

300

# ACTS

PASSED AT A

## GENERAL ASSEMBLY

OF THE

## COMMONWEALTH

OF

## VIRGINIA,

BEGUN AND HELD AT THE CAPITOL,

IN THE

## CITY OF RICHMOND,

ON MONDAY, THE FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD,  
ONE THOUSAND EIGHT HUNDRED AND TWENTY-EIGHT, AND OF  
THE COMMONWEALTH THE FIFTY-THIRD.

---

**RICHMOND:**

PRINTED BY THOMAS FITCHIE,

Printer for the Commonwealth.

—∞—  
1829.

## CHAPTER 82.—An act concerning the Lynchburg Water Works.

(Passed February 13th, 1829.)

Machinery for Lynchburg water works, exempt from payment of toll on James River Canal.

Tolls already paid refunded.

Commencement.

1. *Be it enacted by the General Assembly*, That the President and Directors of the James River Company, and their agents, be, and they are hereby authorised and required to permit the Common Council of the town of Lynchburg, to transport, toll free, a'long the waters of James river, and the canal of the lower section, the cast-iron pipes, machinery and other materials, to be used in the construction of the Lynchburg Water Works; and that any tolls already paid for the transportation thereof, be refunded to the Common Council aforesaid, on the warrant of the Second Auditor, out of any monies of the James River Company arising from tolls: *Provided*, That the same does not exceed the amount of tolls on the transportation of one hundred and fifty tons.

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

## CHAPTER 83.—An act concerning the Trustees of Slate River.

(Passed February 26th, 1829.)

Preamble.

Whereas, it is represented to the present General Assembly, that so much of the act for improving the navigation of Slate river, as requires the owners of mills upon said river to erect and keep in repair good and sufficient locks through their dams for the free passage of boats navigating the river, has been decided by the Court of Appeals to be void, and not obligatory upon the owners of the mills:

Provision for the privilege of erecting locks and cutting canals, and for the acquisition and condemnation of land, &c.

1. *Be it therefore enacted*, That it shall be lawful for the trustees of Slate river, and their successors, to agree with the several owners of mills upon the said river, and with other persons owning lands opposite the dams of said mills, for the privilege of erecting locks in the said dams, or cutting canals around the abutment of the dams eighteen feet wide, and for erecting locks in the said canals or dams, not exceeding seven feet in width, and of such dimensions in all other respects, as to admit of the free and easy passage of boats navigating the said river, and for the purchase of such quantity of land as will be sufficient for the purpose of the said canals and navigation; which agreement so made in writing, shall be signed and sealed, and entered of record in the clerk's office of the county wherein such land shall lie; and in case of disagreement, it shall be lawful for the said trustees, through their presiding officer, to make application to a justice of the peace of the county in which the mill or mills are situate, to issue his warrant directed to the sheriff of said county, commanding him to summon a jury of twelve freeholders not related to the parties, nor in any manner interested, to meet at the mill designated, not less than ten, nor more than twenty days from the date of the warrant; of which meeting, ten days previous notice shall be given to the party or parties interested. The sheriff upon the receipt of the said warrant, shall proceed to execute the same, and when, on the day, and at the place appointed for the meeting of the jury, (twelve of them at least attending,) an oath shall be administered to each juryman by some justice of the peace, "that he will faithfully and impartially value and assess such damages as in his judgment will arise from cutting through the dam of any mill for

Jury to be impanelled.

Oath of jurors.