

Vt. Journal  
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# ACTS AND RESOLVES

PASSED BY THE

## GENERAL ASSEMBLY

OF THE

# STATE OF VERMONT,

AT THE

ANNUAL SESSION, 1868.



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# CORPORATIONS.

## No. 76.—AN ACT TO INCORPORATE THE EAST WALLINGFORD AQUEDUCT COMPANY.

### SECTION

1. Name; purpose.
2. First meeting, how called; by-laws; capital stock.
3. May enter upon lands, &c.; with proviso.
5. May enter upon lands for certain purposes, and in case of

### SECTION

- disagreement as to damages, county court may appoint commissioners; duty of commissioners.
5. Subject to general laws and future legislation.
6. To take effect.

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

**SEC. 1.** Such persons as shall hereafter become stockholders are hereby constituted a body corporate, by the name of the East Wallingford Aqueduct Company, with powers incident to corporations, and may hold real and personal estate, not exceeding twenty thousand dollars in value, for the purpose of constructing and maintaining an aqueduct, for the purpose of supplying the inhabitants of the village of East Wallingford with water for domestic and other purposes.

**SEC. 2.** Any three stockholders may call the first meeting of the corporation, to be held in the village of East Wallingford, at such time and place as they shall appoint, at any time within one year from the passage of this act, by posting a written notice thereof at three public places in said East Wallingford village, at least six days prior to said meeting, for the purpose of choosing such officers as may be

deemed necessary ; and the said corporation at such meeting, and at all meetings legally notified, may make such by-laws and regulations as may be deemed necessary, not repugnant to the laws of this State ; and said corporation may divide their stock into as many shares as they shall deem expedient, and may levy and collect assessments on the same, according to law.

SEC. 3. The said corporation may take the waters of such fountains, brooks, springs, as they may purchase of the owners for that purpose, and may dig up or open any street, common, or highway, for the purpose of constructing and laying down or repairing such aqueduct, or reservoirs connected therewith ; provided, the same be done in such a manner as not to prevent their convenient use for travel, and to be completed in a seasonable time, and in such a manner as not to disfigure or injure the said street, common or highway ; and in all cases, when said corporation shall lay or repair any of their pipes or logs in any enclosed field, they shall pay all damages done to crops thereon, and leave the surface of said lands, as near as may be, in as good condition as before laying or repairing such reservoirs or pipes.

SEC. 4. The said corporation may enter upon and use any lands and enclosures, through which it may be necessary for said aqueduct to pass, on the most practicable route from whence its waters may be taken, for the purpose of placing such reservoirs and pipes or logs, as may be necessary for constructing, completing and repairing said aqueduct, and may agree with the owner or owners thereof for the use of the same ; but in case of disagreement, or if the owner be a minor, insane, or out of the State, or otherwise incapacitated to sell and convey, said corporation, or the owners or persons interested in lands so entered upon, may apply by petition in writing, setting forth the cause of complaint, to the judges of the county court for the county of Rutland,

praying that a committee may be appointed to appraise the damages sustained by such owners or occupants of the lands so entered upon; and the clerk of said court, on the filing of said petition, shall issue a citation to all persons interested in such lands, giving at least twelve days' notice of the time and place of hearing before said judges, to appear and show cause, if any, why the prayer of said petition should not be granted; and said judges, on such hearing, may appoint three disinterested persons to appraise the damages sustained by such owner or occupants of such lands; and said committee, before proceeding to appraise such damages, shall give reasonable notice to all persons interested in such lands, claiming damages, and to said corporation, of the time and place of hearing on such damages; and said committee, on such hearing, shall assess such damages to the owners or occupants of such lands, as shall be just and equitable, and make report of the same to the county court for the county of Rutland, at its first session thereafter; and if the report of said committee shall be accepted, upon hearing, said court may render judgment thereon for such damages and costs, as said court shall deem just and equitable, and issue execution for the same.

SEC. 5. This act shall be subject to the provisions of chapter eighty-six of the General Statutes, entitled "Of private corporations," and may be amended, altered, or repealed, as the public good may require.

SEC. 6. This act shall take effect from its passage.

Approved, November 19, 1868.