

Vt. Journal, 1870

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

FIRST BIENNIAL SESSION, 1870.



PUBLISHED BY AUTHORITY.

MONTPELIER :

J. & J. M. POLAND'S STEAM PRINTING WORKS.

1870.

No. 134.—AN ACT TO INCORPORATE THE RANDOLPH HYDRAULIC COMPANY.

SECTION

1. Corporators ; name ; powers, rights and privileges ; purpose.
2. First meeting, how called ; by-laws ; capital stock.
3. Rights granted to take water and convey the same.

SECTION

4. Further rights granted ; disagreement as to damages, how adjusted.
5. Limitation of indebtedness ; liability of directors.
6. Subject to general laws and future legislation.
7. To take effect.

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

SEC. 1. J. K. Parish, Daniel Eaton, Rebecca Wilbur, J. C. Fargo, N. S. Clark, James McIntire, and N. L. Boyden, their associates and successors, are hereby constituted a body corporate, by the name of the Randolph Hydraulic Company, with powers incident to corporations ; and may have real or personal estate not exceeding five thousand dollars, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants living in and near the center village of Randolph with water for domestic and other purposes.

SEC. 2. The first meeting of said corporation may be called by either of the persons above named, at any time within one year from the passage of this act, by giving personal notice to all the others of the time and place of said meeting ; and said corporation may, at this and all subsequent meetings legally notified, make, alter, and repeal such by-laws, rules and regulations as may be thought necessary, not repugnant to the laws of this state ; and such corporation may divide their stock into as many shares and provide for the sale and transfer thereof as may be deemed expedient, and may levy and collect assessments on such shares according

to law, and fix the rates of rents and the same alter at pleasure, and shall have the power to sue for and collect said water-rents when necessary.

SEC. 3. The said corporation may take the waters of such fountains, brooks or springs as they may own or may purchase of the owners for that purpose, and may dig up and 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 so as not to disfigure or injure said street, common, or highway, and be completed in a reasonable time ; and in all cases when said corporation shall lay or repair any of their logs or pipes in any land, they shall pay all damages thereon.

SEC. 4. The said corporation may enter upon and use any land or enclosure through which it may be necessary for said aqueduct to pass, on the most practicable route from where its waters may be taken, for the purpose of placing such reservoirs, logs and pipes 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 any owner thereof be a minor, insane, or out of the state, or otherwise incapacitated to sell and convey, said corporation, or the owner or persons interested in lands so entered upon, may apply to the judges of the county court for the county of Orange by petition, and the said judges shall forthwith appoint three disinterested persons to view the premises and assess the damages sustained by the owners or occupants of said lands by the construction of said aqueduct, and said committee shall appraise such damages on oath and report the same to the county court for the county aforesaid 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 with costs.

SEC. 5. No part of the capital shall be withdrawn or in any manner diverted from the proper business of the corporation; and said corporation shall not at any time contract debts to an amount exceeding three-fourths of its capital; and if at any time the indebtedness of said company shall exceed the amount aforesaid, the directors of said corporation shall be personally liable for such excess to the creditors of said corporation.

SEC. 6. This act shall be subject to the provisions of chapter eighty-six of the general statutes, entitled "of private corporations," and may be altered, amended, or repealed, as the public good may require.

SEC. 7. This act shall take effect from its passage.

Approved, November 14, 1870.

No. 135.—AN ACT RELATING TO THE WATER DEPARTMENT OF THE CITY OF VERGENNES.

SECTION

1. Power of water commissioners.
2. Said commissioners to fix the time for payment of rents and assessments by them

SECTION

- fixed, and publish notice of same in newspaper published in said city.
3. To take effect.

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