

**CHARTER AND BY-LAWS
OF THE CITY OF NEW
HAVEN,- JUNE, 1865**

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Charter and By-Laws of the City of New Haven,- June, 1865 by Various

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VARIOUS

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CITY OF NEW HAVEN,—

JUNE, 1865.

NEW HAVEN:

J. H. BENHAM, PRINTER, GLEBE BUILDING.

1865.

CHARTER.

At a General Assembly of the State of Connecticut, held at Hartford, in said State, on the first Wednesday of May, in the year of our Lord one thousand eight hundred and fifty-seven.

An Act relative to the Charter of the City of New Haven.

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 New Haven, within the following limits, to wit: Limits of City. beginning at the north-east corner of Tomlinson's bridge, so called, in said New Haven; thence northerly along the east shore of Quinnipiac River at high water mark, to the eastern termination of a line drawn westerly from said shore, parallel with said bridge and five hundred feet north of said bridge; thence westerly along said parallel line to the middle of Mill River; thence northerly along the middle of Mill River, to the line which divides the town of New Haven from the town of Hamden; thence westerly along said line between the towns of New Haven and Hamden, to Long Lane, or Dixwell street; thence southerly through the centre of said Dixwell street, to a point in a direct line from the Neck Bridge to a bridge across West River, commonly called Thompson's Bridge; thence westerly by said line to the north-east corner of said bridge; thence down the said West River, on the east bank thereof, to the mouth of said river; and from thence a straight line to the extreme point of land commonly called Five-Mile Point, on the east side of New Haven Harbor, at high-water mark on said point; thence northward on the shore, on the line of the high-water mark, up to the first mentioned point at the north-east corner of Tomlinson's bridge,—are hereby ordained, constituted, and declared to be, from to time, and forever hereafter, one body politic and corporate, in fact and in name, by the name of "The Mayor, Aldermen, Common Council, and Freemen of the City of New Haven." Corporate name. And by that name they and their successors shall and may have perpetual succession, and shall be a person in law, capable of suing and being sued, pleading and being impleaded, in all suits of what nature

soever, and also of purchasing, holding and conveying any estate, real or personal ; and may have a common seal, and may change and alter the same at pleasure.

Qualification of voters.

SEC. 2. Every elector of this State, who shall have staidly and continuously resided six months in said city, shall be a freeman of said city, and shall have a right to vote in all meetings of said city, so long as he shall continue afterwards to reside in said city ; but no other person shall be entitled to vote in any meeting of said city. If any person shall, in any meeting of said city, or of any ward of said city, give in more than one vote at a ballot, for any person for the same office ; or if any person shall, upon the submission of any question to vote in any such meeting, vote more than once upon the same submission of the same question ; or if any person not entitled to vote shall vote at any such meeting, such person shall be punished by a fine of One Hundred Dollars.

Penalty for voting illegally.

CITY MEETINGS, ELECTIONS, ETC.

Annual meeting to be held.

SEC. 3. An annual meeting of said city shall be held in said city on the Monday next preceding the first Tuesday of June, in each year.* Special meetings of said city may be called and held from time to time, in such manner as the by-laws of said city shall prescribe. The Mayor of said city, or in his absence, the senior Alderman present, shall at any meeting of said city be, *ex officio*, Moderator thereof. If the Mayor and Aldermen be all absent, the meeting shall choose a Moderator. Any meeting of said city may be adjourned from time to time by the vote of the freemen present, and all questions in any such meeting shall be decided by a majority of the freemen present and voting.

Special meetings.

Moderator of

Officers to be chosen at annual meeting.

SEC. 4. At each annual meeting of said city, there shall be chosen from among the said freemen, by ballot, a Mayor, a Clerk, six Aldermen, twenty-four Common Councilmen, two Sheriffs, a Treasurer, an Auditor of city accounts, and a Collector of Taxes, in the manner hereinafter provided.

Boundaries of wards.

SEC. 5. Said city is hereby divided into six Wards as follows, to wit : so much of said city as is included within the following boundaries, to wit : bounded by a line commencing at the city limits on Whitney Avenue, and passing through the center of Whitney Avenue to Temple street, thence through the center of Temple street to Chapel street, thence through the center of Chapel street to West Chapel street, thence through the center of West Chapel street to its termination, thence

Ward No. 1.

* Changed to first Monday in April. See Act of 1861, Sec. 9.

continuing in the same line from the termination of West Chapel street to the city limits, and thence following the city limits northerly and easterly to the place of beginning, shall be and remain Ward number ONE.

So much of said city as is included within the following ^{Ward No. 2.} boundaries, to wit: bounded by a line commencing at the city limits on Davenport Avenue, at West Bridge, and passing through the center of Davenport Avenue to Morocco street, thence through the center of Morocco street to Broad street, thence through the center of Broad street to George street, thence through the center of George street to Temple street, thence through the center of Temple street to Chapel street, thence through the center of Chapel street to West Chapel street, thence through the center of West Chapel street to its termination, thence continuing in a straight line to the city limits, and thence following the city limits in a southerly direction to the place of beginning, shall be and remain Ward number two.

So much of said city as is included within the following ^{Ward No. 3.} boundaries, to wit: bounded by a line commencing at the city limits on Davenport Avenue, at West Bridge, and passing through the center of Davenport Avenue to Morocco street, thence through the center of Morocco street to Broad street, thence through the center of Broad street to George street, thence through the center of George street to Fair street, thence through the center of Fair street to Union street, thence through the center of Union street southerly to its termination, thence in a straight line to the end of the wharf owned by the New York and New Haven Railroad Company, (or the New Haven and Northampton Company,) thence in the same straight line to the city limits, and thence following the city limits in a southerly, westerly, and north-westerly direction to the place of the beginning, shall be and remain Ward number THREE.

So much of said city as is included within the following ^{Ward No. 4.} boundaries, to wit: bounded by a line beginning in the center of Temple street at its intersection with George street, and passing through the center of Temple street to Elm street, thence through the center of Elm street to Grand street, thence through the center of Grand street to Franklin street, thence through the center of Franklin street southerly to its termination, thence continuing in the same straight line to its intersection with the boundary line of the Third Ward, thence following said boundary line of the Third Ward in a north-westerly direction to the place of the beginning, shall be and remain Ward number four.

Ward No. 5.

So much of said city as is included in the following boundaries, to wit: bounded by a line commencing at the city limits on the Middletown Turnpike, or State street, at Neck Bridge, and passing through the center of said Middletown Turnpike, or State street, to Franklin street, thence through the center of Franklin street southerly to its termination, thence continuing in the same straight line to its intersection with the boundary line of the Third Ward, thence following said boundary line southerly and easterly to the city limits, thence following the city limits northerly to the place of beginning, shall be and remain Ward number FIVE.

Ward No. 6.

So much of said city as is included within the following boundaries, to wit: bounded by a line commencing at the city limits on Whitney Avenue, and passing through the center of Whitney Avenue to Temple street, thence through the center of Temple street to Elm street, thence through the center of Elm street to Grand street, thence through the center of Grand street to Franklin street, thence through the center of Franklin street to the Middletown Turnpike, or State street, thence through the center of said Middletown Turnpike, or State street, to the city limits, thence following the city limits northerly and westerly to the place of beginning, shall be and remain Ward number SIX.

Voters to reside
in wards.

SEC. 6.* At each annual and other meeting for the election of city officers in said city, the freemen shall vote for officers in the several wards wherein they shall have statedly resided for the two weeks next preceding such meeting, and not elsewhere; residence being for this purpose where the voter shall have statedly lodged: *provided*, that in no case shall any freeman give his ballot in any ward whereto he may have temporarily removed for the purpose of voting therein: *and provided further*, that if any freeman shall not have resided in any one ward continuously for the two weeks next preceding such meeting, he shall be entitled to vote for Mayor, Clerk, Sheriffs, Treasurer, Auditor, and Collector, only in the ward wherein he shall reside at the time of voting. And if any person shall vote in any ward where he is not entitled to vote, or shall vote in any ward for any officer for whom he is not entitled to vote in that ward, he shall be punished by a fine of One Hundred Dollars.

Penalty for vot-
ing illegally.Moderator to
keep record of
voters, &c.

The Moderator, or presiding officer, in each of the wards into which the said city of New Haven is divided, shall, at each city meeting, when the voting is by ballot, keep, or cause to be kept, a true record of the names of each and

*See Statutes of 1860 and 1861.

every person casting a vote at any such meeting, and of the street in which he resides, and the number or location of his residence in such street; and it shall be the duty of every person offering to vote at any such meeting, to inform the presiding officer in the ward where he offers to vote, of his true name, the street in which he resides, and the number or location of his residence; and in case any person so offering his vote as aforesaid shall refuse to furnish to such presiding officer, full and satisfactory information of his name, the street in which he resides, and the number or location of his residence, said presiding officer shall not allow such person to cast his vote at such meeting.

Voters to furnish information.

Penalty for refusing.

And the said record shall be lodged and preserved in the office of the City Clerk.*

Record to be kept.

SEC. 7. At the annual election of city officers in said city, there shall be elected one Alderman and four Common Councilmen, in each of said wards, by the voters of each of said wards respectively and exclusively. But votes for all the other city officers, specified in Sec. 4, may be received from all the freemen of said city given in their respective wards; and the names of all persons voted for may be on one piece of paper, written or printed. And in case a vacancy in any office, which is to be filled as aforesaid by the exclusive votes of any ward, shall occur before the end of the year, the same may be filled by an election to such vacancy, by a plurality vote, for the residue of the official year, by the voters of that ward only, at a special election, which the Mayor is hereby authorized to call, in any such contingency, for that purpose.

Officers to be chosen.

Votes to be written or printed.

Vacancies to be filled.

SEC. 8. The several places of voting in the several wards, shall be designated by the Court of Common Council of said city, and shall be published by direction of the said Court of Common Council, at least six days before the day of election, in one or more newspapers in said city, and shall be also specified in the warnings of the city meetings. The Court of Common Council shall, from their own number residing in wards Nos. 2, 3, 4, 5 and 6, appoint a presiding officer, and a substitute, (in case of failure to attend,) at the election in each of said wards. The Mayor, or either Alderman, as moderator of the city meeting, shall be the presiding officer at the election in Ward No. 1. The members of the Court of Common Council, and such persons as the presiding officer may designate, residing in each ward, and present in the meeting for the choice of officers, shall assist

Places of voting to be designated and published.

Presiding officers to be appointed.

* Altered to Town Clerk by Statute of 1860.

the presiding officer in the business of the meeting, in receiving, entering, counting and disposing of the votes therein received. The presiding officer in each ward shall order the names of the freemen, as they vote, to be enrolled.

Voters to be enrolled.

Ballot Box.

Polls to be kept open.

Certificates to be given.

Plurality vote to elect.

Tie vote.

Result to be declared.

Ballots to be counted at city meeting.

Of special meetings. The vote to be determined by lot.

Tenure of office.

SEC. 9. There shall be, at every such election, at the place of voting in each ward, a ballot-box; said box shall be a closed box, with an aperture in the lid, of convenient size, through which the ballots may be put; each ballot shall be laid by the voter on the lid of said box, and shall be put into the box by the presiding officer of the ward in which the ballot is given, or by one of his assistants. The poll for the reception of votes on the day of election, shall be open from seven o'clock in the forenoon till five o'clock in the afternoon. And immediately after the poll is closed, the votes shall be counted, and a certificate of the true result in each ward shall be forthwith transmitted, under hand and seal of the presiding officer in each ward, together with the votes received and list of persons voting, to the presiding officer in Ward No. 1, at the City Hall; which certificate shall be received as evidence of the result in each ward. The persons having the greatest number of votes for the several offices, shall be declared duly elected, as well those for whom all the freemen of the city may vote as those voted for by the several wards. And in case of an equality of votes, so that any particular officer be not chosen, the presiding officer in Ward No. 1, shall, in presence of those assembled, forthwith designate by lot which of those having such equal vote is chosen.

SEC. 10. Said presiding officer shall, on the day of election, declare the result as soon as it is ascertained in regard to all officers to be chosen at the annual city election. After the closing of the poll for the officers to be chosen, the city meeting at the City Hall in Ward No. 1, where all the freemen of the city may be present and participate, shall be and remain in session until the ballots are counted, and the result ascertained and declared as aforesaid, but shall not transact any other business; and when the result shall have been so declared, the presiding officer shall adjourn said meeting to the next day* at nine o'clock in the forenoon, to be held at the same place; and at such adjourned meeting the freemen present may proceed to transact any business lawfully before the said annual meeting. From a special election in any one ward, the result shall be certified to the next meeting of the Common Council, which shall designate by lot on any equal vote.

SEC. 11. The annual officers of said city, chosen at its

* See Act of 1861, Sec. 9.