

BRACE & BRADY
UNIVERSITY

Vermont. Laws, Statutes,
ACTS AND RESOLVES

Passed by the

GENERAL ASSEMBLY

of the

STATE OF VERMONT

at the

**NINETEENTH BIENNIAL SESSION
1906**

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dollars (\$260,000) and at the time of purchase the principal sum or sums, with accrued interest of any mortgage, mortgages or liens resting upon said property, shall be deducted from the purchase price and assumed by the village. Any work done upon or additions to the plants of the said companies after the passage of this act shall be with the approval of the bailiffs of the said village, and the expense thereof shall be added to the purchase price as above fixed."

SEC. 19. If said village shall avail itself of the provisions of section eighteen of this act, then all acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 20. This act shall take effect from its passage.

Approved December 19, 1906.

No. 264.—AN ACT TO AMEND SECTIONS 3, 11, 12, 25, 26, 27, 28, 29 AND 30 OF NO. 90 OF THE ACTS OF 1886, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BRISTOL."

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

SECTION 1. Section three of No. 193 of the acts of 1886 is hereby amended so as to read as follows:

Section 3. The officers of said village shall consist of a president, clerk, three trustees, a treasurer, collector of taxes, three auditors, three water commissioners and three fire wardens, to be elected as hereinafter provided, and who shall hold their offices until their successors are chosen. The trustees shall, previous to an annual village meeting, prepare an alphabetical list of the persons qualified to vote at such annual meeting, in the same manner, and subject to the same provisions in respect to corrections and use in all respects, as are enacted by law, concerning a check list of voters for use in freemen's meetings; the trustees having the same powers and duties in respect thereto as are by law conferred upon the selectmen and the board of civil authority of towns. When a vacancy occurs in any offices of said village, required to be filled by election, by reason of non-acceptance, death, removal, insanity, refusal to act, or from any other cause, the village may fill the vacancy by a new election for the unexpired term, at any legal meeting. The trustees may, by temporary appointment, fill any vacancy which may occur in any of the offices of said village, including the offices

of president and trustees, and the person so appointed by said trustees shall hold their offices until the village shall elect others in their stead as above provided; and such appointments shall be recorded in the office of the clerk of the village.

SEC. 2. Section eleven of No. 193 of the acts of 1886 is hereby amended to read as follows:

Section 11. The trustees shall have power to appoint for the term of one year by an instrument in writing signed by them, police officers not to exceed five in number, one of whom may be designated by them in writing to act as chief of police. A majority of said trustees may in writing revoke such appointment or designation. Before entering upon their duties said police officers shall be sworn to the faithful performance of their duties as such; the instrument in writing making such appointment or revocation and the certificate of such oath shall be recorded in the office of the clerk of said village. Such police officers shall have within said village the same power to make arrests for criminal offenses and to serve process in criminal causes, that a constable now has; and may in addition to the powers hereinbefore conferred, and subject to the by-laws and ordinances of said village, arrest without process any person disturbing the public peace or any public meeting, or creating a disturbance in the public streets or places within said village; and may detain or confine a person so arrested until a trial can be had, which trial shall be had within a reasonable time after such arrest. The fees of such police officers shall be the same as constables receive for a like service.

The trustees shall as soon as practicable after the annual meeting appoint a superintendent of streets whose duty it shall be with the concurrence of the trustees to take charge of all work pertaining to the building and repairing of the streets, roads and sidewalks within the corporation; and he may alter and establish grades under the limitations of the statutes and shall see that all of the village ordinances in relation to the care and maintenance of the streets, roads and sidewalks are complied with.

The water commissioners shall have full charge and care of the water system; and as soon as practicable after their election shall appoint a superintendent who may be one of the members thereof. The water commissioners shall assess all water rates; and shall appoint one member thereof to collect and pay the same over to the treasurer, taking his receipt therefor; and the member thus appointed shall furnish a bond to the corporation in such sum as may be required by the trustees. The commissioners shall have power with the concurrence of the trustees to increase the supply of water, extend water mains

and make such alterations as may be deemed necessary. The superintendent under the direction of the board of commissioners shall have the general care and charge of the work of construction and shall perform such other duties as may be prescribed by the board.

SEC. 3. Section twelve of No. 193 of the acts of 1886 is amended so as to read as follows:

Section 12. The auditors shall audit all accounts of the trustees, treasurer and water commissioners; and no account shall be allowed by such auditors without the production of proper vouchers therefor.

SECTION 4. Section twenty-five of No. 193 of the acts of 1886 is hereby amended so as to read as follows, viz.:

Section 25. The village in its corporate capacity is hereby authorized and empowered to provide a supply of pure water for the public and private uses and for fire protection in said village; and for that purpose it may from time to time take and hold by the right of eminent domain, purchase or otherwise such ponds, springs, streams, water courses and the waters thereof and the lands whereon the same are located, and such additional lands as may be necessary for the use of said village in providing and maintaining such water supply, which are located in the towns of Bristol, Lincoln and Starksboro. But it shall not by the right of eminent domain take such ponds, springs, streams, water sources and land if the same be appropriated to public uses.

Said village may furnish any surplus of water not needed for use in said village to persons residing without the limits thereof in the towns of Bristol, Lincoln and Starksboro, upon such terms and subject to such regulation as may be agreed upon between the parties.

SEC. 6. Section twenty-six of No. 193 of the acts of 1886 is hereby amended so as to read as follows, viz.:

Section 26. The said village for the purpose of using the water heretofore or hereafter taken as aforesaid may construct dams and reservoirs, install hydrants, lay pipes and aqueducts, and connect the same with any pipes heretofore or hereafter laid, to convey the water taken as aforesaid to and from the reservoirs of said village, or may connect the same with any reservoirs heretofore or hereafter constructed.

SEC. 7. Section twenty-seven of No. 193 of the acts of 1886 is hereby amended to read as follows:

Section 27. Within sixty days after taking any ponds, springs, streams, water courses, waters or lands under the provisions of this act, said village shall file in the office of the town clerk of the town wherein the same is located a description thereof sufficiently accurate to identify the same at all times.

SEC. 8. Section twenty-eight of No. 193 of the acts of 1886 is hereby amended so as to read as follows:

Section 28. Said village shall be liable to pay all damages to his property that shall be sustained by any person in the taking by it of any lands, ponds, springs, streams, water sources and water; and by the construction of any dams or reservoirs, the laying of any pipes or aqueducts, and the installing of any hydrants or other works for the aforesaid purposes.

SEC. 9. Section twenty-nine of No. 193 of the acts of 1886 is hereby amended so as to read as follows:

Section 29. In taking such ponds, springs, streams, water sources and lands for the purpose of establishing and maintaining reservoirs, aqueducts, water pipes, hydrants or any other apparatus necessary for such purposes, the trustees shall proceed in the same manner in which selectmen of towns are authorized to proceed in the taking of lands for highways. Any person owning the same or interested therein who is dissatisfied with the decision of the trustees in the taking thereof for said purposes or in awarding him damages therefor may have the same proceedings in respect thereof except as herein otherwise provided as if lands were being taken by selectmen for the purpose of laying out a highway in said town. The petition in such proceedings shall be brought and served upon one of the trustees of said village within sixty days after the decision or award of said trustees shall be filed in the town clerk's office of the town wherein the lands or other rights are located.

SEC. 10. Section thirty of No. 193 of the acts of 1886 is hereby amended so as to read as follows:

Section 30. If such proceedings mentioned in the preceding section are instituted only in respect of the appraisal of damages awarded by the trustees for such taking, said village shall not during the pendency thereof be prevented from establishing and maintaining reservoirs, aqueducts, water pipes, hydrants, and other apparatus necessary for such purposes upon the lands so taken, nor from taking and using said ponds, springs, streams, water sources and waters. Such proceedings shall, except as herein otherwise provided, be instituted, conducted and determined in the same manner in which such proceedings for the laying out of highways in towns are instituted, conducted and determined.

SEC. 11. This act shall take effect from its passage.

Approved December 19, 1906.