

ACTS

A. B. Gaines

PASSED AT A

GENERAL ASSEMBLY

OF THE

COMMONWEALTH

OF

VIRGINIA,

BEGUN AND HELD AT THE CAPITOL,

IN THE

CITY OF RICHMOND,

ON MONDAY, THE SECOND DAY OF DECEMBER, IN THE YEAR OF OUR LORD, ONE
THOUSAND EIGHT HUNDRED AND THIRTY-THREE, AND OF THE
COMMONWEALTH THE FIFTY-EIGHTH.

RICHMOND:

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1834.

Who liable to taxation. **9.** *Be it further enacted,* That all persons are liable to taxation in said town, it is hereby declared that all persons liable to taxation, as herein before provided, and residing in said town, annually on the first day of February, shall be subject to taxation the then current year.

Fines and other monies at disposal of trustees. **9.** *Be it further enacted,* That all fines, penalties and amercements, and all other monies received or raised by virtue of this act, or any by-law in pursuance of this act, and not otherwise directed to be applied, shall be at the disposal of the president and trustees, for the use and benefit of the said town; who are hereby authorized themselves to draw for the same, or to confer power and authority on any of their own body, or other agent or officer to do the same, and to settle with the said sergeant or collector, examine and allow his vouchers for disbursements, allow his delinquent lists, and grant him acquittances.

Appeals from decision of justice to lie to superior court of Augusta. **10.** *And be it further enacted,* That in all suits or prosecutions, arising under any by-law, rule or regulation made by the president and trustees of the said town, in manner aforesaid, where the constitutionality or validity of such by-law, rule or regulation shall be contested, appeals shall lie from the judgment of any justice of the peace, of the said county of Augusta, to the circuit superior court of law and chancery for the county of Augusta, without regard to the sum or amount in controversy. Such appeals shall be taken within the same time, and upon the same terms as are prescribed by law for taking appeals from the judgments of justices of the peace, to the several county and corporation courts within this commonwealth; and the said circuit superior court of law and chancery, shall try and decide such appeals in the same manner as the several county and corporation courts within this commonwealth are by law directed to try appeals from the judgments of justices of the peace; and the judgments of the said circuit superior court of law and chancery, rendered upon such appeals, shall be executed as other judgments of the said court are executed.

When taken and on what terms. **11.** This act shall commence and be in force from and after the passing thereof.

How to be tried. **11.** This act shall commence and be in force from and after the passing thereof.

Commencement. **11.** This act shall commence and be in force from and after the passing thereof.

CHAP. 234.—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 March 11, 1834.)

Commissioners to re-value buildings and improvements. **1.** *Be it enacted by the general assembly,* That it shall be the duty of the county court of the county of Giles, at their next May term, or so soon thereafter as it may be convenient, to appoint three fit and able men to act as commissioners, whose duty it shall be to value as soon as conveniently they can, all the new buildings and improvements which may have been made, erected and constructed within the limits of the town of Pearisburg, in the county aforesaid, since a former valuation, according to their yearly rent or value; and thereupon, shall make their report to said court, in writing, and on oath. Upon the report of such valuation being returned to court, it shall be the duty of said court to assess and cause to be collected on the said new buildings and improvements, of the persons who respectively own or occupy the same, a tax not exceeding five per centum on such valuation, in any one year.

Assessment thereon. **2.** *Be it further enacted,* That the tax so assessed and collected on the said new buildings and other improvements erected and con-

Taxes assessed and collected, how to be applied. **2.** *Be it further enacted,* That the tax so assessed and collected on the said new buildings and other improvements erected and con-

structed since any former valuation, for the purpose of supplying said town with water, shall, together with any monies now remaining on hand, arising from former assessments, be applied to the payment of the debts and other expenses incurred, or which may arise, in conducting water into said town, and to the repairs of any works constructed for that purpose, in the manner directed by 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.

3. *Be it further enacted*, That whenever in the opinion of the county court of Giles county, it shall be necessary to have a new valuation of all the houses, lots, lands and improvements within the limits of the town of Pearisburg, in the county aforesaid, according to their yearly rent or value, either from the establishment of new buildings or the decay of the old, or from other just and sufficient cause, it shall be the duty of said court to appoint three fit and able men to act as commissioners for that purpose, whose duty as commissioners, it shall be, to value the same in like manner, and report thereon as prescribed by the act aforesaid; whereupon the said court shall assess and cause to be collected on such property, such tax as is authorized by the act aforesaid, under the rules and regulations therein prescribed, to be applied as in said act directed, to the repairs, improvements and keeping up the water works of said town.

How re-valuations may be made.

4. *Be it further enacted*, That whenever hereafter an election of superintendents of the water works of said town shall not be made at the time prescribed in the act aforesaid, such election may be made on any other convenient day, on like notice and under the rules in said act prescribed.

Election of superintendents of water works, when.

5. *Be it further enacted*, That before the said county court shall exercise any of the powers herein granted, that David and Andrew Johnston, who are the proprietors of the land on which the spring is situated from which it is proposed to supply the said town with water as aforesaid, shall, by deed duly recorded in the clerk's office of said county of Giles, convey to the said court, for the use and benefit of said town, the right to use the water for the purpose aforesaid forever, reserving to said David and Andrew Johnston the right of using the surplus water in said spring.

Right of using water from spring to be conveyed to town.

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

Commencement.

CHAP. 235.—An ACT empowering the trustees of the town of Lebanon to levy taxes for certain purposes.

(Passed March 7, 1834.)

1. *Be it enacted by the general assembly*, That the trustees of the town of Lebanon, in the county of Russell, shall be, and they are hereby authorized and empowered to levy a tax upon the real estate within the said town, not exceeding ten per centum upon the annual value or rent thereof, as ascertained by the commissioner of the public revenue, and a tax upon the citizens of the said town, qualified to vote for trustees thereof, for the purpose of improving and keeping in order the public springs within the limits of the said town, or such of them as the said trustees shall deem it expedient so to improve. The sheriff of the said county of Russell, shall collect the taxes to be levied as aforesaid, and account with the trustees of the town, or their agents, for the amount thereof, for which

Power to assess taxes to keep springs in order.

How to be collected.