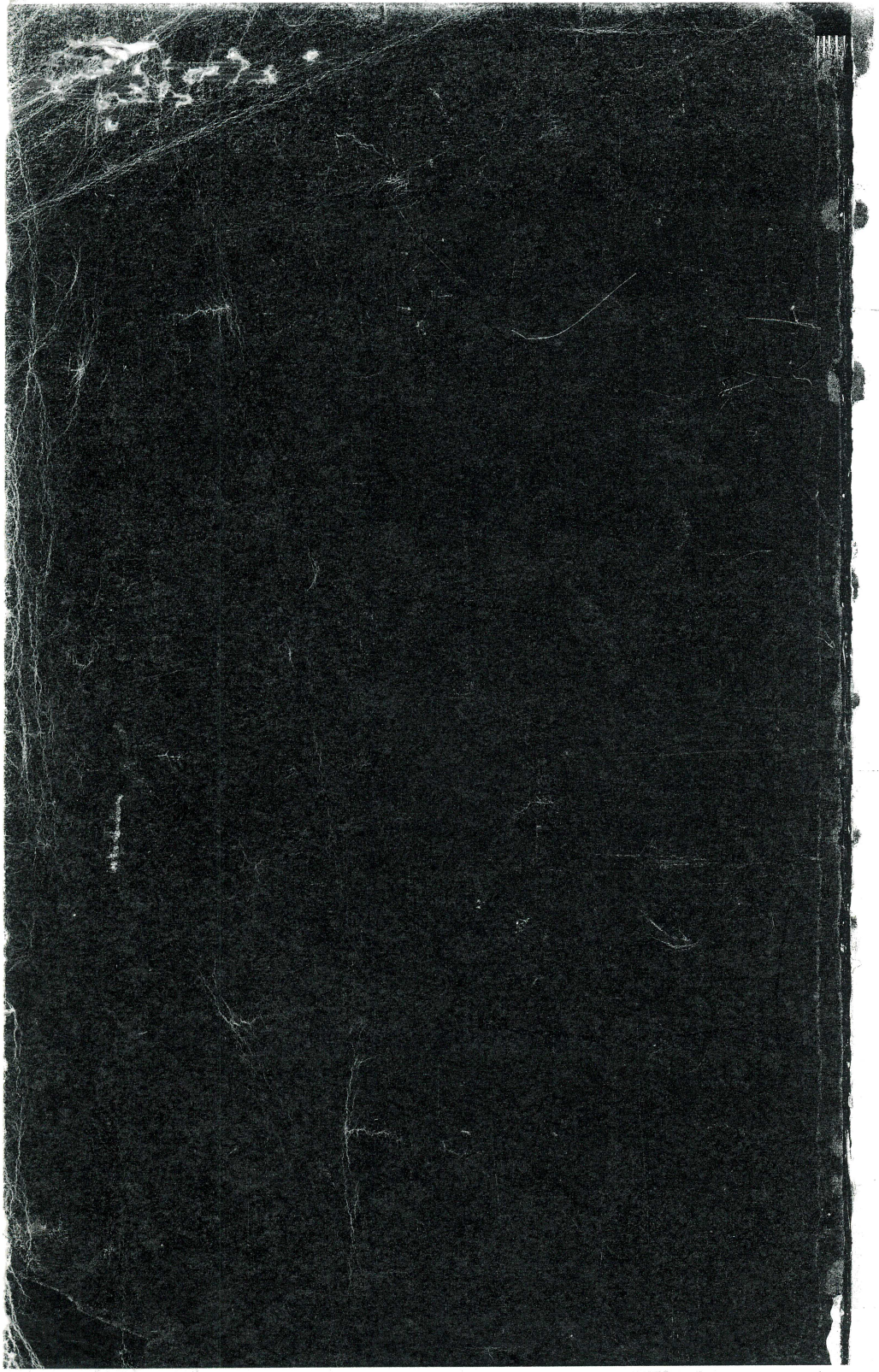


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VERMONT MUNICIPALITIES:

An Index to their Charters and Special Acts

Edited and Compiled
by
D. Gregory Sanford

STATE PAPERS OF VERMONT
Volume Nineteen

James H. Douglas
Secretary of State
1986

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State of Vermont

Office of Secretary of State

I hereby certify that the attached is a true and accurate copy of the Charter of the Village of Barton as found in Laws of Vermont, 1874 – 1953

February 11, 2009

Secretary of State
Deborah L. Markowitz

officers as they shall deem necessary to manage and control the affairs and concerns of said association.

SEC. 4. This act shall be subject to the control of the legislature to alter or amend as the association and the public good shall require.

SEC. 5. This act shall take effect from its passage.

Approved, November 20, 1874.

No. 168.—AN ACT TO INCORPORATE THE VILLAGE OF BARTON.

SECTION
1. Boundaries; name; powers, rights and privileges.
2. By-laws
3. Legal voters.
4. Officers.
5. Duty of moderator.
6. Duties of clerk.
7. Duties of treasurer and collector; both to give bonds.
8. Duties of trustees.
9. Highway districts defined; highway taxes, how assessed and collected.
10. Highways how laid out and discontinued; proceedings in case of disagreement as to damages.
11. Trustees to have sole power to grant licenses.

SECTION
12. Fires and fire wardens; duties and powers.
13. Trustees may organize fire companies and procure engines.
14. May make grand list for said village.
15. Members of said village not disqualified to act as certain officers in cases where village is interested.
16. Annual meeting, when and how called.
17. To take effect, and subject to future legislation.
18. Certain article to be inserted in warning for first meeting; to take effect.

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

SEC. 1. All that part of Barton, in the county of Orleans, enclosed within the following boundaries, to wit:

Beginning on Crystal Lake, at the south-east corner of land belonging to the estate of William P. May, late of Barton, deceased, and running northerly on the east line of said land to land owned by T. C. Cobb, thence north-easterly on the line of said Cobb's land to land owned by —— Judkins, thence on the line of said land to land owned by Edward Barnard, thence on northerly side of said Barnard's land to land owned by William W. Grout, thence on northerly line of said Grout's land to land owned by John G. Hall and J. V. Hall, to land owned by Guy E. Rowell, thence on the northerly line of said Rowell's land to land owned by S. R. Corey, thence on the northerly and westerly line of said Corey's land, so as to include land owned by Merrick Mansfield, to land owned by John Bean, thence on northerly and westerly line of said Bean's land to land owned by Hiram Baxter, thence on westerly line of said Baxter's land to land owned by Cyrus Eaton, thence on said Eaton's westerly line to land owned by W. H. Martin, thence on westerly line of said Martin's land to Roaring Brook Park, thence on westerly line of said Park across the West Glover road to land owned by William O. Brown, thence along the westerly, southerly and easterly lines of said Brown's land to the south-east corner of land owned by Horatio Nye, thence in a straight line to the nearest point of land owned by Reuben Dewey, thence along the southerly and easterly lines of said Dewey's land to the cemetery, thence along the westerly and southerly lines of the cemetery, and across the highway, to a point on the easterly boundary of said highway in a right line with the south line of said cemetery, and from thence in a straight line to the place of beginning,—all surface measure,—shall hereafter be known by the name of the village of Barton; and by that name may have

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

THIRTIETH BIENNIAL SESSION

1929

SESSION COMMENCED JANUARY 9, 1929

ADJOURNED MARCH 15, 1929

AND THE

SPECIAL SESSION, NOVEMBER 30, 1927



PUBLISHED BY AUTHORITY

NO. 163.—AN ACT TO PAY ARTHUR J. WESTCOTT THE SUM THEREIN NAMED.

[H. 119]

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

SECTION 1. *Appropriation.* The auditor of accounts is hereby directed to issue his warrant in favor of Arthur J. Westcott of Windham for the sum of six hundred dollars to reimburse said Arthur J. Westott for expenses incurred and loss of earnings of his minor son, Richard Westcott, who was killed while employed on state highway work under the supervision of the state highway department on November 12, 1925.

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

Approved March 13, 1929.

MUNICIPAL CORPORATIONS

NO. 164.—AN ACT TO AUTHORIZE FIRE DISTRICT NO. 1 OF THE TOWN OF BARRE TO LEVY, ASSESS AND COLLECT TAXES.

[H. 152]

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

SECTION 1. Fire district No. 1 of the town of Barre is hereby authorized to levy, assess and collect taxes, in order to carry out its powers under the General Laws, and under any special acts heretofore passed.

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

Approved March 13, 1929.

NO. 165.—AN ACT TO AUTHORIZE THE VILLAGE OF BARTON TO ISSUE BONDS FOR THE PURPOSES THEREIN STATED.

[H. 51]

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

SECTION 1. The Village of Barton is hereby authorized and empowered to issue its negotiable bonds for the purpose of repairing and improving the sewers of said village, insofar as it shall be necessary for the purpose of the proper improvement and repair of the streets.

SEC. 2. Said village, by a two-thirds vote of the legal voters present and voting at a duly warned meeting, and held for that purpose, or at any regular meeting, may determine what amount of bonds, not exceeding in the aggregate the sum of ten thousand dollars, shall be issued, the denomination of the bonds, at what time or times, and at what place or places, the same shall be payable, the rate of interest thereon, whether the same shall be registered, whether they shall have interest coupons attached and how said bonds shall be sold. Such bonds shall not be used or sold except for the purposes specified in section 1 of this act.

SEC. 3. Such bonds shall be signed by the trustees and countersigned by the treasurer, and if interest coupons are attached they shall be signed by the treasurer. Such bonds shall contain on the face thereof a statement of the authority conferred by this act and the vote of the village authorizing the issue thereof, and the same shall be conclusive evidence of the fact of the liability of said village to a bona fide holder thereof.

SEC. 4. The treasurer of said village shall keep an accurate record of each bond issued, stating therein, the number and denomination of each bond, when and if registered, to whom issued, when and where payable, the rate of interest thereof, and shall also keep a true record of all payments of interest and principal, and, if coupons or bonds are taken up, shall cancel the same.

SEC. 5. If said village does not provide means for the payment of the principal and interest on such bonds issued pursuant to this act as the same shall become due, the trustees of the village shall assess on the grand list of the village a tax sufficient in amount to pay such principal or interest, or both as the case may be, and place the same in the hands of the collector of taxes for the village with a warrant for the collection of such tax, signed by a justice of the peace residing in said village. Said collector shall immediately collect such taxes, and pay the same into the hands of the treasurer, who shall pay such interest or principal then due with the proceeds of such tax. Nothing in this act, however, shall be construed to prohibit the holder or holders of such bonds from resorting to any legal means to enforce the payment of the same or of the interest thereon.

SEC. 6. This act shall take effect from its passage.

Approved February 19, 1929.

NO. 166.—AN ACT TO AMEND SECTION 4 OF NO. 167 OF THE ACTS OF 1894 AND SECTIONS 1 AND 2 OF NO. 296 OF THE ACTS OF 1917 RELATING TO THE VILLAGE OF BARTON.

[H. 53]

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

SECTION 1. Section 4 of No. 167 of the Acts of 1894 is hereby amended so as to read as follows:

SEC. 4. Said village by a two-thirds vote at a meeting legally warned for that purpose is authorized to vote to construct, erect, reconstruct, rebuild, remodel, repair and maintain, said electric light plant and to issue bonds not exceeding one hundred thousand dollars on such terms as said village shall prescribe, and in case said village shall neglect to make reasonable

provisions for the payment of the interest and principal of said bonds, as the same shall become due, then it shall be the duty of the treasurer of the said village to make out and deliver to its collector a tax bill on the grand list of said village, and who shall issue to said collector his warrant substantially in form as now provided to be issued for the collection of town or other taxes, directing the payment of said tax to said treasurer within sixty days from the time of such delivery, in amount sufficient to promptly pay the interest or principal then past due and unpaid and such tax shall be paid to said treasurer and the money so collected shall be held and used for the payment of such interest and principal as is unpaid and it is hereby made the duty of the treasurer of said village to promptly pay the interest and principal of such bonded indebtedness as the same shall become due without any vote thereupon of said village, and such tax bill shall have all the force in every respect of a tax bill voted therefor by said village.

SEC. 2. Section 1 of No. 296 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 1. The village of Barton is hereby authorized and empowered to issue its negotiable bonds for the purpose of rebuilding and repairing with suitable materials, the streets, and sidewalks used in connection therewith, in said village.

SEC. 3. Section 2 of No. 296 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 2. Said village by a two-thirds vote of the legal voters present and voting in a duly warned meeting held for that purpose may determine what amount of bonds, not exceeding in the aggregate the sum of eighty thousand dollars, shall be issued, the denomination of the bonds, at what time or times and at what place or places the same shall be payable, the rate of interest thereon, whether the same shall be registered, whether they shall have interest coupons attached and how said bonds shall be sold. Such bonds shall not be used or sold, except for the purposes specified in section 1 of this act.

SEC. 4. This act shall take effect from its passage.

Approved February 19, 1929.

NO. 167.—AN ACT TO AMEND SUBDIVISIONS 10 AND 11 OF PARAGRAPH (J) OF SECTION 4 OF NO. 161 OF THE ACTS OF 1927 RELATING TO THE CHARTER OF THE TOWN OF BRATTLEBORO.

[H. 222]

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

SECTION 1. Subdivision 10 of paragraph (j) of section 4 of

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

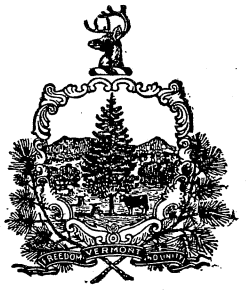
AT THE

THIRTY-FIRST BIENNIAL SESSION

1931

SESSION COMMENCED JANUARY 7, 1931

ADJOURNED APRIL 4, 1931



PUBLISHED BY AUTHORITY

NO. 220.—AN ACT TO AMEND SECTION 2 OF NO. 296 OF THE ACTS OF 1917, AS AMENDED BY SECTION 3 OF NO. 166 OF THE ACTS OF 1929, AND TO AMEND SECTION 2 OF NO. 165 OF THE ACTS OF 1929, RELATING TO THE VILLAGE OF BARTON.

[H. 41]

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

SECTION 1. Section 2 of No. 296 of the Acts of 1917, as amended by section 3 of No. 166 of the Acts of 1929, is hereby amended so as to read as follows:

SEC. 2. Said village by a two-thirds vote of the legal voters present and voting in a duly warned meeting held for that purpose may determine what amount of bonds, not exceeding in the aggregate the sum of eighty thousand dollars, shall be issued, the denomination of the bonds, at what time or times and at what place or places the same shall be payable, the rate of interest thereon, whether the same shall be registered, whether they shall have interest coupons attached and how said bonds shall be sold. Such bonds shall not be used or sold, except for the purposes specified in section 1 of this act, and said bonds and the debt created thereby under the authority of this act shall be and the same are hereby declared to be outside the debt limit imposed upon said village by section 4082 of the General Laws.

SEC. 2. Section 2 of No. 165 of the Acts of 1929 is hereby amended so as to read as follows:

SEC. 2. Said village, by a two-thirds vote of the legal voters present and voting at a duly warned meeting, and held for that purpose, or at any regular meeting, may determine what amount of bonds, not exceeding in the aggregate the sum of ten thousand dollars, shall be issued, the denomination of the bonds, at what time or times, and at what place or places, the same shall be payable, the rate of interest thereon, whether the same shall be registered, whether they shall have interest coupons attached and how said bonds shall be sold. Such bonds shall not be used or sold except for the purposes specified in section 1 of this act, and said bonds and the debt created thereby under the authority of this act shall be and the same are hereby declared to be outside the debt limit imposed upon said village by section 4082 of the General Laws.

SEC. 3. This act shall take effect from its passage.

Approved March 13, 1931.

NO. 221.—AN ACT TO PROVIDE FOR THE MANAGEMENT AND CARE OF THE VILLAGE CEMETERY, SO-CALLED, AT BENNINGTON, VERMONT.

[S. 71]

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

SECTION 1. The trustees of the village of Bennington, in addition to the powers and functions already conferred upon them, are hereby authorized and empowered to assume the upkeep, care, management, improvement, and control of the Village Cemetery, so-called, situate in the village of Bennington, Vermont, and described as follows:

Beginning at a point on the south side of Main Street, so-called, in the village of Bennington, Vermont, said point being the northwest corner of lands of Harry B. North and the northeast corner of the herein described property; thence running along the line of lands of the said North the following courses and distances: south ten degrees fifty-eight minutes west two hundred fifty-six and fourteen one hundredths feet, south ten degrees forty-one minutes east nine and sixty-six one hundredths feet, south forty-four degrees forty minutes east fifteen feet, and south sixty-seven degrees fifty-nine minutes east one hundred eight and seven one hundredths feet; thence north thirty-two degrees eleven minutes east one hundred thirty-two and seventy-nine one hundredths feet along the line of lands of the said North and Fred Wheeler; thence along the line of lands of the said Wheeler and Elijah Howard north forty-eight degrees forty-six minutes east twenty-five and thirty-five one hundredths feet and north eighty degrees twenty-nine minutes east ten and eighty-nine one hundredths feet; thence along the line of lands of the said Howard south seventy-four degrees fifty minutes east ninety-seven and forty-seven one hundredths feet to the west side of Morgan Street, so-called, in said village of Bennington, thence along the west side of said Morgan Street the following courses and distances: south nineteen degrees nine minutes west three hundred forty-six and eleven one hundredths feet, south eighteen degrees thirty-eight minutes west one hundred forty-eight and two one hundredths feet, south twenty-one degrees no minutes west one hundred seventy-nine and twenty-two one hundredths feet, and south eighteen degrees forty-three minutes west two hundred twenty-seven and forty-seven one hundredths feet; thence north sixty-seven degrees fifty-five minutes west three hundred thirty-six and ninety-six one hundredths feet through lands of Mrs. Margaret Godfrey; thence along the line of lands of Karl H. Martin the following courses and distances; north thirty degrees thirty minutes east two hundred thirty-four and nine one hundredths feet, north eleven degrees no minutes west eighty-two

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

THIRTY-SECOND BIENNIAL SESSION

1933

SESSION COMMENCED JANUARY 4, 1933

ADJOURNED MARCH 25, 1933



PUBLISHED BY AUTHORITY

time prescribe. The city council may also appoint such other subordinate officers as may be elected or appointed in towns. The mayor, city clerk and treasurer, assessors and auditors shall receive such annual compensation as shall be voted by the legal voters of the city at a meeting called for the purpose of fixing the compensation of the officers whose compensation is not hereinbefore otherwise provided for, but the annual salary of the mayor shall not exceed two hundred and fifty dollars; said meeting to be held in the month of April of each year; the compensation of all officers and also of the superintendent of streets shall be fixed by the city council except as otherwise provided. All officers shall be appointed in March, after the annual city election of mayor and aldermen, and shall hold their offices respectively for one year unless otherwise provided, from and after the first day of April next succeeding their appointment, and until their successors shall be appointed and qualified.

SEC. 3. This act shall take effect from its passage.

Approved March 24, 1933.

NO. 173.—AN ACT RELATING TO THE VILLAGE OF BARTON.

[H. 220]

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

SECTION 1. Whenever at any duly warned special or annual meeting of the village of Barton, containing an article to that effect in the warning, a majority of the voters present and voting shall vote to abolish the board of water commissioners of such village, the duties of such board of water commissioners shall thereupon devolve upon the board of trustees of such village and such board of trustees shall thenceforth assume and exercise all the powers and duties now conferred by law upon the board of water commissioners of such village.

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

Approved March 13, 1933.

No. 174.—AN ACT TO AMEND NO. 168 OF THE ACTS OF 1874, AS AMENDED, RELATING TO THE VILLAGE OF BARTON.

[H. 226]

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

SECTION 1. No. 168 of the Acts of 1874, as amended, is hereby amended by adding thereto the following:

No person shall engage in the business of an itinerant street vendor, or peddler, within the corporate limits of the village of Barton without first applying for, and receiving a license so to do. Such license fee shall be fixed by the trustees of such village. The provisions of this section shall not apply to persons engaged in selling meats, poultry, eggs, butter, fruits or vegetables which are raised, or produced, on their own lands.

Any person who shall engage in the business of an itinerant street vendor, or peddler, either as principal or agent, within the corporate limits of the village of Barton, without first obtaining the license required in this act, shall be fined not more than twenty-five dollars nor less than five dollars for each day that he shall engage in such business without such license.

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

Approved March 14, 1933.

NO. 175.—AN ACT TO AMEND NO. 242 OF THE ACTS OF 1908, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF BURLINGTON.

[H. 256]

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

SECTION 1. No. 242 of the Acts of 1908, as amended to date, is hereby amended by adding thereto and inserting therein in Title IV in place of the subheading "Grand List", the subheading "Poll Taxes" and by inserting after such subheading and before the present Section 74 of said Act, followed by the subheading "Property Grand List", ten new sections numbered and reading as follows:

POLL TAXES

SEC. 74. The city council of the city of Burlington, at its regular meeting in March of each year, beginning in 1934, shall assess and fix the rate on the basis of a list of one dollar for each poll, and the amount of the poll tax for that year against all persons residing in said city on the first day of April thereafter and who are over 21 years and under 70 years of age, excepting persons whose polls are exempt by law.

The amount of such tax shall not be less than two dollars and a half in any year, and the rate of such tax on the basis of a list of one dollar for each poll, shall not in any year exceed the aggregate rate of all taxes which the City Council is or may be hereafter authorized to assess upon the property grand list of said city under the provisions of the city charter and any amendments thereto. Said city council at the same time shall assess

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

THIRTY-FIFTH BIENNIAL SESSION

1939

SESSION COMMENCED JANUARY 4, 1939
ADJOURNED APRIL 14, 1939



PUBLISHED BY AUTHORITY

NO. 263.—AN ACT TO PAY RAY A. WILLIAMS THE SUM THEREIN NAMED.

[H. 71]

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

SECTION 1. *Appropriation; conditions.* The auditor of accounts is hereby directed to issue his warrants, which in no event shall total more than two thousand dollars, in favor of or for the benefit of Ray A. Williams of Kirby. Said warrants to be in full compensation for injuries received in an accident while on duty as a member of the Vermont National Guard, Regiment 172nd, Company D, St. Johnsbury, and services rendered under subdivision (c) hereof and to be issued in the following manner:

(a) A warrant in favor of Ray A. Williams for the sum of five hundred dollars forthwith.

(b) A warrant in favor of Ray A. Williams for fifty dollars on July 1st, 1939, and on the first of each month thereafter, subject to the provisions hereof.

(c) Said auditor of accounts shall at once procure an examination to be made of the injured person by a specialist selected upon consultation with said injured person and shall issue his warrants to pay the expense of such examination and for any medical, surgical or other care and treatment which is procured, after agreement by the injured person, to attempt to correct or lessen the disability suffered as a result of said injuries or furnish care therefor. Said warrants to be in favor of the persons or institutions furnishing such care or services.

(d) In the event said Ray A. Williams shall decease before the payment of the sum of two thousand dollars in full, no further payment shall be made under this act and the balance of the money appropriated for the purpose of this act shall become a part of the general fund.

SEC. 2. *Construction.* This act shall take effect from its passage, and shall be construed as a contract by the state, the consideration of which shall be the release by the said Ray A. Williams of any and all claims and rights of action whatsoever which he has or may have against any and all persons or corporations for damages sustained, injuries received and expenses incurred on account of said accident.

Approved April 11, 1939.

MUNICIPAL CORPORATIONS

NO. 264.—AN ACT TO AMEND SECTION 2 OF NO. 295 OF THE ACTS OF 1917 RELATING TO RATES AND RENTS FOR WATER AND ELECTRICITY SUPPLIED TO USERS AND OWNERS OF PROPERTY BY THE VILLAGE OF BARTON.

[H. 91]

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

SECTION 1. Section 2 of No. 295 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 2. Said village shall establish rates or rent to be charged and paid by the users of water and electricity at such times and in such manner as it may determine, and may modify, increase or diminish such rates and extend them to any description of property or use. Such rates or rents, with the charges for wiring and piping, shall be chargeable to, and may be collected of, the owners of the property supplied with the same, unless otherwise agreed upon by the water commissioners, trustees and such owners, and shall be a lien in the nature of a tax upon any real estate so supplied with the same, wherever located, whether such rates, rents or charges be charged in the first instance against the owner or occupant thereof, and may be collected in the same manner as any tax assessed by said village. Said village may order all rents for water and electricity to be paid in advance, and may make all necessary provisions and orders relating to the supply or stoppage of water and electricity as it may deem expedient to insure the payment of such rents.

SEC. 2. The amendment to this act as provided for in the preceding section shall take effect when said village shall, at a meeting of the legal voters thereof duly called and held for that purpose, by a majority vote of the legal voters present and voting at said meeting, vote to accept the provisions in amendment thereof.

SEC. 3. Section 2 of this act shall take effect from its passage.

Approved February 17, 1939.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

THIRTY-SEVENTH BIENNIAL SESSION

1943

SESSION COMMENCED JANUARY 6, 1943
ADJOURNED MARCH 26, 1943

AND THE

SPECIAL SESSION, SEPTEMBER 10–16, 1941

PUBLISHED BY AUTHORITY

MUNICIPAL CORPORATIONS

NO. 177.—AN ACT TO AMEND SECTIONS 3 AND 4 OF NO. 293 OF THE ACTS OF 1917 RELATING TO THE CHARTER OF THE VILLAGE OF ALBURG.

[H. 102]

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

SECTION 1. Section 3 of No. 293 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 3. At each annual meeting of said village there shall be elected the following officers: a president of the village, one trustee, a clerk, treasurer, collector and three auditors; provided that at the annual meeting to be held on the 4th day of May, 1943, there shall be elected five trustees, for the term respectively of one, two, three, four and five years. Such elections shall be by ballot if called for.

SEC. 2. Section 4 of No. 293 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 4. The term of office of officers elected at the annual meeting shall commence at the time of their election and continue for one year, and until their successors are chosen and qualified, provided the term of office of trustees shall be five years except as provided in the preceding section.

SEC. 3. This act shall take effect from its passage.

Approved March 10, 1943.

NO. 178.—AN ACT TO AMEND SECTION 2 OF NO. 168 OF THE ACTS OF 1874 RELATING TO BARTON VILLAGE.

[S. 32]

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

SECTION 1. Section 2 of No. 168 of the Acts of 1874 is hereby amended so as to read as follows:

SEC. 2. A. Said corporation shall have power to make such prudential by-laws, rules and regulations as they shall from time to time

deem proper; to alter, repeal or amend the same; such in particular as relate to their streets, sidewalks, alleys, public highways, commons and parks, the cleaning, repairing, improving the same; such as relate to slaughterhouses and nuisances generally; such as relate to a watch, and the lighting of the streets of said village, the restraining of any cattle, horses, sheep, swine, or geese, from running at large in said village; to establish and regulate a market; to suppress and restrain disorderly and gaming houses, and all descriptions of gaming, and for the destruction of all instruments and devices used for that purpose; to compel the owner or occupant of any unwholesome, noisome, or effensive house or place to remove or cleanse the same from time to time, as may be necessary for the health or comfort of the inhabitants of said village; to regulate the manufacture and keeping of gunpowder, ashes, and all other combustible or dangerous materials; to prevent immoderate riding or driving in the streets, and cruelty to animals; to regulate the erection of buildings, and prevent encumbering the streets, sidewalks and public alleys with firewood, lumber, carriages, boxes, or other things, and provide for the care, preservation and improvement of public grounds; to provide a supply of water for the protection of the village against fire, and for other purposes, and to regulate the use of the same; to compel all persons to remove from the sidewalks and gutters adjacent to the premises owned or occupied by them, all snow, ice, dirt, and garbage, and to keep such sidewalks and gutters clean; to license inn-keepers and keepers of saloons or victualing-houses, under such regulations and for such sums of money as the trustees may prescribe; to regulate or restrain the use of rockets, squibs, firecrackers, or other fireworks, in the streets or commons, and to prevent the practicing therein of any amusements having a tendency to injure or annoy persons passing thereon, or endanger the security of property; to regulate the making of alterations and repairs of stovepipes, fireplaces and other things from which damage by fire may be apprehended; and also to regulate the use of buildings in crowded localities for hazardous purposes; to provide for the preservation of buildings from fires by precautionary measures and inspections, and to establish and regulate a fire department and fire companies, and other matters deemed necessary for the proper regulation of the affairs of said village; provided, that no such by-laws shall be inconsistent with the constitution or laws of the state or the United States. Said corporation shall have power to impose such reasonable fine, penalty or forfeiture, not to exceed the sum of fifty dollars, for the breach of any by-laws by it established as it may judge reasonable, and all by-laws and ordinances by it heretofore enacted or adopted hereunder are hereby declared to be legal and valid.

B. Such fines, penalties and forfeitures may be recovered in a civil action of tort brought in the name of the village and in such action a general complaint relying on the by-law or ordinance shall be sufficient.

The process may issue either against the body or the property of the defendant, and if the defendant is found guilty, and it is found by the court that the cause of action arose from his willful or malicious act or

neglect, it shall so adjudge, and shall further adjudge that he be confined in close jail, and may issue execution against his body with his certificate of such findings as in an ordinary civil action endorsed thereon; and such execution with such certificate thereon shall have the same effect as an execution issued on a judgment founded upon tort having a like certificate endorsed thereon.

C. Violations of the village ordinances and by-laws may be prosecuted in behalf of the village by its attorney or police officers or by any other duly authorized prosecuting officer of Orleans county before the Orleans municipal court within and for the county of Orleans, or before a justice of the peace of Orleans county, and the form and manner thereof shall be the same as provided by law for complaint upon information by a town grand juror or state's attorney, and said village attorney, police officers, or other prosecuting officers are hereby given the powers and authority of informing officers for that purpose. Such fine, penalty or forfeiture shall be paid to said village.

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

Approved March 22, 1943.

NO. 179.—AN ACT RELATING TO QUALIFICATIONS OF VOTERS IN FIRE DISTRICT NO. 1 IN THE TOWN OF BETHEL.

[H. 142]

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

SECTION 1. Persons residing outside the limits of fire district No. 1 in the town of Bethel who are taxpayers in said fire district and who are qualified voters of said town shall be voters in said fire district meetings.

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

Approved March 16, 1943.

NO. 180.—AN ACT TO AMEND THE CHARTER OF THE TOWN OF BRATTLEBORO.

[H. 6]

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

SECTION 1. Section 1 of No. 170 of the Acts of 1925, as amended by section 4 (i) of No. 161 of the Acts of 1927, is hereby amended so as to read as follows:

SEC. 1. The town of Brattleboro is hereby authorized and empowered to operate, maintain, extend, add to, renew and repair the water system which the village of Brattleboro purchased of the Brattleboro Water Works Company and which was taken over by the town of Brattleboro pursuant to section 4 (i) of No. 161 of the Acts of 1927, for the purpose of supplying the town of Brattleboro and the inhabitants thereof with water for fire, domestic and mercantile purposes, and for such other purposes as the selectmen of said town may from time to time determine. The village may, from time to time, change its pipe lines in any street, common or highway and may for the purposes aforesaid dig up and open any street, common or highway and may occupy any public bridge, for the purpose of constructing and laying down aqueducts and pipe lines connected with said water system, and their necessary appurtenances, feeders, and extensions.

The administration of the fiscal, prudential and administrative affairs of said water system shall be vested in the selectmen of the town. In addition and without limitation by reason of the mention thereof, said selectmen may bargain, sell, convey and assign by good and sufficient deed or bill of sale, in the name of said town, standing timber situate on the watershed of said system on such terms and conditions as said selectmen shall from time to time determine.

SEC. 2. Section 2 of No. 170 of the Acts of 1925, as amended by section 4 (i) of No. 161 of the Acts of 1927, is hereby amended so as to read as follows:

SEC. 2. The selectmen of said town may acquire and hold in the name of said town, by gift, purchase or the right of eminent domain, within or without its corporate limits, real estate, ponds, springs, streams, water sources, water rights, easements, and restrictions, in, over or against the land of individuals, associations, or corporations, as may be necessary for the public good, health and interest, and without regard to whether or not any water sources, rights or restrictions affected are subterranean or surface waters, and said town may divert water from natural channels into its water supply, and may, through its selectmen, by contract or by reservation in any deed or conveyance, restrict or limit the use of lands and reserve to itself such water rights; and if the owner of any real estate, pond, spring, stream, water source, right, easement, or restriction necessary for the enlargement or improvement of said system, or affecting the purity thereof, refuses to convey, contract or otherwise reach a voluntary adjustment, the selectmen of the town wherein the real estate, pond, spring, stream, water source, water right, easement, or restriction is situated, shall, upon petition brought as hereinafter set forth, set a time and place of hearing and give at least ten days written notice thereof to all persons interested, which notice shall be served on the interested parties as a writ of summons. If such lands or rights shall be situated in the town of Brattleboro, the selectmen of said town, on their own motion, may institute said proceedings causing due notice thereof to be given to all persons interested, in the manner aforesaid. If such lands or rights to be affected are situated without the town of Brattle-

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

FORTIETH BIENNIAL SESSION

1949

SESSION COMMENCED JANUARY 5, 1949
ADJOURNED MAY 13, 1949



PUBLISHED BY AUTHORITY

NO. 289—AN ACT TO AUTHORIZE THE VILLAGE OF BARTON TO ISSUE BONDS FOR THE PURPOSES THEREIN STATED.

[H. 109]

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

SECTION 1. The village of Barton is hereby authorized and empowered to issue its negotiable bonds to an amount not exceeding $250,000.00 for the purpose of repairing its electric generating plant, making any additions, alterations or improvements thereto as it may deem necessary, including the acquisition, construction and/or development of supplemental sources of electric generating power to fill its present or anticipated needs, for the further purpose of repairing, reconstructing and improving its electric lines, for the further purpose of financing the same, and for any other purpose necessary or incidental thereto.

SEC. 2. Said village by a two-thirds vote of the legal voters present and voting at a duly warned meeting held for that purpose or at any regular meeting, may authorize said repairs, alterations, improvements, including the acquisition, construction and/or development of supplemental sources of electric generating power, the repairing, reconstructing and improving of its electric lines, financing the same, and for any other purpose necessary or incidental thereto, after the legislative branch of said municipal corporation has voted to submit such questions to the legally qualified voters thereof pursuant to the provisions of section 3691 of the Vermont Statutes, Revision of 1947, and may determine what amount of bonds not exceeding in the aggregate the sum of $250,000.00 shall be issued therefore. Bonds or indebtedness created pursuant to the provisions of this act are hereby expressly declared to be outside any debt limit imposed upon said municipal corporation by any law of this state. Such bonds shall not be used or sold except for the purposes specified in section 1 of this act. The calling and conduct of the meeting of the legal voters of said municipal corporation for the consideration of the foregoing matters, including the form and content of the questions to be submitted thereat, the form and content of the bonds issued hereunder, including the rate of interest, date, denomination, time and place of payment, the advertising, sale and payment thereof, taxing therefor, signatures to said bonds and any other necessary or incidental details thereof shall be done or performed under the provisions of chapter 167 of the Vermont Statutes, Revision of 1947, and shall be unaffected by reason of said municipal corporation having adopted the provisions of chapter 166 of the Vermont Statutes, Revision of 1947, relating to town or village managers.

SEC. 3. This act shall take effect from its passage.

Approved March 3, 1949.

NO. 290—AN ACT TO AMEND THE CHARTER OF THE BELLOWS FALLS VILLAGE CORPORATION.

[H. 420]

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

SECTION 1. The Bellows Falls village corporation may exercise the following powers and functions in addition to those already or otherwise conferred upon said corporation by law:

The trustees of the Bellows Falls village corporation, consistent with the constitution and laws of the United States and of this state, shall have the power and authority to make, establish, alter, amend or repeal ordinances, regulations, by-laws, and systems of licenses for regulation and for revenue where required directly or indirectly in the administration, enforcement and regulation thereof and for the operation of incidental activities construed liberally for the following purposes, and to provide for the penalties hereinafter specified for breach thereof.

SEC. 2. The trustees of the Bellows Falls village corporation are hereby authorized and empowered to establish and enforce traffic regulations in the form of recorded ordinances for the government and control of motor or non-motor power vehicles, of animals, and of persons using the streets and sidewalks of said villages and, specifically, but without limitation by reason of the mention thereof, said trustees shall have the power to establish regulations and prohibitions as to speed, parking, pedestrians, cross walks over highways, use of highways and sidewalks and limitations of the use thereof for a limited period of time or without limitations as to time; said trustees shall have the further power to prohibit parking or other use of the highways or parts thereof where the public good requires except upon payment of a fee for the privilege; and, to establish, alter and revoke through ways and intersections as defined in sections 4992 and 4994 of the Vermont Statutes, Revision of 1947, provided suitable warning signs and signals are erected and maintained at all points of entry of other ways with any designated through way in accordance with the provisions of section 4993 of the Vermont Statutes, Revision of 1947. Nothing herein shall be construed to affect the provisions of chapter 409 of the Vermont Statutes, Revision of 1947.

SEC. 3. All ordinances enacted under this statute shall be affirmatively voted upon favorably by the trustees of said corporation at a meeting of said trustees with a majority vote being sufficient to propose said ordinance. Said trustees shall fix the proposed effective date of said ordinance in the vote taken by them. Upon passage of said ordinance by said trustee, the clerk of said corporation shall forthwith record said ordinance at length as being affirmatively proposed by said trustees in the minutes of the meeting of said trustees wherein the vote was taken.

SEC. 4. The clerk of the Bellows Falls village corporation shall, upon passage of an ordinance by the trustees and the record of the same as hereinbefore provided, comply with the following procedure before any effect shall be given to the ordinance:

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

FORTY-SECOND BIENNIAL SESSION

1953

SESSION COMMENCED JANUARY 7, 1953
ADJOURNED JUNE 4, 1953



PUBLISHED BY AUTHORITY

Sec. 3. Section 116 of No. 221 of the Acts of 1945 is hereby amended so as to read as follows:

Sec. 116. Upon the failure to pay any of said installments when due as provided in section 113 hereof, the amount due on such installment shall be the amount of such installment increased by five per cent thereof and may be paid to the city treasurer at any time on or before December 1 of said year.

Sec. 4. Section 117 of No. 221 of the Acts of 1945 is hereby amended so as to read as follows:

Sec. 117. If any installment payment or portion thereof of said tax remains unpaid after December 1 of said year, the amount due on such installment or portion thereof shall be the amount of such installment or portion thereof increased by five per cent and ten cents for the insertion of the delinquent taxpayers name in the warrant hereinafter mentioned and such amount shall draw interest at the rate of five per cent per annum from the date of such delinquency until such tax has been fully paid or otherwise discharged.

Sec. 5. *Repeal.* Sections 267 through 272, inclusive, of No. 221, of the Acts of 1945 and No. 267 of the Acts of 1951, are hereby repealed.

Sec. 6. This act shall take effect from its passage.

Approved April 15, 1953.

NO. 291—AN ACT TO AMEND SUBDIVISION II OF SECTION 68 OF NO. 221 OF THE ACTS OF 1945, AS AMENDED, RELATING TO THE CHARTER OF THE CITY OF BARRE.

[H. 270]

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

Section 1. The first sentence of subdivision II of section 68 of No. 221 of the Acts of 1945, as amended by section 1 of No. 288 of the Acts of 1949, is hereby amended so as to read as follows:

II. The question of bonding or pledging the credit of the city for public improvements, and of incurring a bonded debt to pay for the same, shall be submitted to the qualified voters of the city at any regular or special meeting.

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

Approved March 26, 1953.

NO. 292—AN ACT TO AMEND NO. 168 OF THE ACTS OF 1874, AS AMENDED, RELATING TO THE VILLAGE OF BARTON.

[H. 314]

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

Section 1. No. 168 of the Acts of 1874, as amended, is hereby amended by adding thereto the following:

(1) The trustees of said village shall have the power to establish and enforce traffic regulations for the government of motor or non-motor powered vehicles and of persons using the streets and sidewalks of said village and specifically, but without limitation by reason of the mention thereof, the power to establish regulations and prohibitions as to speed, parking, allocation of cross-walks, allocation of parking areas, loading zones, and the right to establish, alter and revoke through ways as provided in section 4992 of the Vermont Statutes, Revision of 1947, provided suitable warning signs and/or signals are erected and maintained at all points of entry of other ways with any designated through ways.

(2) All regulations established under the authority of this section shall be duly published in a newspaper having general circulation in said Barton Village at least twenty days before the effective date thereof; the trustees of said village shall select the newspaper. The trustees shall cause all regulations so established to be recorded in a book kept by the village clerk for that purpose.

(3) The trustees of said village of Barton shall have the power to establish penalties for the violation of any regulation so established. No such fine shall exceed the sum of $10.00. Justices and municipal courts shall have concurrent jurisdiction of violations of regulations made hereunder.

(4) The village of Barton shall be allowed to prosecute such offenses against the regulations so established either by recourse to a Barton village traffic court if one shall be established, within the limited jurisdiction thereof, or before a justice of the peace or a municipal court through its town agent, police officers, or the sheriff of Orleans county, or his deputies, or the town constables of the town of Barton, or the members of the state police force who for such purposes shall be the informing officers.

(5) All fines and costs ordered to be paid as provided by this act shall be turned over to the treasurer of the said village for the benefit of said village. All costs in prosecutions mentioned in this section shall be taxed and allowed as in other prosecutions before the Orleans municipal court.

Sec. 2. This act shall take effect when adopted by a majority of the legal voters of the village of Barton present at any regular or special meeting duly warned and held.

Approved April 17, 1953.

NO. 293—AN ACT TO ESTABLISH A POLICE COURT IN THE VILLAGE OF BARTON AND PROVIDING THE JURISDICTION THEREOF.

[H. 315]

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

Section 1. *Jurisdiction.* A traffic court for the village of Barton is hereby created and established with the sole jurisdiction of receiving waiver of service of process and trial, admission of violation, and fines from violators of the provisions of parking regulations of said village of Barton, and for the sole purpose, and with the sole authority of carrying out the provisions of this act.

Sec. 2. *Police officer; powers and duties.* The duly appointed and qualified chief of police of said village of Barton shall be the judge of said court, and shall exercise the powers, and perform the functions and duties thereof; provided that said chief of police may appoint a member of his department, or other village officer, to act as acting judge during any period when he is absent from his office, and said assistant judge shall exercise the same powers, and perform the same functions and duties. The judge of said court shall act as the clerk thereof, and keep its files and records, or shall appoint his deputy or assistant, or employ someone in his office to perform said duties. The village of Barton shall maintain said traffic court, and provide quarters therefor, and the same shall be open at all times.

Sec. 3. *Violations, convictions; statement.* Any person who has violated any regulation which regulates, restricts or defines the time or place of parking vehicles in the village of Barton and who has not been convicted of any such offense more than once prior thereto in the same calendar year, may, within three days of such violation, by a statement signed by him, admit such violations, and waive the issuing of any process and a trial by jury or hearing, and may voluntarily pay to the said village of Barton traffic court the penalty herein prescribed; provided, however, that whenever, in the opinion of the court, the gravity of the offense requires a fine in excess of the penalty herein provided, said court may refuse to accept such signed statement and penalty, and may order that the offender be proceeded against in the manner otherwise prescribed by law. In such events, the penalty shall be returned to the offender, and the signed statement shall not be considered as an admission or used as evidence in any trial in any court in this state. The court shall treat such signed statement, if accepted and accompanied by the penalty herein prescribed, as a plea of guilty, and shall make such entry in its records. No costs, fees or further charges shall be assessed against any person so admitting a violation of said parking ordinances, or shall be allowed or paid to any officer or person because of such violation, but such penalty shall be accepted by said court in full discharge of the criminal liability of such person caused by such violation.

Sec. 4. *Records.* Said court shall retain the above signed statements for a period of two years from the date thereof, and shall keep a separate record, available to the public at any reasonable time, of all money collected and all other official acts done in connection therewith.

Sec. 5. *Penalty.* The acceptance by such court of a signed statement, as provided in this act, shall not constitute a criminal conviction against the respondent, nor shall it be used against him in any proceedings whatever. The penalty which may be so voluntarily paid by any person so violating any ordinance or regulation, restricting or defining the time and place of parking vehicles in the village of Barton shall be $1.00 for the first violation in any calendar year, and $2.00 for the second violation in any calendar year.

Sec. 6. *Collections.* All moneys collected by the acting judge of said court shall be turned over to the judge thereof at least once a week, together with the statements signed by the persons from whom such money was collected, and all other documents and records pertaining to their cases. The judge of said court shall turn over to the treasurer of the village of Barton at least once in every three months all moneys collected by said court.

Sec. 7. *Construction.* Nothing in this act shall be so construed as in any way to limit the powers and functions now conferred by law upon the said village of Barton.

Sec. 8. *Effective date.* This act shall take effect when adopted by a majority of the legal voters of the village of Barton present and voting at any regular or special meeting duly warned and held.

Approved April 9, 1953.

NO. 294—AN ACT TO ANNEX THE VILLAGE OF NORTH WESTMINSTER TO THE VILLAGE OF BELLOWS FALLS.

[H. 312]

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

Section 1. *Annexation.* There is hereby annexed to the incorporated village of Bellows Falls in the town of Rockingham, in Windham county, the incorporated village of North Westminster, commonly called "Gageville", in the town of Westminster, also in said county.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

THIRD BIENNIAL SESSION, 1874.



PUBLISHED BY AUTHORITY.

MONTPELIER:
FREEMAN STEAM PRINTING HOUSE AND BINDERY.
1874.

MUNICIPAL CORPORATIONS

No. 162.—AN ACT TO AMEND SECTIONS 5 AND 7 AND TO REPEAL SECTION 11 OF NO. 295 OF THE ACTS OF 1917, RELATING TO THE ELECTRIC LIGHT PLANT OF THE VILLAGE OF BARTON.

[H. 186]

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

SECTION 1. Section 5 of No. 295 of the Acts of 1917, is hereby amended so as to read as follows:

SEC. 5. Said village by its trustees, is hereby authorized to sell and deliver by proper pole lines or other means of transmitting the same, surplus electric current, generated at its electric light plant to any municipality, person, company or corporation, for consumption and use in Orleans County outside its corporate limits, and to extend its transmission lines from the village of Barton to the bobbin mill and dwelling houses and other buildings belonging to the U. S. Bobbin & Shuttle Company, in the town of Sutton, and to the buildings of other persons along said line, but not to extend beyond the immediate vicinity of said bobbin mill, on such terms and subject to such regulations as may be agreed upon by the trustees and such municipality, person, company or corporation, not inconsistent with the by-laws and regulations adopted by said village.

SEC. 2. Section 7 of No. 295 of the Acts of 1917 is hereby amended so as to read as follows:

SEC. 7. The powers of said village of Barton to construct and maintain an electric light plant, as herein provided, are hereby extended and enlarged so that said village may take, purchase, acquire and hold land, water power, water privileges, flowage and storage rights, and rights of way necessary for the operation of its electric light plant, and for the erection, and maintenance of its pole lines and lines of wire, and said electric light plant and its appurtenances. Said village of Barton may furnish electric current for domestic, power and other purposes in said village, and may furnish electric current for lighting the streets, walks and public buildings of other villages and towns in Orleans county, and to inhabitants of Caledonia county residing along the highway leading from Barton village to the factory of the U. S. Bobbin & Shuttle Co. in the town of Sutton, and to inhabitants in the immediate vicinity of said bobbin mill, and for domestic, power and other purposes within the territory above described. Said village of Barton may use any public highway in Orleans county, and the highway above described in Caledonia County, over which it may be necessary or desirable

to pass with its pole lines and wires, provided the use of such highway, for purposes of travel, is not thereby impaired.

SEC. 3. Section 11 of No. 295 of the Acts of 1917 is hereby repealed.

SEC. 4. This act shall take effect from its passage.

Approved February 27, 1925.

No. 163.—AN ACT TO AMEND SECTION 1 OF NO. 168 OF THE ACTS OF 1874, AS AMENDED, RELATING TO THE VILLAGE OF BARTON.

[H. 211]

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

SECTION 1. Section 1 of No. 168 of the acts of 1874, as amended, is hereby amended so as to read as follows:

SEC. 1. All that part of Barton, in the County of Orleans, enclosed within the following boundaries, to wit: Beginning at the northeast corner of land owned by the estate of Mrs. Jennie Hibbard Baldwin, on the west side of the highway leading from Barton to the village of Orleans; thence westerly along the north line of land owned by said Jennie Hibbard Baldwin estate to Barton River; thence southerly along the east bank of Barton River to land owned by George I. Lincoln and Abby Lincoln; thence westerly across Barton River to the northeast corner of land owned by Fred E. Fuller; thence along the north line of said Fuller's land to the northeast corner of land owned by Wesley Mitchell; thence westerly along the north line of said Mitchell's land and across land owned by W. E. Nye to land owned by George Urie; thence along the north line of said Urie's land to the northeast corner of land owned by Patrick Kilgallan; thence along the north line of said Kilgallan's land to the easterly line of land owned by H. A. Cleveland; thence northerly one and one-half rods to the northeast corner of said Cleveland's land; thence along said Cleveland's north line to the highway leading from the road connecting Orleans and Barton villages past the farm buildings of Metcalf and Fred C. Kinsey, with Elm Street; thence along the easterly side of said highway to the northerly side of Elm Street at the junction of said highway and said Elm Street; thence in a straight line southerly across said Elm Street to the easterly boundary of the so-called Breezy Hill road; thence following the easterly boundary of said Breezy Hill road to the point where the same connects with the road leading from Barton village to West Glover; thence in a straight line southerly across said Barton and West Glover road to the southerly side of said road; thence easterly along the south side of said highway to the W. C. Brown highway bridge so-called; thence east across said

highway to land owned by Charles Sisco; thence north on said Sisco's line to land owned by A. A. and F. A. Larabee; thence east on the south line of said Larabee's land to land owned by S. A. Hunt; thence around the west and south sides of said Hunt's land to the Doctor Brown farm so-called; thence along the northwest line of said farm to land belonging to the Welcome O. Brown Cemetery Association; thence along the south line of said Cemetery to Duck Pond road; thence in a straight line to the center of the second stone culvert in the highway southerly from the house occupied by Calix Grondin and located on the east side of South Main Street; thence from the center of said culvert at right angles with the highway to the shore of Crystal Lake and across the north end of said Crystal Lake to the southwest corner of land deeded Barton Village by H. R. Cutler on the thirty-first day of March, 1924, known as Pageant Park; thence easterly along the southerly boundary of said Park to the southeast corner of said Park; thence northerly along the easterly boundary of said Park to the northeast corner thereof; thence in a straight line to the northwest corner of land owned by Fred J. Smith; thence across the highway to land owned by Thomas and Anna B. Garey; thence continuing in a straight line to the southwest corner of land owned by Arthur Nault; thence along the southwesterly line of said Arthur Nault's land to the southeast corner of land owned by R. G. Stiles; thence along said Stiles northeasterly line to High Street; thence across High Street to land now owned by Elzear Boudreau and formerly owned by E. J. Hafford; thence westerly along said Boudreau's north line to land owned by F. S. Witcher; thence westerly along said Witcher's south line to the Boston and Maine railroad track; thence across said railroad track to the southeast corner of land owned by the Barton Improvement Club; thence westerly along the southerly line of said Boston and Maine Railroad to the lane leading from the Barton and Orleans highway easterly to said tract; thence along the southerly boundary of said lane across said highway to the point of beginning, shall hereafter be known by the name of Barton Village, and by that name may have perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal and the same alter at pleasure, and shall be capable of purchasing and holding real and personal estate for the use of said village, and may at any annual or special meeting warned for that purpose, as herein provided, lay a tax upon the polls of the inhabitants and the rateable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned; and the trustees shall make out a rate bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes and may in like manner levy on and sell property to satisfy the same, and for want thereof may commit any person to jail against whom he has such a tax.

The bounds or limits of said village may be changed by a vote of said village made at a village meeting legally warned and held for that purpose, subject to the provisions of the general law.

A record of such change of bounds shall be made in the town clerk's office of the town of Barton.

SEC. 2. This act shall be subject to future legislatures to alter or amend or repeal, and shall take effect when accepted by a majority of the voters present and voting at a meeting of said village, legally warned and held for that purpose.

Approved February 27, 1925.

No. 164. AN ACT TO AMEND SECTION 11 OF NO. 259 OF THE ACTS OF 1906, AS AMENDED BY SECTION 1 OF NO. 288 OF THE ACTS OF 1915, RELATING TO THE CHARTER OF THE VILLAGE OF BELLOWS FALLS.

[H. 52]

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

SECTION 1. Section 11 of No. 259 of the acts of 1906, as amended by section 1 of No. 288 of the acts of 1915, is hereby amended so as to read as follows:

SEC. 11. Said corporation may enact such by-laws and regulations as are expedient, not inconsistent with law; particularly such as relate to vehicular traffic and parking of motor and other vehicles on the streets of said village; to streets, sidewalks, lanes and commons, and shade and ornamental trees thereon, to slaughter houses and nuisances; to a watch, and lighting the streets of said village; to restraining animals from running at large; to the erecting and regulation of buildings and hay scales; to the preservation of buildings, with the right of directing alterations in stoves, fire places, and causes from which danger from fire may be apprehended; to the fire engines and other apparatus necessary for the extinguishment of fire, and for establishing and regulating fire companies; and to the manufacture and safe keeping of ashes, gunpowder and combustibles; the licensing and regulating of hotels, eating houses, lunch rooms, billiard and pool rooms, bowling alleys and public dance halls, and places of amusement, the collection and disposal of garbage, ashes, waste and rubbish.

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

Approved February 26, 1925.

perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal, and the same alter at pleasure, and shall be capable of purchasing, holding and conveying real and personal estate for the use of said village; and may, at any annual or special meeting warned for that purpose, as herein provided, lay a tax upon the polls of the inhabitants, and the ratable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned, and the trustees shall make out a rate-bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes, and may in like manner levy on and sell property to satisfy the same, and for want thereof may commit any person to jail against whom he has such a tax.

SEC. 2. Said corporation shall have power to make such prudential by-laws, rules and regulations as they shall from time to time deem proper; to alter, repeal or amend the same; such in particular as relate to their streets, sidewalks, alleys, public highways, commons and parks, the cleaning, repairing, improving the same; such as relate to slaughter-houses and nuisances generally; such as relate to a watch, and the lighting of the streets of said village, the restraining of any cattle, horses, sheep, swine, or geese, from running at large in said village; to establish and regulate a market; to suppress and restrain disorderly and gaming houses, and all descriptions of gaming, and for the destruction of all instruments and devices used for that purpose; to compel the owner or occupant of any unwholesome, noisome, or offensive house or place to remove or cleanse the same from time to time, as may be necessary for the health or comfort of the inhabitants of

said village; to regulate the manufacture and keeping of gunpowder, ashes, and all other combustible or dangerous materials; to prevent immoderate riding or driving in the streets, and cruelty to animals; to regulate the erection of buildings, and prevent encumbering the streets, sidewalks and public alleys with firewood, lumber, carriages, boxes, or other things, and provide for the care, preservation and improvement of public grounds; to provide a supply of water for the protection of the village against fire, and for other purposes, and to regulate the use of the same; to compel all persons to remove from the sidewalks and gutters adjacent to the premises owned or occupied by them, all snow, ice, dirt, and garbage, and to keep such sidewalks and gutters clean; to license inn-keepers, keepers of saloons or victualing-houses, and auctioneers, under such regulations and for such sums of money as the trustees may prescribe; to regulate or restrain the use of rockets, squibs, fire-crackers, or other fire-works, in the streets or commons, and to prevent the practicing therein of any amusements having a tendency to injure or annoy persons passing thereon, or endanger the security of property; to regulate the making of alterations and repairs of stove-pipes, fire-places and other things from which damage by fire may be apprehended; and also to regulate the use of buildings in crowded localities for hazardous purposes; to provide for the preservation of buildings from fires by precautionary measures and inspections, and to establish and regulate a fire-department and fire-companies, and other matters deemed necessary for the proper regulation of the affairs of said village; provided, that no such by-laws shall be inconsistent with the constitution or laws of the state or the United States. And said corporation shall have power to impose such reasonable fine, penalty

or forfeiture for the breach of any by-laws by them established, as they may judge reasonable, which may be prosecuted for and recovered in an action of debt before any court proper to try the same, in which action it shall be deemed sufficient to declare generally, setting forth the particular by-law for a breach of which said suit is brought; and all fines, penalties and forfeitures so recovered shall be paid into the treasury of the village, to be expended for the benefit and improvement of the village, as may seem best to the board of trustees.

SEC. 3. Every person who resides within the limits of said village, and is a legal voter in town meeting in the town of Barton, shall be entitled to vote in any village meeting.

SEC. 4. At every annual meeting of said village, the qualified electors of said village shall, by ballot if called for, elect from among their number a moderator, a clerk, a treasurer, a collector of taxes, five trustees, three firewardens, and an attorney.

SEC. 5. It shall be the duty of the moderator to preside at all the meetings of said village, and he shall have the same power as a moderator of town meetings.

SEC. 6. It shall be the duty of the clerk to keep fair and accurate records of all the proceedings of said corporation, and he shall give copies of the same when required, with power to certify to the same. It shall be his duty to warn special meetings of said corporation, agreeably to the direction of the trustees, or a majority of them, and all annual meetings, by posting notice of the time and place of such meetings in at least three public places in said village, at least ten days previous to said time of meeting, together with a statement of the business to be transacted. Any meeting of said corporation may be adjourned, and any business may be transacted at such adjourned meeting, which might, under the warning, have been transacted at the original meeting, as well as any other business, notice of which shall be given at such original meeting before the adjournment of the same.

SEC. 7. The treasurer and collector shall perform for said corporation the same duties required by law respectively of a town treasurer and a collector of town taxes, and shall have the same powers, shall proceed in the same manner, be subject to the same liabilities, and give like bonds to said corporation for the faithful performance of their respective duties.

SEC. 8. The trustees shall have the general care and management of the prudential interests of said village; shall make out all taxes, and direct the expenditures of all moneys belonging to said village, and shall draw all orders upon the treasurer, and generally shall perform all duties legally enjoined upon them by said corporation; and all powers vested in said trustees may be performed by a majority of them. The trustees, in case of the death, removal or disability of any of the officers mentioned in this act, may perform their respective duties until others are elected.

SEC. 9. All the territory embraced within the limits of said village is hereby constituted a highway district of the town of Barton, and all the highway taxes assessed upon the polls and ratable estate therein shall be paid in money; and the selectmen of the town of Barton shall make out a tax-bill therefor, and deliver the same seasonably, as required by law, with a warrant for its collection,

to the collector of said village, who shall collect the same as other taxes of said village are collected, and pay three fourths of the same over to the treasurer of said village, and the remaining one fourth of said tax to the town treasurer; which money shall be drawn from said village treasury by the trustees, and shall be expended by them in building, constructing, sustaining, and repairing the streets, highways, walks, alleys and lanes of said village; and no surveyors of highways for said highway district shall be required or chosen by said town.

SEC. 10. The trustees of said village may lay out, alter, maintain and discontinue any street, road, lane, alley, or walk in said village, and appraise and settle the damages therefor, causing their proceedings to be recorded in the town clerk's office in said town; provided, that any person aggrieved by their proceedings shall have the like opportunity for applying to the county court for the county of Orleans, to obtain redress, as is or may be allowed by law to those aggrieved with the proceedings of selectmen in similar cases. Said trustees in making, altering, or repairing sidewalks, shall have power, subject to the ordinances and by-laws of said village, on giving twelve days notice to the parties of the time and place of hearing, to assess the owners of lands adjoining such sidewalk as the said trustees shall judge such lands to be benefited thereby; and when they shall have made any such assessment, they shall make a report thereof, setting forth their doings in that respect; which report they shall cause to be recorded in the town clerk's office in said Barton, and when so recorded, the amount so assessed shall be and remain a lien, in the nature of the tax, upon the lands so assessed, until the same shall be paid. From such

assessment there shall be the same right of appeal to the county court, and the same proceedings in respect to such appeal as is before provided in this section, and the final decision of the county court in the matter of such appeal shall, when the record thereof is duly recorded as aforesaid, be a lien upon the lands so assessed as above mentioned; but such appeal shall not delay the making, altering, or repairing such sidewalk; and if the owner of such lands shall neglect, for the space of six months after the final decision of said trustees, or in case of appeal to the county court, to pay to the village treasurer the amount of said assessment, the trustees shall issue their warrant for the collection of the same, directed to the village collector of taxes, who shall have authority to sell at public auction so much of said land as will satisfy said assessment and all legal fees, and who shall proceed in the same manner as collectors of town taxes are required by law to proceed in selling real estate at auction for the collection of town taxes.

SEC. 11. The trustees of said village shall have the sole power of granting licenses and vacating the same, within the limits of said village, agreeably to the by-laws, rules and ordinances thereof that the selectmen have by chapter ninety-five, and by section twenty-two of chapter one hundred and nineteen of the general statutes; and all moneys received for such licenses shall belong to the village treasury, and be paid into the same.

SEC. 12. The fire wardens of said village shall be present at all fires, having some distinguishing badge, fixed upon by the corporation; and said wardens, in time of fire, are hereby empowered to demand reasonable assistance rom the inhabitants of said village or any of them, and

all persons who may be present at such times are hereby required to assist in extinguishing and preventing the spreading of such fire, and to remove goods and effects out of any house or other building endangered by such fire; and the majority of said fire wardens present at any fire are hereby further empowered to cause to be pulled down or removed such buildings as they may think necessary for the purpose of preventing the progress or spreading of said fire, and for that purpose may command the assistance of any person in said village; they are also empowered, by force if necessary, to suppress any tumults and disorders at said fire, and all persons present are required to yield strict obedience to said wardens and all orders given by them; and if any person shall neglect or refuse to obey the orders of said fire wardens or either of them, in time of fire in said village, in any manner authorized in this act, such offender shall, upon conviction before any justice of the peace, forfeit and pay a fine not exceeding fifty dollars, with costs of prosecution, to the treasurer of said corporation.

SEC. 13. The trustees of said village may organize one fire and hook and ladder company in said village, for the purpose of preventing fires, and at the expense of said village may purchase a fire engine and other necessary implements; provided, the corporation shall so direct by vote at a meeting duly called for that purpose.

SEC. 14. The trustees may make a grand list for said village at any time prior to voting a tax, on the following basis: the town grand list of Barton, comprised within the limits of said village, shall constitute such grand list, and the trustees shall deduct therefrom all real estate lying

and being without the limits of said village, as near as may be, and such list when completed shall be final and conclusive upon all concerned.

SEC. 15. No member of said village shall be deemed thereby incompetent to act as judge, justice of the peace, juror, sheriff, or constable in any cause or proceeding in which said corporation shall be interested.

SEC. 16. The annual meeting of said corporation, for the choice of officers, and for the transaction of any business specified in the warning of said meeting, shall be holden in the village of Barton, on the first Monday of January, each year. The first meeting of said corporation shall be warned by any two justices of the peace within said village, by posting notices of said meeting, as hereinbefore provided for the calling of like meetings by the clerk.

SEC. 17. This act shall take effect from its passage, and shall at all times be under the control of the legislature of this state to alter or repeal.

SEC. 18. At the first meeting of the legal voters of said village of Barton, to be holden as provided in section sixteen of this act, the justices warning said meeting shall insert in such warning an article as follows: "To see if the legal voters of the village of Barton will accept and approve of the act of incorporation of said village." And if a majority of the legal voters present at such meeting are in favor thereof, then this act shall be in full force, otherwise of no effect.

Approved, November 21, 1874.

ACTS AND RESOLVES

PASSED BY THE

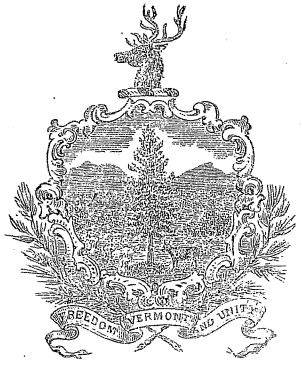
GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

FOURTH BIENNIAL SESSION, 1876.



PUBLISHED BY AUTHORITY.

RUTLAND:
TUTTLE & COMPANY, PRINTERS AND PUBLISHERS.
1876.

time to time, as in their judgment shall be proper, not exceeding one year in the whole. Such constable shall have the same power and authority in the collection of such taxes and five per cent., and shall proceed in the same manner therein, and be under the same duties and liabilities, and have the same privileges in respect thereto, as the general laws of the State now or may hereafter prescribe in regard to the collection of taxes by constables or collectors of taxes in towns, and he shall be entitled to the same fees for the service of such warrant on the respective delinquent tax payers named therein, and the collection of such taxes and five per cent., as collectors of taxes are by law now entitled to, when they levy on persons or estate, and such fees shall be collected by such constable of such delinquent tax payers, and shall be the only compensation of such constable for the collection and payment to the city treasurer, of such taxes and five per cent. Public notice of the fact shall be given by the city treasurer when any tax shall be assessed by the city council and the tax bill delivered to him, by publication in all the daily and weekly newspapers published in said city, for the period of eight days immediately succeeding the time when such tax bill shall have been delivered to the city treasurer, and in such notice the time shall be named, when, according to this section, all unpaid taxes on such tax bill will be placed in the hands of the constable for collection, as aforesaid.

SEC. 7. This act shall take effect from its passage.

Approved, November 9, 1876.

No. 184.—AN ACT IN AMENDMENT OF AN ACT ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF BARTON, APPROVED NOVEMBER 21, 1874.

SECTION		SECTION	
1.	Boundaries; name; powers, rights and privileges.		and expended by the village trustees.
2.	Village limits constituted a highway district; entire tax thereof to be paid in money	3.	Subject to general laws.
		4.	To take effect.

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

SEC. 1. All that part of Barton in the county of Orleans enclosed within the following boundaries, to wit: beginning at the most easterly pine tree at the outlet of Crystal lake, thence running northerly across the highway straight to the southeast corner of T. C. Cobb's mowing land near Dr. J. F. Skinner's orchard, thence northwesterly along said Cobb's southwest line to the northwest corner of land belonging to Mrs. Widow Pierce, thence southerly along the west line of the said widow Pierce's land, to include all of her building lot, to the east side of the highway on High street, thence along the east side of said highway to a point opposite to the northeast corner of land owned by F. A. Belknap, thence across the highway and along the north side of said Belknap's land to the R. S. Twombly lot, thence along the north side of said lot to and to include the J. L. Twombly lot to the railroad, thence along the east side of the railroad to a point west of an elm tree standing near the foot of the clay hill west of the Foster hotel, thence from said point on the railroad in a straight line across said

railroad and land belonging to J. G. and J. W. Hall to said elm tree, thence across the highway to land owned by J. G. Hall, thence southeasterly along said highway to land owned by E. E. Foster, thence along said Foster's north line to the river, thence across the river to the northeast corner of the Benton lot, then along the north line of said Benton lot to the northeast corner of R. B. Skinner's five acre lot, thence west along the north line of said lot to J. B. Freeman's lot, thence along the north line of said Freeman's lot to land owned by Julius Rice, thence south on the west side of said Freeman's lot to the highway, thence east on the line of the highway to a point opposite to the northwest corner of said Freeman's house lot, thence south and east around said lot to the southwest corner of I. K. Drew's lot, thence across the south line of said lot to W. H. Martin's northeast corner, thence south on the east line of said Martin's land to the fair ground, thence east on the north line of said fair ground and W. C. Brown's land to Barton river, thence across the river to land owned by James Lewis, thence along the west side of said Lewis' land to the W. C. Brown bridge, thence east across the highway to land owned by B. F. Peterson, thence north on said Peterson's line to the southwest corner of land owned by J. J. Hill, thence east on said Hill's land to land owned by G. W. Bridgman, thence around the west and south sides of said Bridgman's pasture lot to land owned by W. O. Brown, thence along said Brown's northwest line to the cemetery, thence around the west and south sides of the cemetery to the southeast corner of the same, thence in a straight line to the first mentioned bound, shall hereafter be known by the name of the village of Barton, and by that name may

have perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal, and the same alter at pleasure, and shall be capable of purchasing, holding and conveying real and personal estate for the use of said village; and may at any annual or special meeting warned for that purpose, as herein provided, lay a tax upon the polls of the inhabitants, and the ratable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned; and the trustees shall make out a rate bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes, and may in like manner levy on and sell property to satisfy the same, and for want thereof may commit any person to jail against whom he has such a tax.

SEC. 2. Section nine of the same act is amended to read as follows:

All the territory embraced within the limits of said village is hereby constituted a highway district of the town of Barton, and all the highway taxes assessed upon the polls and ratable estate therein shall be paid in money; and the selectmen of the town of Barton shall make out a tax bill therefor, and deliver the same seasonably, as required by law, with a warrant for its collection, to the collector of said village, who shall pay the said taxes into the village treasury, to be expended under the direction of the trustees in building, sustaining and repairing of streets, roads, walks, alleys, lanes and sidewalks in said village; and no surveyor of highways for said highway district shall be required or chosen by said town.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

SIXTH BIENNIAL SESSION, 1880.



PUBLISHED BY AUTHORITY.

RUTLAND:
TUTTLE & CO., OFFICIAL PRINTERS AND STATIONERS
TO THE STATE OF VERMONT.
1881.

November 6, 1834, is hereby so amended that said corporation shall be known and called by the name of Lewis College.

SEC. 2. This act shall take effect when the same shall be accepted by a vote of the trustees of said Norwich University, at a meeting duly called for that purpose.

Approved December 10, 1880.

NO. 200.—AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF BARTON, APPROVED NOVEMBER 21, 1874.

SECTION
1. Certain officers to be elected annually.
2. Their duties.
3. Certain officers constituted a board for abatement of taxes; majority constituted a quorum; trustees to call meetings of the board.
4. Trustees to appoint police officers and make rules and regulations in respect thereto; powers, duties and compensation of such officers.
5. Subject to general laws; right to amend, alter and repeal reserved.
6. To take effect.

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

SEC. 1. Section four of an act entitled "An act to incorporate the village of Barton," approved November 21, 1874, is hereby amended so as to read as follows:

"SEC. 4. At every annual meeting of said village the qualified voters of said village shall, by ballot if called for, elect from among their number a moderator, a clerk, a treasurer, a collector of taxes, three or five trustees, one or three auditors, three fire wardens and an attorney."

SEC. 2. Section seven of said act is hereby amended so as to read as follows:

"SEC. 7. The treasurer, collector of taxes, and auditors shall perform for said corporation the same duties required by law respectively of a town treasurer, a collector of town taxes and town auditors, and shall have the same powers, shall proceed in the same manner and be subject to the same liabilities, and the treasurer and collector of taxes shall, when required by the trustees, give like bonds to said corporation for the faithful performance of their respective duties."

SEC. 3. The officers of the village corporation, excepting the collector of taxes, are hereby constituted a board for the abatement

of highway and village taxes, and shall have the same powers in relation thereto as is now provided by law for the board of civil authority in relation to the abatement of town taxes.

A majority of such officers shall constitute a quorum for the transaction of business, and the trustees when requested thereto by the collector of taxes shall call a meeting of said board within thirty days of [the] time for the annual meeting of said village corporation by posting notices thereof in two public places in said village at least three days before the meeting of said board.

SEC. 4. The trustees of said village shall have power to appoint, by writing under their hands, three or more police officers within said village, which appointments may be revoked at the pleasure of the trustees, whose names shall be recorded by the clerk of the village, and they shall hold office one year or until others are appointed. And the said trustees shall make such rules and regulations as may be necessary for the organization and observance of said police officers, and for the proper compensation of such officers may draw orders upon the treasury of said village. Such police officers shall by virtue of their appointments have the same power and authority as conservators of the peace within said village as constables now have by law in their respective towns. Any such police officer may serve any criminal process for any offense against the laws of the State committed within said village, and also may serve subpœnas for witnesses in such cases, and shall also have the same powers as sheriffs and constables to arrest all persons who may be disturbing public meetings or any disorderly or drunken person, and detain such person, and to take such person before any justice of the peace to answer for such offense; and such police officers shall also have the same power and authority as sheriffs and constables under proper process to seize and destroy intoxicating liquors kept for sale within said village contrary to the laws of the State; and for such services so performed by such police officers they shall be entitled to receive the same fees as constables are entitled to by law; and said police officers shall perform such other duties and have such other powers relating to its own affairs as said village may vote.

SEC. 5. This act shall be subject to the general laws of this State to alter, amend or repeal as the public good may require.

SEC. 6. This act shall take effect from its passage.

Approved December 15, 1880.

No. 191.—AN ACT IN AMENDMENT OF ACTS INCORPORATING THE VILLAGE OF BARTON.

SECTION.
1. Village limits; name; powers.
2. Trustees may grant and vacate licenses.
3. When act to take effect.

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

SECTION 1. Section one of an act of the legislature of Vermont entitled, "An act in amendment of an act entitled 'An act to incorporate the village of Barton,'" approved November 21, 1874, is hereby amended so as to read as follows:

"All that part of Barton in the county of Orleans, enclosed within the following boundaries, to wit: beginning at the most easterly pine tree at the outlet of Crystal lake, thence running northerly across the highway straight to the southeast corner of the mowing land on lot formerly owned by T. C. Cobb, near Dr. J. F. Skinner's orchard, thence northwesterly along the southwest line of said Cobb land to the northeast corner of land formerly owned by Mrs. Widow Pierce, thence southerly along the west line of the said Widow Pierce land to include all of her building lot to the east side of the highway on High street, thence along the east side of said highway to a point opposite to the northeast corner of land owned by F. A. Belknap, thence across the highway and along the north side of said Belknap's land to the R. S. Twombly lot, thence along the north side of said lot to and to include the J. L. Twombly lot to the railroad, thence along the west side of the railroad northerly to the southeast corner of land owned by J. P. Baldwin, thence along the south line of said Baldwin's line to the highway, thence across the highway to land owned by John G. Hall, thence southeasterly along said highway to land formerly owned by E. E. Foster, thence along the north line of said Foster land to Barton river, thence across said river to the northeast corner of the Benton lot, thence along the north line of said Benton lot to the northeast corner of R. B. Skinner's five acre lot, thence west along the north line of said lot to J. B. Freeman's lot, thence along the north line of said Freeman lot to land owned by J. W. Howard, thence south on the west side of said Freeman's lot to the highway, thence east on the line of the highway to a point opposite to the northwest corner of said Freeman's house lot, thence south and east around said lot to the southwest corner of H. T. Seaver's lot, thence across the south line of said lot to W. H. Martin's northeast corner, thence south on the east line of said Martin's land to the fair ground, thence east along the north and east side of said fair ground to the south side of the highway, thence easterly along the south side of said highway to the W. O. Brown highway bridge, thence east across the highway to land owned by B. F. Peterson, thence north on said Peterson's line to the southwest corner of land owned by J. J. Hill, thence east on said Hill's land to land formerly owned by G. W. Bridgman, thence around the west and south sides of said Bridgman land to land owned by W. O. Brown, thence along said Brown's northwest line to the cemetery, thence around the west and south sides of the cemetery to the southeast corner of the same, thence in a straight line to the first mentioned bound,—shall hereafter be known by the name of the village of Barton, and by that name may have perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal and the same alter at pleasure, and shall be capable of purchasing, holding, and conveying real and personal estate for the use of said village, and may at any annual or special meeting warned for that purpose as herein provided lay a tax upon the polls of the inhabitants and the ratable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned, and the trustees shall make out a rate bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes, and may in like manner levy on and sell property to satisfy the same and for want thereof may commit any person to jail against whom he has such a tax."

SEC. 2. Section eleven of an act of the legislature of Vermont, entitled "An act to incorporate the village of Barton," approved November 21, 1874, is amended so as to read as follows:

"The trustees of said village shall have the sole power of granting licenses and vacating the same within the limits of said village agreeably to the by-laws, rules, and ordinances thereof, that the selectmen have by chapter one hundred and seventy-six, one hundred and seventy-seven, one hundred and eighty-five, one hundred and eighty-six of the Revised Laws, and all moneys received for such licenses shall belong to the village treasury and be paid into the same."

SEC. 3. This act shall take effect when a majority of the legal voters, in a meeting legally called, shall decide to enlarge the limits of said village as proposed in the first section of this act.

Approved November 22, 1886.

No. 192.—AN ACT IN AMENDMENT OF SECTIONS THIRTY-SEVEN AND THIRTY-NINE OF THE LAWS OF 1884 ENTITLED "AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT TO INCORPORATE THE VILLAGE OF BENNINGTON," APPROVED NOVEMBER 3, 1849.

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

SECTION 1. Section thirty-seven is hereby amended so as to read as follows: "The trustees of the village of Bennington shall appoint two competent physicians of said village, who, with the president, *ex officio*, shall constitute a board of health for said village. Such board of health shall make such regulations as they may judge necessary respecting the suppression, abatement, and removal of

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

NINTH BIENNIAL SESSION, 1886.



PUBLISHED BY AUTHORITY.

SPRINGFIELD, MASS.:
PRESS OF SPRINGFIELD PRINTING COMPANY.
1887.

No. 237.—AN ACT TO EMPOWER THE VILLAGE OF BARTON TO BRING WATER INTO SAID VILLAGE AND TO ISSUE BONDS THEREFOR.

SECTION.
1. Power granted to take water, and construct aqueducts.
2. Award of damages, when not adjusted by agreement.
3. Person dissatisfied with award may petition the county court for re-assessment.
4. Village may, upon vote, issue bonds; amount; tax to be assessed and collected; to pay interest and principal of bonds, upon default of payment.
5. Water commissioners; how chosen; terms of office; vacancies in office.
6. When act to take effect; subject to future legislation.

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

SECTION 1. The incorporated village of Barton, through its board of water commissioners, to be elected as hereinafter provided, is empowered to take water from any springs, ponds, or streams, for the purpose of supplying the inhabitants of said village with water for fire, domestic, and other public purposes, provided the owners or other persons interested in the same shall not be deprived of such portion of such water as may be necessary for agricultural and domestic purposes. Said village is hereby authorized, through said water commissioners, to construct and keep in repair such aqueducts, reservoirs, and other appurtenances as may be necessary for the purpose aforesaid, and may enter upon, dig up, or occupy any land, street, or highway, for building or repairing the said system of water works, provided that no land shall be so occupied and no water shall be so taken, by said water commissioners, until they shall have purchased all of said rights and privileges of said owners; or until the awards hereinafter provided by the commissioners appointed by the Orleans county court, shall have been made and tendered, by the treasurer of said village, to said owners without expense to them.

SEC. 2. In any case when damages are claimed for water so used, or for land so occupied, the owner of such water and such land, when damages are not adjusted by agreement, shall apply to said water commissioners, who shall give ten days' notice of a place and time of hearing, where said owners shall be heard by said water commissioners, who shall make an award of damages and notify said owners of such award, and file their award in the town clerk's office in the said town of Barton, and cause the same to be recorded in the land records of said town.

SEC. 3. When any person shall be dissatisfied with the award of said water commissioners, such person may petition the Orleans county court for an assessment and award of damages, and such proceedings shall be had in said court as are provided, by law, for the assessment of damages for land taken for highways, except that the commissioners appointed by said court shall notify one of said water commissioners, instead of the selectmen. Said petition shall be served on the clerk of said village within sixty days next after

said award shall be filed in the town clerk's office aforesaid, and at least twelve days before the term of court to which it is made returnable, but nothing in such proceedings shall prevent the water commissioners from entering upon the lands of said owners and using said water after the award shall have been made and the amount tendered them.

SEC. 4. Said village, by a majority vote in a meeting legally warned for that purpose, is authorized to issue bonds, not exceeding ten thousand dollars, on such terms as said village shall prescribe, and, in case said village shall neglect to make reasonable provisions for the payment of the interest and the principal of said bonds, as the same shall become due, it shall be the duty of the treasurer of the said village to make out and deliver to the collector of said village a tax bill on the grand list of said village, and he shall therewith issue to said collector his warrant, substantially in form as now provided, to be issued for the collection of town or other taxes, directing the payment of said tax to said treasurer within sixty days from the time of such delivery, in amount sufficient to promptly pay the interest or principal then past due and unpaid. And such tax shall be paid to said treasurer and the money so collected shall be specially held and used for the payment of such interest and principal as is unpaid; and it is hereby made the duty of the treasurer of said village to promptly pay the interest and principal of such bonded indebtedness as the same shall become due without any vote thereupon of said village, and such tax bill shall have all the force in every respect of a tax bill voted therefor by said village.

SEC. 5. At the next annual meeting of said village, three water commissioners shall be chosen, whose duties it shall be to have general control and management of the village system of water works. Said commissioners, except first two chosen, shall hold office three years, but the term of office for the first chosen shall be one year, for the second, two years. Thereafter one commissioner shall be chosen annually to hold office three years. Vacancies in the office of water commissioners shall be filled by the trustees of said village, but officers so chosen shall hold office only until the next annual election of officers for said village.

SEC. 6. This act shall take effect from its passage, but shall be subject to alteration or amendment by future legislatures.

Approved November 24, 1886.

ACTS AND RESOLVES

PASSED BY THE

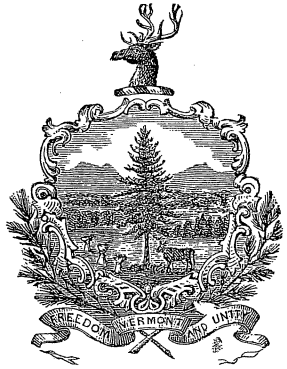
GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

TENTH BIENNIAL SESSION, 1888.



PUBLISHED BY AUTHORITY.

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PRINTERS.

reasonable for the officer to take him forthwith before such tribunal, and said officer has good reason to believe and does believe that such person will abscond, or will not be found to answer a complaint or action for such offense, the officer may detain him in safe custody for such time as may be necessary for the procuring of proper papers and his arrest thereon; not in any event exceeding twenty-four hours, unless the arrest shall have been made after sunset on a Saturday and before noon on the following day, when such person may be held in such custody until ten o'clock on the next Monday forenoon.

SEC. 13. Section forty-eight of said act is hereby amended so as to read as follows:

When authorized by vote of the village at any legal meeting duly warned for the purpose, the board of trustees may construct sewers and drains within the limits of the village and for such distances outside the village as may be necessary to afford outlet for sewers draining parts of the village; and for such purposes may enter upon the lands of any person, and may lay, make, and maintain sewers and drains through such lands, and may repair the same when necessary, upon payment or tender of payment of such compensation for the damages thereby sustained, as the said trustees shall award to such land-owners, or to any tenant, or occupant of such land.

If such land-owner, tenant, occupant, or other person entitled to compensation does not reside in the town of Rutland, and has an authorized agent or attorney, such payment or tender may be made to such agent or attorney.

SEC. 14. In addition to the by-laws authorized by section fifty-five said village shall have power to make, establish, alter, amend or repeal, an ordinance, regulation or by-law for the following purpose:

Twenty-fifth. To regulate the opening and closing of places of business on the first day of the week.

SEC. 15. Section fifty-seven of said act and section one of act number two hundred and eleven of the acts of 1884 are hereby amended so as to read as follows:

Said village may impose a fine, penalty, or forfeiture, not exceeding one hundred dollars, for the breach of any by-law, rule, or ordinance, which fine, penalty, or forfeiture may be recovered in an action on the case in the name of said village, prosecuted by the village attorney, in which action it shall be sufficient to declare, generally, that the defendant is guilty of a breach or violation of a particular by-law, rule, or ordinance, and setting forth substantially the manner of such breach or violation; and under such a declaration the special matter may be given in evidence; and the court shall impose full costs in favor of said village, in case the defendant is found guilty, and when it has been necessary for the said village to abate a nuisance for the commission or sufferance of which such action was brought, or when the court shall itself order such nuisance abated, the expense of such abatement shall be imposed upon the defendant, as damages, in addition to such fine and costs.

In all actions for the breach of any by-law, rule, or ordinance, imposing a penalty or forfeiture, the mesne and final process may issue against the body of the defendant in the usual form of law, and the court before which such action is tried may render thereon such judgments and may issue such certificates, as in other actions of tort and with like force and effect.

Approved November 21, 1888.

No. 248.—AN ACT TO AMEND NUMBER TWO HUNDRED AND THIRTY-SEVEN OF THE ACTS OF 1886, EMPOWERING THE VILLAGE OF BARTON TO BRING WATER INTO SAID VILLAGE AND TO ISSUE BONDS THEREFOR.

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

SECTION 1. Act number two hundred and thirty-seven of the laws of 1886 is hereby amended so as to read as follows:

In section four of said act, the word "ten" is hereby amended so as to read "twenty." After the word "dollars" in the third line of said section, the following words shall be added: "For the purpose of supplying itself with water."

SEC. 2. Section five of said act is hereby amended so as to read as follows:

"At the next annual meeting, or at any subsequent meeting of said village, three water commissioners shall be chosen, whose duties it shall be to have general control and management of the village system of water works. Said commissioners, except first two chosen, shall hold office three years, but the term of office for the first chosen shall be one year, for the second, two years. Thereafter one commissioner shall be chosen annually to hold office three years. Vacancies in the office of water commissioners shall be filled by the trustees of said village, but officers so chosen shall hold office only until the next annual election of officers for said village.

SEC. 3. This act shall take effect from its passage.

Approved November 15, 1888.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

TWELFTH BIENNIAL SESSION, 1892.



PUBLISHED BY AUTHORITY.

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1892.

court, immediately after such order or decision, to certify to the clerk of said city court, such decision of said supreme court for the government and direction of the said city court in the future trial of said cause.

SEC. 25. There shall be kept and maintained, in good and sufficient repair, a common jail in said city, for the commitment of all city prisoners, and also all other prisoners who may be sent to said jail from any of those counties in which there shall not be a sufficient jail; the whole expense of keeping which jail in good repair shall be defrayed by a tax assessed on the list of said city, (unless otherwise provided for), which tax shall be assessed from time to time, as occasion may require, by the city council. And the sheriff of said city shall be keeper of the said city jail, with full power of deputation. And the said sheriff and city shall be liable to answer all damages for escapes from said city jail in the same manner as the several sheriffs and counties in this State are by law liable for escapes from county jails. And the jail yard of said city shall be described and limited by the court of common council of said city. And the said city is hereby exempted from paying any county charges for building and supporting, or from any escapes from any county jail.

SEC. 26. All sales, leases or grants of any real estate, belonging to said city, shall be signed by the mayor thereof, and sealed with the city seal, and any conveyance so executed, if approved by a meeting of the citizens of the said city legally assembled, and recorded in the records of the town where the lands so sold, leased or granted, lie, shall be good and effectual in law to convey the estate intended to be conveyed by such sale, lease or grant.

SEC. 27. The mayor of said city may at any time resign his office by filing his resignation with the clerk of the city.

SEC. 28. The freemen of the city shall have the right to choose a representative to represent the same in the General Assembly of this State, and shall also have the same right to vote at elections for governor, lieutenant-governor, members of congress and all other officers of the general and State government, that other freemen of this State have or may have.

SEC. 29. Except as hereinbefore provided all acts incorporating the city of Vergennes and all amendments thereto, are hereby repealed.

SEC. 30. This act shall take effect on the 10th day of April, A. D. 1893, except that the meeting to be held upon that day as hereinbefore provided, shall be warned and holden pursuant to section three of this act.

Approved November 22, 1892.

No. 112.—AN ACT IN AMENDMENT OF ACT NO. 210, LAWS OF 1878, RELATING TO THE CORPORATION OF THE CITY OF VERGENNES.

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

SECTION 1. Section one of act number two hundred and ten, Laws of 1878, is hereby amended by striking out in lines nineteen and twenty the words "as they shall deem just and equitable" and inserting in lieu thereof the words "as said court of common council shall judge said lands and property to be benefited thereby."

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

Approved November 10, 1892.

No. 113.—AN ACT IN AMENDMENT OF AN ACT TO INCORPORATE THE VILLAGE OF BARTON, APPROVED NOVEMBER 21, 1874.

SECTION.
1. Section four of original act amended; officers, how elected; term of office.
2. Section sixteen of original act amended; annual meeting, when and where held.
3. Section one, number two hundred, Acts of 1880, repealed.
4. When to take effect.

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

SECTION 1. Section four of said act is hereby amended so as to read as follows:

At every annual meeting the qualified voters of said village shall, by ballot if called for, elect from among their number a moderator, a clerk, a treasurer, a collector of taxes, three or five trustees, one or three auditors, three fire wardens, and an attorney who shall hold their offices for one year, and until their successors are elected and qualified.

SEC. 2. Section sixteen of said act is hereby amended so as to read as follows:

The annual meeting of said corporation, for the choice of officers, and for the transaction of any other business specified in the warning of said meeting, shall be holden in the village of Barton, on the second Tuesday of March each year.

SEC. 3. Section one of number two hundred of the laws of 1880, entitled "An act to amend an act to incorporate the village of Barton, approved December 15th, 1880," is hereby repealed.

SEC. 4. This act shall take effect from its passage.

Approved November 2, 1892.

No. 114.—AN ACT IN AMENDMENT OF AND IN ADDITION TO NO. 196 OF THE LAWS OF 1878, APPROVED NOVEMBER 25, 1878, RELATING TO THE VILLAGE OF BARTON LANDING.

SECTION.

1. Boundaries; corporate name; powers.
2. Alteration of bounds; requisites.
3. Territory embraced within corporation limits constituted a highway district; assessment and collection of highway taxes.
4. Annual village meeting, when held.
5. Special meetings, on failure to warn annual meetings.
6. Check list of voters, powers of trustees in respect thereto.
7. Qualification of voters in village meeting.
8. Officers, how elected, term of office; compensation.
9. Duties of the moderator.
10. Duties of the clerk.
11. Special meetings, how called.
12. General powers and duties of trustees.
13. Duties of treasurer and collector.
14. Duties of auditors.
15. Further duties of auditors. Police officers, how appointed and removed; their powers and duties.
16. Powers and duties of the board of fire wardens.
17. Ordinances, regulations and by-laws.
18. By-laws, rules and ordinances, when recorded to be *prima facie* evidence.
19. Power of trustees in laying out streets, sidewalks, etc. Damages therefor, how recovered.
20. Power of trustees in laying sewers; proceedings by persons dissatisfied.
21. Assessment and collection of taxes.
22. Power of trustees in granting licenses.
23. Grand list, how composed.
24. Residents of village not incompetent to hold town offices.
25. Corporation empowered to borrow money and issue bonds and notes therefor.
26. Duties of listers of town of Barton respecting real estate within village limits.
27. Powers of board of water commissioners.
28. Further powers of water commissioners.
29. Damages, how fixed.
30. Proceedings by persons dissatisfied with award of the water commissioners.
31. By-laws and regulations concerning the water department.
32. Power of village to dispose of water rights.
33. Duties of village in taking water or land.
34. Water commissioners, how elected, term of offices; vacancies, how filled.
35. Further duties of the water commissioners.
36. Powers of trustees in lighting streets.
37. Village may issue bonds for purpose of lighting streets. Duties of village treasurer in respect thereto.
38. Corporation may purchase franchise, property and privileges of Barton Landing Water Company.
39. Village may establish water rents, and regulate the mode of payment.
40. Application of water rents.
41. Water commissioners to make list of water rents; list, how composed.
42. Disposition of water rents.
43. Injuries to water rights; penalty.
44. Power of village in acquiring land for public parks.
45. Duties of trustees and water commissioners respecting moneys received and disbursed.
46. Abatement of highway and village taxes.
47. Existing by-laws to remain in force until repealed.
48. Present village officers to hold office until their successors are chosen.
49. Subject to future legislation; when to take effect.

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

SECTION 1. Article number one hundred and ninety-six of the Laws of 1878 is hereby amended so as to read as follows:

All that part of the town of Barton in the county of Orleans

enclosed within the following boundaries to wit, Beginning at the northwesterly corner of the highway bridge on the highway leading from Barton Landing village to Coventry, near the junction of the Barton and Willoughby rivers, thence north 47½° west across said highway to an iron stake on the westerly side of said highway at the southeasterly corner of land owned by Daniel Buchannan 5 rods, thence north 77¾° west on the division line between said Daniel Buchannan land and land belonging to J. H. Clark and O. H. Austin, (crossing the railroad track) to an iron stake on the easterly line of the town of Irasburgh 25 rods: thence south 41° west along said easterly line of Irasburgh to the centre of highway leading from Barton Landing village to Irasburgh village 196 rods: thence south 41° west on said Irasburgh line to an iron stake on said town line at the northwest corner of land owned by H. R. Hall 41 rods: thence south 47° east, on the division line between land owned by H. R. Hall and land owned by E. L. Chandler to an iron stake on the highway leading from Barton Landing village to Barton village 90 rods: thence south 47° east through land owned by H. R. Hall and across the railroad track and Barton river and on the division line between said H. R. Hall land and lands owned by the estate of the late Hiram Blaisdell and by E. L. Chandler, O. H. Austin, C. S. Skinner and P. Guild to an iron stake on said division line at the southeasterly corner of said Chandler, Austin, Skinner & Guild land 78⅘ rods: thence north 66½° east through land owned by H. C. Dudley to the centre of the highway leading from Barton Landing village to Barton village 81 rods: thence north 66½° east across said highway and on the division between land owned by O. H. Austin and land owned by Geo. W. Peavey to an iron stake at the southeasterly corner of said Geo. W. Peavey's land 13½ rods: thence north 79° east through land owned by O. H. Austin to an iron stake on the division line between said O. H. Austin's land and land owned by Cynthia E. Webster 55½ rods: thence south 86° east on the division line between the land of said Cynthia E. Webster and lands owned by O. H. Austin and L. W. Stimpson to an iron stake on the northerly side of the highway leading from Barton Landing village to Brownington Centre 47½ rods: thence north 75½° east through lands owned by L. W. Stimpson and Carrie B. Hyde to an iron stake at the southwesterly corner of the cemetery 80 rods: thence north 30½° east along the division line between the cemetery and land owned by L. W. Stimpson to an iron stake at the southeasterly corner of the cemetery 16 rods and 8 links: thence north 18° east, through land owned by L. W. Stimpson to an iron stake at the northwesterly corner of land purchased of the estate of the late Timothy Dudley by O. H. Austin, 16 rods and 23 links: thence north 39° east along the division line between land owned by L. W. Stimpson and said land purchased of the Dudley estate by O. H. Austin to an iron stake at the northeasterly corner of L. W. Stimpson's land 23 rods: thence north 53° west along the line between land owned

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

THIRTEENTH BIENNIAL SESSION, 1894.



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1894.

council for said city of Montpelier until the first day of May, A. D. 1895, unless sooner repealed by said city council.

Approved November 19, 1894.

No. 167.—AN ACT AUTHORIZING THE INCORPORATE VILLAGE OF BARTON TO CONSTRUCT AN ELECTRIC PLANT IN SAID VILLAGE.

SECTION
1. Electric Light plant authorized; construction and provisions for building.
2. Land damages, how determined.
3. Award appealed from.
4. Majority vote of village sufficient to authorize; method of raising money to pay for plant.
5. When to take effect.

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

SECTION 1. The incorporated village of Barton by its trustees is hereby empowered to erect, construct and maintain an electric light plant, for the purpose of lighting the streets, private and public buildings and for all purposes, in said village of Barton, and said trustees may, purchase, hold, sell and convey, any real and personal estate necessary for the purposes aforesaid, and may enter upon and occupy any land, street or highway for erecting or repairing said electric light plant, and may run electrical lines along over or under any street, highway, avenues or public grounds for the purposes aforesaid; provided that public travel shall not be unnecessarily affected or impeded thereby, and such streets, highways, avenues or public grounds shall not be permanently injured thereby but shall be left in as good condition as before; and provided that no land shall be so occupied or taken by said trustees until they shall have leased or purchased the right and privilege so to do of the owners, or until the awards hereinafter provided for, to be made by the commissioners appointed by the Orleans county court, shall have been made and tendered by the treasurer of said village to said owner without expense to them.

SEC. 2. In any case where damages are claimed for land so occupied or used the owner of such lands, when damages are not adjusted by agreement shall apply to said trustees who shall give ten days notice of a place and time of hearing and said owners shall be heard by said trustees who shall make an award of damages and notify said owners of such award and file the same in the town clerk's office in the town of Barton and cause the same to be there recorded.

SEC. 3. When any person shall be dissatisfied with the award of said trustees such person may petition the Orleans county court for an assessment and award of damages and such proceedings shall be had in said court as are provided, by law, for the assessment of damages for land taken for the highway, except that the commissioners appointed by said court shall notify one of said trustees instead of the selectmen. Said petition shall be served on the clerk of said village within sixty days next after said award shall be filed in the town clerk's office aforesaid and at least twelve days before the term of court to which it is made returnable but nothing in such proceedings shall prevent the trustees from entering upon the lands of said owners after the award shall have been made and the amount tendered them.

SEC. 4. Said village by a majority vote in any meeting legally warned for that purpose is authorized to vote to construct said electric light plant and to issue bonds not exceeding ten thousand dollars on such terms as said village shall prescribe, and in case said village shall neglect to make reasonable provisions for the payment of the interest and principal of said bonds, as the same shall become due, and it shall be the duty of the treasurer of the said village to make out and deliver to its collector a tax bill on the grand list of said village, and who shall forthwith issue to said collector his warrant substantially in form as now provided to be issued for the collection of town or other taxes, directing the payment of said tax to said treasurer within sixty days from the time of such delivery, in amount sufficient to promptly pay the interest or principal then past due and unpaid and such tax shall be paid to said treasurer and the money so collected shall be held and used for the payment of such interest and principal as is unpaid and it is hereby made the duty of the treasurer of said village to promptly pay the interest and principal of such bonded indebtedness as the same shall become due without any vote thereupon of said village, and such tax bill shall have all the force in every respect of a tax bill voted therefor by said village.

SEC. 5. This act shall take effect from its passage, and shall be subject to amendment, alteration or repeal of any future legislature.

Approved November 16, 1894.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT,

AT THE

FOURTEENTH BIENNIAL SESSION, 1896.



PUBLISHED BY AUTHORITY.

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1896.

No. 153.—AN ACT IN AMENDMENT OF, AND IN ADDITION TO AN ACT APPROVED NOVEMBER 21, 1874, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BARTON", AND AMENDMENTS THEREOF, HERETOFORE ENACTED.

SECTION
1. Village boundaries; corporate name and powers.
2. Officers, how elected; terms of office.
3. Village clerk, duties; adjourned meetings.
4. Fire wardens, powers and duties; penalties for neglect.
5. Subject to future legislation.

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

SECTION 1. Section one of an act of the Legislature of Vermont, entitled "An act to incorporate the village of Barton," approved Nov. 21, 1874, as amended by No. 191 of the acts of 1886, is amended so as to read as follows:

All that part of Barton in the county of Orleans, enclosed within the following boundaries, to wit:—Beginning at the southwesterly corner of Mrs. J. F. Skinner's land, at the outlet of Crystal Lake, thence running northerly across the highway leading from Barton to Westmore, to the southeast corner of land owned by R. S. Twombly, near Mrs. J. F. Skinner's orchard, thence easterly along the east line of said Twombly's land, to said Twombly's northeast corner, thence northerly along said Twombly's north line to High street, thence across High street to land occupied by Hiram Baxter, thence northerly along said Baxter's north line to land owned by E. J. White, thence along the east and north line of said White's land, northwesterly to the Boston and Maine railroad, thence across said railroad track to the corner of land owned by H. R. Cutler, thence along the north line of said Cutler's land to the highway, thence across the highway to land owned by E. F. Dutton, thence northerly along said highway to said Dutton's northeast corner, thence westerly along said Dutton's north line to Barton river, thence southerly along the east bank of Barton river to land owned by Barton Hotel company, thence westerly across Barton river to the northeast corner of the Benton lot, thence along the north line of said Benton lot to the northeast corner of R. B. Skinner's five acre lot, thence west along the north line of said lot to J. B. Freeman's lot, thence along the north line of said Freeman's lot to land owned by J. W. Howard, thence south on the west side of said Freeman's land to Elm street, thence east on the line of Elm street to a point opposite to the northwest corner of said Freeman's home lot, thence south and east around said Freeman's lot to the southwest corner of H. T. Seaver's lot, thence across the south side of said lot to the northeast corner of the W. H. Martin farm, thence south on the east line of the Martin farm to the fair ground, thence east along the north and east side of said fair ground to the south side of the highway, thence easterly along the south side of said highway to the W. C. Brown highway bridge, thence east across the highway to land owned by B. F. Peterson, thence north on said Peterson's line to the southwest corner of land owned by J. J. Hill, thence east on said Hill's land to land owned by O. V. Joslyn, thence around the west and south sides of said Joslyn's land to land owned by Dana Brown, thence along said Brown's northwest line to the cemetery, thence around the west and south sides of the cemetery, to the southeast corner of the same, thence in a straight line to the first mentioned bound—shall hereafter be known by the name of the village of Barton, and by that name may have perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal and the same alter at pleasure, and shall be capable of purchasing, holding, and conveying real and personal estate for the use of said village, and may at any annual or special meeting warned for that purpose as herein provided lay a tax upon the polls of the inhabitants and the ratable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned and the trustees shall make out a rate bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes and may in like manner levy on and sell property to satisfy the same and for want thereof may commit any person to jail against whom he has such a tax. The village may, by a vote in village meeting, legally warned and held, alter its bounds with the written consent of each person whose residence, or property will be included or excluded by such alteration. A record of such alteration of bounds and of such document of consent, shall be made in the town clerk's office of the town of Barton.

SEC. 2. Section four of an act of the legislature of Vermont, entitled "An act to incorporate the village of Barton", approved Nov. 21, 1874, as amended by No. 113 of the acts of 1892, is amended so as to read as follows:

Sec. 4. The officers of said village shall be a moderator, a clerk, a treasurer, a collector of taxes, three trustees, three auditors, an attorney, a chief engineer and a first and second assistant engineer, who shall be elected by ballot if called for, and all said officers shall be elected annually, and hold their respective offices until their successors are chosen.

SEC. 3. Section six of said act is amended so as to read as follows:

Sec. 6. It shall be the duty of the clerk to keep fair and accurate records of all the proceedings of said corporation and he shall give copies of the same when required with power to certify the same, for which he shall receive the same fees as town clerks. It shall be his duty to warn special meetings of said corporation agreeably to the direction of the trustees, or a majority of them, or upon petition of five or more legal voters of said village, and all annual meetings, by posting notice of the time and place of such meetings in at least three public places in said village, at least ten days previous to said time of meeting together with a statement of the business to be transacted. Any meeting of said corporation may be adjourned, and any business may be transacted at such adjourned meeting which might under the warning, have been transacted at the original meeting, as well as any other business, notice of which shall be given at such original meeting before the adjournment of the same.

SEC. 4. Section twelve of said act is amended so as to read as follows:

Sec. 12. The chief engineer, first and second assistant engineers, shall constitute a board of fire wardens who shall be present at all fires, having some distinguishing badge fixed upon by said village, and said wardens in times of fire, are hereby empowered to demand reasonable assistance from the inhabitants of said village, or any of them, and all persons who may be present at such times are hereby required to assist in extinguishing and preventing the spreading of such fire, and to remove goods and effects out of any house or other building endangered by such fire, and protect the same from waste and depredation, and shall have power at such fire to suppress all tumults and riots by force if necessary, to pull down, remove or destroy any house, store or other building, when a majority of said wardens deem it necessary for the better preservation of any property, and all persons present are required to yield strict obedience to all orders given by said wardens. Said board of fire wardens may inspect the manner of manufacturing and keeping gunpowder, lime, matches, lights, fire works or combustibles, and the construction and repairs of fire places, stoves, flues and chimneys in said corporation, and said board of fire wardens, may by a vote of a majority thereof, direct all persons manufacturing or keeping gunpowder, lime, ashes, matches, lights, fireworks or combustibles, kerosene oil, petroleum, naphtha, oil or burning fluid, in what manner and quantities to manufacture and keep the same, and the owners or occupiers of buildings with such fire places, stoves, flues or chimneys, how to repair the same, and every person refusing or neglecting to obey the orders of a majority of said fire wardens, or in time of a fire, to refuse to obey the orders of said fire wardens, or either of them, shall upon conviction before any justice of the peace, forfeit and pay to the use of said corporation, a fine not exceeding twenty dollars.

SEC. 5. This act shall be subject to future legislatures to alter, amend or repeal, aud shall take effect when accepted by a majority of the voters present and voting, at a meeting of said village, legally warned and held for that purpose.

Approved November 11, 1896.

No. 154. AN ACT IN AMENDMENT OF AN ACT APPROVED NOVEMBER 25, 1884, ENTITLED "AN ACT IN AMENDMENT OF, AND IN ADDITION TO 'AN ACT TO INCORPORATE THE VILLAGE OF BENNINGTON', APPROVED NOVEMBER 3, 1849."

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

SECTION 1. Section two (2) of act No. 226 of acts and resolves passed by the general assembly of the State of Vermont at the eighth biennial session 1884, is hereby amended so as to read as follows:

The inhabitants of that part of the town of Bennington, embraced within the following described limits, viz.; Beginning at the northwest corner of lands owned by Charles E. and Elijah Dewey, situate on the north side of Main street; thence easterly along the north line of said Dewey's land to the west bank of the Walloomsac river; thence down the said river upon the west bank thereof to its confluence with the Roaring branch; thence up the said branch upon its south bank to the west bank of Rockwood's canal; thence up the said branch upon its south bank to the confluence of the overflow from the reservoir of the Bennington Water Power and Light Company with said branch; thence along the south bank of the conduit of the overflow from said reservoir and the west bank of said reservoir to the southwest corner of said reservoir; thence south nineteen and one-fourth degrees west seventy and one-half rods to the southeast corner of lands owned or occupied by Frank Fredenburgh, the same being a point in the north line of the highway leading

Thomas Lyman, H. Gay Buck, William Pratt, James Williams, Herbert T. Eaton, Charles E. Buck, and such other persons as have or may have ancestors or descendants buried in the cemetery at West Arlington, in the town of Arlington, are hereby made a corporation with all the powers of cemetery associations, by the name of Riverside Cemetery Association, for the improvement of that cemetery.

SEC. 2. The business of this corporation may be done by five trustees to be chosen annually who may choose from their number a president, secretary and treasurer.

SEC. 3. The first meeting of this corporation may be called by any three of those named, on notice to the others; and subsequent meetings may be called and held as may be provided in the by-laws.

SEC. 4. This act shall take effect from its passage, and shall be subject to the action of any future legislature to alter, amend or repeal as the public good requires.

Approved November 24, 1896.

MISCELLANEOUS.

No. 272.—AN ACT TO AUTHORIZE THE VILLAGE OF BARTON TO ISSUE BONDS TO RETIRE THE INDEBTEDNESS INCURRED IN CONSTRUCTING ITS ELECTRIC LIGHT PLANT.

SECTION
1. Bond issue authorized.
2. Amount and form of bonds.
3. Bonds, how signed; purpose and validity.
4. Village clerk to number and record bonds and append certificates.
5. Treasurer to keep account of bonds and record of payments.
6. Payment of bonds, how provided for.
7. When to take effect; subject to future legislation.

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

SECTION 1. The incorporated village of Barton in the county of Orleans, is hereby authorized to issue negotiable bonds for the purpose of funding the indebtedness of said village incurred, and to be incurred, in constructing its electric light plant, not now provided for, in manner hereinafter set forth.

SEC. 2. Said incorporated village, by a majority vote of those present in village meeting, duly warned and holden for that purpose, may determine what amount of bonds, not exceeding thirty thousand dollars, in addition to those already negotiated, shall be issued, at what times, not exceeding thirty years, and at what places the same shall be made payable, and the rate of interest thereon, which shall not exceed five per centum per annum, payable annually, or semi-annually, which said bonds shall be registered, or have interest coupons attached, and shall be issued in denominations of not less than five hundred dollars nor more than one thousand dollars each.

SEC. 3. Such bonds shall be signed by the trustees of said village and countersigned by the treasurer thereof; and if interest coupons are attached thereto, such coupons shall be signed by the treasurer of said village. Such bonds shall contain on the face thereof a statement of the purpose for which they are issued, and the authority conferred by this act; and the same shall be conclusive evidence of the fact of the liability of said village to any *bona fide* holder thereof.

SEC. 4. It shall be the duty of the clerk of said village of Barton, upon the request of the trustees of said village to number

said bonds consecutively, and to make a record in his office of the number, date, amount, rate of interest, and when and where payable, of each bond so numbered by him and said clerk shall append to each bond a certificate under his hand, that the requirements of this section have been complied with.

SEC. 5. The treasurer of said village shall keep an accurate record of every bond so issued, thereon stating the number and denomination of each bond, when issued, and where payable, to whom issued and the rate of interest thereon, and also keep a true record of all payments of interest and principal, and if coupons or bonds are taken up to deface the same.

SEC. 6. It shall be the duty of the trustees of said village, without vote of said village to seasonably assess upon the grand list of said village a tax sufficient to meet the interest and principal of said bonds as they respectively fall due to be collected as other village taxes are now collected; and in case said trustees shall neglect to make provisions for the payment of the interest and principal of said bonds, as the same shall become due, it shall be the duty of the treasurer of said village to make out and deliver to its collector a tax bill on the grand list of said village, and he shall forthwith issue to said collector, his warrant substantially in form as now provided to be issued for the collection of other village taxes, directing the payment of said tax to said treasurer within sixty days from the time of such delivery, in amount sufficient to promptly pay the interest or principal then due and unpaid, and such tax shall be paid to said treasurer, and the money so collected shall be held and used for the payment of such interest and principal as is unpaid, and it is hereby made the duty of the treasurer of said village to promptly pay the interest and principal of such bonded indebtedness as the same shall become due, without any vote thereupon of said village, and such tax bills whether made out by the trustees or treasurer shall have all the force in every respect of a tax voted therefor by said village.

SEC. 7. This act shall take effect from its passage, and shall be subject to amendment, alteration or repeal by any future legislature.

Approved October 30, 1896.

No. 273. AN ACT TO AUTHORIZE AND ENABLE THE TOWN OF BENNINGTON TO REFUND ITS BONDED INDEBTEDNESS FALLING DUE JULY 1, 1897.

SECTION
1. Bond issue authorized.
2. Form and denomination of bonds; where payable.
3. Bonds, how signed; certain requirements; validity.
4. County clerk to number and record bonds and place seal thereon.
5. Treasurer to keep account of bonds and record payments thereof.
6. Payment of bonds, how provided for.
7. Liability of officers neglecting to perform duty.
8. Deemed a public act; when to take effect.

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

SECTION 1. The town of Bennington, in the county of Bennington, is hereby authorized and empowered to issue negotiable bonds for the purpose of refunding its bonded indebtedness falling due July 1st A. D. 1897 in the manner hereinafter provided.

SEC. 2. Such town by vote at a meeting duly warned and holden may determine the manner or form of bonds to be issued, at what time and place the same shall be payable and the rate of interest thereon, payable annually or semi-annually. Said bonds shall be registered, or have interest coupons annexed and shall be made payable either at the treasury of such town, or at some bank at Bennington, Vt.

SEC. 3. Such bonds shall be signed by the selectmen, and countersigned by the treasurer of such town and if interest coupons are attached they shall be signed by the treasurer. Each bond shall contain a statement that it is issued for the purpose mentioned, and in conformity to the provisions of this act, and such statement shall be conclusive evidence of the same, and of the liability of the town to pay such bond in any action by a *bona fide* holder thereof.

SEC. 4. The selectmen of the town shall apply to the county clerk of the county of Bennington, who shall number said bonds consecutively, and make a record in his office of the number, date, amount, rate of interest, and when and where payable of each bond so numbered by him. And he shall append to each bond a certificate under his hand and seal of said county court that this section has been complied with.

SEC. 5. The treasurer of the town shall keep an accurate record of every bond, thus issued, therein stating the number and denomination of each bond, when issued, when and where payable, to whom issued and the rate of interest thereon; and shall also keep a true record of all payments of interest and principal and if coupons or bonds are taken up shall deface the same.

SEC. 3. This act shall be subject to the general laws of this State to alter, amend or repeal as the public good may require.

SEC. 4. This act shall take effect from its passage.

Approved, November 28, 1876.

No. 185.—AN ACT REPEALING AN ACT ENTITLED "AN ACT RELATING TO THE EXPENDITURES OF THE HIGHWAY TAX ASSESSED WITHIN THE LIMITS OF THE VILLAGE OF BELLOWS FALLS."

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

SEC. 1. An act entitled "An act relating to the expenditures of the highway tax assessed within the limits of the village of Bellows Falls," in the town of Rockingham, approved November 26, 1872, is hereby repealed.

Approved, November 28, 1876.

No. 186.—AN ACT IN ADDITION TO AND IN AMENDMENT OF AN ACT ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BRATTLEBORO," APPROVED OCTOBER 29, 1872, AND OF THE SEVERAL AMENDMENTS THEREOF HERETOFORE ENACTED.

SECTION
1. Certain acts amended.
2. Bailiffs to appoint street commissioners; powers and duties.
3. Bailiffs to have same power with reference to highways, &c., now guaranteed to selectmen; right of appeal.
4. Village highway district established; boundaries thereof.
5. Annexes to said highway district.
6. Powers of village in relation to water supplies.
7. Reservoirs, dams, &c., may be constructed; waters may be taken, with proviso.
8. Within sixty days after taking possession of water supplies, description thereof to be filed in town clerk's office.
9. Damages by reason of taking water supplies, or construction of water works, how adjusted.
10. Proceedings therefor may be had in Windham county court.
11. Diverting water from its sources, or malicious interference with water, deemed a misdemeanor; penalty therefor.
12. Water department may be established; water bonds may be issued.
13. Rates for water supplies to be established.
14. Collection of such rates, how made.
15. Water rates to be paid in advance.
16. Water commissioners; how elected; tenure of office.
17. Powers and duties of water commissioners.
18. Powers, rights, and privileges of village corporation, with reference to water department.
19. Form of water bonds issued.
20. Bailiffs, how elected.
21. Village to maintain bridges and highways, and build the same within its corporate limits.
22. Liable for highway injuries.
23. To take effect.
24. Subject to general laws and future legislation.

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

SEC. 1. The act entitled "An act to incorporate the village of Brattleboro," approved October 29, 1872, and the several acts in amendment thereof heretofore enacted, are hereby so amended as to read as follows, viz.:

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

AT THE

FIFTEENTH BIENNIAL SESSION, 1898.



PUBLISHED BY AUTHORITY.

BURLINGTON:
FREE PRESS ASSOCIATION, PRINTERS AND BOOKBINDERS.
1898.

tion of the same, signed by the mayor and directed to the city collector of taxes, who shall have authority to sell at public auction so much of said lands or other real or personal estate of the delinquent as will satisfy said assessment and all legal fees, and he shall proceed in the same manner as the collectors of town taxes are required by law to proceed in selling real estate at auction for the collection of town taxes.

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

Approved November 28, 1898.

No. 186.—AN ACT IN AMENDMENT OF AND IN ADDITION TO AN ACT APPROVED NOVEMBER 21st, 1874, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BARTON" AND AMENDMENTS THEREOF, HERETOFORE ENACTED.

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

SECTION 1. Section 4 of an act of the legislature of Vermont, entitled "An act to incorporate the village of Barton," approved November 21st, 1874, as amended by number 113 of the acts of 1892, and as amended by number 153, of the acts of 1896, is amended so as to read as follows:

Section 4. The officers of said village shall be a moderator, a clerk, a treasurer, a collector of taxes, three trustees, three auditors, an attorney, a chief engineer and a first and second assistant engineer, who shall be elected by ballot if called for, and all said officers except the trustees, shall be elected annually, and hold their respective offices until their sucessors are chosen. The trustees shall be elected and hold office in the following manner: At the annual meeting of said village to be held in the year 1899, one trustee shall be elected for the term of one year, one for the term of two years, and one for the term of three years, and at each annual meeting thereafter the village shall elect a successor to that trustee whose term of office expires that year, and the term of office of the trustee so elected shall be three years, and all the trustees shall continue in office until their successors are chosen.

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

Approved November 26, 1898.

No. 187.—AN ACT TO AMEND NO. 82 OF THE ACTS OF 1890 ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BRADFORD."

Section
1-2. Election and tenure of village officers.
3. Vacancy in village office may be filled at annual meeting.
4. Presiding officer at village meetings.
5. Act takes effect from passage.

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

SECTION 1. Section 8 of the act of 1890 is hereby amended so as to read as follows:

At the next annual meeting of said village there shall be elected three trustees as follows: One for the term of one year, one for the term of two years and one for the term of three years; and at all subsequent annual meetings, vacancies caused by the expiration of the term of office of trustees shall be filled by the election of trustees for the term of three years each. Such trustees shall choose one of their number to be president who shall hold his office for one year and until his successor is chosen. There shall also be elected at each annual meeting of said village a clerk, treasurer, collector, three auditors, a chief engineer, a first assistant engineer, a second assistant engineer, and four fire wardens. Such election shall be by ballot if called for.

SEC. 2. Section 9 of said act of 1890 is hereby amended by adding, after the last word in said section, the words *except that the term of office of the trustees shall commence at the time of their election and continue as provided in section 1 of this act.*

SEC. 3. Section 10 of said act of 1890 is hereby amended by adding the words *or annual* after the word "special" in said section.

SEC. 4. Section 11 of said act of 1890 is hereby amended so as to read as follows:

The president of the board of trustees shall preside at village meetings when present, and in his absence the senior member of the board of trustees present shall preside. The presiding officer in a village meeting shall have the same powers and duties as moderators in town meetings.

SEC. 5. This act shall take effect from its passage.

Approved November 17, 1898.

ACTS AND RESOLVES

Passed by the

GENERAL ASSEMBLY

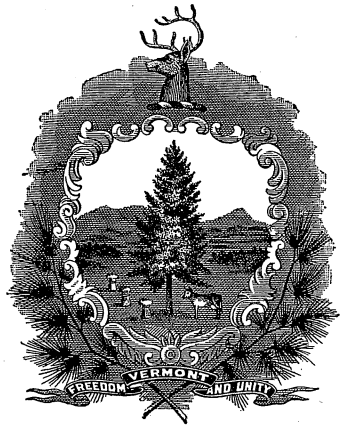
of the

STATE OF VERMONT

at the

NINETEENTH BIENNIAL SESSION
1906

Session Commenced October 3; Adjourned December 20



PUBLISHED BY AUTHORITY

FREE PRESS PRINTING CO.,
PRINTERS, BINDERS, STATIONERS.
1906.

the whole assessment is paid. At each annual period after the first payment is made the city treasurer shall add to the one-fifth of said whole assessment, which falls due at the time, all the accrued interest on all unpaid assessments, and this interest with the one-fifth of the whole assessment shall be the amount due and payable at said annual period; the rate of interest to be added to said assessment shall be the same as the orders, notes or bonds bear, which may be issued by the city to raise funds to pay the assessments hereby deferred; said orders, notes or bonds to be issued according to the provisions of this section; and if the owner or owners of any such lands or buildings so assessed as aforesaid, shall neglect, refuse or omit to pay any such assessment with interest to the city treasurer, within the time aforesaid, the city treasurer shall issue his warrant to the constable of the city for collection thereof, and such constable shall proceed to collect the same, in the manner hereinbefore prescribed in this section for the collection and enforcement of assessments made in case of the laying out or altering of highways, or may bring an action founded on this statute in the name of the city and recover such assessments and interest with costs.

The city council of the city is hereby authorized and empowered to issue orders, notes or bonds against the city to an amount not at any time to exceed forty thousand dollars for the purpose of raising money to pay that portion of the expense which is assessed against abutters, and the payment of which is deferred for one, two, three and four years according to the provisions of this section; said orders, notes or bonds shall be issued in series, the first series payable in one year, the second series in two years, the third series in three years and the fourth series in four years from the date of their issue, said orders, notes or bonds shall bear interest not to exceed five per cent. per annum, the interest thereon to be paid annually, and said council shall sell said orders, notes or bonds at not less than their face value, and said fund shall be kept by the city treasurer as a separate and specific fund for the purpose set forth in this section. Said orders, notes or bonds shall not be reckoned in ascertaining the debt limit of the city.

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

Approved December 17, 1906.

No. 257.—AN ACT TO GRANT ADDITIONAL POWERS TO THE INCORPORATED VILLAGE OF BARTON.

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

SECTION 1. The incorporated village of Barton, at any village meeting duly warned for that purpose, may appropriate any sum not to exceed five per cent. of the grand list of said village, besides the amount raised for highway purposes, for the purpose of lighting, watering, grading or otherwise improving any portion of the public lands or waters within the territorial limits of said village.

SEC. 2. The incorporated village of Barton is hereby authorized to furnish free lights, free water and free electric power to any manufacturing concern or industry as an inducement for such concern or industry to locate a shop or factory in said village, provided said village shall vote to so furnish lights, water and power at any meeting duly warned for that purpose.

SEC. 3. The incorporated village of Barton, at any meeting duly warned for that purpose, may appropriate any sum not to exceed two hundred dollars per annum for the purpose of advertising the attractions of Barton as an industrial center, place of residence or summer resort.

SEC. 4. All appropriations made by said village of Barton under the authority of the above sections shall be expended by the trustees of said village in accordance with the vote of said village.

SEC. 5. This act shall take effect from its passage.

Approved December 6, 1906.

No. 258.—AN ACT TO RATIFY AND CONFIRM THE ACTS OF THE BAILIFFS OF THE BELLOWS FALLS VILLAGE CORPORATION RESPECTING A LICENSE GRANTED TO THE BELLOWS FALLS AND NORTH WALPOLE GAS COMPANY.

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

SECTION 1. The action of the bailiffs of Bellows Falls village corporation in granting to the Bellows Falls and North Walpole Gas Company and its successors and assigns the right

ACTS and RESOLVES

Passed by the

GENERAL ASSEMBLY

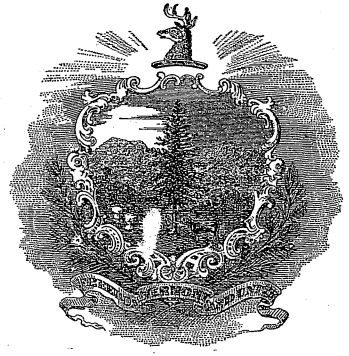
of the

STATE OF VERMONT

at the

TWENTIETH BIENNIAL SESSION
1908

Session Commenced Oct. 7, 1908; Adjourned Jan. 29, 1909



PUBLISHED BY AUTHORITY

MONTPELIER:
CAPITAL CITY PRESS
PRINTERS
1908

same manner as is provided by law from the decision of selectmen in such matters; except that such appeal, if taken from the appraisal of damages only, shall not prevent said city from proceeding with its work as though no appeal had been taken.

SEC. 2. The fourth paragraph of section 10 of No. 150 of the acts of 1896 is hereby amended so as to read as follows:

The city council shall establish rates to be paid for the use of water supplied by the city water works, which shall be called service rates and shall be collected by the city treasurer; it shall establish rules and regulations governing the use of said water, which may include the installing of a meter system; but no water from said city water works shall be furnished outside the limits of said city and town of St. Albans.

SEC. 3. This act shall take effect from its passage.

Approved January 27, 1909.

No. 256.—AN ACT TO CHANGE THE CORPORATE NAME OF THE VILLAGE OF BARTON LANDING TO THE VILLAGE OF ORLEANS, AND TO AMEND NO. 196 OF THE ACTS OF 1878, NO. 114 OF THE ACTS OF 1892, NO. 168 OF THE ACTS OF 1900 AND NO. 218 OF THE ACTS OF 1902, RELATING TO THE VILLAGE OF BARTON LANDING.

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

SECTION 1. No. 196 of the acts of 1878, No. 114 of the acts of 1892, No. 168 of the acts of 1900 and No. 218 of the acts of 1902 are hereby amended by striking out the name Barton Landing wherever used in those acts and inserting in lieu thereof, the name Orleans, and all said acts, as so amended, shall be and remain in full force and effect and applicable to the village of Orleans.

SEC. 2. All that part of the town of Barton in the county of Orleans now embraced within the limits of the village of Barton Landing, as defined in section 1 of No. 114 of the acts of 1892, shall hereafter be known by the name of the village of Orleans; and the inhabitants thereof are hereby constituted a body politic and corporate by the name of the village of Orleans, and, by that name, they and their successors shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, and prosecuting and defending, in all courts and places whatsoever.

SEC. 3. The said village of Orleans shall succeed to all lands, chattels, rights, grants, powers and privileges, heretofore

vested in the village of Barton Landing, and it shall be subject to all and the same liabilities and duties.

SEC. 4. This act shall not effect the tenure of office, rights, powers or duties of any village officer of the village of Barton Landing, now in office and all such officers shall hold under the same tenure as officers of the village of Orleans, with the same rights, powers and duties.

SEC. 5. This act shall take effect January 1, 1909.

Approved December 12, 1908.

No. 257.—AN ACT IN AMENDMENT OF, AND IN ADDITION TO AN ACT APPROVED NOVEMBER 21, 1874, ENTITLED "AN ACT TO INCORPORATE THE VILLAGE OF BARTON," AND AMENDMENTS THEREOF, HERETOFORE ENACTED.

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

SECTION 1. Section 1 of an act entitled "An act to incorporate the Village of Barton," approved Nov. 21, 1874, as amended by No. 191 of the acts of 1886, as amended by No. 153 of the acts of 1896, is hereby amended so as to read as follows:

Section 1. All that part of Barton in the county of Orleans, enclosed within the following boundaries, to wit:—Beginning at the northeast corner of land owned by Mrs. Jennie Hibbard, on the west side of the highway leading from Barton to Barton Landing Village, thence westerly along said Hibbard's north line to Barton river, thence southerly along the east bank of Barton river, to land owned by J. V. Rowen, thence westerly across Barton river to the northeast corner of the Benton place, thence along the north line of the said Benton farm, to the northeast corner of land owned by Amos Tower, thence westerly along the north line of said Tower's land to land owned by James Collison, thence along the north and west line of said Collison's land to Elm street, thence east on the north side of Elm street to a point opposite the north west corner of land owned by Z. E. Hanson, thence south and east around said Hanson's land to the southwest corner of land owned by H. V. Drown, thence along the south side of said Drown's land to the northeast corner of the farm of W. E. Hanson, thence south on the east line of the W. E. Hanson farm to land owned by F. B. Lang, thence westerly along the north line of said Lang's land to the old County road, thence southerly along the east side of said road to the south side of the highway leading from

Barton to West Glover Village, thence along the south side of said highway, to the W. C. Brown highway bridge, thence east across said highway to land owned by John P. Urie, thence north on said Urie's line to land owned by W. Z. Twombly, thence east on the south line of said Twombly's land to land owned by S. A. Hunt, thence around the west and south sides of said Hunt's land to the Dr. Brown farm, so called, thence along the northwest line of said farm, to land belonging to the Welcome O. Brown Cemetery Association, thence along the south line of said cemetery to Duck Pond road, thence in a straight line to the railroad crossing next south of Joe Barton's house, on the road leading from Barton Village to South Barton, thence in a straight line, across the north end of Crystal Lake to the south west corner of land bargained by H. B. Orcutt, thence northerly on the west line of said Orcutt's land to the highway leading from Barton to Westmore, thence easterly along the south side of said highway to the southwest corner of land owned by A. M. Olmstead, thence across said highway to the southeasterly corner of land owned by Lewis Labor, thence northerly along said Labor's westerly line to land owned by E. Nault, thence northerly along the west line of said Nault's land to land owned by Mrs. Martha Twombly, thence northerly along said Twombly's north line to High street, thence across High street to land owned by E. J. Hafford, thence northerly along said Hafford's north line to land owned by F. S. Whitcher, thence westerly along said Whitcher's south line to the Boston and Maine Railroad track, thence across said railroad to the south east corner of land owned by F. W. Comstock, thence westerly along said Comstock's south line to the highway, thence northerly along the east side of said highway to a point opposite the point of beginning, thence across said highway to the point of beginning, shall hereafter be known by the name of Barton Village, and by that name may have perpetual succession, and be capable of suing and being sued, may prosecute and defend in any court, may have a common seal and the same alter at pleasure, and shall be capable of purchasing and holding and conveying real and personal estate for the use of said village, and may at any annual or special meeting, warned for that purpose as herein provided, lay a tax upon the polls of the inhabitants and the ratable estate within the same, whether residents or non-residents, for any of the purposes herein mentioned; and the trustees shall make out a rate bill accordingly and deliver the same to the collector, who shall have the same power to collect such tax as the collector of town taxes and may in like manner levy on and sell property to satisfy the same, and for want thereof may commit any person to jail against whom he has such a tax. The bounds or limits of said village may be changed by a vote of said village made at a village meeting legally warned and held for that purpose, subject to the provisions of the general laws.

A record of such change of bounds shall be made in the town clerk's office of the town of Barton.

SEC. 2. Section 12 of said act is hereby amended so as to read as follows:

Section 12. The chief engineer and first and second assistant engineers shall constitute a board of fire wardens, who shall be present at all fires. They shall have some distinguishing badge fixed upon by said village, and in times of fire are hereby empowered to demand reasonable assistance from the inhabitants of said village, or any of them, and all persons who may be present at such times are hereby required to assist in extinguishing and preventing the spreading of such fire, and to remove goods and effects out of any house or other building endangered by such fire, and protect the same from waste and depredation, and shall have power at such fires to suppress all tumults and riots by force if necessary, to pull down, remove or destroy any house, store or other building, when a majority of said wardens deem it necessary for the better preservation of any property, and all such persons present are required to yield stict obedience to all orders given by said wardens. Said board of fire wardens, may inspect the manner of manufacturing and keeping gunpowder, lime, matches, lights, fireworks or combustibles, and the construction and repairs of fire places, stoves, flues and chimneys in said corporation, and said board of fire wardens may, by a vote of a majority thereof, direct all persons manufacturing or keeping gunpowder, lime, ashes, matches, lights, fire-works or combustibles, kerosene oil, petroleum, naptha, oil or burning fluid, in what manner and quantities to manufacture and keep the same, and the owners or occupiers of buildings with fire places, stoves, flues or chimneys, how to construct and repair the same to make them safe. A person refusing or neglecting to obey the orders of a majority of said fire wardens, or, in time of a fire, refusing to obey the orders of said fire wardens, or either of them, shall upon conviction before any justice of the peace, be fined not more than twenty dollars, to the use of the corporation.

SEC. 3. This act shall be subject to future legislatures to alter or amend or repeal, and shall take effect when accepted by a majority of the voters present and voting at a meeting of said village, legally warned and held for that purpose.

Approved December 14, 1908.

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

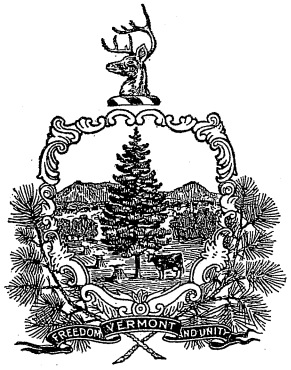
AT THE

TWENTY-FOURTH BIENNIAL SESSION

1917

Session Commenced January 3, 1917

Adjourned April 12, 1917



PUBLISHED BY AUTHORITY

No. 295.—AN ACT TO AMEND SECTION 3 OF NO. 167 OF THE ACTS OF 1894, RELATING TO THE ELECTRIC LIGHT PLANT OF THE VILLAGE OF BARTON, AND TO EXTEND THE POWERS OF SAID VILLAGE IN RESPECT THERETO.

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

SECTION 1. Section 3 of No. 167 of the Acts of 1894 is hereby amended so as to read as follows:

Sec. 3. The trustees of said village shall have authority to control the management and operation of the electric light plant herein provided for, under such by-laws and regulations as said village at any legal meeting may adopt, and said village may make by-laws and regulations concerning the management and use of its electric light plant, including the rates and charges for the use of electricity. The trustees may, in their discretion, appoint a superintendent of the electric light department, and may remove him at pleasure, fix his compensation, if not determined by vote of the village and may prescribe the scope of his authority.

SEC. 2. Said village shall establish rates or rent to be charged and paid by the users of water and electricity at such times and in such manner as it may determine, and may modify, increase or diminish such rates and extend them to any description of property or use. Such rates or rents, with the charges for wiring and piping, shall be chargeable to, and may be collected of, the owners of the property supplied with the same, unless otherwise agreed upon by the water commissioners, trustees and such owners, and may be collected in the same manner as any tax assessed by said village. Said village may order all rents for water and electricity to be paid in advance, and may make all necessary provisions and orders relating to the supply or stoppage of water and electricity as it may deem expedient to insure the payment of such rents.

SEC. 3. There shall be paid from the general fund of said village to the electric light department, for lighting the streets, walks and public buildings of said village, such sums annually as shall be voted for that purpose at any annual or special meeting of said village, duly warned for that purpose.

SEC. 4. It shall be the duty of the treasurer of said village to keep separate accounts of all moneys received from the water and electric light departments; and the rents and receipts of said village, for the use of water and electricity, shall be applied first to pay the interest as it becomes due upon the bonded or other indebtedness of said village in connection with its water and electric light plants, and the excess, if any, shall be expended in the necessary repairs, operation and extension of its water works or electric light plant. The net income of either the water works or electric light plant shall be applied to pay the principal of the corresponding debt, or shall be set apart as a reserve fund and shall be invested by the treasurer of said village under the direction of the trustees; and the trustees are hereby authorized to loan the net income of any department to any other department of said village at such a rate of interest as they may fix to pay the indebtedness of the borrowing department. When the bonded or other indebtedness of the water or electric light department is paid, the net income of said department shall be expended for the benefit of said village as the voters thereof may order at any annual or special meeting.

SEC. 5. Said village by its trustees, is authorized to sell and deliver, by proper pole lines or other means of conducting the same, surplus electric current, generated by said electric light plant, to any municipality, person, company or corporation, for consumption and use in Orleans County outside its corporate limits on such terms and subject to such regulations as may be agreed upon by the trustees and such municipality, person, company or corporation, not inconsistent with the by-laws and regulations adopted by said village.

SEC. 6. The authority to construct and maintain an electric light plant, contained in No. 167 of the Acts of 1894 and additions thereto, and amendments thereof, granted to the village of Barton, is hereby declared to include, and to have included, authority to construct and maintain in the town of Charleston in the county of Orleans the electric light plant constructed by and now maintained by said village and to furnish electric current to all municipalities, corporations, companies and persons as the same is now being furnished and to construct and maintain all pole lines as the same have been constructed and are now maintained by said corporation; and all bonds and other securities voted and issued by said village in payment for, or to secure funds to pay for constructing, improving and increasing the efficiency of said electric light plant are hereby declared to have been and to be authorized and valid.

SEC. 7. The powers of said village of Barton to construct and maintain an electric light plant as herein provided are hereby extended and enlarged so that said village may take, purchase, acquire and hold land and rights

of way necessary for the erection, maintenance and operation of its pole lines and lines of wires and the operation of such electric light plant and its appurtenances. Said village of Barton may furnish electric current for domestic, power and other purposes in said village, and may furnish electric current for lighting the streets, walks and public buildings of other villages and towns in Orleans County, and for domestic, power and other purposes in said villages and towns. And said village of Barton may use any public highway in Orleans County over which it may be necessary or desirable to pass with its pole lines and wires, provided the use of such highway, for purposes of travel, is not thereby impaired. Said village of Barton may purchase and hold any land, water power, water privileges, and rights of water, including the rights of flowage, upon and along the Clyde River and its tributaries, upon which river the electric light plant of said village of Barton is now constructed and maintained.

SEC. 8. Said village of Barton is hereby granted the right to cut down and lower the ledge of rocks, or reef, so-called, in and across Clyde River in the town of Charleston, in the County of Orleans, about five hundred feet south of the dam of said village of Barton to and including a depth of two and one-half feet below the level of the top of the dam of said village of Barton as it is now erected and maintained in and across said river, upon payment of all damages to adjoining owners as hereinafter provided.

SEC. 9. In any case where damage or compensation to owners of or persons interested in the rights of water, land and rights of way specified in section 7 and 8 of this act, is not adjusted by agreement, said village may bring its petition to the public service commission, and such proceedings shall be had thereon as are provided for by section 7 of No. 163 of the acts of 1915.

SEC. 10. Provided, however, that the provisions of this act shall in no way affect any pending litigation between said town of Charleston and others and said village of Barton, nor shall the provisions of this act affect any other action or actions that may have accrued to said town of Charleston or any person, persons, or corporation by reason of previous acts of said village of Barton.

SEC. 11. Nothing herein contained shall be construed to convey the right of eminent domain except as to the ledge of rocks or reef and the erection of pole lines herein mentioned.

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

Approved April 11, 1917.

No. 296.—AN ACT TO AUTHORIZE THE VILLAGE OF BARTON TO ISSUE BONDS FOR THE PURPOSE THEREIN NAMED.

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

SECTION 1. The village of Barton is hereby authorized and empowered to issue its negotiable bonds for the purpose of rebuilding with suitable materials the streets in said village.

SEC. 2. Said village, by a majority of the legal voters present and voting in a duly warned meeting and held for that purpose, may determine what amount of bonds, not exceeding in the aggregate the sum of thirty-five thousand dollars, shall be issued, the denomination of the bonds, at what time or times, and at what place or places the same shall be payable, the rate of interest thereon, whether the same shall be registered, whether they shall have interest coupons attached and how said bonds shall be sold. Such bonds shall not be used or sold, except for the purposes specified in section 1 of this act.

SEC. 3. Such bonds shall be signed by the trustees and countersigned by the treasurer, and if interest coupons are attached they shall be signed by the treasurer. Such bonds shall contain on the face thereof a statement of the authority conferred by this act and the vote of the village authorizing the issue thereof, and the same shall be conclusive evidence of the fact of the liability of said village to a bona fide holder thereof.

SEC. 4. The treasurer of said village shall keep an accurate record of each bond issued, stating therein the number and denomination of each bond, when and if registered, to whom issued, when and where payable, the rate of interest thereon, and shall also keep a true record of all payments of interest and principal, and, if coupons or bonds are taken up, shall cancel the same.

SEC. 5. If said village does not provide means for the payment of the principal and interest on such bonds issued pursuant to this act as the same shall become due, the trustees of the village shall assess on the grand list of the village a tax sufficient in amount to pay such principal or interest, or both as the case may be, and place the same in the hands of the collector of taxes for the village with a warrant for the collection of such tax, signed by a justice of the peace residing in said village. Said collector shall immediately collect such tax, and pay the same into the hands of the treasurer, who shall pay such

interest or principal then due with the proceeds of such tax. Nothing in this act, however, shall be construed to prohibit the holder or holders of such bonds from resorting to any legal means to enforce the payment of the same or of the interest thereon.

SEC. 6. This act shall take effect from its passage.

Approved April 5, 1917.

No. 297. AN ACT TO AMEND NO. 259 OF THE ACTS OF 1906, RELATING TO BELLOWS FALLS VILLAGE CORPORATION, EMPOWERING SAID VILLAGE TO TAKE AND HOLD PROPERTY FOR THE PURPOSES THEREIN NAMED.

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

SECTION 1. The Bellows Falls Village Corporation is hereby authorized and empowered to receive, take, and hold, by gift, grant, devise or bequest, real estate or personal property for the purpose of establishing and maintaining a public hospital in the village of Bellows Falls, for the treatment and care of needy sick and disabled persons, and of persons who may be able to pay for such treatment in whole or in part, or to pay for the care and treatment in whole or in part, of needy sick and disabled persons, in any hospital now established or which may hereafter be established in said village of Bellows Falls, or to assist in the support and maintenance of any hospital now established or which may hereafter be established in said village of Bellows Falls. Said village is also authorized and empowered to receive, take, and hold, by gift, grant, devise or bequest, real estate or personal property for the relief of indigent persons in said village of Bellows Falls.

SEC. 2. Unless otherwise provided in such gift, grant, devise or bequest, all funds so received and the income therefrom shall be invested in such manner as such corporation may, by a majority of its legal voters voting at any meeting of such corporation legally called and held for that purpose, direct, and the income from such funds shall be distributed and expended by the board of trustees of said village corporation.

SEC. 3. This act shall take effect from its passage.

Approved March 21, 1917.

No. 298. AN ACT TO AUTHORIZE THE VILLAGE OF BRADFORD TO ISSUE BONDS.

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

SECTION 1. The village of Bradford is hereby authorized to issue its negotiable bonds to an amount not exceeding twenty thousand dollars, for the purpose of raising money to build and repair the highways in said village.

SEC. 2. Said village, by a majority vote of the voters present and voting in a meeting duly warned and holden for that purpose, may determine what amount of bonds, not exceeding twenty thousand dollars, shall be issued, at what time, not exceeding thirty years, and at what place the same shall be payable, and the rate of interest thereon, which shall not exceed five per cent per annum, payable semi-annually or annually. Such bonds may be registered or have interest coupons attached thereto, and shall be in denominations of not less than one hundred dollars nor more than one thousand dollars.

SEC. 3. Such bonds shall be signed by the trustees and countersigned by the treasurer of said village, and the interest coupons thereon shall be signed only by the treasurer. Such bonds shall specify on the face thereof the purpose for which they are issued, the vote of said village authorizing the issuance thereof and that they are issued under the authority conferred by this act, which shall be presumptive evidence of the fact of the liability of said village to any bona fide holder thereof.

SEC. 4. The treasurer of said village shall keep an accurate record of each and every bond issued under the provisions of this act, therein stating the number and denomination of each bond, when and where payable, to whom issued and the rate of interest thereon; and shall also keep a true record of all payments of principal and interest, and if coupons or bonds are taken up, shall deface and cancel the same.

SEC. 5. In case said village neglects to make seasonable provision for the payment of the interest and principal of such bonds as the same become due, the treasurer of said village shall make out and deliver to the collector of taxes of said village a tax bill on the grand list thereof, and he shall therewith issue to said collector of taxes his warrant, substantially in the form provided to be used for the collection of other taxes, directing the collection and payment of said tax to said treasurer within sixty days from the time of such delivery, in amount sufficient to promptly pay

ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VERMONT

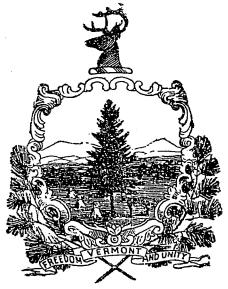
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