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CHAP. 158.—An ACT to improve a license tax on pistols and revolvers; to regulate the sale thereof and of ammunition therefor; and to provide that the proceeds of such tax shall be used for the establishment of a diseased and crippled children's hospital. [S B 44]

Approved March 17, 1926.

1. Be it enacted by the general assembly of Virginia, That it shall be the duty of every person residing in this State and owning a pistol or revolver therein, to pay on or before the first day of January of each year a license tax of one dollar on each pistol or revolver so owned, or in the event that such pistol or revolver shall be acquired by any such person on or after the first day of February, such license tax shall be forthwith paid thereon. The application for the license shall give the name of the owner, and the number, make and calibre of such pistol or revolver, which shall be set forth in the license. All pistol or revolver licenses shall run from the first day of January to the first day of the following January. Such license taxes shall be paid to the treasurer of the city or county wherein the said owner resides, and the said treasurer shall not receive more for handling the funds arising from the tax imposed by this act than he receives for handling other State funds. The treasurers shall not receive compensation for their services in issuing the license cards herein provided for. Upon payment of the tax provided for in this section the person paying the same shall be entitled to a license card therefor, showing the year for which the license is paid, the county or city issuing the card, the serial number of the license, and the number, calibre, make and owner of the pistol or revolver. When the license card is issued the treasurer shall record the name of the owner of the pistol or revolver, and the number, calibre and make thereof with the number of the license, in a book prepared for the purpose. The license cards and book shall be furnished by the boards herein provided and shall be paid out of the funds derived from the pistol and revolver licenses. If any such card should be lost the owner of the card shall pay to the treasurer twenty-five cents for a duplicate card.

2. It shall be the duty of every retailer selling a pistol or revolver in this State, at the time of such sale, to keep a record of the name and address of the purchaser and the number, make and calibre of the pistol or revolver, and to report once a month to the treasurer of his county or city the names of such purchasers, if any, together with the number, make and calibre of each pistol or revolver purchased; and all persons receiving or having in their possession a pistol or revolver for the purpose of repairing the same shall report to the treasurer of his county or city once a month giving the name and address of the owner and the calibre, make and serial number of such pistol or revolver.

3. It shall be unlawful for any retailer in this State to sell ammunition for any pistol or revolver to any person unless the person desiring to make such purchase displays the license card for the current year provided for in this act.

4. Any person violating any provision of this act or using a li-

license card not issued to him, for the purpose of purchasing ammunition, or using a license card for the purchase of pistol or revolver ammunition unless the ammunition is intended to be used for the weapon mentioned in the license card shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five nor more than fifty dollars, or sentenced to the State convict road force for not less than thirty or not more than sixty days, or both, in the discretion of the tribunal trying the case.

5. The provisions of this act shall not apply to any officer authorized by law to carry a pistol or revolver nor to the pistol or revolver of such officer when such pistol or revolver is carried in discharge of his official duty, except that every officer shall list his pistol or revolver with the treasurer of his county or city annually by January first; nor to a pistol of an obsolete type kept as a souvenir, memento or relic, such as cap and ball type, etcetera, or souvenir used or captured by any person or relative in any war. But such pistol shall be registered as herein provided, upon satisfactory proof to the officer issuing such license that the pistol in question comes properly within this exception, in which case, no license tax shall be charged.

6. The tax hereby imposed shall be in lieu of all other taxes on such pistols and revolvers; but nothing in this act shall be construed to apply to such weapons in the stocks of licensed wholesaler or retailers.

7. All funds arising from pistol and revolver licenses, except as hereinbefore provided, shall be kept separate from other funds and shall be paid into the State treasury to establish a fund known as the diseased and crippled children's hospital fund, which shall be used for the purpose of establishing and maintaining within the State at such place or places as may be selected by the board hereinafter provided for, a hospital or hospitals for the care, treatment and vocational training of diseased and crippled children resident in Virginia, or for any such rehabilitation work that the board may deem wise.

Each treasurer shall between the first and fifteenth of July and between the first and fifteenth of January report to the auditor of public accounts collections, which he is required to make by this act, and shall at the same time pay into the State treasury the amount collected less the commissions which he is authorized to retain for collecting same as provided for in this act, and the auditor of public accounts shall keep said funds separate from other funds to be designated and known as "the diseased and cripple children's hospital fund."

8. The administration of the aid fund shall be under the direction of a board of seven physicians to be appointed by the governor, subject to approval by the senate; one member of the board shall be appointed from or on recommendation of the faculty of the medical department of the University of Virginia and one from or on recommendation of the faculty of the Medical College of Virginia at Richmond, of the other five members, one shall be appointed from each of the five geographical divisions of the State. Appointments to the said board shall be made on July first, nineteen hundred and twenty-six,

and shall be so arranged that the term of one member shall expire on each July first from one to seven years thereafter; the successors of the original appointees shall be appointed for seven year terms. The governor shall have the right to remove any member of the board for cause, and shall fill for the unexpired term any vacancy occurring on the board. When the term of a member expires, he may succeed himself when reappointed by the governor and confirmed by the senate.

The board shall hold its original meeting on the call of the governor, shall select its chairman and secretary, and shall hold future meetings as it may provide, but not less than twice a year. The members of the board shall serve without compensation, but shall be entitled to their actual hotel and traveling expenses while in attendance on the meetings of the board.

The board herein provided for shall be styled "the board of trustees of the Virginia State diseased and crippled children's hospital," and shall have power in such name to take, hold and subject to the approval of the governor, convey property, to contract and be contracted with, and to sue and be sued.

The said board shall have the power to purchase and take such land, to purchase or build such building or buildings, to manufacture, buy or otherwise obtain such equipment, to employ such persons, and to do all such other things as may be necessary to carry out the purpose for which it is created as hereinabove set out. Provided, however, that no purchase of land or buildings shall be made before approval of the governor. It may take and hold gifts and donations from private sources for the furtherance of the said purposes. But the said board shall not withdraw any money from the State treasury, or obligate itself to pay out any money until the fund to its credit from the proceeds of pistol and revolver licenses or from private donation shall have reached the sum of fifty thousand dollars.

9. The State treasurer shall make payments from the fund hereinabove created on warrants from the auditor of public accounts, issued on vouchers certified by the chairman of the board hereinabove created on authority of the board.

10. All acts and parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

CHAP. 159.—An ACT to amend the Code of Virginia by adding thereto a new section to be numbered section 2850-a, in relation to notaries public for the State at large. [S B 184]

Approved March 17, 1926.

1. Be it enacted by the general assembly of Virginia, That the Code of Virginia be amended by adding thereto a new section to be numbered section twenty-eight hundred and fifty-a, which new section shall read as follows:

Section 2850a. Notaries public for the State at large.—The governor may appoint in and for the State of Virginia at large as many