

THE
ACTS AND RESOLVES
PASSED BY
THE LEGISLATURE
OF THE
STATE OF VERMONT,
AT THE OCTOBER SESSION,
1849.



PUBLISHED BY AUTHORITY.

MONTPELIER:
E. P. WALTON & SON,
1849.

SEC. 8. Before the said corporation shall be entitled to collect and receive pay for the sale of water furnished by their aqueduct, they shall make out and submit to the judges of the county court, for the county of Chittenden, a tariff of rates thereof, and obtain the sanction and approval of the same by said judges; and said judges may alter the tariff of rates from time to time, as shall be deemed just to the parties.

SEC. 9. At the expiration of ten years, or at any time thereafter, from the time the said corporation shall so far complete said aqueduct, as to commence receiving pay for the water furnished by the same, the inhabitants of said village of Burlington shall have a right to purchase the whole of the stock paid in by all the stockholders, at an advance of ten per cent. on the said stock paid in, and on payment of said sum, the said corporation shall assign and transfer to the inhabitants of said village, the whole of said stock, and all their interest in said aqueduct.

SEC. 10. This act shall take effect from its passage.

SEC. 11. This act shall be under the control of any future Legislature, to alter, amend, or repeal.

Approved, November 7th, 1849.

No. 87.—AN ACT TO INCORPORATE THE BELLOWS FALLS WATER COMPANY.

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

SEC. 1. Russell Hyde, William Conant, Horace Baxter, Wilf. Hall, and John Arms, their associates and successors, are hereby constituted a body corporate, by the name of the Bellows Falls Water Company, with the powers incident to corporations; and may hold real and personal estate not exceeding twenty thousand dollars, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants of the village of Bellows Falls, in the county of Windham, with pure water for domestic uses.

SEC. 2. A majority of said corporators may call the first meeting of the corporation, to be held in the village of Bellows Falls, at such time and place as they shall appoint, within sixty days from the passage of this act, by posting up a notification thereof, at two public places in said village, at least five days before said meeting, for the purpose of choosing such officers as may be deemed necessary; and the said corporation, at such

meeting, and at all other meetings, legally notified, may make such by-laws and regulations as may be deemed by them necessary, not repugnant to the laws of this State, or of the United States ; 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 may take the waters of Minard's Pond, in Rockingham, in the County of Windham, for the purpose of supplying their said aqueduct ; and may also take the waters of such fountains and springs as they may purchase of the owners thereof, for that purpose : *Provided*, That if water shall be taken from Minard's Pond, said corporation shall not raise said pond more than five feet above its ordinary winter level, nor shall any land be flowed by the raising of said pond, without compensation therefor ; nor shall said corporation reduce the waters of said pond below their ordinary lowest summer level.

SEC. 4. The said corporation may dig up and open any street, common or highway, in said Rockingham, necessary for the purpose of constructing reservoirs, and laying said aqueduct, or for repairing the same : *Provided*, the same be done in such manner as not to prevent their convenient use for travel, and be completed within a reasonable time, and so as not to disfigure said common or highway ; and in all cases when said corporation shall lay or repair any of their pipes, 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.

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 direct and practicable route from whence its water 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 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 Windham County, by petition, who shall appoint, forthwith, three disinterested persons, to view the premises, and assess the damages sustained by the owner or 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 Windham County, 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; and in case of disagreement between said corporation, and the owner or owners of any land which may be flowed by raising said Minard's pond, or the owner, or owners of any land through which the waters of said pond may pass, As to compensation for damages, under this act, the same shall be ascertained, settled, and determined, in the same manner as is provided in this section, relating to damages to lands entered upon and used.

SEC. 6. The inhabitants of the village of Bellows Falls may put hydrants into the pipes of said aqueduct, 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. At the expiration of ten years from the time said aqueduct shall be in use, or at any time thereafter, the inhabitants of said village, in their corporate capacity, may purchase the whole of the stock of said company, paid in by all the stockholders, at such price as will pay them for their investment, and ten per cent. annual interest thereon; and on payment of said sum, the said corporation shall assign and transfer to the inhabitants of said village, the whole of said stock, and all their interests in said aqueduct.

SEC. 7. This act shall be subject to the provisions of chapter seventy-nine of the Revised Statutes, entitled "Of Private Corporations," and may be altered, amended, or repealed, by any future Legislature, as the public good may require, and shall take effect from its passage.

Approved, November 9th, 1849.

NO. 88.—AN ACT TO INCORPORATE THE FRANKLIN COUNTY STEAMBOAT COMPANY.

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

SEC. 1. Gardner G. Smith, Alvah Sabin, George F. Houghton, Benjamin B. Newton, Ralph Lasell, James M. Haynes, Zebdeel Tracy, George Landon, James Tobias, Albert C. Butler, Samuel H. Barlow, William S. Meech, Frederick Hazen,