

ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF VIRGINIA,

VIRGINIA STATE DOCUMENT  
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PASSED IN 1866-67,

IN THE

NINETY-FIRST YEAR OF THE COMMONWEALTH.

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RICHMOND:

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1867.

CHAP. 64.—An ACT to amend and re-enact 20th section of Chapter 199, of the Code of Virginia, (edition of 1860), in regard to witnesses in prosecutions for unlawful gaming.

Passed January 14, 1867.

Chapter 199,  
§ 20, Code of  
Virginia,  
amended, as to  
witnesses in  
prosecutions for  
unlawful gaming  
§ 20

1. Be it enacted by the general assembly, That the twentieth section of chapter one hundred and ninety-nine, of the Code of Virginia (edition of eighteen hundred and sixty), be amended and re-enacted so as to read as follows:

“§ 20. No person prosecuted for unlawful gaming shall be competent to testify against a witness for the commonwealth in such prosecution, touching any unlawful gaming committed by him prior to the commencement of such prosecution; nor shall any witness giving evidence, either before the grand jury or the court in such prosecution, be ever proceeded against for any offence of unlawful gaming committed by him at the time and place indicated in such prosecution; but such witness shall be compelled to testify; and for refusing to answer questions, may, by the court, be fined a sum not exceeding five hundred dollars, and be imprisoned for a term not exceeding six months.”

Commencement 2. This act shall be in force from its passage.

CHAP. 65.—An ACT to authorize the City of Norfolk to Construct Water Works for the use of the people of the said city.

Passed January 14, 1867.

City of Norfolk  
may construct  
water works

Amount of land  
to be acquired  
for this purpose

Right of way,  
&c

Machinery,  
apparatus, &c

Ordinances, &c

Water rates

May lay pipes  
and fixtures

1. Be it enacted by the general assembly, That it shall be lawful for the city of Norfolk to construct suitable works to convey a supply of water from some point in the Dismal swamp in Norfolk county, or such other place as the said city may select, into the said city; and the said city may acquire and hold for that purpose a slip of land not exceeding one hundred feet in width, and other lands at the termini and stations of their works, in the city and county of Norfolk, not exceeding one hundred acres; and shall have the same rights and powers in respect to obtaining right of way, and lands for their pipes, aqueducts and other suitable structures and fixtures for securing and conveying water, as are conferred upon railroad and other internal improvement companies by the Code of Virginia; and may hold, use and employ such machinery, boats, apparatus and other appliances as they may deem proper for supplying the said city with water, and for the transaction of the attendant business.

2. The councils of the said city may make such ordinances and regulations for the government and management of the said water works, and may establish and collect such rates of charges for the use of the water as they may deem proper; and may open streets, lanes, alleys and public squares

of the said city, for the purpose of laying down water pipes and other fixtures for the distribution of water.

3. Any person who shall open a communication with the main or other pipe of the said water works, without authority from the said councils or the superintendent of the said works, or shall wilfully let on the water after it has been stopped by order of the said councils or superintendent, for repairs or any other purpose; or shall put up any pipes in addition to the pipes originally put up and inspected, or introduce water into them without authority as aforesaid; or shall wilfully do or cause to be done any act whereby the said works or any portion thereof shall be obstructed, injured or destroyed, such person shall forfeit for each offence not less than ten nor more than fifty dollars, to be recovered before the mayor of the said city or any justice of the peace, one-half to the informer and the other half to the said city; and shall, moreover, forfeit and pay to the said city double the amount of damages sustained by reason of such offence or injury, to be recovered by action or motion in any court of record.

Penalty for interfering with said works

4. In order to provide for payment for the said works, the said city may issue bonds bearing interest not exceeding eight per centum per annum; which bonds shall be known as the "Norfolk city water bonds"—the proceeds of which shall not be applied or used for other purposes—and all the net revenues or income derived from the said works and for the use of the water, shall be applied exclusively to the payment of the interest and principal of the said bonds; and the councils of the said city are authorized to levy a special tax, to be known as the "water tax," on all real and leasehold property situated on such streets, lanes and squares in the said city as the main or other pipes of the said water works may pass along; the proceeds of which tax shall be also applied exclusively to the payment of the interest and principal of the said bonds.

City may issue bonds for this purpose; their title and how applied

Income from water works; how applied

Water tax

5. This act shall be in force from its passage.

Commencement

CHAP. 66.—An ACT to amend an act entitled an act in regard to Abandoned Turnpikes, passed February 16, 1866.

Passed January 15, 1867.

1. Be it enacted by the general assembly, That the act entitled an act in regard to abandoned turnpikes, passed February sixteenth, eighteen hundred and sixty-six, be amended and re-enacted so as to read as follows:

Amending an act concerning abandoned turnpikes

"§ 1. That whenever any turnpike company shall have abandoned its road, or a part thereof, the county court of the county in which such road lies, may appoint surveyors, and assign hands to work on said road, or part thereof, lying in said county; and the hands so assigned shall be, in all respects, subject to the provisions of section twenty-eight,