

ACTS AND RESOLVES



PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

THIRTEENTH BIENNIAL SESSION, 1894.



PUBLISHED BY AUTHORITY.

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1894.

No. 194.—AN ACT TO AMEND NUMBER ONE HUNDRED AND THIRTY OF THE ACTS OF 1892, ENTITLED “AN ACT TO AMEND NUMBER NINETY-THREE OF THE ACTS OF THE LEGISLATURE OF 1890, ENTITLED AN ACT TO AMEND AN ACT TO INCORPORATE THAT PART OF THE VILLAGE OF SWANTON INCLUDED IN FIRE DISTRICT NUMBER ONE, APPROVED NOVEMBER 25, 1890.”

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

SECTION 1. Section 1 of No. 130 of the acts of 1892 is hereby amended by striking out the word *thirty*, in the last line thereof, and inserting in lieu thereof the word *fifty*.

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

Approved November 7, 1894.

No. 195.—AN ACT IN ADDITION TO AN ACT TO INCORPORATE THE VILLAGE OF WATERBURY, APPROVED NOVEMBER 28, 1882.

SECTION

1. Water supply provided for; certain restrictions.
2. Aqueducts and reservoirs authorized.
3. Lands taken must be described and filed in the town clerk's office.

SECTION

4. Damages, how paid; appeals from award.
5. Petition.
6. Water supply, injury to how punished.
7. Bonds may be issued.

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

SECTION 1. The village of Waterbury, in its corporate capacity, may take and hold, by purchase or otherwise, such ponds, springs, streams, water-sources, and the waters thereof, within the towns of Waterbury and Duxbury, in the county of Washington, and such land under and around the same as may be necessary to insure the supply of water, for the purpose of supplying the inhabitants of said village with water for fire, domestic and other purposes. But the corporation shall not take, otherwise than by gift, devise or purchase, water, or a spring of water, which the owner, lessee or other persons having a vested right or interest therein, or to the use thereof, may require for a reasonable domestic or agricultural purpose or for watering stock.

SEC. 2. The said village corporation, for the purpose of using the water taken as aforesaid, may take and construct dams and reservoirs, lay pipes and aqueducts to convey the water taken as aforesaid to and to distribute the same through said village, and may take by purchase or otherwise, any lands which may be necessary therefor in said towns of Waterbury and Duxbury.

SEC. 3. Said village corporation shall, within sixty days after taking any springs, streams, ponds, water-sources, or lands under the provisions of this act, file in the office of the town clerk in the town where such land, springs, ponds, streams, or water-sources are taken, a description of the same sufficiently accurate for identification at all times.

SEC. 4. The said village corporation shall be liable to pay all damages that shall be sustained by any person in their property by the taking of any lands, springs of water, water-sources, streams or ponds, by the construction of any dams or reservoirs, or the laying of any pipes, aqueducts or hydrants, or other works for the purposes aforesaid; and if such person shall be dissatisfied with the sum offered or tendered to him by the trustees of said village for his damages in the premises, such person may petition the county court for the county of Washington for the appointment of three commissioners to assess his damages in the premises; which petition shall be served on one of the trustees of said village corporation, within sixty days next after the filing of the description of the property so taken as aforesaid, in the town clerk's office of the town where said property is situate, as required by the third section of this act.

SEC. 5. Such proceedings shall be had in said Washington county court on said petition as are provided by law for the re-assessment of damages for land taken for highways under the statutes of Vermont, except that the notices required to be given by said commissioners shall be given to one of the trustees of said village corporation.

SEC. 6. Any person who shall divert the water or any part thereof from the sources which shall be taken by the village corporation pursuant to the provisions of this act, or shall maliciously corrupt the same, or render it impure, or who shall maliciously destroy or injure any dam, or reservoir, aqueduct, pipe or hydrant, or the property held, owned or used by said corporation for the purposes named in this act, shall pay three times the amount of the actual damage to said corporation, to be recovered in an action on the case founded on this statute; and any such person, on conviction of either of the malicious acts aforesaid, shall be punished by a fine not exceeding one hundred dollars and imprisonment in the house of correction for a term not exceeding six months.

SEC. 7. Said village is hereby authorized to issue bonds to an amount not exceeding twenty thousand dollars, on such terms as

said village shall prescribe, for carrying into effect the foregoing provisions.

Approved November 14, 1894.

No. 196.—AN ACT TO INCORPORATE THE VILLAGE OF
WEST DERBY.

SECTION

1. Village boundaries; village incorporated; corporate name and powers.
2. Annual meeting; officers and their duties.
3. Board for abatement of taxes.
4. Grand list; listers of Derby, duties of.
5. Highway district constituted; highway taxes.

SECTION

6. By-laws.
7. Present board of officers to continue in office until successors are chosen.
8. Subject to future legislation; when to take effect.

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

SECTION 1. All that part of the town of Derby, in the county of Orleans, enclosed within the following boundaries to wit; beginning at a point on the easterly shore of Lake Memphremagog, in a line with the southerly line of Benjamin Hinman's land, and thence running south 76 degrees east in said line eighty-three rods; thence south 67 degrees 30 minutes east 57 rods to the south-easterly corner of Samuel Lincoln's land; thence north 23 degrees east twenty-one rods nine links in Samuel Lincoln's easterly line to the north-westerly corner of A. T. Norris' land; thence south 76 degrees east in the line between A. T. Norris on the south and Samuel Lincoln and Nelson Davis' estate on the north (82) eighty-two rods, and continuing on the same point or direction thirty-eight rods more, in all one hundred and twenty rods; thence north 42 degrees east one hundred and thirty-seven rods, to the south-easterly corner of C. B. Child's pasture; thence north 25 degrees 45 minutes east in the easterly line of said pasture eighty-seven rods twenty links to the north-easterly corner of said pasture; thence north 76 degrees west one hundred twelve rods to a maple tree standing in N. M. Colby's line; thence north 22 degrees 30 minutes east one hundred twenty-two rods to a birch tree in the line between said Colby and M. Sias; thence north 76 degrees west three hundred forty-four rods to the easterly shore of Pendar's Cove; thence along the easterly shore and southerly shore of said Cove to the Lake, and to the channel of the Lake and up the Lake in said channel opposite the point first mentioned, and easterly from said channel to the point begun at. Meaning and intending all the land enclosed within the aforesaid boundary lines as area of the village of West Derby, which is hereby incorporated and shall hereafter be known by the name of the Village of West