

ACTS

OF THE

Virginia laws, statutes, etc.
GENERAL ASSEMBLY

OF

VIRGINIA,

B. H.
PASSED AT THE SESSION COMMENCING DECEMBER 2, 1844, AND
ENDING FEBRUARY 22, 1845,

IN THE

SIXTY-NINTH YEAR OF THE COMMONWEALTH.

RICHMOND:

SAMUEL SHEPHERD—PRINTER TO COMMONWEALTH.

1845.

- Rights, powers and liabilities.** same to a distant market; the said company and their successors are hereby invested with all the rights, powers and privileges, (so far as they can apply to the purposes aforesaid,) conferred upon bodies politic and corporate, by the act, entitled "an act prescribing general regulations for the incorporation of manufacturing and mining companies," passed February the thirteenth, eighteen hundred and thirty-seven, and also are hereby made subject to all the restrictions, regulations and limitations contained in the said act.
- See Acts 1836-7, p. 74-79.**
- Capital.** 2. *Be it further enacted,* That the capital stock of said company shall not be less than ten thousand dollars nor more than one hundred thousand dollars, to be raised by subscription in shares of one hundred dollars each; for which purpose books of subscription may be opened under the superintendence of such persons and at such places as may be appointed by the persons mentioned in the first section of this act. Any two or more of such persons appointed to act as commissioners, shall be competent for the purpose at each place, and shall proceed in conformity with the rules prescribed by the act hereinafore cited.
- Subscriptions.**
- Real estate.** 3. *And be it further enacted,* That the said company shall have the right to purchase and hold land or lots for the purposes of their business, in one or more parcels as they may see fit, not exceeding in the whole two acres in or near the City of Richmond.
- Commencement.** 4. This act shall be in force from the passing thereof.

CHAP. 177.—AN ACT to enlarge the powers of the trustees of the town of Charlestown in the county of Jefferson, for the purpose of supplying said town with water.

[Passed March 5, 1846.]

Preamble.

Whereas it is represented to the general assembly by the trustees of Charlestown in the county of Jefferson, that said town is badly supplied with water, that the interests of the property holders and other citizens thereof would be greatly promoted by providing a more abundant supply; but that to effect this purpose it is found necessary to expend at once a larger amount than can be raised from the ordinary resources of the corporation :

Power to borrow money to supply town with water.

1. *Be it therefore enacted by the general assembly,* That it shall be lawful for the trustees for the time being, of said town, whenever and from time to time as they shall deem it expedient, to borrow upon the faith and credit of said corporation, any sum of money not exceeding five thousand dollars, to be applied exclusively to the purpose of supplying said town with water; and for this purpose the said trustees shall be and are hereby authorized and empowered, at their discretion, either to execute the bond of said corporation for the whole amount which may be at any one time borrowed, or to issue scrip for the same, in sums not less than fifty dollars; which bonds or scrip shall be binding upon and become the debt of said corporation, whenever the same shall have been issued under an order of said board of trustees, with the name and seal of the president of said board, in his official capacity, by him thereto appended.

Taxes set apart to pay interest and redeem principal of debt.

2. *Be it further enacted,* That whenever any such loan shall be made, or scrip issued as hereinbefore provided, it shall become the duty of said trustees at the same time to set apart and appropriate so much of the taxes, levied or to be levied within said corporation, as will be sufficient to secure the payment of the interest, as the same may have been agreed to be paid upon such loan made or scrip issued as aforesaid. And moreover, whenever deemed expedient by them, to provide out of such taxes a sinking fund for the gradual extin-

guishment of such debt. And such portion of said taxes, when so set apart and appropriated, shall not be discontinued or diverted from the purposes aforesaid, by any board of trustees of said town subsequently elected, until such purposes shall have been fully accomplished.

Not to be diverted therefrom.

3. *And be it further enacted*, That in carrying out the purposes aforesaid, said trustees shall have and are hereby invested with full powers to secure by contract, or in whatever mode they may deem expedient, and fully to exercise the right to erect the necessary water works beyond the limits of said coporation, to conduct the water by pipes from such water works into the town, and to do whatever else may be necessary in bringing a supply of water from any point beyond said limits into the town, satisfying any damage that may arise to individuals therefrom; and when they, or any one or more of them, may not consent or agree to the passage of said water or pipes through their land or lots, the said town authorities may apply to the county court of said county for a writ, in the nature of a writ of *ad quod damnum*, and thereupon such proceedings shall be had as is usual upon such writs.

Power to erect water works and conduct water pipes beyond coporation.

Damages to be paid to individuals.

Writ of *ad quod damnum*.

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

Commencement.

CHAP. 178.—An ACT concerning certain lotholders in the town of Farmville.

[Passed February 28, 1846.]

Whereas it has been represented to the general assembly that the twenty-five acres of land lying on the west side of the town of Farmville in the county of Prince Edward, condemned to be divided into lots, streets and alleys, and sold by an act, passed March the ninth, eighteen hundred and thirty-six, entitled "an act to authorize additions to the town of Farmville in the county of Prince Edward," was not the property of Saint George Randolph, a person of unsound mind, as it is therein described to be, but that the title to the said property was then, and is now in the surviving acting executor of Judith Randolph, deceased; and that the said twenty-five acres of land lying as aforesaid, was divided and sold according to the provisions of the said act of assembly: And whereas some of the commissioners, appointed by said act to sell the said lots, became the purchasers of a number of them, and executed bonds to themselves and others of the commissioners for the payment of the purchase money, both as principals and sureties: And whereas, from these causes difficulties exist in relation to the title of said land and the recovery of the purchase money on the bonds so executed as aforesaid: For remedy thereof,

Preamble.

1. *Be it enacted by the general assembly*, That Henry St. George Tucker, executor of the said Judith Randolph deceased, or any future executor of the said Judith, be and he is hereby authorized and required, in every case in which the purchase money has been paid, to execute and cause to be certified for record, deeds of bargain and sale, conveying said lots, and each of them, to the respective purchasers, their heirs or assigns; which deeds shall be held good and valid conveyances of the fee simple title to said lots.

Executor of Judith Randolph to execute deeds for lots sold in Farmville.

2. *And be it further enacted*, That in cases where the purchase money has not been paid, it shall be lawful for the said Henry St. George Tucker, executor of Judith Randolph deceased, or any future executor of said Judith, to execute deeds of bargain and sale, and cause the same to be certified for record in like manner, and to have the same effect as in the first section of this act is provided, conveying the said lots, and each of them, to the persons respectively

When deeds to be executed and where filed, where the purchase money is not paid.