

TOMS BROOK, TOWN OF
County of Shenandoah.

Incorporated by order of the Circuit Court of Shenandoah County, January 9, 1922.
Validating order of court incorporating, 1932, c. 144.

Note: A copy of the court order was sent to the Division of Legislative Services by the Clerk of the Circuit Court of Shenandoah County, April 25, 1997. This handwritten court order was reproduced almost verbatim in the validating order of the General Assembly in 1932; therefore, the text of this document is Chapter 144 of the 1932 Acts of Assembly. A photocopy of the court order is available in the Legislative Reference Center at the Division of Legislative Services.

Chapter 144

An ACT to validate, ratify and confirm an order of the circuit court of Shenandoah county, incorporating the town of Toms Brook, in the said county; to validate the boundaries of said town as set out in said order; to validate an election held in pursuance of said order; all the ordinances of the council of said town and all official acts of the mayor of said town, and its council; to provide that said town shall have certain officers chosen by the council, and that the elective officers shall be elected for a term of four years, instead of two years, as now provided by general law.

Whereas, the circuit court of Shenandoah county, did upon the petition of S. B. Miley, and more than twenty other qualified voters of the unincorporated town of Toms Brook, after legal notice thereof had been published in the Shenandoah Herald, a newspaper published in the town of Woodstock, Shenandoah county, Virginia, once a week for four successive weeks, and posted at the front door of the court house of Shenandoah county, for four successive weeks, enter an order on the ninth day of January, nineteen hundred and twenty-two, incorporating said town of Toms Brook, in pursuance of section twenty-eight hundred and eighty-one of the Code of Virginia, and did declare the boundaries of said town to be as follows: Beginning at a post on the southeast side of the county road, leading from Toms Brook towards the Shenandoah river and a corner to the lot of James M. Walten, and extending thence with the back lines of the lots of said Walten, Daniel Kibler, Lillian Keller, south fifty-nine west four hundred and fourteen feet to a cedar post near Keller's corner; thence with another of her lines north thirty-one west two hundred and thirty-eight feet to a post, corner to the lot of J. D. Hupp, his east corner; thence with the back line of the various lots fronting on the Valley turnpike, south fifty-one and one-half west three hundred and forty-five feet to a post; thence continuing with the back line of other of said lots south sixty-three west eleven hundred and seventy-nine feet to a stake at Angus Bauserman's fence, thence with a fence crossing his land north twenty-eight west two hundred and thirty-eight feet to a stake on the west side of the said Valley turnpike; thence with the west edge of the pike north fifty-five east two hundred and thirty-six feet to a station on the west edge of the pike, and on the northeast side of the new State road at its junction with the pike; thence along the northeast side of said road north thirty-nine and one-half west four hundred and sixty-seven feet to the west edge of the railroad limits; thence with the west edge of the said limits north forty-eight east fourteen hundred and sixty-five feet crossing Toms

Brook stream, to a post at the south corner of the cemetery north forty-four west three hundred and thirty-one and one-half feet to the west corner of the same; thence with the northwest line thereof, and a continued corner, with a middle fence north fifty-five east five hundred and eighty-eight feet to a post on the west edge of Caroline street; thence with the west edge of the said street south thirty-one east twenty-nine feet to a stake; thence with the back line of various residence lots and crossing said street north sixty-three and one-half east seven hundred and eighty-two feet to a stake, in a line dividing the lands of H. S. and D. M. Crabill, in the hollow; thence with the said line south thirty-one and one-half east three hundred and forty-nine feet to a stake on the west edge of the railroad limits; thence with the northwest line of said railroad north sixty-five and three-fourths east one thousand and sixty-nine feet to a stake in the said limits at the fence; thence crossing the railroad and the Valley turnpike south thirty-eight east three hundred and seventy-two feet to a stake in a gateway back of the barn of D. M. Crabill; thence with a middle fence south forty-eight and one-half west thirteen hundred and thirty-six feet to a large white oak tree, a corner to the residence lots of J. C. Paxton; thence along with the lines of the said lots and including the same south forty-one east three hundred and twenty-two feet to a post; thence south forty-five west nine hundred feet recrossing the creek of Toms Brook to the place of beginning, containing ninety-three acres, one rod, and thirty-five square poles, more or less, including the lands embraced in the Valley pike, the railroad and the county roads.

Whereas, in pursuance of the said order, an election was held in the said town for the election of a mayor and six councilmen, on the twenty-sixth day of March, 1922; and

Whereas, the said persons so elected duly qualified by taking and subscribing the oaths of office and at once entered upon the discharge of the duties of their respective offices, and their successors in office are still performing said duties; now, therefore,

1. Be it enacted by the general assembly of Virginia, That the said order of the circuit court of Shenandoah county, be, and the same is hereby validated, ratified and confirmed, and that the boundaries of the said town shall be in all respects as set out in the said order of the said court.

2. The election aforesaid, and all ordinances passed by the council of the said town and all official acts of the mayor of the said town and its council, not in conflict with the general laws of this Commonwealth, or its Constitution, or the Constitution of the United States, are hereby validated.

3. The present elected officers of the said town shall continue to hold office during the term for which they were elected as now provided by law; and at an election to be held on the second Tuesday in June, 1932, and every four years thereafter, a mayor and six councilmen shall be elected, whose term of office shall begin on the first day of September, following their election and continue for a period of four years thereafter.

4. The said town shall have a sergeant, clerk, and treasurer and such officers as the council may deem necessary, or proper, all of whom shall be chosen by the council for a term of four years. The council shall prescribe the duties of such officers in addition to the duties required of them by law. It shall also fix their compensation, prescribe the penalties for the neglect of their duties and determine which of such officers shall give bond and shall fix the penalties thereof.