

ACTS

20144

OF THE

GENERAL ASSEMBLY

OF

VIRGINIA, laws, statutes, &c.
" "

PASSED AT THE SESSION COMMENCING 7TH JANUARY, AND ENDING
10TH APRIL, 1839,

IN THE

SIXTY-THIRD YEAR OF THE COMMONWEALTH.

RICHMOND:

SAMUEL SHEPHERD, *Printer to the Commonwealth.*

1839.

said board, to negotiate at any time for a loan to the said borough of any sum or sums not exceeding five thousand dollars, at a rate of interest not exceeding six per centum per annum, redeemable at a period or periods fixed by the board, and the trustees of said borough, shall annually levy upon the taxable property and housekeepers of said town, a sum sufficient to pay the annual interest upon such loans, and create a fund for the final redemption, and to pay the same; and the president of the board shall grant certificates for such loans under the seal of the said borough, which shall be assignable and transferrable on the records of said corporation, either in person or by attorney.

Time for election of trustees.

4. *And be it further enacted*, That the annual election for trustees of said borough shall be hereafter held on the third Monday in March instead of the time now fixed by law.

Act to be ratified by people.

5. *Be it further enacted*, That before this act shall take effect it shall be the duty of the president of the trustees of the borough of Morgantown to submit this act for approval or rejection to all persons in said borough authorized to vote, upon thirty days notice in the newspaper published in said borough, of the time and place of taking the sense of said voters; and in addition to those now authorized to vote, all persons to be taxed under and by virtue of this act shall have the right to vote upon all questions submitted.

Who to vote.

Commencement.

6. This act shall be in force from the passing thereof.

CHAP. 241.—An ACT to amend the charter of the borough of Norfolk.

(Passed February 14, 1839.)

Common council, how and when elected.

1. *Be it enacted by the general assembly*, That the voters of the borough of Norfolk, shall at the times, and in the manner now prescribed by law, elect annually, twenty-six fit and able men, being freeholders and inhabitants of the said borough, to serve as common councilmen within the same, and the said persons so elected, shall at their first meeting and organization, or as soon thereafter as may be, elect from their own body one fit person duly qualified according to law, who shall be the recorder of the said borough for the term of one year, and until his successor may be appointed; and they shall also elect from their own body eight persons duly qualified according to law, who shall be the aldermen of the said borough for the term of one year, or until their successors may be appointed, and the other persons so elected shall constitute the common council of the said borough, and the court of the said borough may fill any vacancy which may occur in their body during their said term, by electing some fit person or persons duly qualified from the common council, or from the people at large.

Recorder and aldermen.

Vacancies in court, how supplied.

Commencement.

2. This act shall be in force from the passing thereof.

CHAP. 242.—An ACT to amend the act, entitled, "an act providing for a supply of water in the town of Pearisburg, in the county of Giles."

[Passed January 23, 1839.]

Revaluation and assessment of property in Pearisburg.

1. *Be it enacted by the general assembly*, That for the purpose of having a re-valuation and assessment of the houses, lots and lands within the present or future extended limits of the town of Pearisburg, in the county of Giles, and a re-valuation and assessment as often hereafter as the county court of said county may deem just and proper, the powers and duties of said court, and those of the

commissioners under the same, as prescribed in the first section of the act, entitled, "an act providing for a supply of water, in the town of Pearisburg, in the county of Giles," passed February the twentieth, eighteen hundred and thirty, shall be and the same are hereby revived, as fully and amply as if the same words were herein repeated. And the tax assessed and collected under the provisions of said first section shall be applied at all times, as in the second section of said act is directed.

Tax, how to be applied.

2. This act shall be in force from the passing thereof. Commencement.

CHAP. 243.—An ACT changing the time for the election of trustees for Portsmouth to the first Saturday in April.

(Passed March 22, 1839.)

1. *Be it enacted by the general assembly*, That so much of the act passed February the nineteenth, eighteen hundred and nineteen, entitled, "an act concerning the town of Portsmouth," as requires the election for trustees of said town to be held on the third Tuesday in April, annually, shall be and the same is hereby repealed.

Repeal of act fixing time of electing trustees.

2. *And be it further enacted*, That the sheriff of Norfolk county be and he is hereby required hereafter to hold the annual election for trustees of said town on the first Saturday in April annually.

Time for election changed.

3. *And be it further enacted*, That the number of trustees for said town shall hereafter consist of nine instead of thirteen as heretofore; a majority of whom shall constitute a board for the transaction of business.

Number of trustees reduced.

4. This act shall be in force from the passing thereof. Commencement.

CHAP. 244.—An ACT to exonerate the people of Portsmouth from personal labour on the public roads.

(Passed January 25, 1839.)

1. *Be it enacted by the general assembly*, That the trustees of Portsmouth in the county of Norfolk, be and they are hereby authorized, upon giving due notice to the court of Norfolk county of their acceptance of the provisions of this act, to take under their charge and jurisdiction the repairs of so much of the public road leading into said town, as is apportioned by the court to the inhabitants thereof; and to do all that is necessary to the exercise of the power herein granted.

Trustees of Portsmouth to repair roads leading to town.

2. *And be it further enacted*, That if said trustees shall avail themselves of the benefit of this act, and fail to keep in good order and repair so much of said road as is apportioned by the county court to said town, they shall be liable to the same action and penalties, as other officers appointed under the law for keeping the public roads in order.

Penalties for failing to keep roads in order.

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

CHAP. 245.—An ACT establishing the town of Powhatan in the county of Prince George.

(Passed March 28, 1839.)

1. *Be it enacted by the general assembly*, That not exceeding fifty acres of land, the property of William I. Morris, John E. Meade and others interested in lands at or near the termination of the City Point rail-road, on the James and Appomattox rivers, in the county of Prince George, as soon as the same shall be laid off into lots, with convenient streets and alleys, shall be and the same is hereby established a town by the name of "Powhatan."

Town of Powhatan established.