

Statutes at Large of Virginia/Shepherd v.2 1796-1802

the tolls demanded and received, and two dollars; to be recovered with costs before a justice of the peace of the county, where the offence shall be committed.

Commencement. 3. This act shall commence and be in force from and after the passing thereof.

CHAP. 58.—An ACT to repeal the act, intituled, "An act for killing squirrels or crows in certain counties."
(Passed January 19, 1798.)

Act herein recited repealed.

1. *Be it enacted by the general assembly*, That the act, intituled, "*An act for killing squirrels or crows in certain counties*," passed on the sixteenth day of December, one thousand seven hundred and ninety-six, is hereby repealed.

Commencement. 2. This act shall commence and be in force from and after the passing thereof.

CHAP. 59.—An ACT to establish several towns.
(Passed January 15, 1798.)

Town of Planterstown established in Buckingham county, and trustees thereof.

1. *Be it enacted by the general assembly*, That twenty-five acres of land, the property of Ichabod Hunter and John Epperson, lying at the Cut banks in the county of Buckingham, shall be, and they are hereby vested in William Perkins, jun., Charles Yancey, John Johns, Joel Watkins, Daniel Moseley, Henry Flood, Nathaniel Lancaster, Robert Kelsor, Anthony Winston and Stephen Petis, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Planterstown:

Town of Fayetteville established in Fauquier county, and trustees thereof.

That thirty acres of land, the property of Austin Miskell, John Overall, Benjamin Bronaugh, Peter Lucas, Howson Duncan, and Armistead Blackwell, in the county of Fauquier, shall be, and they are hereby vested in Robert Lewis, William Brent, senior, James Weathers, son of Cain, John Blackwell and Robert Hunton, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Fayetteville: *Provided always*, That the trustees of the said town of Fayetteville, shall not interfere (in laying off the said lots) with any lot already laid off or built upon:

Town of Meadesville established in Halifax county, and trustees thereof.

That twenty-one acres of land, the property of Meades Anderson, lying at the Great falls of Bannister river, in the county of Halifax, shall be, and they are hereby vested in David Bates, William M'Daniel, John B. Scott, Epaphroditus Sydnor, Robert D. Milner, William Hudson and Joseph Petty, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Meadesville:

Town of Clerksburg established in Culpeper county and trustees thereof.

That twenty-five acres of land, the property of William Clerk, lying in the county of Culpeper, shall be, and they are hereby vested in Thomas Spliman, John Reed, John Pendleton, Benjamin Ferguson, Samuel Ferguson, Henry Pendleton, junior, and Thomas Bywaters, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Clerksburg:

Town of Buckland established in P. William county, and trustees thereof.

That the lots and streets, as the same are already laid off by John Love, on his land lying on both sides of Broad run, and near to the mill of the said John Love, in the county of Prince William, shall

be established a town by the name of Buckland; and William Tyler, Alexander Scott, Briton Sanders, Robert Thrift, William Brooks, Richard Gill, William Hunton, Edward Carter and Thomas Hunton, gentlemen, constituted trustees thereof:

That twenty-four acres of land, lying in the county of Culpeper, the property of James Basye, shall be, and they are hereby vested in Joseph Basye, William Howe, Gabriel Green, Anthony Haynie, John Puller, William F. Grant, and John Corbin, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Jamestown:

That the lots and streets as the same are already laid off on the lands of John Smith, the younger, and William Smith, lying in the county of Berkeley, shall be established a town by the name of Smithfield; and John Packett, Moses Smith, John Smith, Jacob Reese, Joseph Grentham, and John Grentham, junior, gentlemen, constituted trustees thereof:

That forty acres of land, the property of Robert Gregg, and Charles Buck, lying in the county of Culpeper, shall be, and they are hereby vested in William Thornton, John S. Slaughter, John Thornton, Thomas Broadbuss, Aylett Haaves, Lewis Connor, William Slaughter, James Green, and John Strother, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Woodville:

That fifty acres of land, the property of Judith Randolph, lying near Rutledge's bridge in the county of Prince Edward, shall be, and they are hereby vested in Charles Scott, Peter Johnson, John Randolph, junior, Philip Holcombe, junior, Martin Smith, Blake B. Woodson, and Creed Taylor, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Farmville:

That twenty acres of land, the property of Benjamin Berry, and Sarah Strebling, in the county of Frederick, as the same are already laid off into lots and streets, be established a town by the name of Berryville; and William M'Guire, Archibald Magill, Daniel Morgan, Rawleigh Colston, John Milton, Thomas Strebling, George Blackmore, Charles Smith, and Bushrod Taylor, gentlemen, constituted trustees thereof, who, or a majority of whom, shall have the like powers with the trustees of any other town in this commonwealth not incorporated:

That thirty acres of land, the property of John Heath, Thomas D. Downing, and Thomas W. Hughlett, adjoining to the court house, in the county of Northumberland, shall be, and they are hereby vested in Thomas Gaskins, Walter Jones, John Heath, Catesby Jones, John Cralle, Thomas W. Hughlett, and Thomas D. Downing, gentlemen, trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Heathville:

That twenty-five acres of land, the property of Robert Yancey, and company, lying in the county of Louisa, shall be, and they are hereby vested in William O'Callis, Samuel Terrill, John Overton, Thomas Meriwether, senior, James Winston, Henry Garrett, David Bullock, Christopher Smith, and Charles Barrett, gentlemen,

Town of Belfield established in Greensville county, and trustees thereof.

General regulations in sale of lots situated in the aforesaid towns.

Proviso.

Power of trustees of the said towns.

Penalty on purchasers of lots failing to build thereon according to conditions of sale.

Commencement.

Preamble.

trustees, to be by them, or a majority of them, laid off into lots of half an acre each, with convenient streets, and established a town by the name of Yanceyville:

That the lots and streets, as the same are already laid off by Belfield Starke, the proprietor thereof, at Hicks's ford, in the county of Greensville, shall be established a town by the name of Belfield; and Thomas Cocke, William Maclin, John Blunt Turner, William W. Wilkins, John Goodwin, and John Camp, gentlemen, constituted trustees thereof.

2. So soon as the said lands, where the same hath not already been done, shall respectively be laid off into lots, the trustees thereof, and also of the said towns of Buckland, Smithfield, and Belfield, shall proceed to sell the same at public auction, for the best price that can be had, the time and place of such sales being respectively advertised for two months successively, previous thereto, in some one of the newspapers within this commonwealth, and to convey the said lots to the purchasers in fee, subject to the condition of building on each, a dwelling house equal to twelve feet square at least, with a brick or stone chimney, to be finished fit for habitation within seven years from the day of sale, and pay the money arising from such sales to the proprietors of the said lands respectively, or their legal representatives: *Provided always*, That nothing herein contained, shall be construed to authorize the trustees of the towns of Buckland and Smithfield, in the counties of Fauquier and Prince William, to sell any lots on which the proprietors of the lands shall have built a house.

3. The trustees of the said towns respectively, or a majority of them, are empowered to make such rules and orders for the regular building of houses therein, as to them shall seem best, and to settle and determine all disputes concerning the bounds of the lots.

4. If the purchaser of any lot in either of the said towns shall fail to build thereon, within the time limited in his deed of conveyance, the trustees of the said town, where the lot has been sold by them, and where such failure happens, may thereupon enter into such lot, and sell the same again, and apply the money for the benefit of the inhabitants of the said town. Vacancies by death or otherwise, of any one or more of the trustees of the said towns respectively, shall be supplied in manner prescribed by an act of assembly, passed in the year one thousand seven hundred and seventy-eight, intituled, "*An act to empower the freeholders of the several towns not incorporated, to supply the vacancies of the trustees and directors thereof.*"

5. This act shall commence and be in force from and after the passing thereof.

CHAP. 60.—An ACT extending the jurisdiction of the mayor and commonalty of the town of Alexandria, and for other purposes.

[Passed January 8, 1798.]

Whereas by an act of assembly, passed in the year one thousand seven hundred and ninety-six, intituled, "*An act adding to the town of Alexandria, certain lots contiguous thereto, and for other purposes therein mentioned,*" it is enacted, "that certain improved lots, and all others as they become so improved, within the bounds in the said act mentioned, be added to and made part of the said town of Alexandria," thereby leaving out of the jurisdiction of the

mayor and commonalty of the said town, the unimproved lots within the limits aforesaid, as long as they shall so remain unimproved; by which means the prosperity of the said town is in a great degree prevented:

1. *Be it therefore enacted*, That the unimproved lots within the limits aforesaid, shall be, and are hereby incorporated with, and considered as a part of the said town of Alexandria, and subject to the same regulations as the other parts thereof.

2. The mayor and commonalty of the said town, are hereby authorized and empowered, whenever they may deem it proper, to open, extend, regulate, pave and improve the streets of the said town: *Provided however*, That they shall make to every person or persons injured by the extension of any of the said streets, such compensation out of the funds of the corporation, as to the said mayor and commonalty shall appear to be just.

3. And whereas the inhabitants of the said town sustain considerable inconveniences, and the interest and prosperity thereof are much impeded, in consequence of the erection of a rope walk by a certain Charles Alexander, and now leased to Joseph Harper and Samuel G. Harper, extending across sundry streets of the said town: *Be it therefore enacted*, That it shall and may be lawful for the court of Fairfax county, and it is hereby empowered and required, on application of the said mayor and commonalty, to direct its clerk to issue a writ in the nature of a writ of *ad quod damnum*, to be directed to the sheriff of that county, commanding him to summon and impanel twelve fit persons, being freeholders, residing within his county and without the limits of the said town, to meet upon the land at or near the said rope walk, on a certain day to be named by the court, and inserted in the said writ, of which reasonable notice shall be given by the sheriff, to the said Joseph Harper and Samuel Harper.

4. The said freeholders on appearing, shall be charged by the said sheriff, on their oaths, impartially and to the best of their judgment, to view the premises, and to say to what damage it will be to the proprietor or tenants thereof, to remove the said rope walk and its appurtenances.

5. The inquest so made and sealed by the said jurors, together with the writ, shall be returned by the said sheriff to the succeeding court, and a copy thereof transmitted by the clerk to the mayor and commonalty of the said town, who shall thereupon order the damages found by the jury to be paid to the party or parties entitled to the same, and after payment or a tender thereof, it shall be lawful for the said mayor and commonalty to remove the said rope walk, and all other obstructions occasioned by the erection thereof.

6. *And be it further enacted*, That the jurisdiction of the mayor and commonalty of the said town, shall extend to all vessels lying at any wharf, projecting from the said town; and also to all vessels made fast to others lying at the wharves, or in the docks, or waters within the wharves.

7. This act shall commence and be in force from and after the passing thereof.

Unimproved lots in Alexandria incorporated with other parts thereof.

Powers of the mayor, &c. over streets. Proviso.

A rope walk within the limits of the town to be discontinued.

Jury of inquest to be summoned, &c.

Jury shall be sworn to act impartially.

Inquest to be returned and compensation to the proprietor, how made, &c.

Jurisdiction of the mayor, &c. extended to vessels lying at wharves, &c.

Commencement.