

Vt. Laws, 1861, etc.

THE
ACTS AND RESOLVES
PASSED BY THE
GENERAL ASSEMBLY
OF THE
State of Vermont,
AT THE
OCTOBER SESSION,
1861.



PUBLISHED BY AUTHORITY.

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1861.

No. 101.—AN ACT TO INCORPORATE THE TROY
AQUEDUCT COMPANY.

SECTION

1. Corporators. Name and powers of corporation.
2. First Meeting, By-laws. Capital stock.
3. Corporation may take by purchase waters of certain fountains.

SECTION

4. Power to lay aqueducts, &c.
5. Power to enter upon and use land, &c.
6. This act subject to certain general laws.
7. Act takes effect from its passage.

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

SEC. 1. Geo. W. Aiken, A. P. Smalley, Robert Kay, Albert Hodsden, James Heustin, Fred. Flint, Edward Jackson, Silas Anger, Jr., Edward Stephens and Chester Coburn, their associates and successors, are hereby constituted a body corporate by the name of the Troy Aqueduct Company, with the powers incident to corporations, and may hold personal and real estate not exceeding ten thousand dollars in value, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants of the village of South Troy, in the county of Orleans, with pure water, for domestic and other purposes.

SEC. 2. Geo. W. Aiken, Robert Kay and Albert Hodsden, may call the first meeting of said corporation, to be held in the village of South Troy, 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 two public places in said village, at least five 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 all meetings legally notified, may make such by-laws and regulations, 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 are hereby empowered to take the waters of such fountains and springs as they may purchase of the owner for the purpose of supplying their said aqueduct.

SEC. 4. The said corporation may dig up and open any street, common or highway, in said Troy or Westfield, which may be necessary for the purpose of constructing and laying said aqueduct or for repairing 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 said street, common or highway; and in all cases where said corporation shall lay or repair any of their pipes or logs in any enclosed land, they shall leave the surface of said land, as near as may be, in as good condition as it was before laying or repairing said pipes or logs.

SEC. 5. 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 where 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 for the use of the same; but in case of disagreement, or if the owner be a minor, out of the state, or otherwise incapacitated to sell and convey, then 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 Orleans, by petition, who shall forthwith appoint three disinterested persons to view the premises, and assess the damages sustained by the owners 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

Orleans 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 such costs as said court shall deem proper.

SEC. 6. 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.

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

Approved November 9, 1861.

No. 102.—AN ACT TO INCORPORATE THE DERBY
AQUEDUCT COMPANY.

SECTION

1. Corporators. Name and powers of corporation.
2. First meeting, how and when called, &c. May make all by-laws, may divide stock into shares and provide for transfer of same. Liability of directors.
3. Further powers of corporation. *Proviso.*

SECTION

4. Corporation may use lands, &c.; manner of compensating the owners thereof.
6. Act subject to the provisions of chapter eighty of the compiled statutes, and to be under the control of the legislature.

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

SEC. 1. Jacob Bates, Person True, John Kelley, J. L. Edwards, H. H. Carpenter, C. A. Harris, Harry Hinman, William Dow, Joseph Bates, 2nd, Chester Carpenter, Jr. and John Tinker, and their associates and successors, are hereby constituted a body corporate by the name of the Derby Aqueduct Company, with powers incident to corporations, and may hold real and per-