

Vermont, 1872

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

SECOND BIENNIAL SESSION, 1872.



PUBLISHED BY AUTHORITY.

MONTPELIER:

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1878.

No. 256.—AN ACT TO REPEAL AN ACT ENTITLED
 “AN ACT TO AMEND AN ACT APPROVED NOVEMBER 12, 1867, ENTITLED ‘AN ACT TO INCORPORATE THE VILLAGE OF CABOT.’”

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

SEC. 1. That sections one and two of an act approved November 12, 1867, entitled “An act to amend an act approved November 19, 1866, entitled ‘An act to incorporate the Village of Cabot,’” be and the same is hereby repealed.

SEC. 2. Section nine of an act approved November 19, 1866, entitled “An act to incorporate the Village of Cabot,” is hereby re-enacted.

SEC. 3. This act shall take effect from its passage.

Approved, November 15, 1872.

No. 257.—AN ACT TO AMEND AN ACT TO INCORPORATE THE VILLAGE OF MONTPELIER AND EXTEND ITS POWERS.

SECTION

1. Power to establish reservoirs and aqueducts for certain purposes.
2. Damages for land taken, how adjusted.
3. Appeals from award of land damages, how taken.

SECTION

4. Proceedings in court, notice of must be given.
5. Bailiffs may contract for a supply of water.
6. Village may issue bonds.
7. To take effect.

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

SEC. 1. The second section of the act of incorporation of the Village of Montpelier is hereby so amended as to authorize said corporation to purchase the right to take water from the outlet of Berlin Pond, or such other place as said corporation may desire, and convey said water in suitable aqueduct and pipes to said village, and then distribute the same through said village in aqueducts and pipes, for the extinguishment of fires, and sanitary purposes, and for the use and convenience of the inhabitants of said village, and receive and collect such rents for the use of water as shall be agreed upon by the parties.

SEC. 2. In all cases where the bailiffs of said village cannot agree with the land-owners for the land for reservoirs, and the right of way to lay and repair said aqueduct and pipes for conducting water, or where said bailiffs cannot agree with the land-owners and other parties interested in the natural flow of the water necessary to be taken for the purposes aforesaid, or the amount of damages sustained by the parties owning land and interested in the water as aforesaid, they shall notify such land-owners and the parties interested in the natural flow of said water, of the time and place of meeting to award damages, and after hearing the parties so interested, they shall award such damages as to them shall appear just, and tender the amount so awarded to the party or parties to whom the same is awarded, and file a copy of their proceedings in the town-clerk's office in the town where the land is located, or where the parties interested in the natural flow of said water may reside or have their place of business, and have the same recorded in the records for recording deeds.

SEC. 3. When any person interested shall be dissatisfied with the decision of said bailiffs in determining and award-

ing damages in any of the cases above mentioned, such parties may petition the Washington county-court for a re-assessment and award of damages. Said petition shall be served on the clerk of said village within sixty days next after said award shall be filed in the town-clerk's office as aforesaid, and shall be served at least twelve days before the term of court to which it is made returnable ; but nothing in such proceedings shall prevent the bailiffs from entering on such land and laying their aqueduct and pipes and using the water, after tender of damages awarded by them.

SEC. 4. Such proceedings shall be had in said court on said petition as are provided by law for the assessment of damages for land taken for highways and bridges, except that the commissioners aforesaid shall notify one of the bailiffs of said village instead of one of the selectmen.

SEC. 5. The village of Montpelier may, at any legally warned meeting, authorize the bailiffs of said village to contract with any water-company or parties bringing water into the village of Montpelier, for the use of water for the purpose of extinguishing fires, sanitary purposes, and for any other purpose for which said village may need said water, upon such terms as the parties shall agree.

SEC. 6. Said village is hereby authorized to issue bonds to an amount not exceeding fifty thousand dollars, on such terms as said village shall prescribe, for carrying into effect the foregoing provisions.

SEC. 7. An act to amend an act to incorporate the village of Montpelier and extend its powers, approved November 19, 1870, is hereby repealed.

SEC. 8. This act shall take effect from its passage.

Approved, November 26, 1872.