

Vt. Journal, 1870

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

FIRST BIENNIAL SESSION, 1870.



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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 No part of the capital shall be withdrawn or in any manner diverted from the proper business of the corporation; and said corporation shall not at any time contract debts to an amount exceeding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of chapter eighty-six of the general statutes, entitled "of private corporations," and may be altered, amended, or repealed, as the public good may require.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 :

SEC. 1. The board of water commissioners of Vergennes shall have the sole and exclusive control and supervision of the water-works belonging to said city, and may establish such annual rents, to be paid to the city treasurer, by those who shall be supplied from said water-works with water for use in their dwellings, yards, barns, shops, stores, offices, mills, hotels, factories, or for other purposes, as in the judgment and discretion of said commissioners may be just and reasonable. And said board are authorized and empowered, in their discretion, to also make such annual assessment as they may deem just upon any such parcel of real estate as may, by its nearness to any street hydrant or hydrants of said water-works, be, in the judgment of said commissioners, greatly benefitted or protected thereby. And said board shall annually, in the month of April, between the tenth and the thirteenth of said month, fix and determine all such rents and assessments for the official year commencing on the said tenth day of said month, and shall make a list of all such rents and all such assessments, so by them fixed and determined as aforesaid, and shall duly certify the same; and on or before the twentieth day of May in said year, and in each year, shall deposit a true and attested copy thereof in the town clerk's office, to be kept on file in said office. And any rents said board may establish and any assessments they may make for the purposes aforesaid, during the remainder of said official year, shall be legal and valid until the close of said year; and said rents and assessments last named shall also be duly certified by said board, and a true and attested copy of a list thereof shall, by them, be also filed in said clerk's office within one month after such rents or assessments are so established and made as aforesaid. And any rent and any assessment so made may

at any time be increased or diminished by said board, if in their judgment justice and equity require it.

SEC. 2. Said board of water commissioners shall fix and determine the time for the payment to the city treasurer of all rents and all assessments by them fixed and ordered by virtue of this act, and shall give public notice thereof by publication in some newspaper published in said city, or in such other manner as the city by-laws may prescribe. And if any person, having been notified in the manner aforesaid, or having had personal notice thereof from said commissioners, shall be in arrears for the term of ten days after the expiration of the time fixed for the payment thereof, the said board may cause a warrant in due form of law to be issued for the collection of said unpaid rents and assessments; and the collector of taxes for said city shall be authorized and required to collect the same in the same manner as by law the taxes of said city are required to be collected, and said collector shall pay the sums so collected to the treasurer of said city, agreeably to the directions contained in said warrant.

SEC. 3. This act shall not take effect until the tax-payers of Vergennes, at a legal meeting warned and held for that purpose, shall, by a majority present at such meeting, vote to accept the same as a part of the charter of said city. And said board of commissioners, in the discharge of their duties under this act, shall at all times conform to such by-laws and ordinances as have hitherto been or may hereafter be established by the court of common council and approved in city meeting, agreeably to the provisions of the charter of said city.

Approved, November 22, 1870,