

ACTS

AND

JOINT RESOLUTIONS

PASSED BY THE

GENERAL ASSEMBLY

OF THE

STATE OF VIRGINIA

DURING THE

SESSION OF 1881-82.

RICHMOND:
R. F. WALKER, SUPERINTENDENT PUBLIC PRINTING.
1882.

directors shall be elected as may be prescribed by the by-laws of the company. The board of directors shall be stockholders of said company. They shall appoint one of their number president, and may fill any vacancy that may occur in the board. Whenever the minimum amount of capital stock shall have been subscribed, the company shall be considered legally organized, and may proceed to the transaction of business.

8. The principal office of the company shall be located at some point within the limits of the state of Virginia. The annual meeting of the stockholders shall be held at the city of Norfolk, Virginia, on the second Wednesday of January of each year, or on such other day, and at such other place, as the stockholders may prescribe, in all meetings of stockholders, and at all elections for directors, each share of stock shall entitle the holder to one vote. Principal office
Meetings

9. The charter hereinbefore granted, except as to matters herein otherwise specially provided for, is hereby declared to be subject to the provisions of the general law in regard to chartered companies and incorporations, as expressed in the Code of Virginia: provided that unless the company hereby incorporated shall expend one hundred thousand dollars in the actual construction of railways, docks, and elevators, within two years from the passage of this act, then this charter shall be null and void. Conditions

10. This act shall be in force from its passage; but the general assembly of the state of Virginia reserves to itself the right to modify, alter, or repeal this act at any time hereafter. Commencem't

CHAP. 266.—An ACT to incorporate the Normal and Collegiate Institute, and provide for the support of the same.

Approved March 6, 1882.

1. Be it enacted by the general assembly of Virginia, That the governor of Virginia shall, on or before the first day of March, eighteen hundred and eighty-two, appoint a commission of five persons, who shall forthwith proceed to select a suitable site on the south side of the James river for the establishment of an institution of learning, to be used exclusively for the education of colored persons, under and in pursuance of the conditions and regulations hereinafter prescribed. Selection of site

2. The said commission shall proceed, as soon as practicable, to select such a site, and report said selection to the board of education, composed of the governor, attorney-general, and superintendent of public instruction, for its approval, so that the same may be approved and purchased by said board before the fifteenth day of March, eighteen hundred and eighty-two. Report

3. After purchase of said site by the said board of education, the board of visitors hereinafter provided for, shall proceed at once to construct or repair, upon said site, a suitable building or buildings on plans admitting of enlargement to be used for the purposes aforesaid. In the construction or repair of said building or buildings, the said board of visitors shall exercise their best discretion, and have full power to act in the premises, without further authority, so that the sum of money expended in the purchase of said site, and in the construction or repair of said building or buildings, and in fitting up and putting in order the same for opening the school, shall not exceed the sum of one hundred thousand dollars.
- Purchase, &c**
4. The said school shall be known as The Virginia Normal and Collegiate Institute. It shall be under the government and control of seven visitors, six of whom shall be well-qualified colored men, who shall be appointed by the governor, with the consent of the senate: provided that the provisions of section two of chapter eleven, Code of eighteen hundred and seventy-three, shall not apply to the visitors appointed to this institution. The governor shall fix a day for the first meeting of said visitors, and notify them thereof, and thereafter said visitors shall have two stated meetings in each year at the institution aforesaid, to-wit: on the first Tuesday in June and November, and occasional meetings at such other times as they shall appoint, or on a special call by the chairman of said board of visitors, which meetings shall be at the institute.
- Name**
5. A majority of the members of the aforesaid board of visitors shall constitute a quorum for the transaction of business, and on the death or resignation of a member, or failure to act for one year, or on his removal out of this state, the board of education of the state, with the consent of the senate, shall appoint a successor.
- Meeting of visitors**
6. The said visitors, or so many of them as being a majority, shall appoint a rector, of their own body, to preside at their meetings, in the absence of the superintendent of public instruction, and a secretary to record, attest, and preserve their proceedings. They shall, annually, examine into the state of the property, real and personal; shall make and keep an inventory of the same, specifying every item whereof it consists; shall make annual report to the board of education, to be laid before the general assembly, with such suggestions or recommendations as, in their judgment, would be promotive of the objects of the institute. In said report they shall also embrace a full account of all disbursements, all funds on hand, and a general statement of the condition of said institute.
- Quorum**
7. In the said institute there shall be a normal department, in which shall be taught such branches as are usually taught in the best normal schools in the country; said branches to be prescribed by the visitors to said institute: provided that such normal course of instruction shall not be longer than three years.
- Appoint a rector**
- Report**
- Normal department**

8. There shall be connected with said institute, a college, ^{Teaching} and such professional departments as the board of visitors may think expedient and proper, for the higher education of colored persons. In the college department shall be taught the classics, the higher branches of mathematics, and such other branches as are usually taught in colleges, which branches shall be prescribed by the board of visitors to said institute.

9. The superintendent of public instruction for this state shall be a member of said board of visitors, and ex-officio chairman. The said visitors shall be charged with the repair of the buildings, and care of the grounds and appurtenances, and with the interest of the schools generally. They shall ^{Duties, &c} appoint and remove professors and other necessary agents, two-thirds of the whole number voting for appointment or removal; shall prescribe their duties in conformity with the law; shall establish rules for the government and discipline of students, not contrary to the laws of this state; shall regulate tuition fees; shall prescribe the duties and control the proceedings of all officers and employees, with respect to buildings, lands, appurtenances, and other property and interests of the institute; shall draw such money as may be appropriated, or otherwise contributed for the support of the same, and disburse it through their chosen disbursing agent; and, in general, shall direct and do all things which, not being inconsistent with the laws of this state, shall to them seem most promotive of the purposes of said institute, which several functions they shall be free to exercise in the form of by-laws, rules, resolutions, orders, instructions, or otherwise, as they shall deem proper.

10. The said superintendent of public instruction, and the ^{Corporation} visitors of said school shall be a body corporate, under the name and style of the board of visitors of the Virginia normal and collegiate institute, with the right as such to use a common seal. They may plead and be impleaded in all courts of justice in all cases concerning the institute, which may be subject of legal cognizance and jurisdiction, which pleas shall not abate by the termination of their office, but shall stand revived in the name of their successors; and they shall be capable in law and in trust, for the institute, of receiving subscriptions and donations, real and personal, as well from bodies corporate, or persons associated, as from individuals.

11. The said visitors shall, at all times, conform to such laws as the legislature may, from time to time, think proper to enact for their government; and the said institute shall, in all things, and at all times, be subject to the control of the legislature. The visitors above provided for shall be ap- ^{Term of office} pointed on or before the first day of April, eighteen hundred and eighty-two, and every fourth year thereafter.

12. The number of professors or teachers in the institute, all of whom shall be colored, shall be fixed by the visitors; the salary of no one of them shall exceed the sum of fifteen ^{Salary} hundred dollars per annum, except by consent of the said board of education, given in writing to the visitors.

Bond of
treasurer.

13. The board of visitors shall designate one of their number to be treasurer, and shall fix the amount of his bond at not less than fifteen thousand dollars. The said bond shall be made payable to the commonwealth of Virginia, shall have good and sufficient sureties, conditioned for the proper accounting and paying over of all money and other things committed to his custody, which bond being approved by the state board of education, and entered on the journal of the board of visitors, shall be transmitted to the auditor of public accounts, and remain on file in his office. The pay of the treasurer shall in no case exceed one hundred and fifty dollars a year for the first three years.

Students

14. The board of visitors shall prescribe the terms upon which students, other than state students, may be admitted; the nature of their services and the duration thereof, which shall not be less, in any case, than two years, and in the case of state students, more than four years. They shall admit as state students, free of charge, for tuition, as soon as practicable, upon evidence of good moral character, fifty young men, who shall be not less than sixteen nor more than twenty-five years of age, one of whom shall be selected from each senatorial district, and ten from the state at large, all to be chosen by the board of visitors; and when a vacancy has occurred, or is likely to occur, due notice of the time and place of making the appointment shall be given by the secretary of the board of visitors. If, after such notice, no suitable person shall apply from any district, the vacancy may be supplied from the state at large: provided that the students so admitted free of charge shall first enter into a written contract and agreement with the board of visitors to teach or engage in educational work for two years. This shall apply only to state students, and should any student fail to fill the terms of his contract, he may be relieved from the same by the payment of one-half of his tuition fee while at the institute.

Funds

15. And be it enacted, That out of the funds due the commonwealth of Virginia from the sale of the Atlantic, Mississippi and Ohio railroad, as ratified and confirmed by senate bill number fifty-six, of session eighteen hundred and eighty-one-two, the sum of one hundred thousand dollars shall be retained by the treasurer of the commonwealth to the credit of the state board of education, to be paid out by said treasurer, on the orders or warrants of said board of visitors, in the execution of this act; and within six months after the board of visitors shall have declared the institution ready to receive students, and annually thereafter, there shall be paid by the auditor of public accounts, on the order of the said state board of education, to the treasurer elected by the board of visitors, the sum of twenty thousand dollars, as annuities to the other state institutions of learning are now paid.

16. The board of visitors shall examine into progress of students in each year, and shall give to those who excel in

any branch of learning such honorary testimonials of approbation as they may deem proper. Such reasonable expenses as the visitors may incur in the discharge of their duties shall be paid out of the funds of the institute: provided the sum paid to any one visitor in any one year shall not exceed fifty dollars. Expenses of visitors

17. Any person may deposit in the treasury of the state, or bequeath money, stocks, or bonds to be deposited, or grant, devise, or bequeath property, real or personal, to be sold, and the proceeds so deposited, which shall be invested as the donor may indicate, or the board of visitors may see proper, for the benefit of the institute; and in such case the interest or dividend accruing on such deposits shall be paid to the treasurer of the institute, on the order of the state board of education, to be used for the purpose thereof, unless some particular appropriation shall have been designated by the donor or testator, in which case such particular use or appropriation shall be respected. Donations

18. This act shall be in force from its passage.

Commencement

CHAP. 267.—An ACT to provide for laying out and working roads in Henrico county.

Approved March 6, 1882.

1. Be it enacted by the general assembly, That it shall be lawful for the county of Henrico to locate, open, change, repair, and keep in order her highway roads and bridges as follows:

2. That for each magisterial district in the county of Henrico there is hereby created and established a board, consisting of the supervisor and a commissioner of roads, which board shall have exclusive control of the roads, bridges, and ferries within its limits, and all taxes levied for road purposes and for building and repairing bridges, shall be expended in the said district where the same is collected, except as may hereinafter be provided. Board

3. The judge of the county court shall, on or before the April term of his court, appoint one commissioner of roads for each magisterial district; his term of office shall be for three years (unless sooner removed for good cause by the judge), commencing on the first day of May succeeding his appointment, and he shall reside in the district for which he is appointed. And if the office of commissioner of roads for any district becomes vacant from any cause, it shall be the duty of the judge of the county court to appoint his successor for the unexpired term; and the board hereby created and constituted is declared to be a body politic and corporate, and shall be known and designated as the board of commissioners of roads for the — magisterial district. Commissioner of roads