

EASTVILLE, TOWN OF  
County of Northampton.  
Incorporated by an 1896 Act of Assembly.

Charter, 1896, c. 247.

Amended      1910, c. 342 (§ 6)  
                  1914, c. 118 (§ 3)  
                  1922, c. 256 (§ 6).

§ 1. Be it enacted by the general assembly of Virginia, That the town of Eastville, in the county of Northampton, as the same has heretofore been or may hereafter be, and as set forth and described in this act, shall be, and the same hereby is, made a town corporate by the name of the town of Eastville, and by that name shall have and exercise the powers conferred upon towns by the forty-fourth chapter of the code of Virginia, edition of 1887, and be subject to the provisions of said code and all laws now in force, or which may hereafter be enacted, in reference to the government of towns of less than five thousand inhabitants, so far as the same are not inconsistent with the provisions of this act. (1896, c. 247)

§ 2. The boundaries of said town shall be as follows: Beginning at the southwest corner of Mistress U. Nottingham's lot and running in an eastwardly direction along a ditch between the lot of Mistress U. Nottingham and the lands of Mistress S. C. Kerr to the county road; thence eastwardly across the county road and the lands of Mistress Helen Saunders until it is at right angles with the back line of A. D. Addison; thence northwardly until it reaches a point opposite Mistress Helen Saunders' garden; thence along said line in an eastward direction to a ditch separating the lands of Doctor S. C. Nottingham from the lands of Doctor K. F. Addison; thence eastwardly through the lands of Doctor K. F. Addison, E. F. Nottingham, and N. L. Holland to the property of the New York, Philadelphia and Norfolk railroad company at a point one hundred and thirty yards south of the center of the county road; thence northwardly along the line of the said railroad company until it reaches the northeast corner of W. W. Fitchett's lot; thence westwardly along the dividing line between the lands of T. M. Scott and the said W. W. Fitchett, Mistress Margaret Read, George F. Dunton, and the Baptist parsonage lot to the lawn fence on the east of Thomas M. Scott; thence in a northwardly direction to a point one hundred yards from the county road; thence in a westwardly direction across the lands of T. M. Scott in a straight line to a point one hundred yards northward of county road on the line of the Baptist church lot; thence in a westwardly direction to the dividing line between the lands of Mistress A. E. Kerr and E. J. Spady; thence along the dividing line of the lands of the said Mistress A. E. Kerr and E. J. Spady, O. F. Mears, H. W. Roberts, and R. V. Nottingham to the land of A. W. Bradford; thence northerly along the dividing line between the lands of Mistress A. E. Kerr, A. W. Bradford, and R. S. Trower to the northeast corner of R. S. Trower's lot; thence in a westwardly direction along the line of the lands of R. S. Trower and Mistress A. E. Kerr to the county road; thence northwardly to the Episcopal church lot; thence westwardly along the dividing line between the lands of Episcopal church lot, H. R. Nottingham, and Robinson Nottingham to a point opposite the ditch west of Eastville; thence southerly across the land of said

Robinson Nottingham and following the course of said ditch to the southwest corner of Mistress U. Nottingham's lot, the point of beginning. (1896, c. 247)

§ 3. The government of said town shall be vested in a mayor and six councilmen. The first election under this charter for mayor and councilmen shall be held on the second Tuesday in June, nineteen hundred and fifteen, and thereafter they shall be elected bi-annually on the second Tuesday in June, and shall qualify and enter upon the duties of their respective offices on the first day of September following. Any person entitled to vote in the county of Northampton and who has resided within said town for three months previous to any election, shall be entitled to vote at all elections under this act of incorporation. The mayor shall appoint two electors of said town who with the town clerk shall hold said election between the hours of one, post meridian, and sunset; and they shall decide any contest with reference to the right of any person to vote, and shall count the ballots and certify to the council the names of the persons elected mayor and councilmen. In case of a tie vote the clerk shall decide in the presence of the two electors aforesaid, by lot; said clerk shall immediately thereafter make out and deliver to the mayor and each councilman, a certificate of his election. All officers of the said town shall take the oath of office before the town clerk or some other officer authorized to administer oaths. Should any of the officers hereby appointed, or who may hereafter be elected or appointed, refuse or fail to accept and qualify within thirty days after such appointment or election, then it shall be the duty of the mayor or a majority of such town council as may accept and qualify, in the absence of such mayor, to fill such vacancy by appointment.

The council shall appoint the time when it shall meet.

The council of said town shall, at their first regular meeting after this act shall go into effect, elect from the duly qualified citizens of said town one additional member in compliance with the terms of this act, who shall fill said office of councilman for the remainder of the term for which the present council has been elected.

All acts and parts of acts in conflict with this act are hereby repealed. (1896, c. 247; 1914, c. 118)

§ 4. The mayor and councilmen shall constitute the council of said town, a majority of whom shall constitute a quorum to do business, and all the corporate powers of said town shall be exercised by said council or under its authority, except when otherwise provided by law. The mayor shall be president of the said council, and shall have all the rights, powers and privileges such office confers under the general laws governing towns within this state, and shall be invested with all the powers of a justice of the peace within the limits of said town, and one mile beyond said limits; and all fines, penalties or imprisonment for violation of the by-laws or ordinances of said town shall be recovered before or enforced under the judgment of the mayor, and for that person he may issue process as a justice of the peace, and shall be entitled to the same fees as a justice for like service; but the mayor shall have no vote in the council except in case of a tie. Any vacancy which may occur in the office of mayor or councilman shall be filled by the council. The mayor and councilmen shall hold their respective offices for one year from the first day of July succeeding their election, and until their successors are elected and qualified. (1896, c. 247)

§ 5. The said council shall have power to elect a treasurer, a clerk, a sergeant, and any other officers they may deem necessary for the said town; to regulate their

compensation, prescribe their duties, remove them from office, and require bonds with approved security for the faithful performance of their respective duties. The council shall also have the power to pass all by-laws and ordinances for the government of said town which they may deem proper not in conflict with the constitution of this state or the United States; to mark accurately the bounds of existing streets, and alter or change the same, and to lay off new streets, alleys, or sidewalks, and keep same in order, and to make other improvements, for which purposes the council of said town shall have the same powers and jurisdiction for condemning land for streets, alleys, and sidewalks as the county court has for condemning land for roads in the county; to cause to be made a survey and plat of said town, showing definitely its boundaries, its public streets, alleys, and sidewalks, and their width, with such remarks and explanations as they may deem proper; to regulate or prohibit the running at large of animals; to provide and protect shade trees; to establish a fire department with suitable and necessary conveniences; to prevent the riding or driving of horses or other animals at an improper or dangerous speed; to prevent the engaging in any sport or employment on the streets dangerous or annoying to the citizens; to restrain and punish drunkards, vagrants, street beggars, and persons coming into the town without any visible means of support; to prevent vice and immorality; to preserve peace and good order; to quell disturbances and disorderly conduct and assemblages; to suppress houses of ill-fame and gambling; to prevent and punish lewd conduct on the streets, and to expel from the town persons guilty of any offense mentioned above; to make regulations in reference to contagious diseases; to abate nuisances; to provide for order and quiet and the observance of the Sabbath within said town and one mile beyond its limits; to punish violations of the ordinances and by-laws of the council with fine and imprisonment, or either. (1896, c. 247)

§ 6. For the purposes of this incorporation the council of said town may levy annually such taxes, not in conflict with general laws, as they may deem proper on all property, real and personal, within the said town, not exceeding seventy-five cents on the one hundred dollars assessed value as per State assessment; to impose a specific license on all shows, performances and exhibitions that may be given, all persons, firms or corporations who may engage in the sale of wines, ardent spirits, malt liquors, alcoholic bitters and mixtures thereof, either by wholesale, retail, or to be drunk where sold. The said council shall have the power to impose a license tax on all business on which the State imposes license, excepting, however, such business as cities and towns are forbidden by general laws to impose license taxes upon, or which is provided for by law, and its officers shall have such power to collect such taxes as the State officers have in like cases; and the said council shall have the power to impose a specific tax for the sale of merchandise or any article that may be offered for sale by any person not living in said town, and also to levy a capitation tax not exceeding fifty cents on each adult person resident of said town. (1896, c. 247; 1910, c. 342; 1922, c. 256)

§ 7. The mayor and councilmen may occupy for the transaction of business the former clerk's office of this county; and for the purpose of carrying into effect the police regulations of said town the said town shall be allowed the use of Northampton county jail for the safe-keeping and confinement of all persons who may be arrested or sentenced to imprisonment under the by-laws and ordinances of said town; and the sergeant of said town may convey any person arrested or sentenced to jail, and the jailer of said county shall receive such person or persons in the same manner as if such person or persons were

committed by a justice of the peace and delivered to said jailer by a constable. And when any judgment shall be rendered against a prisoner for any penalty under any ordinance or by-law of said town, and the same be not immediately paid, the person or persons so in default may be required, by the order of the court passing sentence, to work out such fines or penalties on the public streets or other public improvements of said town at fifty cents per day, under the direction of the sergeant and under such rules and regulations as may be deemed proper by the council. (1896, c. 247)

§ 8. The said town and the property and persons therein shall be exempt and free from the payment of any road tax, and from working on roads outside of said town, for which exemption the said town shall keep its own streets in order and shall not be embraced in any road district of the said county of Northampton. (1896, c. 247)

§ 9. The sergeant of said town shall be a conservator of the peace and shall be vested with full powers of a constable within the limits of the said town, and also have powers to arrest offenders within one mile of said limits for offenses committed within the limits of said town or against its by-laws or ordinances, and shall be entitled to the same fees as a constable for like service. (1896, c. 247)

§ 10. Rodman W. Nottingham is hereby declared and appointed mayor, Nathaniel L. Holland, Harry R. Nottingham, James A. Jarvis, Joseph S. Widgen, and Doctor Severn P. Nottingham, are hereby declared and appointed councilmen of the said town of Eastville, and may qualify as such before any justice of the peace or any other person who is authorized to administer oaths in said county, by taking the oaths of office, and thereupon shall constitute the council of said town, with all their powers, until the first day of July, 1897, and until their successors are elected and qualified. The council hereby appointed shall meet and organize upon the call of the said Rodman W. Nottingham as mayor or any three of the said councilmen. (1896, c. 247)

§ 11. This act shall be in force from its passage. (1896, c. 247)