

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

SIXTEENTH BIENNIAL SESSION, 1900.



PUBLISHED BY AUTHORITY.

BURLINGTON :
FREE PRESS ASSOCIATION, PRINTERS AND BOOKBINDERS.
1900.

same is intended, and shall at all times be under the control of the legislature to amend, alter or repeal as the public good may require.

Approved November 27, 1900.

No. 216.—AN ACT TO INCORPORATE THE FOREST
STREAM WATER COMPANY.

Section

1. Corporators, name and powers.
2. First meeting; by laws.
3. Capital stock; personal liability of directors.

Section

- 4-5. Acquisition of property by purchase and condemnation proceedings; water rates.
6. Subject to future legislation.

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

SECTION 1. Porter H. Dale, J. S. Sweeney, E. M. Bartlett, E. J. Parsons, and C. E. Martin and their associates and successors are hereby constituted a body corporate by the name of the Forest Stream Water Company with all the 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 with reservoirs and appurtenances for supplying the inhabitants of the town of Brighton with pure water for domestic and other purposes.

SEC. 2. Porter H. Dale is hereby authorized to call the first meeting of the said corporation at such time and place as he shall appoint by giving at least six days' notice thereof by publication in the Essex County Herald to all persons who shall become stockholders in such corporation and at such meetings, or at any other meeting legally named for that purpose, said corporation may make, alter and repeal such by-laws, rules and regulations as may be thought necessary, not repugnant to the provisions of this act or the laws of this state.

SEC. 3. The capital stock of said company may consist of two hundred shares of one hundred dollars each, and said corporation may provide for the sale and manner of transfer thereof as said corporation may deem expedient, and may levy and collect assessments on said shares according to law. The directors shall be personally liable for any indebtedness exceeding three-fourths of the capital stock actually paid in.

SEC. 4. The said corporation may take the waters of any brook or stream running into Island Pond, in Essex county, on

its westerly and southerly shores, and of such other fountains, ponds, streams and springs as it may purchase for that purpose, may dig up, or open any street, common or highway for the purpose of constructing or laying down or repairing such aqueduct or reservoirs connected with the same, provided that the same is done in such a manner as not to prevent their use for travel and to be completed in a reasonable time, and in such a manner as not to disfigure or injure said street, common or highway, and in all cases in which said corporation shall lay or repair any of its pipes in any enclosed field, it shall, in addition to the damages provided for in section 5 of this act, pay all damages to the crops thereon, and leave the surface of such land as near as may be in the same condition as before laying or repairing such pipes.

Said corporation shall have the right to fix the rates of water rents and alter the same and may sue for and collect the same when necessary.

SEC. 5. Said corporation may, when necessary, enter upon and use any lands or enclosures through which it may be necessary for said aqueduct to pass, for the purpose of placing such reservoirs and pipes as may be necessary for constructing, completing, and maintaining and repairing said aqueduct; and may agree with the owner or owners thereof upon the price to be paid for the use of the same. But in case of a disagreement, or if the owner thereof be a minor, insane person, without the state or otherwise incapacitated to sell, convey, or contract, said corporation or the owner or owners interested in the lands so entered upon, may apply to the judges of the county court for the county of Essex by petition who shall if it finds such entry necessary appoint (having given the parties interested reasonable notice of the time and place of hearing said application) three disinterested persons to view the premises and assess the damages sustained by the owners and occupants of said lands by the construction of said aqueduct, and said committee shall appraise such damage on oath, and report the same to the county court for the county of Essex at its first session thereafter, and if their report shall be accepted by said court, the court shall render judgment thereon, and may issue execution therefor and costs shall be allowed in the discretion of the court.

SEC. 6. This act shall be subject to future legislation to amend, alter or repeal as the public good may require.

Approved November 27, 1900.