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ACTS OF PENN

Virginia Laws, 1789-1800

PASSED AT A

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GENERAL ASSEMBLY

OF THE

COMMONWEALTH

OF

VIRGINIA,

BEGUN AND HELD AT THE CAPITOL IN THE CITY OF RICHMOND, ON
MONDAY THE SEVENTH DAY OF DECEMBER, IN THE YEAR OF
OUR LORD, ONE THOUSAND EIGHT HUNDRED AND
SEVEN, AND OF THE COMMONWEALTH THE
THIRTY-SECOND

RICHMOND:

PRINTED BY SAMUEL PLEASANTS, JUNIOR, PRINTER TO THE COMMONWEALTH.

1808.

the faithful performance of the duties of his office, and shall be subject to the like summary mode of recovery in case of delinquency, as is provided against collectors of public taxes. The said bond shall be made payable to the mayor or his successors, and may be put in suit by the corporation or any person aggrieved by the breach of its condition, in like manner as bonds given by sheriffs.

Summary mode of recovery against him.

Bond to be payable to the mayor or his successors, and may be put in suit as a sheriff's bond.

5. When the owner of any lot or lots situate on any street or square where lamps are erected or begun to be erected, shall reside out of the limits of the corporation, or the said lot or lots shall not be in the occupancy of the proprietor, the tenant in possession shall be answerable for the expense aforesaid, and shall be allowed to deduct the amount thereof from the accruing rent, in all cases where they hold from year to year; but in all cases of tenants holding lots upon leases for a term of years heretofore made, the expense in the first instance shall be borne and paid by such tenant, and the landholder shall not be held liable to reimburse the same, until the last year of the term of such lease; and then, the principal sum only.

Where the owner of a lot is a non-resident, tenant in possession to be responsible for the expense aforesaid.

If holding from year to year, may deduct it from the accruing rent.

If tenant for a term of years, may deduct it from the rent due the last year of the term.

6. In every case of non-residence, where the property subject to the tax hereby imposed shall be vacant, and the proprietor thereof shall have no property within the corporation subject to distress and sufficient to pay the tax due, it shall be lawful for the said collector in the name of the corporation, to recover the amount of tax due from such person or persons in a summary way, by motion in any court within this commonwealth, ten days previous notice of such motion being given to the person or persons chargeable with such tax.

Mode of recovery, in case of non-residence, and no property within the corporation, subject to distress, and sufficient to pay the tax due.

7. The common council shall have power annually to levy a tax on the landholders and tenants on streets where lamps may be erected, in such proportion as they shall deem just, for the purpose of supporting the same; and to appoint a proper person or persons to superintend and light the said lamps.

Annual tax may be levied for the purpose of supporting lamp.

A person or persons may be appointed to superintend and light them.

8. This act shall commence and be in force from the passing thereof.

Commencement.

CHAP. XLII.

An Act Incorporating a Water Company in the Town of Monroe, in the County of Botetourt.

[Passed January 18, 1811.]

1. **BE** it enacted by the General Assembly, That Matthew Harvey, John Moore and John C. Griffin, gentlemen, shall be, and they are hereby appointed commissioners to receive subscriptions to the amount of one thousand dollars, in shares of ten dollars each, the subscriptions to be made in person or by proxy duly authorised, in Virginia currency, for the purpose of creating a company to convey water in pipes, through the town of Monroe in the county of Botetourt. Every person shall pay to some one of the said commissioners at the time of subscribing, five dollars upon each and every share subscribed for, and the remainder of the said ten dollars payable upon each share, shall be thereafter called for by the president and managers of the said company, at such times and in such proportions as they shall find necessary, giving ten days previous notice of the sum required upon each share, and the time of making payment, at the courthouse of Bo-

Commissioners to receive subscriptions,

for the purpose of conveying water in pipes thro' the town of Monroe.

Five dollars, in part of each share to be paid on subscribing.

Residue to be called for, from time to time by the President and Managers of the company.

tetourt county, and in the town aforesaid; and if any subscriber, his heirs or assigns, shall fail or neglect to pay the sum or sums demanded, the said president and managers, or a majority of them, shall, after the expiration of one month from the time of such demand, proceed to sell the share or shares held by such defaulter at public vendue, advertising such sale at least ten days previous to its taking place, at the courthouse of the said county; and after retaining the sum or sums due upon each and every share, the balance if any, shall be paid by the said president and managers, to the said defaulter, and the purchaser or purchasers of such share or shares, shall thenceforth become a member of the said company; and every stockholder may at pleasure sell and transfer his stock in the company, or any part thereof, not being less than a whole share, the transfer being made in the books of the company; the purchaser thereupon to be entitled to all the rights which the original proprietor enjoyed.

Shares of delinquent subscribers to be sold.

Mode of transferring shares.

Subscribers incorporated by the name of "The President & Managers of the Fincastle Water Company;" and so to continue until the 1st of June 1835.

General meetings when to be held. Five managers to be elected annually.

Every manager to be a stockholder.

Vacancies, how to be supplied.

Mode of voting in electing managers.

Managers to elect one of their own body as president annually; and at the same meetings to make dividends of profits.

Capital stock may be increased.

Subscribers for additional shares

2. *And be it further enacted,* That the persons so subscribing and their successors, shall be and they are hereby created into a body politic and corporate, by the name and style of "The President and managers of the Fincastle Water Company," and shall so continue until the first day of June, in the year one thousand eight hundred and thirty-five, and by that name may sue and be sued, plead and be impleaded, hold and convey property both real and personal, ordain and establish such bye laws, rules and regulations as shall seem necessary for the government of the said company, not being contrary to the laws of this state, or of the United States, and generally do execute all matters, acts and things, which a corporation or body politic in law, may or can do.

3. *And be it further enacted,* That a general meeting of the stockholders shall be held in the said town on the first Monday in April in each and every year for the election of five managers, to serve for one year from their elections; notice whereof shall be published at the door of the courthouse of the said county, and in the town aforesaid, at least thirty days before such meeting. Each manager shall be a stockholder, and shall cease to be a manager if he ceases to be a stockholder. Vacancies in the board of managers, by death, resignation or otherwise, shall be supplied by the other managers, until a succeeding election. In electing managers, the stockholders shall be entitled to one vote for each share of stock by him or them held in the said company. Absent stockholders may vote by proxy, whose authorities to vote shall be authenticated in such form as the president and managers may prescribe.

4. *Be it further enacted,* That the managers at their annual meeting shall elect one of their members as president, and shall moreover, at the said annual meeting or at such other time as they may deem proper, make an equal dividend of the profits arising from the stock in the said company, between the stockholders, in proportion to the number of shares each subscriber may hold.

5. *And be it further enacted,* That if at any time hereafter the said company may wish to increase their capital stock, they are hereby declared to have full power to do so, under the controul and superintendance of the president and managers for the time being: subject to such rules and restrictions as they may ordain and establish: Any person or persons subscribing for any share or shares in such additional stock, shall to all intents and purpose

be deemed and regarded as a member of the said company, and subject to all the rules and regulations which are hereby ordained and established for the government of the same, and to all such rules and bye-laws as the said company may from time to time ordain and establish.

to be members of the company.

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

Commencement.

CHAP. XLIII.

An Act Incorporating the Mechanical Benevolent Society of the Borough of Norfolk.

[Passed January 19, 1811.]

1. **BE** it enacted by the General Assembly, That the Society styling itself the Mechanical Society of the Borough of Norfolk, shall be, and is hereby incorporated under the name and style of the "Mechanical Benevolent Society of the Borough of Norfolk," and by that name may sue and be sued, plead and be impleaded in all courts of law or equity, may acquire and convey property both real and personal for the use of the said society, and shall have and enjoy all the rights, privileges and immunities incident to a corporation.

Society incorporated by the name of "The Mechanical Benevolent Society of the borough of Norfolk."

2. *And be it further enacted,* That the said society shall have power to pass such bye-laws, rules and regulations, not contrary to the laws and constitution of this state or the United States, as may be necessary for the internal government of the said society: *Provided,* the said society shall not pass any bye-law limiting the number of apprentices to any trade or craft, which the individual members of said society may follow; any regulation of trade, or the wages of labor.

May make bye-laws, &c. not contrary to the laws and constitution of this state or the U. States.

Farther restriction on the powers thus granted.

3. *And be it further enacted,* That no omission or failure of the said society to elect its officers on the day appointed by the bye-laws of said society, shall cause a dissolution of the same, or abate any suit actually commenced against the said society, or prevent the institution and prosecution of a suit for any debt actually incurred by the said society: *Provided always,* and it is hereby declared, that the legislature reserves to itself the power at any time to revise, amend or annul the said charter.

No failure of the society to elect its officers shall dissolve it, or affect the institution or prosecution of suits against it.

Reservation of a right to revise, amend or annul this charter.

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

Commencement.

CHAP. XLIV.

An Act concerning Old Point Comfort, the property of the Commonwealth, in the County of Elizabeth City.

[Passed January 22, 1811.]

1. **BE** it enacted by the General Assembly, That if any person or persons shall hereafter cut down, fell, or in any manner destroy any tree or trees, or commit any waste in the under-growth, by cutting down, burning or otherwise, upon the land commonly called and known by the name of Old Point Comfort, the property of the commonwealth, in the county of Elizabeth City, he, she or they so offending, not being a slave or slaves, shall for every tree so cut down, felled or destroyed, or for the commission of any such waste in the under-growth, forfeit and pay the sum of twenty dollars, recoverable by warrant before any justice of the peace

Penalty on a free person cutting down or destroying any tree, or committing waste in the under-growth on Old Point Comfort.

How to be recovered and appropriated.