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THE TRANSCRIPT.

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By HENRY A. CUTLER.

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Laws of Vermont

ANNUAL SESSION, A. D. 1865.

Designated by the Secretary of State for publication in all newspapers.

An act to establish the Vermont Reform School.

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

SEC. 1. There shall be established, as hereafter provided, an institution for the discipline, correction and reformation of juvenile offenders, to be called the Vermont Reform School, to which shall be committed for discipline, correction and instruction, such persons not exceeding eighteen years of age as it is by this bill provided it may commit.

SEC. 2. There shall be appointed annually by the Governor, by and with the advice of the Senate, a board of commissioners to consist of three members, one of their number to be designated as the acting commissioner and the other two advisory commissioners. The acting commissioner shall receive besides board for himself and family, a salary of eight hundred dollars per annum to be paid quarterly, but no other fees, expenses or perquisites whatever. And the two advisory commissioners shall receive three dollars per diem, for the time actually employed in the discharge of their duties, with travelling expenses. The acting commissioner shall constantly reside upon the State farm, and give his whole time to the duties of his office. The whole board shall meet, at least, once quarterly; for no pay per diem, shall be paid to any advisory commissioner for more than fifty days in any one year, and the salary and pay per diem shall be paid out of the Treasury of the State, on the order of the Auditor of Accounts based on the separate certificates of the commissioners. The said board of commissioners shall give such bonds in such amount and with such security as shall be approved by the Governor, will need to be deposited with the State Treasurer. And in case of vacancy occurring in said board from any cause, it shall be filled by the Governor by appointment, and the persons so appointed shall hold office one year or until others are appointed.

SEC. 3. The said commissioners are hereby authorized to purchase land, not exceeding two hundred acres, nor less than fifty acres, suitable for the site and the purposes of the said Reform School, to be called the State Farm, and so located within this State as shall in their judgment best meet the wants and subserve the interests of the said school, the cost of which lands shall not exceed six thousand dollars. Immediately upon the purchase of said farm, and obtaining possession thereof, the said board of commissioners shall proceed to erect suitable buildings thereon for the residence of the acting commissioner, and the reception and accommodation of such male and female youths as is provided in this act to commit to the Reform School, or as such buildings have been purchased with the land, to put them in proper repair, and fit them for the use and purposes of the said school, and if need be, erect additional buildings. The buildings shall be arranged for the complete separation of the sexes, and their separation shall be strictly maintained.

SEC. 4. For the wages of assistants and employees in said Reform School, for salary and per diem of commissioners, and for fuel, fresh provisions and education for the inmates, for stock and implements of farm, and furniture of buildings for the year ensuing, a sum not to exceed five thousand dollars is hereby appropriated, to be allowed by the Auditor of Accounts, who shall draw his order on the Treasurer, in favor of the acting commissioner, on his presenting proper vouchers of the amount of expenses so incurred.

SEC. 5. Whenever any male or female under the age of eighteen years, shall be found guilty of any crime or offense against the laws of this State, the court in its discretion shall have power to sentence the respondent to the Vermont Reform School, and the Governor is hereby authorized at his discretion to commute the punishment of such convicts of the age fixed in this act, as now are or hereafter may be sentenced to confinement in the State Prison or county jail and remove them to said school, and the costs of such commutations, and removals shall be met in the same manner as is now provided by law for commutations to the State Prison; and the officer in charge of the person so to be committed, or removed, shall retain him in his custody, until he shall have received information from the acting commissioner that there is room for the person so to be committed in said school.

SEC. 6. In all cases when received, said minors shall be under the control of the authorities of the said Reform School, and the said authorities shall at all times have power to apprentice them at their discretion, and it shall be their duty so to apprentice them whenever suitable opportunities shall offer, and they shall judge said minors suitable persons to be so apprenticed.

SEC. 7. Any person that shall entice any youth detained upon the State farm to escape, or aid or abet him in escaping, or shall after his escape, knowing him to be a fugitive from said farm, harbor him, shall on conviction thereof be deemed guilty of misdemeanor, and be fined in a sum not exceeding one hundred dollars, or confined in the county jail for a period not exceeding three months, or both, at the discretion of the court.

SEC. 8. Said board of commissioners shall report annually to the Governor on or before the tenth day of October in each year. Said report shall contain full and detailed accounts of all payments made and moneys received, and of all the fiscal affairs of the said Reform School; its management, condition, and wants, which the Governor shall have printed, and transmit to the legislature with his annual message.

SEC. 9. When any male minor shall have been committed to the Reform School, and the commissioners shall find him incorrigible, or shall deem his continuance injurious to its management or discipline, they shall certify the same upon the mittimus by which he is held, and the mittimus with such certificate shall be returned to the county court, next to be held in the county where such minor shall have been convicted or sentenced; whereupon said county court shall, in their discretion, either remit such minor to said Reform School for further and more severe discipline, or to the county jail or State Prison, to be there imprisoned for the remainder of the term for which said convict was sentenced. And the commissioners shall have power, with the approval of the Governor, to discharge any minor so reformed, whenever they shall become satisfied that his longer detention in said school shall be to the disadvantage or injury of said minor.

SEC. 10. This act shall take effect from its passage, and shall be under the control of all future Legislatures, to alter, amend, or repeal.

Approved Nov. 9, 1865.

An act defining the duties of certain State Officers, and for the protection and benefit of the Treasury.

It is hereby enacted, &c.

SEC. 1. The Auditor of accounts of this state shall procure and examine all the papers, vouchers and statements of any and all kinds of disbursements made by any person for or on account of the State of Vermont from the first day of January, A. D. 1861, to the first day of January, A. D. 1866, and he shall arrange such vouchers for payments or disbursements in proper form, and place the same on file in his office, and for any and all expenses and all disbursements made by any officer of this state, or by any one acting by or under the authority of this state or its officials in any way, so far as the said payments or expenditures may have been in any way appropriated or used to procure, furnish, or provide, or in any form have been used to furnish men or means of any kind to aid and assist the General Government of the United States in furnishing or supplying itself with any kind of material used in the late war for the suppression of the rebellion of the Southern States, or in any way expended in defending the frontier against invasion or raid from Canada; he shall obtain all the evidence if possible so to do, necessary to enable him to prepare and present a statement to the said General Government of the United States, of all such claims, with their proper vouchers. And it is hereby made the duty of said auditor to prepare such statement of these claims as soon as practicable, and present them and secure their payment if he can do so; but if such claims are not paid by said General Government of the United States upon presentation, said auditor of accounts is hereby instructed to obtain their adjustment if possible, and to have the same allowed by said General Government as a just claim due to the State of Vermont. It is further made the duty of said auditor of accounts to cause a statement of these claims to be prepared, in which he shall state in detail what has been allowed, and what has been rejected, with the cause for such rejection. The auditor of accounts shall cause to be paid to the treasurer of this state any and all funds received from the said General Government of the United States as specified in this section, and receive said treasurer's vouchers therefor. In the performance of the duties hereinbefore set forth, the auditor of accounts is authorized to employ such clerical assistance as may be necessary, and to be paid all needful expenses incurred by him, together with the sum of one thousand dollars for his personal services in addition to his salary as now provided by law, such payment to be made by the treasurer of the State upon the approval of the Governor of said auditor of accounts' order for such payment. It is hereby made the duty of any and all persons to furnish the auditor of accounts with all papers as evidence of any kind in their possession to enable him to prepare the statements specified herein.

SEC. 2. The Auditor of Accounts is hereby directed to prepare and forward to the collectors of the several towns in this State, blanks in form and with printed instruction thereon for the following purpose, to wit: To ascertain the number of men furnished by each town in this State for service in the armies of the United States during the late war, with their time of service, and the amount of money expended by such town in procuring such men either as volunteers, substitutes or drafted men; said returns to be made in detail, and returned to the Auditor of Accounts by such selectmen on or before the first day of April, 1866, with their certificate appended thereto of the correctness of such statement, and said Auditor of Accounts shall cause these certificates to be placed on file in his office, and shall prepare a statement of the same, specifying town, and the number of men provided by each town, with the amount paid for such men, to be printed for the use of the next legislature.

SEC. 3. It shall be the duty of the Quartermaster General of this State, by and with the advice and consent of the Governor, to arrange for sale all of the ground now owned by this State in the vicinity of the late hospital buildings in the town of Montpelier, for which the State has not immediate use, and with said hospital buildings now upon said grounds he shall cause to be sold both ground and buildings in such manner as in his opinion will be most conducive to the best interests of the State; and when so sold either in whole or in part, the funds shall be by said Quartermaster General paid to the Treasurer of the State, and a statement of such sale with the amount thereof, filed with the Auditor of Accounts. The Auditor of Accounts is hereby authorized to draw his warrant upon the State Treasurer for all needful expenses incurred in pursuance of this section, upon the presentation of proper vouchers for such expenses.

SEC. 4. The Treasurer of the State shall not pay nor disburse any funds belonging to the State of Vermont unless it shall be upon orders or warrants drawn or signed by the Auditor of Accounts. It is hereby made the duty of the Auditor of Accounts to settle and adjust all claims or demands due from this State by any laws now in force or that shall hereafter be enacted, and in settlement thereof to draw his warrant upon the Treasurer of the State; and said warrant shall be a legal voucher in the settlement of said Treasurer's accounts. Provided that nothing in this section shall be construed to prevent the payment of money to soldiers due from the State by existing laws or contracts for or on account of services. It is also further provided that said Treasurer be and is hereby authorized to pay the orders of the County Clerks of the several Counties in this State as now provided by law; and also the deficiencies of members and officers of the General Assembly, and any other expenses of the General Assembly not otherwise provided for.

Approved Nov. 9, 1865.

An act providing for taking Bank Stock in the several Banking Associations in this State, formed under the act of Congress approved June 3, 1864, entitled "An act to provide a National Currency."

It is hereby enacted, &c.

SEC. 1. It shall be the duty of the cashiers of the several banking associations in this State formed under the act of Congress approved June 3, 1864, entitled "An act to provide a national currency," and the cashiers of all other banks in this state to transmit to the clerks of the several towns in this State, in which any stock or shareholders of such banking association shall reside, a true list of the names of such stock or shareholders, with the number of shares standing against the name of each stock or shareholder on the books of such banking association, together with the amount of money actually paid in on each share, on the 1st day of April in each year hereafter, on or before the 15th day of April in each year.

SEC. 2. The stock and shares of all such banking associations, shall be set in the list and taxed in the same manner that the stock in the several banks in this State, which are chartered under the authority of this State, are liable to be taxed by the existing laws thereof.

SEC. 3. If any of the stock of such banking associations is owned by, or stands in the name of, any person residing out of this state, it shall be the duty of the cashiers of such banking associations to transmit to the clerk of the town in which such banking association is situated, the names of such non-resident stock or shareholder, with the number of shares standing against the name of each of such stock or shareholder on the books of such banking association, together with the amount of money actually paid in on each share, on or before the 15th day of April in each year.

SEC. 4. Whenever the collector in any town in which any such banking association is situated, shall have a tax against any stock or shareholder in such banking association who is not a resident of this state, it shall be the duty of the cashier of such banking association, upon presentation of such tax to him by such collector to pay the same, and charge the same to such stock or shareholder, on the books of such banking association,—and the stock of such stock or shareholder, and all dividends due and becoming due upon the same, shall be holden to such banking association for the payment of such tax.

SEC. 5. If any cashiers shall neglect or refuse to make returns to any town in this state as provided in this act, he shall forfeit and pay to the treasurer of such town, for the benefit of such town, the sum of five hundred dollars to be recovered by an action on the case in the name of such treasurer, founded on this statute.

SEC. 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved Nov. 9, 1865.

An act in amendment of section eighty-four of chapter twenty-eight of the General Statutes, relating to Railroads.

It is hereby enacted, &c.

SEC. 1. Section eighty-four of chapter twenty-eighty of the General Statutes, relating to Railroads, is amended so as to read as follows: Whenever any railroad in this state shall enter upon, intersect, or connect with any other railroad in this state, the managers of each of such connecting roads shall afford and furnish to the other at all times, all just, proper, and reasonable terms of connection, accommodations, privileges, and facilities, in the reception, transportation, and delivery of cars, passengers, baggage and freight, to and from each of such connecting roads, according to the usual course of railroad business, including the sale and reception of passenger tickets, and the checking of baggage. And shall receive and transport all such cars, passengers, baggage, and freight at such times, and on such terms, as shall be just and reasonable. And where any railroad in this state shall be intersected by two or more other railroads in his state, which shall be competing lines for business to or from the road so intersected, the managers of such roads shall transport cars, passengers, baggage and freight, to and from each of said intersecting roads, on the same terms; and shall establish no rules, regulations, or terms of connection that will give to either of such competing roads any undue or unreasonable advantage over the other.

SEC. 2. If the managers of any such connecting road shall deem themselves aggrieved in the premises aforesaid, by the arrangements or conduct of the managers of the road so connected with, and if said managers of such roads shall be unable to agree upon terms of connection in any of the particulars aforesaid, the Supreme Court at any term thereof, in any county, upon the petition of either party, verified upon oath and filed, and upon at least fifteen days service thereof upon the adverse party, shall proceed to appoint three disinterested commissioners, whose duty it shall be, upon due notice to all parties in interest, to hear such parties with their allegations and proofs, and with the least possible delay to determine and fix upon terms, times, and manner of connection, the accommodations, privileges, and facilities, and the terms of transportation, in all the particulars mentioned in the first section of this act, to be afforded by the managers of the railroad so connected with as aforesaid, and to make a written award and decision relative thereto; and in so doing they shall have due regard to the interest and convenience of the public in the premises. And said commissioners shall report such award and decision to the Supreme Court at the term thereof, in whatever county, next succeeding the making of such award, or to any special term of said court appointed under this act, and to which such reports shall be directed by said court to be made. And such award and decision of said commissioners, or of a majority of them shall be confirmed by said court, unless cause is shown to the contrary; and when so confirmed, shall be binding and conclusive upon the parties thereto, until such time as the same shall be altered or modified by another board of commissioners appointed as aforesaid, upon petition of either party; provided, that no such alteration or modification shall be made within two years next after the making of such award.

SEC. 3. Whenever any petition shall be filed under the provisions of this act, and any competing road in this state referred to in the first section of this act shall be interested in the relief thereby sought, or whenever upon the hearing of such petition it shall be made to appear to court that such competing road is so interested, the managers of such road shall be made a party of such petition, and service thereof shall be made upon them as herein provided, before the appointment of commissioners thereon, and they shall be heard in the premises before said commissioners and said court. And due regard to their just rights and interests shall be had in the appointment of commissioners, and in the award and decision made upon said petition. And the judgment thereon shall be binding upon them so far as applicable, and so far as it affects the relative rights of said competing roads in the premises, and to that extent shall be conclusive in any other proceeding under this act between the same parties, until modified as herein provided.

SEC. 4. The Supreme Court may at any term thereof in any county, make any and all proper orders for the enforcing and carrying into effect of such award, and for restraining any violation thereof, and may enforce said orders by mandamus, or by the ordinary process of the court of chancery, and shall for that purpose be invested with full chancery powers in the premises. And they may allow to either party such costs as they may deem proper, and issue execution therefor. And the compensation of said commissioners shall be paid by either or all of said parties, and in such proportion as said court shall direct.

SEC. 5. The Chief Justice of the Supreme Court may upon application of either party to such petition, if in his judgment the interests of justice or of the public require it, appoint a special term of the Supreme Court to be holden at such time and place, and to be composed of such judges, not less than three, as he may designate, for the purpose either of appointing such commissioners, or of hearing any motion to confirm their award, or any application for necessary orders to enforce the same, or to restrain any violation thereof, and said court at such term shall have the same powers under this act as at any regular term of said court now provided by law. And each judge attending such special term shall receive the sum of ten dollars per diem for the time spent in going to and from and attending such term, together with his reasonable expenses in so doing, which shall be paid by either or all of the parties to such petition, and in such proportion as the court shall direct.

SEC. 6. The provisions of this act shall apply to all trustees, mortgagees, receivers, and other persons engaged in the management or control of any railroad in this state.

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

Approved Nov. 2, 1865.

An act relating to the collection of Taxes in unorganized Towns and Gores.

It is hereby enacted, &c.

SEC. 1. An act entitled "An act authorizing the Governor to appoint listers and collectors of taxes in the gores in the State," approved Dec. 1, 1862, shall be so construed that in case the Governor shall fail to make the appointment either of commissioner or collector before the first day of March in any year, according to said act he shall have authority to make such appointment at any time thereafter during such year; and also that in case of any vacancy occurring in either of said offices by reason of death, resignation or otherwise, the Governor is authorized, during the year, to appoint others with like powers and duties to fill their places. And the Governor may appoint the same person to fill both offices of commissioner and collector, or separate persons as he may think proper.

SEC. 2. Said act is so amended that it shall be the duty of commissioners therein named to make the deposit with the county clerks of their respective counties, their lists in said act mentioned, on or before the first Tuesday of September in each year hereafter; on which day, and from day to day thereafter, they shall hear applications of persons aggrieved, for the correction or alteration of such list, until all such applications shall have been heard and decided; and they shall make such alterations in said list as they shall deem just and proper, without being required to give notice as is required of listers in organized towns.

SEC. 3. The valuation of the real estate contained in the several lists aforesaid, for the year 1865, shall be the basis of taxation for each succeeding year until the year 1870, in which year a new appraisal shall be made, and so in each fifth year thereafter; and each of said appraisals shall be the basis of taxation until another shall be made, subject to any corrections by the commissioners aforesaid.

SEC. 4. Said commissioners shall not be required hereafter to transmit a copy of their lists to the State Treasurer, but it shall be their duty to make and return to the clerk of the House of Representatives, an abstract of their list when completed and corrected by them, in the same manner as listers of organized towns are now required to do.

SEC. 5. The State Treasurer shall not be required hereafter to transmit any tax bill to the several collectors, but he shall continue to transmit to them his warrants for the collection of any State taxes, in the same manner as now required in said act.

SEC. 6. Whenever any State tax shall be hereafter assessed on the polls and ratepable estate of the inhabitants of the State, it shall be the duty of each of said commissioners to make and transmit to the collectors of their respective counties, a tax bill for the collection of said tax to be made on the list of the unorganized towns and gores of said county, for the year in which said tax was assessed, including all said towns and gores in such county in one tax bill, which shall contain a copy of the list by them made for the year in which said tax was assessed, and shall be made by setting down against each item in said list, the amount of tax thereon; and he shall certify thereon that said tax bill was made by him as commissioner; and that it contains a true copy of the list for the year in which the tax was assessed, with the amount of tax assessed. And it shall be the duty of such collector to collect such tax agreeably to such tax bill and the warrant of the treasurer aforesaid; and any conveyance made by such collector in the collection of such tax, shall have the same force and effect as if made by a constable in the collection of taxes in organized towns, and be subject to the same right of redemption; and sales of land of non-residents may be made by such collectors in pursuance of this act, at any time between the first day of May and the first day of July following; and in case of such sales, the collectors shall be allowed the same fees as is provided in section thirty-two of chapter eighty-four of the General Statutes, for town constables.

SEC. 7. Said collectors, previous to advertising for sale any lands of non-residents, shall leave for record in the office of the county clerk of the county in which said lands lie, his warrant for the collection of said tax, or a copy thereof by him certified, and a copy of so much of said list and tax bill annexed as relates to said non-residents' lands, certified by him to be true copies. And said county clerk shall record the same, and a copy of such record, certified by the county clerk, shall be prima facia evidence of such warrant, list, and rate bill. And said collector shall advertise such non-residents' lands for sale, agreeably to the provisions of sections twenty-six, twenty-eight, twenty-nine and thirty of chapter eighty-four of the General Statutes, which advertisement shall be recorded in the county clerk's office in the county where said lands lie; and such county clerk shall certify whether the same has been duly published as required by law, which record and certificate shall be sufficient evidence of the fact that such advertisement has been duly published; and any such collector who may sell land for taxes, shall make out a true list of the lands so sold, certified by him, therein designating the time when and the person to whom, and the sum for which each piece of land was sold, and leave the same in the office of the county clerk of the county where said lands lie, within thirty days from the day of sale; and said county clerk shall record the same; and the records of such county clerks and their certificates of publication, and their certified copies of record, shall have the same force and effect as if made by town clerks of organized towns pursuant to laws regulating the collection of taxes therein. And said county clerks may receive redemptions for land sold, in case said collector may die or remove out of the county wherein he resided at the time of such sale, in the same manner as town clerks may do in case of sales of land in organized towns.

SEC. 8. The act to which this is an addition is so amended that hereafter the said commissioner shall not be required to leave any list by him made, in any town clerk's office, nor in case of the sales of land, shall it be the duty of the collector to leave his advertisement, copy of warrant, tax bill, list of lands sold, or list of lands not redeemed, with the town clerk, as now by said act required; but the same shall be left in the office of the county clerk as aforesaid, nor shall the town clerks be authorized to receive redemption for lands sold by such collectors.

SEC. 9. In all cases where lists have heretofore been left with any town clerk by such commissioner, it shall be the duty of such town clerk immediately hereafter to transmit the same to the office of the county clerk of the county wherein he resides, whose duty it shall be to enter thereon a minute of the time when the same was received, and to keep the same among the archives of his office; and in all cases when any collector, in pursuance of the act aforesaid shall have left with the town clerk for record, any advertisement, copy of warrant, tax bill, list of land sold, or list of land not redeemed, in such case it shall be the duty of such town clerk immediately hereafter, to make duly certified copies of all the records thereof, with the proper certificate attached, and of the record of the due publication of such advertisements, and transmit such copy of record to the county clerk of the county wherein he resides, for record; and it shall be the duty of such county clerk to record the same; and the record of such certified copy shall in all respects have the same force and effect as the original record, and such town and county clerks shall be entitled to reasonable compensation for their services hereby required, to be paid out of the treasury of the State.

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

Approved Nov. 6, 1865.

An act in relation to the sale of Shares of Stock in Private Corporations for the non payment of assessments.

It is hereby enacted, &c.

SEC. 1. When the stock of any inhabitant of this State in any private corporation organized under the laws of this state shall be sold for the non-payment of any tax or assessment by such corporation on such stock whether in pursuance of the provisions of section twelve of chapter eighty-six of the General statutes, or otherwise, the sale shall be made at the office of the clerk of the corporation in this state, and upon a notice of such sale published three weeks successively in some weekly or daily newspaper printed in the county where such office is located. *Provided*; if there shall be no newspaper printed in such county, said notice shall be published in some newspaper printed in an adjoining county.

Approved Nov. 9, 1865.

An act in amendment of chapter eighty-three of the General Statutes, entitled "of the Grand List."

It is hereby enacted, &c.

SEC. 1. In all cases where mining or mineral property or quarries in this state, are assessed and set in the list for the listers of any town, and in all cases where the owner or owners of any real estate by reason of an alleged error in the quantity, condition or value of such real estate as may have been examined and appraised, or set in the list by them, and shall feel aggrieved or injured by such appraisal or list in each year, and the person, company or corporation owning such mining or mineral property or quarries or real estate is dissatisfied with the appraisal of said listers, or with the annual additions to, or abatements from, the assessment of the person, company or corporation owning such property and real estate made by said listers, the person, company or corporation may on or before the 1st day of May in every year, and also on or before the 5th day of September in each year of the appraisal of real estate, appeal from said appraisal, addition or abatement made by said listers, to the Judges of the County Court in the county in which said property is situated, for relief.

SEC. 2. It shall be the duty of said Judges to give one or more of said listers, and the person, company or corporation owning such property or real estate, at least six days notice of the time and place of hearing such appeal, and after hearing them and their proofs on such appeal, said judges shall, on or before the 15th day of May, in the same year, if the appeal shall have been taken from the appraisal, addition or abatement made in the month of April next preceding, and on or before the 20th day of September, if the appeal shall have been taken from the appraisal of the property, certify back to the town clerk of the town in which such case arose, the price at which such property shall be set in the list, and the decisions of said judges shall be final, for one year, or until modified by said board of county judges, application for which may be made by either party and award or decision made as provided in this and the preceding section; and in fixing such valuation the productiveness of such property shall be taken into account, and to be the basis of such valuation.

SEC. 3. It shall be the duty of the listers to complete their appraisal of the property mentioned in this act, and make the additions to, or abatement, if any, from the assessments, of the person, company, or corporation owning such property, at least six days before the expiration of the time limited for taking an appeal as provided in the first section of this act.

SEC. 4. The fees and expenses of said judges while in the discharge of their duty under the provisions of this act, shall be paid by the appellant.

SEC. 5. The provisions of this act shall not apply to the list made for the purposes of state or county taxation, but the list authorized by this act shall be taken and deemed to be the true list on which all other taxes shall be assessed.

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

Approved Nov. 9, 1865.

An act laying a tax on the County of Essex.

It is hereby enacted, &c.

SEC. 1. There is hereby assessed a tax of ten cents on the dollar on the list of the polls and ratable estate in the several towns in the county of Essex for the year 1865, which was completed in said towns for town taxes, on the fifteenth day of May, 1865, to be applied towards repairing the jail and the erecting and building a jail house in Guildhall, in the county of Essex.

SEC. 2. William H. Kneeland of Victory, and Thomas H. Carby of Guildhall, are hereby constituted a committee to repair the jail and to erect and build a jail house in said Guildhall, with power and authority to purchase the necessary materials, and cause said jail to be repaired and furnished, and such jail house to be built, furnished and completed for the use of said county.

SEC. 3. The treasurer of said county is hereby directed, on or before the first day of December, 1865, to issue his warrants for the first constables of the several towns in said county, for the collection of the tax assessed in and by the first section of this act, to be collected in the same manner as by law state taxes are required to be collected.

SEC. 4. The selectmen of the several towns in said county shall make out and deliver to the first constables of their respective towns, in the month of December, 1865, a tax bill for the collection of said tax, in the same manner as is required by law in cases of state taxes; and the first constables of the several towns in said county shall collect and pay into the county treasury of said county, the amount of said tax, by the first day of March, 1866.

SEC. 5. The said committee may draw orders on the county treasurer for said county for the expense of repairing and furnishing said jail, and for the expense of building and furnishing said jail house, and for the services of said committee in the premises.

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

Approved November 3, 1865.

An act laying a tax on the County of Chittenden.

It is hereby enacted, &c.

SEC. 1. There is hereby assessed a tax of three cents on the dollar on the list of polls and ratable estate in the several towns in the county of Chittenden, for the year 1865, for the purpose of meeting the deficiencies in the Treasury of said county paying the expenses of said county for the ensuing year, and making the necessary repairs upon the county jail.

SEC. 2. The treasurer of said county is hereby directed on or before the first day of January, A. D. 1866, to issue warrants to the first constable of the several towns and to the collectors of taxes of the city of Burlington, in said county, for the collection of said tax, in the same manner as by law state taxes are required to be collected.

SEC. 3. The selectmen of the several towns, and the mayor of the city of Burlington, in said county, shall make out and deliver to the first constables of their respective towns, and the collector of taxes of the city of Burlington, in the month of January, 1866, a tax bill for the collection of said tax in the same manner as is required by law for the collection of state taxes; and the first constable and collector shall collect and pay to the treasurer of said county, the amount of said tax on or before the first day of June, A. D. 1866.

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

Approved Nov. 9, 1865.

An act laying a tax on the County of Orange.

It is hereby enacted, &c.

SEC. 1. There is hereby assessed a tax of ten and one-half cents on the dollar on the list of the polls and ratable estate of the inhabitants of Orange County, to pay the balance of the expenses of building a jail and jail-house in Chelsea in said county.

SEC. 2. The treasurer of said county is hereby directed on or before the first day of January, 1866, to issue his warrant to the first constables in the several towns in said county for the collection of the tax hereby assessed, to be collected in the same manner as by law state taxes are required to be collected.

SEC. 3. The selectmen of the several towns in said county shall make out and deliver to the first constables of their respective towns in the month of January, 1866, a tax-bill for the collection of said tax, in the same manner as is required by law in cases of state taxes; and the first constables of the several towns in said county shall collect and pay into the treasury of said county, the amount of said tax by the 10th day of April, 1866.

SEC. 4. Instead of the credit mentioned in section sixty-four of chapter eighty-four of the General Statutes, the treasurer of said county shall credit the several constables one fortieth part of the whole sum contained in the warrant by him issued for the collection of this tax, to each constable, who shall be accountable, in their respective towns for so much of such fortieth so credited as is not allowed by way of abatement to such constable.

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

Approved Nov. 9, 1865.

An act laying a tax on the lands in Goshen Gore, in Caledonia County.

It is hereby enacted, &c.

SEC. 1. That there is assessed a tax of six cents on each acre of land in Goshen Gore in the county of Caledonia, (lands sequestered to public and charitable purposes excepted), for the purpose of making and repairing roads and building bridges, in said Gore; to be expended under the direction of Daniel P. Lowe and Jackson Ward of said Goshen Gore, and Joseph M. Stevens, of Hardwick, in said Caledonia County, —who are appointed a Committee to superintend the expenditure of said tax; and any justice of the peace for the county of Caledonia is authorized to issue his warrant to Joseph Clark of said Goshen Gore, who is appointed a collector to collect said tax; and committee and collector are directed to collecting, expending and accounting for the moneys, to be raised by said tax, to govern themselves in all things by the General Statutes of this state in such cases made and provided.

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

Approved Nov. 8, 1865.

An act laying a tax on the town of Averill.

It is hereby enacted, &c.

SEC. 1. A tax of ten cents is hereby assessed on each acre of land in the town of Averill in the county of Essex, except upon lands sequestered to public, pious and charitable uses; for the purpose of making and repairing roads and building bridges in said town, to be expended in building a road recently laid out by commissioners appointed by the county court for said county of Essex, at the last term of said court, so far as the same is located in said town of Averill. And Samuel D. Hobson, Abial F. Woodman and Orlando Shoff, are hereby appointed a committee to superintend the expenditure of said tax.

SEC. 2. Any justice of the peace within and for the county of Essex is authorized to issue his warrant to David Storrs in said county, who is hereby appointed a collector to collect said tax and said committee and collector shall in the collecting, expending and accounting for the money to be raised by said tax, be governed by chapter ninety-eight of the General Statutes.

Approved Nov. 9, 1865.

An act laying a Tax on the Town of Norton.

It is hereby enacted, &c.

SEC. 1. A tax of ten cents is hereby assessed on each acre of land in the town of Norton, in the county of Essex, except upon lands sequestered to public, pious, and charitable uses, for the purpose of making and repairing roads and building bridges in said town, to be expended in building a road recently laid out by commissioners appointed by the county court for the county of Essex, at the last term of said court; so far as the same is located within said town of Norton, and Samuel D. Hobson, Abial F. Woodman, and Orlando Sheff are hereby appointed a committee to superintend the expenditure of said tax.

SEC. 2. Any justice of the peace within and for said county of Essex is authorized to issue his warrant to David Storrs in said county, who is hereby appointed a collector to collect said tax, and said committee and collector shall in the collecting, expending, and accounting for the money to be raised by said tax, be governed by chapter ninety-eight of the General Statutes.

Approved Nov. 9, 1865.

An act to legalize the Grand List for the Gores and unorganized Towns in the County of Essex, for the year eighteen hundred and sixty-five.

It is hereby enacted, &c.

SEC. 1. The grand list for the unorganized towns and gores in the county of Essex, made by J. W. Cades, commissioner, and deposited by him in the town clerk's office in the town of Brighton, in the year A. D. 1865, and all taxes assessed thereon, are hereby declared legal and valid; and also the appointment of said Cades as commissioner, made by the Governor, is declared valid, although made after the first day of March last,—and the appraisal of the real estate in said towns and gores, made by David H. Beattie, as commissioner for said county in the year A. D. 1863, shall be deemed and treated as the first appraisal and the proper basis of taxation thereafter.

Approved Nov. 2, 1865.

An act to legalize the Grand List of the town of Westfield, for the year eighteen hundred and sixty-four.

It is hereby enacted, &c.

SEC. 1. That the grand list as made out by the listers of the town of Westfield, for the year eighteen hundred and sixty-four, is hereby made legal, and that all taxes made on said list are legal and valid.

SEC. 2. That this act shall take effect from its passage, but shall have no effect upon any suit now pending.

Approved Nov. 6, 1865.

An act to legalize the Grand List of the Town of Wilmington, for the year 1865.

It is hereby enacted, &c.

SEC. 1. The grand list of the town of Wilmington made by the listers from their appraisal for 1865, and by them returned to the town clerk's office of said town and which by law was required to be completed and lodged in the town clerk's office of said town on or before the 15th day of May of that year, is hereby declared legal and valid as to all taxes assessed, or hereafter to be assessed thereon.

SEC. 2. All taxes already assessed, or which may hereafter be assessed on said list, are hereby declared regular and valid.

SEC. 3. This act shall take effect from its passage, provided that this act shall not be so construed as to effect the legal rights of the members of the Fire Engine Company organized in said town.

Approved Nov. 9, 1865.

An act to legalize the Grand List of the town of Stockbridge for the year eighteen hundred and sixty-four.

It is hereby enacted, &c.

SEC. 1. The grand list of the town of Stockbridge for the year eighteen hundred and sixty-four, as made out and corrected by the listers of said town, and all taxes assessed thereon, are hereby declared legal and valid.

SEC. 2. This act shall take effect from its passage, but shall have no effect upon any suit now pending.

Approved Nov. 3, 1865.

An act to legalize the Grand List of the town of Lemington.

It is hereby enacted, &c.

SEC. 1. The grand list of the town of Lemington for the years of 1864 and 1865, and all taxes assessed thereon, are hereby declared legal and valid.

SEC. 2. This act shall take effect from its passage, but shall not effect any suit now pending.

Approved Nov. 2, 1865.

An act to legalize the Grand List of the town of Whiting.

It is hereby enacted, &c.

SEC. 1. The Grand List of the town of Whiting, including the valuation of real estate, for the year eighteen hundred and sixty-five, as made out by the listers of said town, and all taxes assessed or hereafter to be assessed thereon, are hereby declared to be legal and valid.

SEC. 2. This act shall take effect from its passage, but shall have no effect upon any suit now pending.

Approved Nov. 6, 1865.

An act to legalize the Grand List of the town of Brookfield for the year eighteen hundred and sixty-four.

It is hereby enacted, &c.

SEC. 1. The Grand List of the town of Brookfield for the year eighteen hundred sixty-four, as made out by the listers of said town, and all taxes assessed thereon are hereby declared legal and valid.

SEC. 1. This act shall take effect from its passage.

Approved Nov. 9, 1865.

An act to legalize the Grand List of the town of Ira.

It is hereby enacted, &c.

SEC. 1. The appraisal of the real estate of the town of Ira, in the county of Rutland, required by law to be made on the 1st day of April, A. D. 1865, and the Grand List made by the listers of said town of Ira, are hereby established.

SEC. 2. All taxes made, and all taxes which may hereafter be made on said Grand List, so far as the legality of said list is concerned, are hereby made valid and legal.

SEC. 3. This act shall take effect from its passage, but shall not affect any suit now pending.

Approved Oct. 31, 1865.

An act to legalize the Grand List of the town of Sunderland for the year eighteen hundred and sixty-five.

It is hereby enacted, &c.

SEC. 1. The grand list of the town of Sunderland for the year one thousand eight hundred and sixty-five, as made out by the listers of said town, is hereby declared legal and valid; and also that all taxes which have been, or may hereafter be assessed thereon.

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

Approved Nov. 9, 1865.

An act to legalize the Grand List of the town of Barre for the year 1865.

It is hereby enacted, &c.

SEC. 1. The grand list of the town of Barre for the year eighteen hundred and sixty-five, as made out by the listers of said town, is hereby declared to be legal and valid, and all taxes assessed thereon are also declared legal and valid the same as though said list had been returned within the time specified by law, provided that this act shall have no effect in suits now pending; *provided*, however, that said grand list shall be subject to all such alterations as may be required by the report of the committee to average and equalize the real estate appraisal for 1865.

Approved Nov. 9, 1865.

An act for the preservation of fish in Colchester Pond.

It is hereby enacted, &c.

SEC. 1. If any person shall take, kill or destroy any fish in what is called Colchester Pond, situated in the town of Colchester in Chittenden county, or any of the tributaries of said pond, in any manner except with hooks and lines, each person so offending shall for each offense forfeit and pay a fine of ten dollars to the treasurer of the town of Colchester, with costs of prosecution, to be recovered in an action in the name of the treasurer of said town, before any Justice of the Peace having jurisdiction of the same.

SEC. 2. Any person may sue for and prosecute to final judgment any breach of this act, in his own name, and upon recovery thereof, one-half of the penalty shall belong to the prosecutor, and the other half to the said town of Colchester.

Approved Oct. 27, 1865.

An act to prevent taking Shad or White Fish in Lake Champlain or its tributaries.

It is hereby enacted, &c.

SEC. 1. That if any person shall take, kill or destroy by the use of seines, nets or lines of any kind, in the waters of Lake Champlain or its tributaries, any fish called shad or white fish, in the months of September, October or November in any year, such peasen shall forfeit and pay to the treasurer of the town in which, or nearest to which, the same shall be so killed, taken or destroyed in this state, the sum