

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

TENTH BIENNIAL SESSION, 1888.



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parties ; and on the report of said commissioners the court or judges shall take such action as they may deem proper ; and if the tribunal applied to is the said court, judgment shall be rendered on the report and execution shall be issued in the usual way for any damages or costs that may be awarded by the court. But if application is made to the assistant judges of the county court as aforesaid, their approval of and decision upon the report of the commissioners shall be made to Rutland county court which shall have the same powers as when the commissioners were appointed by the judges.

SEC. 8. Said company shall have power to borrow money, and issue its bonds therefor at a rate not exceeding eight per cent, and may mortgage its property to secure the payment of the same, to an amount not exceeding, including its other indebtedness, three-fourths of the amount of its capital stock actually paid in.

Approved November 27, 1888.

No. 231.—AN ACT TO INCORPORATE THE CHESTNUT HILL RESERVOIR COMPANY.

SECTION

1. Corporators ; name ; powers.
2. First meeting ; by-laws ; capital stock ; proceedings in case of disagreement as to water rent.
3. Rights in streets and highways.
4. Penalty for disturbance of rights.
5. Powers.
6. Corporate seal.

SECTION

7. Subject to existing laws and future legislation.
8. Power to contract debts ; liability of directors.
9. Town and village of Brattleboro authorized to contract with company.
10. When to take effect.

It is hereby enacted by the General Assembly of the State of Vermont :

SECTION 1. George E. Crowell, George S. Dowley, E. P. Carpenter, Charles H. Davenport, Warren E. Eason, E. W. Stoddard, B. D. Harris, E. C. Crosby, their associates and successors are hereby constituted a corporate body by the name of the Chestnut Hill Reservoir Company, with all the rights and powers incident to corporations, and may hold real and personal estate not exceeding two hundred and fifty thousand dollars for the purpose of furnishing the inhabitants of the town and village of Brattleboro with water for domestic and other purposes.

SEC. 2. Any three of said incorporators may call the first meeting of the corporation, to be held in the village of Brattleboro, at such time and place as they shall appoint, by publishing a notice thereof in a newspaper printed in said Brattleboro at least seven days prior to said meeting, for the purpose of choosing such officers as may be deemed necessary, and said corporation at any meeting legally warned may make, alter and repeal such by-laws, rules and regulations as may be deemed necessary, not repugnant to the laws of this State, and may fix the amount of their capital stock, divide

the same into shares, and provide for the sale and transfer of the same, and may levy and collect assessments thereon according to law, and may increase the same from time to time to an amount sufficient to carry into effect the object of this act, and may fix the rate of rents and the same alter at pleasure, and shall have power to sue for and collect said water rents when necessary. Provided, that whenever any disagreement arises as to the charges for water rents by said company, the trustees of the village or the selectmen of the town or fifteen of the tax-payers who are patrons of said company and residents of the village or town may by petition apply to the county court within and for the county of Windham, which shall appoint three commissioners who shall hear the parties and report to said court such water rents as to said commissioners shall seem just, which report, unless good cause is shown to the contrary, said court shall accept and give judgment thereon, establishing the water rents, and shall equitably adjust the taxable costs of the proceedings, including commissioners' fees, and the water rents thus established shall be the rents to be charged by said company for the five years next thereafter and until further petition is made.

SEC. 3. The said corporation for the purposes aforesaid may dig up or open any street, common or highway, may occupy any public bridge, for the purpose of constructing, laying down aqueducts, reservoirs and pipes connected with the same, and their necessary appurtenances, feeders, and extensions; provided the same be done in such a manner as not to prevent their convenient use for travel, and be completed in a reasonable time and so as not to disfigure or injure said street, common, highway or bridge.

SEC. 4. Any person who shall unlawfully use any water of said corporation, or maliciously disturb or injure the aqueduct, reservoirs, springs or streams owned or controlled by said corporation, or any of the connecting appurtenances, enclosures or works thereof, or pollutes the water of said aqueducts, reservoirs, springs or streams, shall be liable to be prosecuted therefor by the grand juror of the town or the State's attorney of the county wherein the offense shall be committed, by information, complaint, or indictment and on conviction thereof shall be fined not less than five dollars or more than twenty dollars and costs of prosecution, and shall be liable to said corporation for all damage resulting to it by such disturbances, injury or pollution, with full costs, the same to be recovered by said corporation in an action on the case founded on this statute.

SEC. 5. Said corporation shall have the power to sue and be sued, to contract debts, borrow money and issue their bonds or obligations therefor, and for their security mortgage the property either real or personal of said corporation, together with their franchise, which said bonds, mortgages or other obligations, shall be issued in such way and manner as said corporation shall by by-law for that purpose direct, and any mortgage shall be recorded in the town clerk's office in said Brattleboro and shall be binding on said company.

SEC. 6. Said corporation may have a corporate seal and alter the same at pleasure.

SEC. 7. This act shall be subject to the provisions of chapter one hundred and fifty-two of the Revised Laws entitled "private corporations," and may be annulled, altered or repealed as the public good may require.

SEC. 8. This corporation shall not at any time contract debts to an amount exceeding one-half of its capital stock actually paid in, and if the debts of said corporation, shall at any time exceed such amount the directors shall be personally liable to the creditors of said corporation for such excess.

SEC. 9. The village of Brattleboro and the town of Brattleboro are hereby empowered and authorized through the trustees, selectmen or other proper officers to negotiate and contract with said corporation on such terms as may be agreed upon between them and said corporation for supplying said town or village with water for fire purposes, for watering the streets, and other uses, and may make such contract for such a time or term as may be mutually agreed upon.

SEC. 10. This act shall take effect from its passage.

Approved November 27, 1888.

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No. 232.—AN ACT TO INCORPORATE THE EAST ORANGE UNION SOCIETY OF ORANGE.

SECTION.

1. Corporators ; purposes.
2. Certain acts validated.
3. First meeting.

SECTION.

4. Trustees.
5. Subject to future legislation.
6. When to take effect.

It is hereby enacted by the General Assembly of the State of Vermont :

SECTION 1. Chester Dickey, S. W. Davis, being members of the Baptist society, and C. W. Coleman, Lewis Hutchinson being members of the Methodist society, societies heretofore existing at East Orange, for the purpose of hiring, settling and supporting ministers, with their associates, are hereby created a body politic and corporate, by the name of the East Orange Union Society, with all the corporate rights and privileges of similar corporations, organized under the general law of the State, and with the full power to acquire, hold and convey personal and real property and use the same for religious purposes.

SEC. 2. All of the acts of said societies, while heretofore existing, all gifts, devises and grants made to them or either of them, are hereby confirmed and made valid.