

THE  
Acts and Resolves  
PASSED BY THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF VERMONT,  
AT THE  
OCTOBER SESSION,  
1858.



PUBLISHED BY AUTHORITY

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SEC. 5. Said corporation shall not contract debts at any time to an amount exceeding three-fourths of the capital actually paid in ; and, if the indebtedness of said corporation shall at any time exceed the amount aforesaid, the directors and stockholders of said company shall be personally holden for such excess to the creditors of said company.

Approved, November 17, 1858.

No. 94. — AN ACT TO INCORPORATE THE CANAAN  
AQUEDUCT COMPANY.

SECTION

1. Corporators. Name, object, and powers of corporation.
2. First meeting. By-laws. Capital stock, and assessments.
3. Corporation empowered to take the waters of certain fountains, &c.
4. Corporation may dig up and open any street, &c., to lay and keep in repair their aqueducts, &c. Proviso.
5. Corporation may enter upon land

SECTION

- necessary for their aqueducts to pass through, and lay pipes, &c. May agree with owner for use of the same. Corporation or owner may apply to county court. Commissioners appointed. Proceedings and decision.
6. This act to be subject to certain general laws of this State, and to be under the control of the legislature

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

SEC. 1. George W. Hartshorn, Francis L. Brown, Fernando C. Jacobs, Marvin Fletcher, Silas P. Shaw, Erastus W. Ingham, John Neal, their associates and successors, are hereby constituted a body corporate, by the name of the "Canaan Aqueduct Company," with the powers incident to corporations ; and may hold real and personal estate, not exceeding five thousand dollars in value, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants of the village of Canaan, in the county of Essex, 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 Canaan, at such time and place as they shall appoint, at any time within two years from the passing 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 meetings legally notified, may make such by-laws and regulations as may be deemed necessary, 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 owners, 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 Canaan, which may be necessary for the purpose of constructing reservoirs, 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 seasonable time, and so as not to disfigure said 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 whence 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 disa-

greement, or if the owner thereof be a minor, insane, 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 Essex, by petition, who shall forthwith appoint three disinterested persons to view the premises, and assess the damages sustained by the 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 the county of Essex 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; and shall take effect from its passage.

Approved, November 23, 1858.

No. 95. — AN ACT IN AMENDMENT OF AN ACT  
INCORPORATING THE NEW ENGLAND POTTERY  
COMPANY.

SECTION

1. Time for organization extended.
2. Capital stock.

SECTION

3. Act takes effect from its passage.

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

SEC. 1. The act incorporating the "New England Pottery Company," approved, November 2, 1857, is hereby extended, so