

A BILL

To amend and re-enact an act entitled "An act incorporating Pamplin City, Virginia," approved March 24, 1874, as heretofore amended.

Patron—Mr. Ferguson

Referred to Committee on Special, Private and Local Legislation

1. Be it enacted by the General Assembly of Virginia, That
2 an act entitled "An act incorporating Pamplin City, Virginia,"
3 approved March twenty-fourth, eighteen hundred and seventy-
4 four, as heretofore amended, be amended and re-enacted so as
5 to read as follows:

2. The town of Pamplin City, in the counties of Appo-
2 mattox and Prince Edward, as the same has been heretofore
3 laid off into lots, streets and alleys, and as the same may be
4 hereafter laid off and extended into lots, streets, and alleys,
5 shall be and continue to be, and is hereby made a town cor-
6 porate by the name of the Town of Pamplin City, and by that
7 name shall have and exercise all the powers conferred upon

8 towns of less than five thousand population by the laws of the
9 State of Virginia.

3. The boundaries of said town shall be as follows: Be-
2 ginning at a rock pile on the Hixburg road, above a place
3 commonly known as Lowe's crossing; thence forty degrees, west
4 fifty poles, to a point in Davis' field; thence south sixteen de-
5 grees, west fifty-six and a half poles, to a white oak on Lynch-
6 burg road; thence south seven degrees, east one hundred and
7 thirty-eight poles to a red oak, on Franklin's estate; thence
8 south thirty-five degrees, east eighty poles, to a white oak;
9 thence seventy-two degrees, east one hundred and four and a
10 half poles to a rock pile on Elkin's line; thence north thirty de-
11 grees, east seventy-six and three-fifths poles to a white oak;
12 thence north thirty-six degrees, west fifty-seven poles, to a
13 fence post on the new road to Pamplin City; thence north
14 three degrees, east fifty-three and four-fifths poles to an oak
15 tree; thence north seventy-seven and one-half degrees, west fifty-
16 one and one-half poles, to a poplar tree near a branch in Mer-
17 rell's land; thence north thirty-six degrees, west eighty-eight
18 poles, to a rock in Dore Pamplin's field; thence north fifteen
19 degrees, west eighty-six poles, to the beginning.

4. There shall be elected by the qualified voters of said town,
2 every two years, on the second Tuesday of June, one elector

3 thereof, who shall be denominated the mayor, and six electors
4 who shall be denominated the councilmen of said town. The
5 mayor and councilmen shall constitute the council of said town.
6 The first election under this act shall be held on the second
7 Tuesday in June in the year nineteen hundred and eight. And
8 the mayor and councilmen of said town who constitute the
9 present council thereof, and all the other officers of said town
10 shall continue in office and to discharge the duties thereof
11 until the term for which they were respectively elected or ap-
12 pointed shall have expired, and until their successors shall
13 have been elected or appointed, and qualified.

5. The electoral board of the county of Appomattox (in
2 which county the greater part of said town is situated) shall,
3 not less than fifteen days before any election in said town,
4 appoint one registrar and three judges of election for said
5 town, and the said judges of election shall also act as commis-
6 sioners of election. The said registrars shall, before any elec-
7 tion in said town, register all voters who are residents of said
8 town, and who shall have previously registered in the county,
9 or either of them, in which said town is situated, and none
10 others. The said registrar shall be governed, as to his qualifi-
11 cations and powers, and in the performance of his duties by

12 the general laws of this Commonwealth, so far as the same
13 may be applicable.

6. Such lists of registered voters shall be placed by the
2 registrar in the hands of the judges of election, who shall, at
3 the time and in the manner prescribed by law, open a poll at
4 the place designated by an ordinance of said town, or by the
5 judges of election; and the manner of receiving the ballots
6 and of canvassing the vote shall conform to the general law,
7 and for the purpose of canvassing the vote the judges of the
8 election shall meet at the clerk's office of the county of Appo-
9 mattox and, acting as commissioners of election, shall canvass
10 the vote and declare the result. The clerk of said county shall be
10½ ex-officio clerk of said board of canvassers so constituted, any
11 two of whom shall constitute a quorum, and said clerk shall
12 immediately make out, in pursuance of the determination of
13 the commissioners, a certificate of election of each of the per-
14 sons having the highest number of votes for mayor and coun-
15 cilmen, respectively, and for any other office in said town voted
16 for at such election, or in case of a tie, who have been decided
17 by lot to have been elected, and deliver the same to the person
18 elected upon his making application therefor.

7. The persons so elected shall enter upon the duties of
2 their office on the first day of September next succeeding their

3 election, and shall continue in the office until their terms shall
4 have expired and their successors shall have qualified.

8. Every person elected a councilman of said town shall
2 take an oath faithfully to execute the duties of his office to the
3 best of his judgment. The person elected mayor shall take oath
4 prescribed by law for all State officers.

9. In addition to the powers conferred by the general laws
2 of Virginia, the council of said town shall have power to lay
3 off streets, walks, and alleys; alter, improve, and light the same
4 and have them kept in good order, to lay off public grounds
5 and provide all buildings proper for the town; to provide a
6 prison house and workhouse, and employ managers, physicians,
7 nurses and servants for same, prescribe regulations for their
8 government and discipline, and for the persons therein; to pre-
9 scribe the time for holding markets and regulate the same; to
10 prevent injury or annoyance from anything dangerous, offen-
11 sive, or unhealthy, and cause any nuisance to be abated; to
12 regulate the keeping of gun-powder and other combustibles, and
13 provide magazines for the same; to provide in or near the
14 town water works, and places for the interment of the dead;
15 to prevent pollution of the water and injury to the water
16 works, for which purpose their jurisdiction shall extend five

17 miles above the same; to make regulations concerning the build-
 18 ing of houses in the town; to make regulations for the purpose
 19 of guarding against danger from accidents by fire, and, on the
 20 petitions of the owners of not less than two-thirds of the
 21 ground included in any square, to prohibit the erection in such
 22 square of any building, or any addition to any building more
 23 than ten feet high, unless the outer walls thereof be made of
 24 brick and mortar, or of stone and mortar, and provide for the
 25 removal of any building or addition erected contrary to such
 26 prohibition; to provide for the weighing or measuring of hay,
 27 coal, or any other articles for sale, and regulate the transpor-
 28 tation thereof through the streets; protect the property of the
 29 town and its inhabitants, and preserve peace and good order
 30 therein. For carrying into effect these and other powers, they
 31 may make ordinances and by-laws, and prescribe fines or other
 32 punishments for violation thereof, keep a town guard, appoint
 33 a collector of taxes and levies, and such other officers as they
 34 may deem proper, define their powers, prescribe their duties
 35 and compensation, and take from any of them a bond, with
 36 sureties, in such penalty as to the council may seem fit, payable
 37 to the town by its corporate name, and with condition for the
 38 faithful discharge of the said duties.

10. The council of the said town, four members whereof,
 2 shall constitute a quorum for the transaction of business, may
 3 adopt rules for regulation of their proceedings, but no tax
 4 shall be levied or corporate debt contracted unless by a vote
 5 of two-thirds of the council, which vote shall be taken by yeas
 6 and nays, and recorded on the journal. The mayor shall pre-
 7 side over the council, and when he is absent they may appoint a
 8 president pro tempore. A journal shall be kept of their pro-
 9 ceedings, and at the request of any member present the yeas
 10 and nays shall be taken on any question. At the next meeting
 11 the proceedings shall be read and signed by the person who
 12 was presiding when the previous meeting adjourned, or if he
 13 be not present, by the person presiding when they were read.

11. In addition to the State tax on any license, the council
 2 of said town may, when anything for which a license is so
 3 required within said town, impose a tax for the privilege of
 4 doing the same, and require a license to be obtained therefor;
 5 and in any case in which they see fit, require from the person
 6 or corporation so licensed bond, with sureties, in such penalty
 7 and with such condition as they may deem proper, or make other
 8 regulations concerning the same. They may also impose a tax
 9 and require a license to be obtained for the privilege of keeping
 10 in the town for hire any wheeled carriage.

12. The council of said town shall cause to be made up
 2 and entered on their journal an account of all sums lawfully
 3 chargeable on the town which ought to be paid within one year,
 4 and order a town levy of so much as in their opinion is neces-
 5 sary to be raised in that way in addition to what may be re-
 6 ceived for licenses and from other sources. The levy so ordered
 7 may be upon the male persons in the said town above the age
 8 of twenty-one years, and upon any property therein and on
 9 such other subjects as may at the time be assessed with State
 10 taxes against persons residing therein, subject to local taxa-
 11 tion.

13. The time for the regular meeting of the council of
 2 said town shall be the first Tuesday in each month; and the
 3 council may be convened at any time upon the call in writing
 4 of the mayor, or any three members thereof.

14. The jurisdiction of the corporate authorities of said
 2 town in criminal matters, and for the purpose of imposing and
 3 collecting a license tax on all shows, performances and exhibi-
 4 tions shall extend one mile beyond the corporate limits thereof.

15. The mayor of said town and the other members of the
 2 council shall be clothed with all the powers and authority of
 3 a justice in civil matters within the corporate limits of the

4 town and in criminal matters within said limits and one mile
 5 beyond same; and shall have power to issue process, hear and
 6 determine all prosecutions, cases and controversies which may
 7 arise under the by-laws and ordinances of the town; impose
 8 fines and inflict punishment when and wherever they are
 9 authorized by said by-laws and ordinances, and issue executions
 10 for the collection of said fines; and appeals may be taken to
 11 the circuit court of the county from their decisions in both civil
 12 and criminal matters in the same manner, and upon the same
 13 terms, and be tried in the same way as appeals from the
 14 decision of a justice are taken and tried in like cases, except
 15 that no appeal shall be granted from the decision of the mayor
 16 or the member of the council trying the same imposing a fine
 17 for the violation of any of the ordinances or by-laws of said
 18 town for offenses not made criminal by the common law or
 19 the statutes of Virginia until and after bond be given by the
 20 person so fined, with security approved by the mayor or council-
 21 man imposing the same, conditioned to pay all fines, costs,
 22 and damages that may be awarded by the said court on appeal;
 23 the penalty of said bond to be double the sum sufficient to pay
 24 all such fines, costs, and damages.

16. The town of Pamplin city shall have the use of the
 2 jail of Appomattox county, to aid the constituted authorities

3 of said town in maintaining peace and good order, and gen-
 4 erally for the enforcement of its ordinances and by-laws, un-
 5 less for good cause the judge of the circuit court of said county
 6 shall prohibit such use.

17. In consideration that the said town shall work and
 2 keep in order all streets, alleys and roads within its corporate
 3 limits, except State highways, the residents and property therein
 4 shall be exempt from the payment of all county and district
 5 road taxes heretofore and hereafter charged and levied against
 6 the same, and for this purpose the council of the said town may
 7 impose a tax on all property mentioned under section twelve
 8 hereof, not to exceed fifty cents on the one hundred dollar
 9 value thereof, which shall be in addition to the tax or levy
 10 authorized in sections eleven and twelve hereof and the town
 11 of Pamplin shall constitute a separate road district, in the coun-
 12 ties of Appomattox and Prince Edward.

18. All streets, cross streets, roads, and sidewalks already
 2 laid off and open to the public, and now used by the public as
 3 such according to law, or which may at any time be surveyed
 4 and opened to the public in the said town, be and are hereby
 5 established as public streets, cross streets, and walkways, and
 6 as such shall be under the jurisdiction and control of the said
 7 town, and shall not be obstructed, changed, or relocated, by any

8 abutting property holder without the written consent of the
 9 said council of the said town.

19. An emergency existing, this act shall be in force from
 2 its passage.