised by said borough as are perpetuated therein, together with all the additional powers and privileges herein and hereby conferred.

SEC. 2. The city shall be divided into three wards designated and bounded as follows, to wit: The first ward shall embrace all inhabitants and territory south of a line commencing at the western limit of said city, and running due east to the center of the west end of Walnut street, thence along the center line of Walnut street, to Main street; thence along the center line of said Main street to Park street; thence along the center line of said Park street to the east end thereof; thence due east to the eastern limit of said city. The second ward shall embrace all inhabitants and territory between the first and third wards. The third ward shall embrace all the inhabitants and territory north of a line commencing on the western limit of said city, and running thence due east to be center of the west end of Lafayette street; thence on the center line of Lafayette street to Main street; thence on the center line of Main street to East Main street; thence on the center line of East Main street to the east end thereof; thence due east to the eastern limit of said city.

SEC. 3. Every elector of this state who shall have stately and continuously resided in said city six months, shall thereafter, while such residence continues, and while his name is registered as hereinafter provided, be entitled to vote at all meetings of said city, and at all meetings of the ward in which he may reside; provided, that wherever any such voter shall have changed his residence from one ward into another during the thirty days preceding a meeting for the election of any officer or officers he shall not be entitled to vote at such meeting in the latter ward, but shall be entitled to vote at such meeting in the former ward in the same manner as though he had not removed therefrom.

SEC. 4. An annual election shall be held by wards on the second Monday in April in each year, at which the voters of the city shall elect from their number by plurality of ballots, a mayor, a clerk, a treasurer, an auditor, a collector, and a sheriff for the city at large, and also no alderman, six councilmen, and two inspec-

tors of election for each of their respective wards; but no voter shall vote for more than one inspector of elections, and the two persons in each ward receiving the greatest number of ballots for the office of inspector of elections shall hold such offices as hereinafter provided. And the several aldermen shall take rank and precedence according to the number of ballots they may have respectively received for said office, and the alderman who has received the highest number of ballots shall be denominated first alderman, and the others shall be denominated second and third, according to the number of ballots by them respectively received; and in case two or more aldermen shall have received an equal number of ballots, then the common council of said city shall, at their first meeting determine, by ballot, the rank and precedence of such alderman. All officers elected by the city at large shall be residents of said city, and all officers elected by the several wards shall be residents of such wards, and shall vacate their offices by removal therefrom. All officers elected at such annual election shall hold office for the term of one year, commencing at noon of the third Monday of April following, and until their successors are elected and qualified.

SEC. 5. Wherever at any such meeting there shall be no election to an office by reason of a tie vote, then said meeting shall stand adjourned to the next following Monday, at the same hour as when first held, and the election to fill such office shall be proceeded with in the same manner and upon the same registry list as on said first day. Whenever a vacancy shall occur in any of the offices named in the preceding section, the common council shall order a special election to be held within two weeks thereafter at which a successor shall be elected to fill such vacancy, at which special election the same body of electors only shall be entitled to vote, by which the office was conferred upon him whose successor is so to be elected.

SEC. 6. The registrars of voters of the town of New Britain in making out the lists now required to be made by them, shall designate opposite the names of the electors of said town, residing in said city, the ward in which each elector resides, and it shall be the duty of said registrars to prepare from such registry lists, separate alphabetical lists, authenticated by their signatures, of the electors in each ward, for the use of each inspector of elections of such ward; in performing which duty, said registrars shall simply transfer to such separate ward lists the names of electors that appear on the town list as residing in such wards; such lists shall be prepared at the expense of said city, and shall be delivered to such inspectors before sunset of the day preceding the annual election.

SEC. 7. Every inspector of elections shall immediately upon taking his oath of office, appoint a deputy inspector, whose name and whose appointment shall be by him certified to the city clerk, and entered by him at the end of the record of the meeting at which such inspector was elected, and such deputy may, in case of the absence or inability of the inspector, or whenever directed by the latter, perform all the duties of said inspector, and any inspector may at any time, remove the deputy by him appointed and appoint another in his place, upon certifying the same to the city clerk, who shall record such change.

SEC. 8. There shall be one place of voting in each ward at each election of officers, designated by the common council, who shall cause notice thereof to be published in a newspaper of said city, or in such manner as said common council by an ordinance shall prescribe, not more than four weeks nor less than two weeks preceding such election. The poll in each ward shall be open from nine o'clock in the forenoon until five o'clock in the afternoon, during every annual election, and at special elections during such time as the common council shall direct. The inspectors of elections of each ward shall designate from the voters of such ward, by agreement if possible, otherwise by lot, a presiding officer for election and assistants to relieve him in the duty of presiding; said inspectors shall be present personally or by deputy, with their voting lists prepared as hereinbefore

provided, and shall check thereon the names of all persons whose votes are received. At all elections the names of such officers as each voter is entitled and shall choose to vote for, shall be printed or written on one piece of paper. A ballot box of the usual construction shall be provided by the common council for each ward, and each person offering to vote shall deposit his vote on the lid of such box. The presiding officer shall receive and deposit in the box the ballots of all persons whose names are found on their voting lists by the two inspectors, and none others. At the expiration of the time allotted for voting, the presiding officer shall open the ballot box, publicly count the votes with the aid of the inspectors, or their deputies, and declare the result in open meeting. Immediately thereafter a certificate of the result, signed by the presiding officer and the two inspectors shall be transmitted, together with the voting lists, and the ballot box containing the ballots received, to the city clerk, which certificate shall be evidence of the vote in such ward. The city clerk shall enter the returns from each ward upon the city records and publish the same in the succeeding issue of at least one newspaper of said city, and shall therein declare those persons receiving the largest number of votes for their respective offices to be elected thereto. The presiding officer shall have all the power for the preservation of peace and good order in such meetings, as are by law conferred upon the moderator of town meetings. Any person whose name is not on such list as an elector of said city in such ward who shall vote for an officer of said city, and any person who shall vote or attempt to vote on or in the name of any other person whose name is on said list, shall be punished by a fine of not less than fifty dollars, nor more than one hundred dollars, or by imprisonment in the county jail, not exceeding three months, or by such fine and imprisonment both. If either of said registrars shall, without just or reasonable cause, refuse or neglect to discharge any of the duties herein prescribed, he shall, on conviction, be punished by a fine of three hundred dollars; and if any person other than the registrars shall make any alteration by addition, erasure or otherwise, in the list prepared by the registrars, or if the presiding officer in any of said wards at any annual or special election, or any other person having charge of the ballot box in any of the wards aforesaid, at any such annual or special election, shall allow any person to deposit his vote therein whose name is not on the registry list of said ward, he shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail not less than three months, or by such fine and imprisonment both.

SEC. 9. Every officer of the city shall be sworn before entering upon the duties of his office. The form of the oath to be taken by the clerk shall be as follows: "You, A. B., do solemnly swear that you will faithfully perform the duties of the office of clerk of the city of New Britain so long as you are the clerk thereof, that you will make true entries and records of all the votes and proceedings of said city and of the common council thereof, and of such other matters as by law or the ordinances of said city are to be recorded in your office, and that you will deliver true copies of the records in your office when they shall be required of you, on the receipt of lawful fees therefor, so help you God," which oath shall be administered to such clerk by a justice of the peace for the county of Hartford, and thereafter said city clerk shall administer to all the other officers of said city the following oath:—"You solemnly swear that you will faithfully and honestly perform the office of \_\_\_\_\_ for the city of New Britain, to the best of your judgment and skill, so help you God," and shall forthwith enter the fact of such administration upon the city records.

SEC. 10. The mayor of said city shall be the chief executive magistrate thereof, and it shall be his duty to be vigilant in causing the laws thereof to be enforced. He shall preside at all meetings of the common council and all business meetings of the city. He shall have power to administer oaths, to take depositions and the acknowledgment of deeds. He shall be conservator of the peace of said city, and shall have authority with force and strong hand when necessary, to suppress all tumults, riots and unlawful assemblies, and to arrest, without warrant, and commit to the city prison for a time not exceeding twenty-four hours, any person or persons who may be detected in quarreling, brawling or otherwise behaving in a disorderly manner to the disturbance of the public peace in said city. He shall also have power to enter into any house, building, or place, in which he may detect any disorderly or vagrant persons to be assembled, and if any such are found therein, to command them to immediately disperse, and in case of neglect or refusal to obey such command, to commit any such person to the city prison for a term not exceeding twenty-four hours; and he shall be authorized to exercise within the limits of said city all the powers given to sheriffs, and other officers by the one hundred and eleventh and one hundred and twelfth sections of an act entitled "An act concerning crimes and punishments," and he may at all times require the aid of any sheriff, deputy sheriff, constable, watchman or policeman, or any or all of them together, with such other aid as may be necessary; and whenever he shall have reason to believe that great opposition will be made to the execution of his authority, he shall have power to call out the active militia of said city, or any portion of the same, and may exert all the force necessary to enable him to execute the laws within said city. It shall also be the duty of the mayor to recommend the adoption of all such measures connected with the police, security, health, cleanliness,

and ornament of the city, and the improvement of its government and finances as he shall deem expedient, to communicate to the common council at any meeting of that body during the month of March, in each year, a general statement of the situation, state and condition of the city in relation to its government, finances and improvements; which report shall, within five days thereafter be entered in the records of the common council, and published in such manner as said common council shall order. It shall be the further duty of the mayor to discharge all duties imposed upon him by the charter and ordinances of the city, the laws of this state and of the United States.

SEC. 11. If any person shall hinder, obstruct, resist, or abuse the mayor in the execution of the duties of his office, or when commanded to assist therein, shall refuse or unreasonably neglect so to do, such offender shall pay a fine not exceeding one hundred dollars, or be imprisoned in the county jail not exceeding six months, or suffer such fine and imprisonment both, at the discretion of the court having cognizance of the offence.

SEC. 12. The pay of members of the active militia during service under the call of the mayor as aforesaid, and the penalty for refusing to perform such service, shall be the same as is provided in such cases in the act entitled "An Act relating to sheriffs."

SEC. 13. Whenever there shall be a vacancy in the office of mayor, or whenever the mayor shall be absent from the city, or prevented by sickness or other cause from attending to the duties of his office, the alderman highest in rank, present in said city, shall act as mayor, and shall possess, exercise, and enjoy all the rights, powers, and duties of the mayor during the continuance of such vacancy, absence, or inability.

SEC. 14. The clerk of said city shall also be clerk of said common council, and shall make and keep true records of all the votes and proceedings of said city and of said common council. He shall cause the ordinances of said city to be published according to law, and when they shall have been so published, shall enter upon the records of said common council his certificate of the fact of such publication, including the date thereof. He shall also make, upon the records of said common council, record of his own acts in serving notices of orders passed by said common council. Said clerk shall also do and perform all such duties as may be required of him by this act, or by any order, vote or ordinance of said common council. All records of said clerk shall have the same validity as the records of town clerks, and shall be, either by themselves or by a copy certified by said clerk, evidence in all courts of the truth of the matters therein recorded.

SEC. 15. The common council may at any time appoint an assistant clerk, who, after having taken the oath by law provided for the clerk of said city, shall, in the absence or disability of said clerk, have power to perform all the duties of his office; and all records and acts of said assistant shall have the same validity as the records and the acts of said city clerk.

SEC. 16. The treasurer of said city shall have the same relative powers and responsibilities in said city as town treasurers have in their respective towns; he shall annually, in the month of March, report to the common council, at any meeting of that body during said month, a detailed statement of the receipts of money into the treasury, and the expenditures therefrom during the year ending with the last day of February previous thereto, together with an accurate statement of the existing state of the treasury; which report, having been audited by a committee appointed by the common council, shall be recorded within five days, and be published in such manner as the common council shall direct, together with the auditing committee's certificate, under oath concerning the same. He shall pay all orders of the city auditor, and shall also comply with all ordinances and orders that may be made concerning his office by the common council.

SEC. 17. The auditor of said city shall draw his orders on the treasurer thereof for the payment only of such bills as shall have been ordered to be paid by the common council.

SEC. 18. The sheriff of said city shall, within the limits thereof, have the same power and authority as sheriffs of counties, and shall be liable to the same suits and penalties for neglect of duty, and the said city shall be liable for the default of such sheriff in his office. Said sheriff shall attend upon the city court when sitting for the transaction of civil business only.

SEC. 19. The collector of said city shall collect every tax duly laid by said city, and having received a warrant for that purpose signed by the mayor or one of the aldermen of said city, shall have the same power as collectors of town taxes now have, and shall be accountable to said city and in case said collector shall not perform his trust, then on complaint of the common council, the mayor shall issue his warrant under his hand directed to the sheriff of said city, to collect out of the estate of the negligent collector the sum due from him as previously ascertained by said common council.

SEC. 20. The treasurer, collector, clerk of the city court, and sheriff shall severally give bonds with surety to the mayor of the city and his successors in office, in such amount, manner and form as the ordinances of said city shall prescribe, for the faithful performance of the duties of their respective offices, and in case of the refusal or neglect of either of said officers to give such bond, his office shall be deemed vacant by such refusal or neglect, and on a declaration to that effect being made by the common council, said city may proceed to elect another in his stead in the manner hereinbefore provided.

SEC. 21. The mayor, aldermen, and councilmen of the said city shall constitute and be a body known as the common council of the city of New Britain. All meetings of said common council duly warned and held, at which a majority of the members are present, shall be valid meetings, and may proceed to transact any business properly before them, and all meetings at which less than a majority of said council are present shall have power to adjourn to such time as they see fit. All acts of said common council at any meeting, shall be done by a major vote of all the members present.

SEC. 22. The common council shall have power, under the restrictions otherwise provided in this act, to make such orders or ordinances as they see fit in relation to the following subjects within the limits of said city, to wit: nuisances of all kinds in the said city, and their summary abatement by any person by them appointed therefor; sinks, cesspools, gutters, drains, sewers, privies, barus, stables, hog-pens, slaughter-houses, deposits of filth and rubbish; the going at large in the streets of animals or fowls of every description; the storing or piling of lumber; the erection and use of steam boilers; the keeping, sale, and use of gunpowder,

fire works, nitro glycerine, or other similar explosive substances, and the conveyance thereof through any portion of the city; the preservation of the city from damage by fire; the markets and commerce of the city; the inspection of produce brought into the city for sale or transportation; the sale or offering for sale of unwholesome meat, vegetables, produce, or food of any kind; the streets, highways, alleys, walks and public grounds, and the preservation of all trees and shrubbery therein; keeping the same free from snow, ice, rubbish or obstructions of any kind; the laying out, altering, constructing, grading, and repair of such streets, alleys, highways, walks, and public grounds; the naming of all public streets, and the numbering of all lots thereon; the public water-works and the management of the same; trespasses in gardens, cemeteries, and other enclosures; the cleaning of chimneys; burying-grounds and burials; the protection of all buildings from defacement or injury; the marching and parading of military and fire companies, and processions of every kind in the public streets; public assemblages, receptions, celebrations, shows, and music; the speed of animals, vehicles and railroad trains; the manner of warning meetings of said city, and of the common council, and the times and places of such meetings; the establishment and maintenance of a police force; the preservation of order, the observance and enforcement of the laws of the state and the ordinances of the city by means of such police force; the mode of taxation as to taxes levied by said city; the licensing and regulating of public hacks and carriages, and the charges of hackmen, public drivers, cartmen and truckmen; the finances and property, real and personal, of the city; and the borrowing of money by the city for any purpose for which the city is authorized to lay taxes by this act; the authentication, execution and delivery of deeds, grants and releases of the city property; the erection of lamp-posts and the public lighting of the streets; the excavation or opening of streets, highways and public grounds, for public or private purposes, and the location of any work thereon, whether temporary or permanent, upon or under the surface thereof, the depositing therein of building materials of any description, and the removal of buildings upon or through the same; the form of proceedings in taking land for public use not otherwise prescribed in this act; the preservation of public peace and order, the prevention and quelling of tumultuous noises, riots and disorderly assemblages; the conferring upon the mayor and police officers of the city or town constable of all the powers necessary for such purposes; the prohibition, restraining, licensing, and regulation of public sports, exhibitions and performances; the punishment of the resistance, hindrance, or obstruction of public officers in the discharge of their duties; the filling of vacancies in any office appertaining to the city not otherwise provided for in this act; the election or appointment of city surveyors, coroners, street-commissioners, water-commissioners, public weighers, officers of the fire department, sealers of weights and measures, health officers, inspectors of articles offered for sale, and such other functionaries as are proper for

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[Continued from last week.]

the mode of keeping the accounts of said city; the conducting of all elections in matters not expressly regulated by this act, and the prevention and punishment of illegal voting thereat; the salaries and fees of all officers of said city; provided that no mayor, alderman, or councilman shall receive any fee, salary, compensation, or reward, for services as such mayor, alderman, or councilman, until the said city shall have a population of twenty-five thousand inhabitants; the particular duties of all officers not expressly defined by this act; the removal of any officer on account of conviction of malfeasance in office; bathing in places exposed to public view; restraining cruelty to animals; licensing and regulating peddling and auctions; the erection of awning posts, and the projection of signs, banners, and flags over, on or in any highway or street; the seal of said city; and said common council may prescribe penalties and forfeitures of goods and chattels for the violation of any such orders and ordinances, which penalties and forfeitures may be recovered by the attorney of the city, in an action of debt or other proper action brought in the name of the city of New Britain, before the city court of said city, for the use of the city treasury. The violation of any ordinance or order relative to nuisances injurious to health, illegal voting, obstructions to highways (if malicious), illegal charges of hackmen, weights and measures, or any order or ordinance designated to prevent vice, immorality, or disorder, or the resistance of officers, shall be a misdemeanor, and may be prosecuted as such before the police court of said city, like other offences, and said court may inflict thereon the penalty named in such ordinance or order, and grant a warrant for the execution of the same; provided, that no penalty or forfeiture of goods other than such as shall indirectly accrue from the abatement of nuisances, shall exceed the sum of fifty dollars for a single offence.

SEC. 23. Every vote, resolution, order, or ordinance passed by said common council, shall be submitted to the mayor or acting mayor for his approval, and if such vote, resolution, order, or ordinance shall be disapproved by him, the same shall be returned to the common council at their next meeting, (whether an adjourned, a regular, or a special meeting,) with his objections thereto in writing, and if a majority of said common council shall again pass such vote, resolution, order, or ordinance, the same shall be valid, as if the same had been approved by the mayor.

SEC. 24. Within sixty days after any ordinance has been passed, the mayor may call, and if requested in writing by five members of the common council and thirty other voters of the city, he shall call a special meeting of the voters of said city to approve or disapprove said ordinance, to be held at such time and place, within ten days thereafter, as the mayor in said call shall designate. Such call shall be by notice published in a newspaper of the city, and shall cite the ordinance to be acted upon by such meeting. If a majority of the voters of the city present and voting at such meeting shall vote to disapprove said ordinance, it shall from that time be repealed and void, otherwise it shall continue in force.

SEC. 25. No member of the common council shall, during the period for which he was elected, be appointed to or hold any office, the emoluments of which are to be paid from the city treasury; nor shall he become, while a member of the common council, directly or indirectly, interested in any contract, the expense or consideration of which is to be paid under any vote or resolution of the common council; nor shall he be appointed or permitted to act in carrying out to effect any vote, resolution or matter whatever, of a local description, as committee or otherwise, in which he has a direct or special pecuniary interest, or where his property will be directly or especially affected thereby.

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SEC. 26. Said common council may make orders granting appropriations to defray the legitimate expenses of said city. The vote upon any such order shall, upon the request of any member of said common council present, be taken by yeas and nays. At the meeting whereat any such order shall be made, the mayor, or in his absence, the alderman highest in rank, present, may suspend, and if requested so to do by two aldermen and five councilmen, shall at all events suspend said order. Any order so suspended shall have no validity until it shall be approved by a meeting of the electors of said city; and whenever such order shall have been so suspended, the mayor (or the said alderman highest in rank, present, as the case may be) shall call a meeting of said electors to be held within ten days from the passage of such order to approve or disapprove the same. If said meeting shall approve of said order, the same shall thereupon take effect and thereafter be in full force, otherwise void.

SEC. 27. The common council shall have power to prescribe limits in said city within which it shall not be lawful for any person to erect or station any building, or addition to a building, unless the outer walls and roof are composed of incombustible materials, and said council shall enforce the observance of such power by appropriate ordinances.

SEC. 28. The common council of said city shall have power to designate a line or lines, on the land adjoining any highway or street in said city, between which line and said highway or street no building or part thereof shall be erected or stationed; provided, such line shall not be more than fifteen feet distant from said highway or street. And any person who shall erect or station any building or part of a building between any line so designated, and the highway or street, shall forfeit and pay for the use of said city a fine not exceeding one hundred dollars, and in addition all such buildings shall be assessed four fold in the list of rateable estate in said city. Said fine may be recovered in an action of debt or other proper action brought in the name of the said city before the city court thereof.

SEC. 29. The common council shall have power to lay out, construct and repair sewers and drains wherever they may deem the same necessary through or along any street, highway, public or private grounds, and to assess such portions as they may deem reasonable of the cost of any such sewer or drain upon the property for the carrying off the sewerage, surface or other drainage of which such sewer or drain may be constructed, or which may be in any way improved or benefitted thereby, and the sums so assessed shall be a lien upon the said property, and may be foreclosed or collected as provided in section thirty-seven of this act. No person shall construct any drain or sewer of any kind upon and from any premises in said city, or upon any highway or street in said city, or use or permit any such sewer or drain to be used without the permission of the common council; and any person so constructing such drain or sewer, or using or permitting such to be used without such permission, shall forfeit and pay to the use of said city a fine of ten dollars for such construction, and a like amount for each day that such drain or sewer is so used or permitted to be used.

SEC. 30. The common council shall have power, from time to time, to designate and fix the course, width, height and grade of all sidewalks and gutters upon the streets and highways of said city, and may, at the expense of said city, cause any of the crosswalks in said city to be raised, flagged, paved or made in a suitable manner.

SEC. 31. Said common council may from time to time, order the owner or owners of the land and buildings fronting on such sidewalks and gutters, at their own expense, to make such sidewalks and gutters on their several fronts, according to the course, width, height and grade designated as aforesaid; and also to curb, flag, or pave the same in such manner as the common council shall direct; and also to provide and erect such railings or guards upon and along said walks as public safety may require. And said common council may limit such time as they may deem reasonable for so fencing, paving, or flagging, railing, and curbing such sidewalks and gutters as aforesaid, among the different persons having an interest in the lands or buildings holden as aforesaid; and whenever the owner or owners of any land or buildings shall not reside within the limits of the city, notice in writing to the occupant or occupants or persons having the care thereof, of any such order shall be sufficient notice thereof to all persons interested therein.

SEC. 32. If any owner or owners of any such land or buildings shall neglect to make, pave, rail, flag, or curb any such sidewalk or gutter, in such manner, and within such time as the common council shall direct and limit, the said common council may appoint and employ some suitable person to do the same, and may adjust and liquidate the expense thereof, and order the same to be paid by such owner or owners neglecting as aforesaid. In cases where the land or buildings fronting such sidewalks or gutters shall be holden for a term of years, or any other estate less than a fee simple, said common council may, by their order, apportion in such manner as they shall judge right, the expense of raising, grading, forming, flagging, paving, or making such sidewalks and gutters, among the different persons having an interest in the land or buildings holden as aforesaid. Thereupon the mayor of said city may issue a warrant of distress, authorizing the city collector to collect of said owner or owners the sums ordered to be paid by them respectively as aforesaid, and such sums, with the interest thereon, shall be a lien or real incumbrance upon the land and buildings in reference to which such sums shall have been expended, to be enforced in like manner as if said lands and buildings were mortgaged to said city to secure the payment thereof.

SEC. 33. The common council of said city shall have sole and exclusive authority and control over all streets and highways, and over all parts of streets and highways, now or hereafter existing within the limits of the said city, and shall have sole and exclusive power to lay out, open, make, discontinue, alter, repair, maintain, grade and drain all highways and streets now existing, or hereafter to be made, or discontinued within the limits of said city; and no person shall open within the limits of said city any public way, except under and by virtue of an order of said common council; and said common council shall have power to elect, annually, a street commissioner for said city, who shall hold his office for one year from and after his election; and said common council shall define by proper ordinances and orders the powers and duties of the commissioner, and shall fix and designate his compensation.

SEC. 34. In all cases when a tax shall be laid and collected, or a sum of money shall be appropriated by the town of New Britain for the purpose of making and repairing the highways and roads in said town, it shall be the duty of the selectmen of said town, together with an equal number of the senior aldermen of said city, to determine by a major vote of the whole number, the portion thereof which shall be applied for the making and support of the highways of said town within the limits of said city; and in case the selectmen and aldermen cannot agree by a major vote, as aforesaid, upon such apportionment, the county commissioner of Hartford County, residing nearest to said city, shall be called in to give a deciding vote. The sum thus apportioned shall be paid into the treasury of said city; and said town shall not be obliged to make or repair any highway in the limits of said city; provided always, that the town of New Britain shall be liable to make and repair all bridges in said town to the same extent as if this act had not been passed.

SEC. 35. Before the common council shall determine to lay out, alter, extend, enlarge, discontinue, or exchange any highway, street, public walk, or public avenue, or designate any building line in said city, they shall cause a notice signed by the mayor of said city, or the clerk of said council, describing in general terms such proposed layout or alteration, or designation, and specifying a time and place when and where, all persons whose land is proposed to be taken therefor, may appear and be heard by said common council in relation thereto—to be published not less than two times in a newspaper published in said city, at least ten days before the time fixed in said notice for such hearing; and such publication of said notice shall be legal and sufficient notice to all persons and corporations whose land is proposed to be taken by such layout or alteration. At the time and place mentioned in said notice, and at any meeting adjourned therefrom, said common council shall hear all the parties in interest, who may appear and desire to be heard in relation thereto.

SEC. 36. If after such hearing said common council shall resolve to layout, alter, extend, enlarge, discontinue, or exchange such street, highway, walk or avenue, or designate such building line or lines, they shall appoint a committee whose duty it shall be to make such layout or alteration, and designate such building line or lines, and report in writing their doings to said common council, which report shall embody a descriptive survey of such street, highway, walk, avenue, or line or lines designated. If said report shall be accepted and approved by said common council, and said common council and the parties in interest cannot agree as to the damages and benefits to be assessed, the mayor, or in his absence or inability to act, the alderman highest in rank present in said city, shall appoint three judicious and disinterested freeholders of said city to estimate and appraise the damages, or benefits, as the case may be, resulting or accruing to any person, or persons, from the taking of such land for the public use as aforesaid, or from such layout, alteration, extension, enlargement, discontinuance, exchange, or designation of such line or lines; said freeholders shall be sworn to a faithful and impartial discharge of the duties of said appointment, and a certificate of such appointment, and the administration of such oath, shall be made, under the hand of the officer appointing them, and recorded in the records of the common council. Before making any such assessment of damages and benefits, said freeholders shall give reasonable notice to all persons interested of the time and place when and where they will meet for that purpose; such notice shall be deemed reasonable and sufficient if signed by the said freeholders, or a majority of them, and published in the same manner as provided to be done by the common council in section thirty-five of this act; or if given in such other manner as the common council by ordinance may prescribe; said freeholders shall meet at the time and place designated in their said notice, and at such other times and places as they may adjourn therefrom, and shall hear all the parties in interest who may appear before them, and shall thereupon ascertain and determine what person or persons will be damaged by such taking of said land, or by such layout, alteration or designation of building line or lines, and the amount thereof over and above any special benefits such person or persons may receive therefrom; also what other person or persons owning or interested in lands contiguous to or in the vicinity of the proposed improvement will be specially benefited by such taking of said land or by such layout, alteration or designation of building line or lines, and the amount thereof over and above any damages such person or persons may receive therefrom; also what other person or persons owning or interested as above will receive an equal amount of damages and benefits thereby, and such freeholders shall report the amount of damages and benefits thus ascertained and determined, and the names of the persons to whom the same respectively appertain and belong, with a general description of the property in respect to which said benefits are assessed to the common council, who may accept said report, or return the same to said freeholders for reconsideration and correction;

and upon the acceptance of said report, the clerk of the common council shall record the same in the records of the common council, provided, that the whole amount of benefits assessed for any particular layout, alteration or designation, shall not exceed the whole amount of damages assessed on account of the same layout or alteration, or designation, and the estimated cost of completing said improvement, which estimate said committee shall make and embody in their report; said common council shall cause a notice, signed by the mayor or clerk of said common council, containing the names of the persons thus assessed, with the amounts of their respective assessments, to be published not less than two times in a newspaper published in said city, and such publication shall be deemed to be legal and sufficient notice to all persons interested in such assessments, and the same shall thereupon immediately become due and payable. The common council shall order the damages thus assessed and determined to be paid to the persons to whom they respectively belong out of the treasury of the city; provided, that if any person shall refuse or neglect to receive the amount so found due and ordered to be paid to him, the same shall be deposited in the city treasury, to be paid to the person entitled to receive it whenever he shall apply for the same. And the descriptive survey before mentioned, being signed by the mayor or senior alderman, and entered upon the records of said common council, and the damages assessed having been paid or deposited as aforesaid, said highway, street, public walk, or building line, shall be and remain for the purpose for which it was laid out or designated.

SEC. 37. The assessments of benefits so made shall be and remain a lien on real incumbrance upon the land upon which they are respectively

made, and shall take precedence of all other liens or incumbrances thereon, (except taxes due the state,) and the lands, with the buildings thereon, on which any such lien may exist, shall be liable to be foreclosed in the same manner as if said lien were a mortgage on such lands and buildings in favor of said city, to secure the amount of such assessment; provided, however, that such lien shall not continue to exist for a period longer than sixty days after the last publication of the notice thereof as aforesaid; unless within that period, a certificate, signed by the mayor of said city or the clerk of said common council, describing the premises on which such lien exists and the amount claimed by said city as a lien thereon shall be lodged with the town clerk of the town of New Britain; and provided further, that such lien shall cease to exist whenever a certificate to that effect, signed by the mayor or clerk of the common council for the time being, shall be lodged with said town clerk. All such certificates said town clerk shall record with deeds of land. And such assessments may also be collected by warrant, under the hand of the mayor of said city, in the same manner as town taxes are by law collected.

SEC. 38. All persons aggrieved by the estimate of freeholders of any damage caused by the layout, discontinuance, alteration or enlargement of any highway or street, or the designation of building lines, and all persons aggrieved by the assessment of benefits consequent thereon, or consequent upon the construction of any sewer or drain by the common council, may within ten days after notice of such estimate or assessment apply, by petition to any judge of the superior court, for a re-estimate of such damages or a re-assessment of such sum ordered to be paid by them, giving reasonable notice in writing to the clerk of said city, of the time and place of such application, and of the name of said judge, and said judge shall appoint three judicious and disinterested freeholders of the county of Hartford, who shall re-estimate said damages, or re-assess said sums ordered to be paid to or by the persons making such application, and make report of their doings to said judge, who shall have authority for any cause he may deem sufficient to set aside said report, and order another estimate or assessment to be made, or make such other order therein as to justice shall appertain. If upon such application for re-estimate or re-assessment, the damages shall be increased, or the assessment of benefits shall be decreased, and the same be approved by said judge, the costs of application shall be paid by the said city, otherwise by the

SEC. 39. The common council of said city shall constitute a board of health in said city, and shall have and may exercise all power and authority which they shall judge necessary and proper for the prevention of disease of any kind, and for the promotion of the health of the inhabitants of said city; may make and cause to be executed all orders for such purpose as they may deem proper, and may appoint health committees to carry the same into effect. And said common council or the mayor of the city, or any member of such health committee, may cause all filthy and putrid substances of any kind which they shall think injurious to the health and cleanliness of the city to be removed at the expense of the proprietor or proprietors of the land or building upon or in which said substance may be, and for that purpose may enter upon or into all lands or buildings in said city; and the mayor may issue a warrant of distress to the collector of the city to collect such expense of such person or persons.

SEC. 72. The common council shall annually, in the month of April, at their first meeting after the election on said second Monday of April, or at an adjourned meeting held the same month, elect by ballot, a captain of police, and not exceeding three active policemen; and such other supernumerary policemen as they shall deem proper, not exceeding twenty, shall also be appointed at said meeting, which officers shall hold their respective offices for the term of one year, and until others are chosen, and sworn in their stead. In case either of said offices shall at any time become vacant by reason of death or otherwise, said common council may fill any such vacancy, and any person chosen to fill such vacancy shall hold said office until the next annual meeting following the day of his election, and until another be chosen to fill said office and sworn in his stead.

SEC. 73. The common council may make all needful rules and regulations for the government of the police force, may fix the amount of salaries, may call out the supernumerary police when they deem it necessary, and may authorize the mayor or captain of police to do the same, may fix the amount of their compensation while on duty, and to do any other lawful act to render the police force most efficient. Said police and supernumeraries, when on duty, shall have the same power within said city to pursue and secure offenders as constables have in their respective towns.

SEC. 74. The common council of said city shall have authority to control the fire companies at present organized in the borough of New Britain, together with all the lands, buildings, engines and other apparatus now held by said borough and used for protection against fire. And they shall have power to form and control such other fire companies in said city as they may hereafter deem necessary, and to organize a fire department and appoint such officers for the same as they may deem expedient.

SEC. 75. All the powers relating to the water supply hitherto exercised by the warden and burgesses of the borough of New Britain under the act to supply the borough of New Britain with water for public and private purposes and the additions thereto and amendments thereof, are hereby vested in said common council, and all duties imposed and powers conferred upon the water commissioners of said borough, are hereby imposed and conferred upon the water commissioners of said city; provided, however, that said commissioners shall be subjected to all orders and ordinances of the common council relating to introducing water into streets and districts before unsupplied, and to the use of such water for public purposes generally. Said common council shall annually in the month of May appoint three water commissioners who shall enter upon their duties on the first Monday in June in each year, and shall hold office for one year and until successors are appointed and qualified in their stead.

The bonds commonly known as "water bonds," heretofore issued by the borough of New Britain, under the various acts authorizing the same, together with all other obligations of said borough, and its inhabitants, are hereby expressly declared to be in full force and effect, and shall be obligatory upon said city and the inhabitants thereof, to the same extent as they have been heretofore obligatory upon said bor-

SEC. 76. Said city, in legal meeting assembled, all have power to lay taxes on the polls and table estate within the limits of the city for such purposes as the city shall think proper, reasonable to the privileges in this act.

SEC. 77. This act shall come into effect on the second Monday of April, 1871, and all persons holding office under the charter of the borough of New Britain, at the end of the current official year of said borough, shall continue in their respective offices until the officers provided for in this act shall be elected and qualified. On the second Monday the first annual election of the city shall be held, and the registrars shall appear for the same in the manner provided herein, and shall also appoint two inspectors of elections in each ward, who shall have all the powers conferred, and be subject to all the duties imposed upon inspectors of elections by this act, at said first election of said city; and the first election shall be held in the several wards at such places as the inspectors shall designate by public notice in manner provided in section eight, and said inspectors shall provide ballot boxes for use at such elections.

SEC. 78. The first meeting of the common council of said city, shall be called by the mayor, and all meetings of said council called by the mayor, shall be valid and legal meetings, until the common council shall provide for the manner of calling meetings thereof; provided, that the mayor shall cause actual notice to be given to each member of said common council of the time and place of holding the meetings called by him as aforesaid.

SEC. 79. From and after the time when the provisions of this act go into effect, all other existing provisions of law enacted by any public act, for the special purpose of affecting the rights, burgesses and freemen of the borough of New Britain shall be inoperative, and are hereby repealed, from and after such time, repealed; but said repeal shall not impair or affect any rights, privileges, or immunities vested in any person or body corporate, or any pecuniary obligations now attaching to said community; and all matters, civil or criminal, commenced by virtue of the provisions of law so repealed, and pending unfinished, when said repealing provisions take effect, may be prosecuted to final effect, in the same manner as if this act had not been passed; no offense committed, and no penalty or forfeiture incurred, and no tax or assessment laid or incurred, under any of the provisions of law herein repealed, or under any law made under any of said provisions, shall in anywise be affected by said repeal. The by-laws of said borough, in force on the second Monday of April, 1871, shall thereafter continue in force, notwithstanding any provisions of this act, until repealed by the common council of said city.

SEC. 80. This act shall be a public act.

SEC. 81. This act shall not take effect unless approved by the freemen of the borough of New Britain, at a special meeting duly warned and held within six months from the passage hereof, and George M. Landers, S. A. Moore, T. W. Anley, James D. Frary and S. C. Dunham are hereby authorized and directed to call such meeting, by giving public notice thereof at least two weeks in the New Britain Record, and for the time on the town post in said New Britain, and said call shall be valid if signed by any three of the above named persons. At said meeting, those in favor of approving and adopting this act shall vote yes, and those opposing shall vote no. And if a majority of the freemen voting yes, this act shall thereupon become operative at the time hereinbefore fixed; but if the majority voting vote no, this act shall be of no force or effect.

Approved July 15th, 1870.

\* The sections omitted are a republication of the act establishing the Borough Court, changing the name to "City Court," but otherwise substantially the same as at present.

## Advertisements.

**Warm and Cold Baths!**  
At A. BERTIN'S  
having & Hair Dressing Saloon

Basement of the Humphrey House,  
NEW BRITAIN, CONN.  
SHAVING, SHAMPOOING, HAIR CUTTING and  
YEELING, done in the best manner.

**BOYLE'S**  
**COOPER SHOP MOVED**  
FROM LAFAYETTE ST. TO PROSPECT ST.,  
In Rear of J. NOTT'S RESIDENCE.  
For particulars inquire of  
J. NOTT, Agt.

**THE**  
**MAS. S. WELCH FLOUR**  
—AT—  
**WILLIAMS & PIERPONT'S.**

**The Black Forest Clock,**  
Which plays a tune every hour, and the  
**HANDSOME**  
**ORCHESTRIAN,**  
Which has given such universal satisfaction, can be seen  
calling upon  
**F. BUBSER,**  
17 and 19 Mulberry Street, Hartford.

**\$8.50 WILL BUY A GOOD BARREL OF**  
FLOUR, at  
**WILLIAMS & PIERPONT'S.**

**New Britain Job Printing Office,**  
Established in 1854.  
**OVIATT & BAKER, Proprietors.**

**WE** have now a large and rapidly increasing Job  
PRINTING BUSINESS, and by constant additions of  
NEW TYPE, MACHINERY, and other PRINTING MATERIALS,  
shall endeavor to keep pace with the demands for  
**PRINTING OF EVERY VARIETY.**

We are now prepared to execute all orders for **PAM-  
PHLETS, REPORTS, BILL-HEADS, MANUFACTU-  
RERS' LABELS, BUSINESS CARDS, PRICE-LISTS,  
TRICULARS, LEGAL BLANKS OF ALL KINDS,  
MONTHLY STATEMENTS, ENVELOPES, ORDERS  
AND RECEIPT BLANKS, HAND-BILLS, CHECKS,  
ADMISSION TICKETS, CATALOGUES** of various  
kinds, and **PRINTING OF EVERY DESCRIPTION**  
squired by business men.

Orders by mail or otherwise will receive immediate  
and careful attention.  
**J. N. OVIATT,  
SAMUEL BAKER.**  
Office, Union Hall Building,  
NEW BRITAIN, CONN.

**New Britain & Middletown Railroad.**

On and after July 1, 1870, Passenger Trains will leave  
New Britain for Berlin as follows:  
6.45 A. M. Connecting with accommodation train for  
New York.  
8.20 A. M. Connecting with Accommodation Trains of  
Hartford and New Haven Railroad going South for New  
Haven and New York, and going North, for Hartford,  
Springfield and Way Stations.  
11.40 A. M. Connecting with Express Train for Boston.  
1.10 P. M. Connecting with Express Train for New  
York.

3.35 " Connecting with Accommodation Trains  
going South for New Haven and New York and going  
North for Hartford, Springfield and Way Stations.  
6.25 P. M. Connecting with Express Train for Boston.  
7.25 P. M. Connecting with Express Train for N. York.  
8.38 P. M. Connecting with accommodation train for  
Hartford; and Steamboat train for New Haven.  
All of the above Trains from New Britain except the  
6.45 A. M. and 8.38 P. M. connect at Berlin with Trains for  
Middletown.

**RETURNING.**  
Trains leave Berlin for New Britain at 6.50, 9.05, 11.50  
A. M.; 1.22, 4.27, 6.42, 7.42, 8.48 P. M.  
**E. M. REED, Sup't.**

## Business Cards.

**MITCHELL & HUNGERFORD,**  
ATTORNEYS AT LAW.

OFFICE IN  
**BANK BUILDING,**  
**THE STANLEY WORKS,**  
NEW BRITAIN, CONN.,  
Manufacturers of  
Strap and T Hinges, Wrought Iron Butts,  
Large Hasps, Iron Flush Bolts, Wrought and Cast Iron  
Door and Shutter Bolts, Handles, &c.  
Warehouse—58 Beekman St., New York. apr6

**HUMASON & BECKLEY MFG. CO.,**  
NEW BRITAIN, CONN.,  
Manufacturers of  
**POCKET AND TABLE CUTLERY,**  
CAST-STEEL HAMMERS,  
Bolts, Screws, and other Shelf Hardware.  
Warehouse—58 Beekman St., New York. apr6

**W. J. BULKLEY,**  
Dealer in  
**STOVES and TIN WARE,**  
And all manner of Housekeeping Utensils.  
All kinds of Repairing, Roofing, Piping, &c., done to  
order, in a satisfactory manner.  
Main Street, New Britain, Conn. apr6

**JOHN HANNA,**  
DEALER IN  
**AMERICAN AND FOREIGN MARBLES,**  
MONUMENTS AND HEADSTONES  
In Granite, Marble and Freestone.  
ALSO BUILDING STONE SUPPLIED TO ORDER.  
MAIN STREET, NEW BRITAIN, CONN.  
All orders promptly attended to.  
MAY 11th HIRAM BUSHNELL, Traveling Agent.

**SHIRT MAKING.**  
THE subscriber would inform his old customers  
and the public generally, that he still remains at the  
old place (South Main St., opposite Franklin Square),  
where he holds himself in readiness to make to order and  
to measure, shirts of the best quality and lowest rates.  
Also, Neck Stocks, Collars, &c.  
Please take particular notice that my shirts are made  
not at a venture, by one uniform pattern for every variety  
of form, but by careful measures.  
aprt **WM. BINGHAM.**

**Lager! Lager! Lager!**  
FROM THIS DATE I am prepared to supply all  
lovers of Lager with the  
"Celebrated Lager Beer"  
from the best Brewery in New York, and can assure  
the public that there was never a better Lager on  
draught, and invite all to try it.  
3 m 8 Jan 22 **F. W. BORTCHER, Arch St.**

**THE NEW BRITAIN TEA STORE**  
OFFER THEIR  
**"NEW CROP" TEAS**  
AT NEW YORK PRICES

**JOHN BONNER,**  
**PRACTICAL PLUMBER,**  
And Gas and Steam Fitter,  
First Block North of E. R. Crossing, New Britain, Conn.  
Constantly on hand all the material for carrying on the  
Plumbing and Gas Fitting Business in all its branches.  
Jobbing promptly attended to and executed by expe-  
rienced workmen.  
REFERS TO THE FOLLOWING HARTFORD GENTLEMEN.  
Pliny Jewell, Jr.; L. J. Heude, President Etma Ins  
Co.; H. W. Conklyn, 230 Main St.; William Tooby, Caleb  
M. Talcott, Erasmus Collins, M. C. Needham; William  
G. Allen, Builder.  
Also New Britain Gentlemen: Geo. & Wm. H. Hart;  
Russell & Erwin Mfg. Co.; Landers, Frary & Clark.

**LIVERY STABLE.**  
I WOULD inform the public that I will  
**KEEP A HACK IN READINESS**

To take passengers to and from the depot at all trains  
through the day; also, to run about the city on call.  
Notice left at the store of Kossetter & Goodrich, or at  
my stable, in the rear of N. Bailey's clothing store, will  
be promptly attended to.  
I have also added to my stable  
**ONE VERY FINE OPEN BRETT HACK,**  
**AND ONE CLARENCE HACK,**  
Said to be ahead of anything in the city of Hartford,  
which will be always ready for Funerals, Weddings and  
Parties. A share of the patronage is solicited.  
**HORACE BAILEY,**  
New Britain, Ct.  
Opposite the new Baptist church.