

Vermont, Laws, Statutes, etc.

THE

ACTS AND RESOLVES

PASSED BY

THE GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

OCTOBER SESSION,

1854.



PUBLISHED BY AUTHORITY.

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The bailiffs of said corporation may remit fines imposed for violation of the act to which this is in addition, or of the by-laws of said corporation, and discharge offenders from imprisonment, and said corporation shall be liable for prison charges in case of the offender's inability.

SEC. 3. This act shall not go into effect until the same shall have been accepted by the legal voters of said village of Brattleboro', at a meeting regularly called therefor; and if a majority of the legal voters present at such meeting are in favor thereof, then this act shall be in full force, otherwise of no effect.

Approved, November 10, 1854.

No. 96.—AN ACT TO INCORPORATE THE ST. JOHNS-  
BURY AQUEDUCT COMPANY.

SECTION

1. Members, name, and privileges of corporation.
2. First meeting. By-laws. Capital stock.
3. Company may take water and open streets, &c., under certain conditions.
4. In case such lands are entered upon, and parties disagree, how

SECTION

- settled. Action of county court in relation thereto.
5. In relation to indebtedness of company.
6. Hydrants may be put in pipes for certain purposes.
7. Act subject to chap. 83 of c. s. and to future legislatures.

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

SEC. 1. Ephraim Jewett, Jesse P. Bancroft, Francis Bingham, Barron Moulton, James M. Warner, Russel Hallet and Horace Fairbanks, and their associates and successors, are hereby constituted a body corporate by the name of the St. Johns-

bury Aqueduct Company, with 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 to supply the inhabitants of the village of St. Johnsbury 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 three years from the passage of this act, by giving personal notice of the time and place to all the rest, at least six days previous to said meeting, and the said corporation may, at such and all other meetings legally notified, make, alter and repeal such by-laws, rules and regulations, as may be thought necessary, not repugnant to the laws of the state ; and such corporation may divide their stock into as many shares, and provide for the sale and mode of transfer thereof, as said corporation may, from time to time, deem expedient, and may levy and collect assessments on such shares according to law.

SEC. 3. The said corporation may take the waters of such fountains and 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 with the same : *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 common or highway ; and in all cases where said corporation shall lay or repair any of their pipes, in any enclosed land, they shall pay all damage done to crops thereon, and leave the surface of said lands as near as may be, in as good condition as it was before laying or repairing said pipes.

SEC. 4. The said corporation may enter upon and use any land and enclosure 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, 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 thereof be a minor, insane, 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 to the judges of the county court for the county of Caledonia, by petition, who shall appoint, forthwith, three disinterested persons to view the premises and assess the damages sustained by the owners or occupiers of such lands by the construction of said aqueduct; and said committee shall appraise said damages, on oath, and report the same to the county court for the county of Caledonia, at its first session thereafter; and if their report shall be accepted by said court, said court shall render judgment thereon, and may issue an execution therefor with costs.

**Sec. 5.** Said company shall have power to contract debts, borrow money, and issue their bonds or other obligations therefor, and for their security and payment, mortgage the property, either real or personal, of said company, together with their franchise; which bonds or other obligations and mortgages, shall be executed in such manner as said company shall, by a by-law for that purpose, direct; and any such mortgage shall be recorded at length in the town clerk's office in St. Johnsbury, and shall be binding on said company.

**Sec. 6.** The inhabitants of the village of St. Johnsbury may put hydrants into the pipes of said aqueducts, and draw therefrom free of expense, as much water as may be necessary when any building shall be on fire in said village: *Provided*, that such hydrants shall be so secured, that water shall not be drawn from them except to extinguish fires.

**Sec. 7.** This act shall be subject to the provisions of chapter eighty-three of the compiled statutes, entitled "of private

corporations," and may be altered, amended or repealed, as the public good may require; and shall take effect from its passage.

Approved, November 14, 1854.

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**No. 97.—AN ACT TO FIX THE TIME FOR THE ANNUAL MEETINGS OF THE VOLUNTEER ENGINE COMPANY NO. 1, IN BURLINGTON.**

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

**SEC. 1.** The annual meetings of the Volunteer Engine Company number one, in Burlington, shall hereafter be holden in the month of January, in each year.

**SEC. 2.** This act shall take effect from its passage.

Approved, November 1, 1854.

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**No. 98.—AN ACT TO AUTHORIZE THE REMOVAL OF OBSTRUCTIONS FROM OTTER CREEK AND ITS TRIBUTARIES, IN RUTLAND COUNTY.**

**SECTION**

1. Members, name, and privileges of corporation.
2. First meeting. By-laws. Capital stock. Restrictions of indebtedness.
3. Privileges of company in relation to entering upon lands, &c.
4. Cases of disagreement in relation to such lands, how settled.
5. Rates of toll, &c., regulated. Stream to be open for public uses.

**SECTION**

6. Assistant judges to examine, and regulate toll,
7. Relating to actions for toll under this statute.
8. Act to be a public act; when to take effect.
9. Act subject to future legislatures, and to certain sections of act providing for organization of private corporations.