

ACTS AND RESOLVES  
PASSED BY THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF VERMONT,  
AT THE  
SIXTH BIENNIAL SESSION, 1880.



*PUBLISHED BY AUTHORITY.*

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RUTLAND :  
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TO THE STATE OF VERMONT.  
1881.

SEC. 7. Said corporation may have a corporate seal and alter the same at pleasure ; shall have the power to sue and be sued, contract debts, not exceeding three thousand dollars in amount, borrow money, and to secure the payment of the same, may give mortgages on either their real or personal property, or on both, together with their franchise, which mortgages shall be recorded in the town clerk's office in said town of Canaan, and shall be binding on said company.

SEC. 8. This act shall be subject to the provisions of chapter eighty-six of the general statutes, entitled "of private corporations," and may be amended, altered or repealed, as the public good may require.

SEC. 9. This act shall take effect from its passage.

Approved December 18, 1880.

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No. 158.—AN ACT TO INCORPORATE THE WOODSTOCK  
AQUEDUCT COMPANY.

SECTION

1. Corporators ; name ; powers, rights and privileges ; purpose.
2. First meeting, how called ; capital stock.
3. Right to take water granted with certain prohibition ; proceedings in case of disagreement as to waters necessary to be reserved for private use.
4. Special powers conferred.
5. Right to enter upon land for the purposes of construction and repair granted upon certain conditions ; damages in case of disagreement, how appraised.

SECTION

6. Penalty for disturbing or injuring reservoirs, etc.
7. Corporate rights ; may sue and be sued ; may mortgage property.
8. May have corporate seal.
9. Subject to general laws and future legislation.
10. Limitation of indebtedness ; liability of directors.
11. Village of Woodstock authorized to contract with corporation.
12. To take effect.

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

SEC. 1. Frederick Billings, George R. Chapman, F. W. Clark, John S. Eaton, Robert Southgate, F. N. Billings, F. S. Mackenzie, George W. Paul, O. P. Chandler, J. F. Mackenzie and others, all of said Woodstock, their associates and successors are hereby constituted a body corporate by the name of "The Woodstock Aqueduct Company," with all the rights and powers incident to corporations, and may hold real and personal estate, not exceeding forty thousand dollars, for the purpose of constructing and maintaining an aqueduct to supply the inhabitants of the village of Woodstock with water for domestic and other purposes. And any inhabitant



of said village shall be entitled to use such water at reasonable rates and under reasonable rules and regulations.

SEC. 2. Any three of said corporators may call the first meeting of the corporation, to be held in the village of Woodstock, at such time and place as they shall appoint, by publishing a notice thereof in a newspaper printed in said village, at least seven days prior to said meeting, for the purpose of choosing such officers as may be deemed necessary; and said corporation, at any meeting legally warned, may make, alter and repeal such by-laws, rules and regulations as may be deemed necessary, not repugnant to the laws of this State, and may fix the amount of their capital stock, divide the same into shares and provide for the sale and transfer of the same, may levy and collect assessments thereon according to law, and may increase the shares from time to time to an amount sufficient to carry into effect the object of this act, and may fix the rate of rents, and the same alter at pleasure, and shall have power to sue for, and collect said water rents when necessary.

SEC. 3. The said corporation may take the waters of any ponds, springs or stream for the purposes aforesaid, but shall reimburse any owner or person having an interest in the same any damages he may sustain, as hereinafter provided. But the corporation shall not take otherwise than by purchase, water or a spring of water which the owner requires for the reasonable and convenient use of his premises, and if the owner and the corporation cannot agree as to what water is necessary for such use, the corporation shall apply to the judges of the county court, who shall forthwith appoint three disinterested persons to determine in the matter, and the proceeding of such persons so appointed and all other proceedings in the determination of such matter shall be the same as provided in section five; in case of a failure to agree as to the compensation to be paid for land or water taken.

SEC. 4. The said corporation may for the purposes aforesaid, dig up or open any street, common, or highway, or occupy any public bridge, for the purpose of constructing, laying down, or repairing such aqueduct, the reservoirs connected with the same and their necessary appurtenances, feeders and extensions; provided the same be done in such manner as not to prevent their convenient use for travel, and be completed in a reasonable time, and so as not to disfigure or injure said street, common, highway, or bridge.

SEC. 5. The said corporation may enter upon and use any land and enclosure over or through which it may be necessary for said aqueduct to pass on the most practicable route or routes from whence its waters may be taken, and may thereon place, lay, and construct such pipes, reservoirs and appurtenances and connections as may be necessary for the complete construction and repairing of the same from time to time; and said corporation may agree with the



owner or owners of said land or enclosure for the use and occupancy of the same, and also with any person or persons owning or having an interest in any spring, stream, fountain or pond, for the use of the same, or so much as said corporation shall require ; but in case of disagreement, or if the owner thereof be a minor, insane or 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 the county of Windsor by petition, who shall forthwith appoint three disinterested persons to view the premises and assess the damages sustained by the owner or owners or occupiers of such lands, water or water rights, by the construction of such aqueduct, reservoirs and their necessary connections and appurtenances ; and said committee shall, after having duly sworn to truly and faithfully perform their duties under their said appointments, examine the premises, appraise said damage and report make of the same to the county court of the county of Windsor at the next term thereafter ; and the said court may in its discretion accept, reject or re-commit said report as the ends of justice may require ; and upon the acceptance of such report said court shall have power to render such judgment and issue execution thereon as may be necessary to secure the rights of the parties in the premises ; but in the event of a disagreement as to said damages with any owner or person interested in said lands, water or water rights, it shall be competent for said corporation, at any time before final judgment, to tender to said owner or person, or to their attorney, or to pay into court such sum or sums of money as it may elect in satisfaction of such damages and the taxable costs of proceedings to the time ; and said court in rendering judgment shall allow such costs to either party as shall be just and equitable in view of any tender of such damages and costs at any time made by said corporation as aforesaid, and of all the circumstances of the case ; and in case of awarding costs to said corporation may issue execution for the same ; and in such proceedings said court shall have full power to make any and all orders in the premises necessary to secure to the parties to said proceedings their costs, and may through its clerk or otherwise fix the taxable costs to be recovered therein.

SEC. 6. Any person who shall maliciously disturb or injure said aqueduct, reservoirs, springs, stream, pond or fountains, or any of the connecting appurtenances, enclosures or works thereof, or pollute the water of said aqueduct, reservoirs, springs, stream, pond or fountains, shall be liable to be prosecuted therefor by the grand juror of the town or the state's attorney of the county wherein the offense shall be committed, by information, complaint or indictment, and on conviction thereof shall be fined not less than five dollars nor more than twenty dollars and costs of prosecution, and also shall be liable to said corporation for all damage resulting to it by such disturbance, injury or pollution, with full costs, the same to be recovered by said corporation in an action on the case founded on this statute.



SEC. 7. The said corporation shall have power to sue and be sued, to contract debts, borrow money and issue their bonds or obligations therefor, and for their security and payment mortgage the property, either real or personal, of said corporation, together with their franchise, which bonds or other obligations and mortgages shall be executed in such manner as said corporation shall by a by-law for that purpose direct; and any such mortgage shall be recorded at length in the town clerk's office in said town of Woodstock, and shall be binding on said company.

SEC. 8. Said corporation may have a corporate seal and alter the same at pleasure.

SEC. 9. This act shall be subject to the provisions of chapter eighty-six of the General Statutes, entitled "Of private corporations," and may be amended, altered or repealed, as the public good may require.

SEC. 10. This corporation shall not at any time contract debts to an amount exceeding two-thirds of its capital stock actually paid in; and if the debts of said corporation shall at any time exceed such amount the directors shall be personally liable to the creditors of such corporation for such excess.

SEC. 11. The village of Woodstock, in the town of Woodstock, is hereby empowered and authorized through its trustees to negotiate and contract with said corporation, on such terms as may be agreed upon between said trustees and said corporation, for supplying said village with water for fire purposes, for watering the streets and other uses, and applying the same for a term not exceeding ten years.

SEC. 12. This act shall take effect from its passage.

Approved December 15, 1880.

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No. 159.—AN ACT TO PROMOTE THE CONSTRUCTION OF  
A BRIDGE FROM ALBURGH TO ISLE LA MOTTE.

SECTION

1. Isle La Motte Bridge Company empowered to assign its charter to the town of Isle La Motte.
2. Town authorized to issue negotiable bonds to aid in construction of bridge.
3. Town may determine amount and nature of said bonds.
4. Bonds, how executed.
5. Duty of county clerk to register said bonds.
6. Duty of town treasurer relative thereto.

SECTION

7. Town neglecting, selectmen empowered to assess tax for payment of principal and interest of said bonds at maturity.
8. Penalty of failure upon part of the selectmen and treasurer to comply with provisions of this act.
9. Appropriation of seven thousand dollars by the State for the purpose contemplated by this act.
10. To take effect.