

*The Sovereign.*  
**ACTS** *Respectfully*  
*W.C.*

PASSED AT A

**GENERAL ASSEMBLY**

OF THE

**COMMONWEALTH**

OF

**VIRGINIA,**

BEGUN AND HELD AT THE CAPITOL,

IN THE

**CITY OF RICHMOND,**

ON MONDAY, THE SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD,

ONE THOUSAND EIGHT HUNDRED AND THIRTY, AND OF THE

COMMONWEALTH THE FIFTY-FIFTH.

TO WHICH ARE PREFIXED,

**THE DECLARATION OF RIGHTS,**

AND

**THE CONSTITUTION OF VIRGINIA.**

**RICHMOND:**

PRINTED BY THOMAS RITCHIE,

Printer to the Commonwealth.

1831.

CHAP. CLXXXII.—AN ACT to incorporate the Fredericksburg aqueduct company.

[Passed March 30, 1831.]

Preamble.	Whereas it is represented to the general assembly, that the inhabitants of the town of Fredericksburg, suffer great inconvenience from the want of a plentiful supply of pure and wholesome water; and whereas certain persons have signified their wish and readiness to introduce by means of iron pipes, into said town, from springs, wells and water-courses in the vicinity, an abundant supply of good water:
Company incorporated.	1. <i>Be it therefore enacted by the general assembly,</i> That William A. Knox, Fayette Johnston, William H. White and Alexander Henderson, and their successors or assigns, shall be, and they are hereby created a body politic and corporate for the purpose aforesaid, by the name and style of the "Fredericksburg Aqueduct Company;"
Name. General powers.	and shall by that name and style, have perpetual succession, and may sue and be sued, plead and be impleaded, in all the courts of law and equity in this commonwealth, having competent jurisdiction.
Power to take and hold property.	2. <i>Be it further enacted,</i> That the above named individuals, their successors or assigns, in their corporate capacity, may take, hold and enjoy, real, personal and mixed property, for the purpose aforesaid, to any amount not exceeding twenty-five thousand dollars; and may create a capital or joint stock, not exceeding twenty-five thousand dollars, in shares of one hundred dollars each.
Capital.	
Annual meeting, when.	3. <i>Be it further enacted,</i> That the stockholders of said company, or a majority of them at their first and every subsequent election which shall be held annually on the first Monday in June, shall elect ten directors, who shall choose, within ten days thereafter, one of their own body as president. The said president and directors shall remain in office one year, or until their successors can be appointed: <i>Provided however,</i> That nothing herein contained shall be so construed, as to prevent the re-election of such president and directors from year to year.
President and directors elected. How long to remain in office.	
Officers, how appointed. Their compensation. Vacancies supplied. Power to make by-laws.	4. <i>Be it further enacted,</i> That the said president and directors, or a majority of them, shall have power to appoint officers under them, and to regulate their salaries, and to fill all vacancies which may occur in their own body, and to make all by-laws and regulations for the good government of said company, (not contrary to the constitution or laws of this state or of the United States,) subject however, to the alteration or repeal of the stockholders, at any subsequent meeting.
Ratio of votes.	5. <i>Be it further enacted,</i> That the stockholders shall be entitled to vote, either in person or by proxy, as follows: on each share not exceeding ten, one vote; on every five shares above ten, and not exceeding fifty, one vote; and on every additional ten shares above fifty, one vote.
Special meetings, how called.	6. <i>Be it further enacted,</i> That any number of stockholders not less than ten, representing fifty shares, shall have power, at all times, to call a special meeting of the company; ten days previous notice of the time and place of meeting being given, in some newspaper printed in said town. If from any cause there should be a failure of either an annual or special meeting, the president and directors, or a majority of those present, may adjourn to a subsequent day, giving notice thereof as aforesaid.

7. *Be it further enacted*, That the president and directors, or a majority of them, shall have power to contract, in behalf of said company, with the proprietor or proprietors of any land within three miles of the market-house in the said town of Fredericksburg, on which there may be any springs, bodies of water, or water-courses, to be selected by the said president and directors, from whence it may be desired to conduct water, for the purposes aforesaid, into different parts of said town, for the use and occupation of one or more pieces of land near such spring, body of water, or water-course, to be designated by the said president and directors, not exceeding the fourth part of an acre, for the purpose of sinking or erecting on the same, a cistern or reservoir, in which to collect or receive the water which shall flow from such spring, or be received from such body of water or water-course : and such piece of land, after being purchased, shall be forever vested in the said company : *Provided however*, That whenever the same shall cease to be used for the purposes aforesaid, it shall revert to the former owner or owners, and their heirs forever.

Power to contract for use of land for reservoir.

Land when to revert to original owner.

8. *Be it further enacted*, That the said president and directors are hereby authorized to open ground in any part of the streets and highways in the said town, and of the public roads in the vicinity of the said town for the purpose of conducting water into different parts of the town aforesaid : *Provided however*, That said streets, highways or public roads, shall not be opened in such manner as to prevent the passage of teams or carriages therein with convenience ; and that after opening the grounds in said streets, highways and public roads, the said president and directors, shall be holden to put the same into good repair again, under the penalty of being prosecuted for a nuisance.

Authority to open streets and highways.

Proviso.

9. *Be it further enacted*, That if at any time it shall be thought necessary, for the purposes of this act, to sink the pipes or conduits in the private grounds of any person or persons, and to conduct the water across the lands, or under the soil of such person or persons, the said president and directors shall and may enter therein for the purposes aforesaid, and break and open the ground of any person or persons through and across whose lands it shall or may be deemed necessary to pass, to conduct the said water into the said town or neighborhood ; and having laid the said pipes or conduits as aforesaid, the said president and directors shall and may at all times, enter upon the lands of any person or persons, where the said pipes or conduits have been laid or sunk, for the purpose of taking up, repairing and sinking the same again : *Provided always*, That in every case in which it shall or may be necessary for the said president and directors to enter upon the lands, or break the grounds or soil of any person or persons as aforesaid, either for the purpose of sinking or repairing the pipes or conduits as aforesaid, the damages thereby sustained by any individual or individuals, across or under whose land or soil the same shall be laid or sunk, shall be assessed by any six disinterested freeholders of the said town, to be appointed for that purpose, by the hustings court of the said town, in case the president and directors, and the said individual or individuals, by whom damage is or shall be sustained in manner aforesaid, cannot agree on the same. And the damages so assessed, shall be paid to the owner or owners of such land or soil as may be used for the purposes aforesaid, by the said company.

Power to sink pipes in private grounds.

Damages to individuals, how assessed.

Damages assessed, to be paid by company.

- Company empowered to dispose of water to individuals.** 10. *Be it further enacted*, That it shall be lawful for the president and directors aforesaid, when they shall have conducted the water aforesaid into the said town, to sell and dispose of the same, to the citizens thereof, in such manner, and at such prices, as to them shall from time to time, seem expedient for the interests of the said company; and all the profits and emoluments accruing to the said company from a disposal of the water to be conducted into the said town, in the manner aforesaid, shall, after deducting all necessary expenses and charges, be divided among the said stockholders in proportion to the amount of stock owned by them respectively, at such times as shall be agreed upon by the said company in legal meeting assembled; and the stock of the said company shall be assignable and transferable in such manner and form, as shall be prescribed by the by-laws of the said corporation.
- Dividends.**
- Stock assignable.**
- Mutual assurance society authorized to subscribe for stock.** 11. *Be it further enacted*, That the mutual assurance society against fire on buildings in the state of Virginia, are hereby authorized to subscribe for part of the stock aforesaid; or may in any other manner which to them may seem proper, aid the said company in the aforesaid undertaking.
- Basin or canal of Rappahannock company, not to be disturbed.** 12. *Be it further enacted*, That nothing in this act contained, shall be so construed, as to authorize the said "Fredericksburg Aqueduct Company," to disturb the basin or canal of the Rappahannock company, without the consent of said company.
- Act under control of legislature.** 13. *And be it further enacted*, That this act and every part and provision thereof, shall be subject to be altered, amended, modified or repealed by any future legislature of Virginia, as to them may seem necessary and proper.
- Commencement.** 14. This act shall commence and be in force from and after the passing thereof.

CHAP. CLXXXIII.—AN ACT incorporating the Norfolk aqueduct company.

(Passed January 6, 1831.)

- Books, where, when, and by whom to be opened.** 1. *Be it enacted by the general assembly*, That it shall be lawful to open books at Hall's book-store in the borough of Norfolk, on the first Monday in March next, under the direction of George Newton, Thomas Williamson, John Southgate, Frederick Myers, William B. Lamb, Thomas Reilly and Albert Almand, or any three of them, ten days previous notice thereof having been first given in two of the newspapers published in the said borough, for receiving subscriptions to raise a capital stock not exceeding the sum of thirty thousand dollars, in shares of twenty dollars each, for the purpose of conducting a constant and ample supply of good and wholesome water from Briggs's Point or elsewhere, into and along some one or any or all of the streets of the said borough: such subscription books to remain open for the term of ninety days, unless all the shares by this act authorized to be taken, shall have been sooner subscribed for.
- Amount of capital. Appropriated to conducting water into Norfolk.**
- Books, how long to remain open.**
- First general meeting, when.** 2. Whenever one hundred shares shall be subscribed for, a general meeting of the stockholders shall be called by the managers aforesaid, or a majority of them, notice of the time and place of such meeting being given as aforesaid: and if one hundred or more shares shall not be subscribed within the time aforesaid, it shall and may be lawful for the said managers, or a majority of them, to open the subscription books again, at such time and place as they may