

to the disposition of slaves, and what right a widow hath to the slaves of her deceased husband, in case of his dying testate; to the end, all doubts and questions thereupon may be removed, and a better method may be settled for women to recover their rights, than by petition to set aside the will,

How widows may renounce provisions of their husbands will.

XXI. *Be it further declared and enacted, by the authority aforesaid,* That when any widow shall not be satisfied with the provision made for her by her husband's will, it shall and may be lawful for such widow, within nine months after her husband's death, before the court where such will shall be proved, or by deed executed in the presence of two or more witnesses, to declare, that she will not accept, receive, or take the legacy or legacies to her given and bequeathed, or any part thereof, and will renounce all benefit and advantage which she might claim by such last will: And after such declaration, to demand and recover her dower of all the slaves whereof her husband died possessed; which she shall enjoy during her natural life: And after her death, or other determination of that estate, the same shall go to the person or persons in whom the property thereof would have vested, in case the dower had not been demanded: And moreover, such widow shall have such share of the personal estate of her husband, as by the said act is directed. But if such declaration be not made within the time before limited, she shall be forever barred to claim any other part of her husband's estate, than shall be given or bequeathed by such last will.

#### CHAP. XII.

##### *An Act for encouraging Adventurers in Iron-Works.*

Preamble.

I. **W**HEREAS divers persons have of late expended great sums of money, in erecting furnaces and other works, for the making of iron, in several parts of the country; which doth greatly tend to the increasing the trade and shipping of Great Britain, and the riches of this colony, and to the employing of great numbers of artificers and other persons, more usefully than hath hitherto been done; and therefore all necessary encouragements ought to be given to the adventurers in such undertakings: And forasmuch as it is absolutely necessary that roads be laid out and clear-

ed from all such iron works, to convenient landings, and also that private roads should be laid out and cleared, for the carrying wood, coal, oar, and stone, to such furnaces or other works aforesaid:

II. *Be it enacted, by the Lieutenant-Governor, Council and Burgessess, of this present General Assembly, and bridges, to it is hereby enacted, by the authority of the same,* That and from the justices of the peace, respectively, of any county in which any iron-work is or shall be erected, shall, upon application to be made, by the owner or owners, or chief manager of such work, order and appoint good roads to be laid out and made, from such works, to the nearest place upon some navigable river or creek, where the iron made at such works may be brought and shipped off, and for bringing stone and other materials, for the erecting and carrying on such work, before the same shall be finished, from thence; and shall also order such convenient causeways and bridges, as shall be necessary for carts, waggons, or any other wheel-carriages whatsoever, to pass in such roads, to and from such iron-works, with the most ease that can be: And such highways and bridges, shall, during the time such iron-work shall be maintained, be repaired and amended, in the same manner, and under the same penalties and forfeitures, that other highways and bridges in this colony, are to be repaired and amended: And that upon the like application to be made to the county courts, as aforesaid, such county courts shall and may order and appoint private roads to be laid out, where the same shall be necessary, for the carrying wood, coal, oar, or stone, to such furnaces, so as such roads do not pass through the inclosed or tenced grounds of any person whatsoever, and so as the same shall be cleared and repaired from time to time, by the owner or owners of such iron-works, for whose benefit the same shall be appointed.

III. And whereas, the calling away of persons employed in and about such iron-works, where their constant attendance is necessary, for the repairing and amending of highways, and bridges, and clearing of rivers, may be very inconvenient and detrimental to the owners of the said works, *Be it further enacted,* That all persons whatsoever, which now are, or hereafter shall be, employed in and about any furnace, or other work, now erected, or hereafter to be erected, for the making of iron, shall be exempted and discharged from



the duties of clearing, amending, and repairing all highways and bridges (other than the roads and bridges to be laid out and made for the use and benefit of such iron-work, pursuant to this act) and of clearing of rivers and creeks.

Further exemptions.

IV. And, for a further encouragement to all persons, who shall hereafter, within one and twenty years next to come, erect any furnace, or other work, for the making of iron: *Be it further enacted*, That the adventurers in such work, shall give notice to the court of the county where any furnace, or other work aforesaid to be erected, shall lie, of their intending to begin and carry on such work or works; and from and after such notice so given, all the persons employed in and about the building and carrying on such work, or the cutting of wood, making of coal, raising of oar, or any other thing necessary for the completing and carrying on such design, shall for the space of five years next following, be free and exempt from the payment of all public, county, and parish levies.

Owners to furnish a list of persons employed at.

V. *Provided nevertheless*, That the owner or owners, or chief manager of such work or works, shall, upon or within twenty days after the tenth of June, in every year, give a list of all the persons so to be employed about such work or works, to the person appointed to take the list of tithables in the precinct where they shall respectively live, or be employed; or otherwise they shall not be entitled to any of the exemptions aforesaid, for that year.

Persons exempted, not to make tobacco.

VI. *Provided also*, That if any of the persons, so to be exempted as aforesaid, shall be employed in the planting or making of tobacco, the owner or owners of such work or works, shall, for that year, lose the benefit of the exemptions aforesaid, for all the persons employed in and about such work or works, as aforesaid; and moreover, if the same shall be done with his or their knowledge, or consent, shall forfeit five hundred pounds of tobacco, for every person above the age of sixteen years, constantly residing upon the plantation or plantations, where such tobacco shall be so planted, or made; and if the same shall be done without the knowledge or consent of such owner or owners, the overseer of such plantation or plantations, shall be liable to the same penalty: to be recovered by action of debt, in any court of record in this colony; and one moiety

thereof, shall be to the informer, and the other moiety to the king, his heirs, and successors, for the support of this government, and the contingent charges thereof.

VII. *And be it further enacted, by the authority aforesaid*, That all and every person and persons whatsoever, now employed, or hereafter to be employed, in and about any iron-work, already erected, shall, from the tenth of June next, for the space of five years next following, be exempted and discharged from the payment of all public, county, and parish levies, as aforesaid. *Provided*, That the owner or owners, or chief manager of such work or works, shall give the same list, to the person taking the list of tithables, as is before directed; and shall be restrained in the same manner, from making tobacco: And he or they, or his or their overseer or overseers, shall be liable to the same penalties for planting or making the same: to be recovered and disposed of in the same manner as is herein before directed and provided.

VIII. *Provided always*, That nothing in this act *Provided* contained, shall be construed to extend to such person or persons, who shall sell wood to the owner or owners of such work or works, and shall employ his or their servants or slaves to cut the same.

IX. And, for reimbursing to the respective counties in the inland parishes, all such tobaccos as shall be levied demanded by on the inhabitants, more than they would have been chargeable with, if the exemptions herein before mentioned had not been granted: *Be it enacted, by the authority aforesaid*, That the justices of the respective county courts, and the vestries of the several parishes, wherein such iron-works are, or shall be set up, do yearly at their laying of their parish and county levies, compute how much the said respective levies, by the exemption of the persons employed in iron-works, are increased on the remaining tithables in such county or parish; and shall return such computation to the next General assembly; to the end, the same quantity of tobacco may be reimbursed to such county and parish, in the next public levy.

Exempted from taxes and levies.



on the north side thereof, in the county of Albemarle, the price for a man two pence, and for a horse the same; from the lands of Samuel Martin, across the mouths of the two rivers Fluvannah and Kivannah, to the lands late the property of the said Philip Mayo, on the south side of the said Fluvannah, the price for a man three pence, and for a horse the same; from the lands of William Cannon, across the said Fluvannah river, to the lands of Walter King, the price for a man three pence, and for a horse the same; from the lands of Jacob Donsman, across the Monongehela river, to the town of Pitsburg, the price for a man four pence halfpenny, and for a horse the same; from the publick landing at the town of Port Royal, in the county of Caroline, across Rappahannock river, to the lands of Francis Conway, the price for a man three pence three farthings, and for a horse the same, the keeping of which last mentioned ferry, and emoluments arising therefrom, are hereby given and granted to James Bowie the younger, his heirs or assigns, so long as he or they shall well and faithfully keep the same according to the directions of this act.

III. *Provided always*, That the said James Bowie, his heirs or assigns, shall set over the said ferry all such foot passengers as may incline to cross without demanding or receiving any ferrage for the same.

IV. And for the transportation of wheel carriages, tobacco, cattle, and other beasts, at any of the places aforesaid, the ferry keeper may demand and take the following rates, that is to say: For every coach, chariot, or waggon, and the driver thereof, the same as for six horses; for every cart or four wheeled chaise and the driver thereof, the same as for four horses; for every two wheeled chaise, or chair, the same as for two horses; for every hoghead of tobacco as for one horse; for every head of neat cattle, as for one horse; for every sheep, goat, or lamb, one fifth part of the ferrage for one horse; and for every hog, one fourth part of the ferrage for one horse, according to the prices herein before settled at such ferries respectively, and no more.

V. And if any ferry keeper shall presume to demand or receive, from any person or persons whatsoever, any greater rates than is hereby allowed for the carriage or ferrage of any thing whatsoever, he or they, for every such offence, shall forfeit and pay to the party grieved the ferrages demanded or received, and ten shillings;

Penalty for exceeding legal rates.

to be recovered, with costs, before any justice of the peace of the county where such offence shall be committed.

VI. And where a ferry is by this act appointed on one side of a river, and none on the other side answerable thereto, it shall and may be lawful for the respective county courts to appoint an opposite ferry, and to allow the respective rates herein before directed, and such courts shall and are hereby required to order and direct what boat or boats, and what number of hands, shall be kept at each ferry respectively; and every such ferry keeper shall enter into bond, in the manner directed by an act of assembly intitled "An act for the settlement and regulation of ferries, and for despatch of publick expresses," and shall be liable to the penalties thereby inflicted for any neglect or omission of their duty.

VII. And whereas the publick ferry from the land of William Roberts, across Dan river, to the land of Henry Gaines, hath been found inconvenient: *Be it therefore farther enacted, by the authority aforesaid*, That the said ferry shall henceforth be discontinued.

#### CHAP. XXXIII.

*An act to establish publick storehouses, at the head of Potowmack creek, for the reception of naval stores.* [Chap. Rev. p. 46.]

I. WHEREAS it is found necessary that publick storehouses, for the reception of naval stores, be established at Cave's warehouse, near the head of Potowmack creek, in the county of Stafford, to be under the care and direction of such person as shall be appointed by the commissioners of the navy.

II. *Be it therefore enacted by the General Assembly of Virginia*, That it shall and may be lawful for any two justices of peace in the county of Stafford, and they are hereby required, to issue their precept to the sheriff of the said county, commanding

Public storehouses established at Cave's warehouse, Potowmack creek, for the reception of naval stores.



Land vested  
in common-  
wealth.

him to summon a jury of the neighbourhood, to meet the said justices at the warehouses called Cave's, on such day as shall be appointed for that purpose, which jury, being sworn to do impartial justice on the occasion, shall view and examine one acre of land whereon the warehouses aforesaid stand, and value the same exclusive of the said warehouses. And the said justices shall certify and return the inquisition of the jury to the court of the said county, there to be recorded, and shall give to the proprietor of the land a certificate of the valuation, who shall thereupon receive from the treasurer of this commonwealth the amount thereof, deducting what such proprietor shall formerly have received from the public for the use of the said land for a publick warehouse; and thereafter the said acre of land shall be vested in the Governour of this commonwealth and his successors, for the use of the publick. And the commissioners of the navy, may either cause proper houses to be built thereon, at the publick expense, for the reception and safe keeping of the naval stores and materials for ship building, and appoint a proper person to take care of the houses and stores, or may let the said acre of land to any person or persons for the purposes of building and keeping such storehouses thereon, and contract with them for the receipt, safe keeping, and delivery of such stores and materials, as they shall judge most for the publick good; but, in either case, the person contracted with shall not interfere with the publick warehouses already built or to be built on the said acre of land for the reception of tobacco, or hinder the free egress or regress to the same for delivering, inspecting, and carrying away tobacco.

## CHAP. XXXIV.

*An act to empower the Governour, and Council to employ persons for working the Lead Mines to greater advantage.*

WHEREAS certain lead mines in the county of <sup>Preamble,</sup> <sup>reciting that</sup> Montgomery, formerly Fincastle, belonging to the hon. <sup>the lead</sup> William Byrd, esq. and the estates of John Robinson <sup>mines had</sup> and John Chiswell, esquires, have been for some time been <sup>worked</sup> past worked on the publick account, to great advantage, and it is judged that the said works may be <sup>car-</sup> <sup>ed by the</sup> <sup>public to</sup> <sup>great advan-</sup> <sup>ta-</sup> <sup>ged on to a still</sup> <sup>greater extent for the production of</sup> <sup>lead, so necessary at this time for the continent in ge-</sup> <sup>neral, as well as this country in particular:</sup>

*Be it therefore enacted by the General Assembly of the commonwealth of Virginia,* That it shall and may extend to be lawful for the Governour, or in case of his death, operations. sickness, or necessary absence, the person who acts as president of the council, by and with the advice of the council, by hire or purchase, from time to time to engage so many slaves, servants, or others, and employ them at the said mines for making lead for the use of the publick, as they shall judge may be beneficially employed therein, to continue the persons so to be engaged under the present or any other manager, as to them shall seem best, and to draw on the treasurer for all sums of money which may be necessary for the purchase aforesaid, which he is empowered and required to pay out of the publick money in his hands.

*And be it further enacted,* That the Governour and May dispose council shall and may direct the sale of so much of the <sup>of surplus</sup> <sup>lead to U.</sup> <sup>States, or</sup> <sup>sister states.</sup> lead so to be made as can be spared from the necessary purposes of this commonwealth, in the first place to and for the use of the United States, or any sister state; or if they do not want to purchase the same, to any other person or persons willing to purchase, directing regular accounts as well of the disposition of the lead as the disbursements in making the same to be kept, and laid before the general assembly when required.

*Provided always, and be it further enacted,* That a <sup>Compensa-</sup> <sup>tion to pro-</sup> <sup>phety, how</sup> reasonable annual rent, to be settled between the Governour and council and the proprietors, shall be paid settled.



brockage, soliciting, or procuring, the loan or forbearing of any sum or sums of money, over and above the rate or value of five shillings, for the loan or forbearing of one hundred pounds for a year, and so rateably; or above one shilling, for making or renewing the bond or bill, for loan or for forbearing thereof; or for any counter bond or bill concerning the same; shall forfeit, for every such offence, twenty pounds of lawful money: The one moiety of all which forfeitures, to be to our sovereign lord the king, his heirs and successors, for and towards the support of this government, and the contingent charges thereof; and the other moiety to him or them that will sue for the same, by action of debt, bill, plaint, or information, in any court of record within this his majesty's colony and dominions; wherein no es-soin, protection, or wager of law, shall be allowed.

## CHAP. XII.

An Act to exempt the Inhabitants of any County, wherein any Iron-Works are or shall be erected, from clearing or repairing the Roads leading to and from the same; for making satisfaction to the Owners of any Lands lying contiguous to such Roads, for the timber which shall be taken, for making or repairing Bridges in such Roads: And for giving further encouragements to adventurers in Iron-works.

*Recital of act of 1727.*

I. **W**HEREAS, in and by one clause of an act of the general assembly of this colony, begun and held at the capitol in the city of Williamsburg, the first day of February, in the first year of the reign of our sovereign lord king George the second, and in the year of our lord one thousand seven hundred and twenty seven, intituled, An Act for encouraging adventurers in Iron-Works, It is enacted, by the authority of the said general assembly, that the justices of the peace respectively, in any county in which any iron work is or shall be erected, shall, upon application to be made, by the owner or owners, or chief manager, of such work, order and appoint Good roads to be laid out and made, from such works to the nearest place upon some navigable river, or creek, where the iron made at such works may be brought and shipped off; and for bring-

ing stone and other materials, for the erecting and carrying on such work, before the same shall be finished, from thence; and shall also order such convenient causeways and bridges, as shall be necessary, for carts, waggons, or any other wheel carriages whatsoever, to pass in such roads, to and from such iron-works, with the most ease that can be: And such highways and bridges shall, during the time such iron-works shall be maintained, be repaired and amended, in the same manner, and under the same penalties and forfeitures, that other highways and bridges in this colony, are to be repaired and amended: Which recited clause of the said act of the general assembly is found, in sundry respects, to be burthensome and Grievous to divers of the inhabitants of this colony, in the counties where iron-works are erected:

II. Therefore, to remove such burthens and hardships, and to prevent the like for the future, *Be it enacted, by the Lieutenant-Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same,* That from and after the passing of this act, all persons whatsoever, other than the persons employed in such iron works already erected, or hereafter to be erected, shall be exempted and discharged from clearing and repairing all roads, bridges, and causeways, laid out, erected, and made, pursuant to the directions of the aforesaid act of assembly; and shall also be exempted and discharged from laying out, making, clearing and repairing all roads, which shall hereafter be appointed by the county courts, for the benefit and conveyency of such iron-works, and from the making and repairing all bridges and causeways in such roads; any thing in the same, or any other act of assembly, to the contrary thereof in any wise, notwithstanding.

III. *Provided nevertheless, and it is the true intent Public roads, and meaning of this act,* That all roads which heretofore have, or hereafter shall be ordered by the general court, or county court, to be laid out, and cleared, for the use and conveyency of the inhabitants of the county or county, shall be cleared and maintained by the surveyors appointed by the courts, and the inhabitants contiguous thereto.

IV. And for the better enabling adventurers in iron-works, to carry on the same, *Be it further enacted, by*



*the authority aforesaid*, That the owners or chief managers of such works respectively, have full power and authority from time to time, to cut down, take, and use so much wood and timber adjoining, or contiguous to the roads already laid out, or which shall hereafter be appointed, for the benefit and convenience of such iron-works, by the county courts, pursuant to the directions of the aforesaid act of assembly, as shall be necessary for the making and repairing convenient bridges on the said roads.

*When it shall be paid for.* V. *Provided always*, That such owner, or chief manager, shall make satisfaction to the proprietors of such timber, as shall exceed fifteen inches in diameter, at the butt end of the tree: And that in case, the value thereof, cannot be agreed upon, between the owner, or chief manager, of any such iron work, and the proprietor of such timber, or his or her attorney; then, upon application made by such proprietor, or his or her attorney, to any justice of the peace of the county, wherein such timber shall be taken, the said justice is hereby empowered and required, to order and appoint three honest, disinterested freeholders of such county, to value the same on oath in current money, without fee or reward; and report such valuation to the said justice, or some other justice of that county: And such owner or chief manager of such iron-work, shall, thereupon be compellable to pay such valuation to the proprietor of such timber, or his or her attorney.

*Certain timber excepted.* VI. *Provided also*, That nothing in this act contained, shall be construed, deemed, or taken, to give liberty to any owner or chief manager, of any such iron-work, to cut down, take, or use any timber that shall be fit to make clap-boards, without the consent of the proprietor thereof first had and obtained.

*Workers in iron exempted from militia duty.* VII. And as a further encouragement to adventurers in iron-works, *Be it enacted, by the authority aforesaid*, That all persons whatsoever, which, from and after the passing this act, shall be employed in and about the building and carrying on such iron-work, or the cutting of wood, making of coal, raising of oar, or any other thing necessary, for the carrying on, and completing such design, during the time of their being so employed, be exempted from serving in the militia, at any general or private muster, except in the case of an invasion, insurrection, or rebellion. And that all and

every person and persons now employed, or hereafter to be employed, in manner aforesaid, in and about any iron-work already erected, shall, during the time of their being so employed, be exempted and discharged from service in the militia, at any such muster, (except as before is excepted.)

VIII. *And be it further enacted, by the authority aforesaid*, That from and after the passing of this act, paid by them all titthable persons that shall be employed in and about the building and carrying on any such iron-work, or the cutting of wood, making of coal, raising of oar, or any other thing, necessary for the carrying on, and completing such design as aforesaid, shall be subject to the payment of parish and county levies. And that all such titthable persons as shall be so employed in any such iron-works already erected, shall for the term of seven years next after the passing of this act, be exempted and discharged from the payment of public levies. And that all such titthable persons as shall be employed in manner aforesaid, in any iron-works hereafter to be erected, shall, for the like term of seven years, from and after the beginning of such works respectively, be likewise exempted and discharged from the payment of public levies; any thing in the aforementioned act of assembly, to the contrary hereof, notwithstanding.

IX. *Provided nevertheless*, That the adventurers in iron-works as are already erected, shall, for the term of seven years, next after the passing of this act, be allowed, and have credit in the public levy, for so much tobacco, as such parish and county levies shall amount unto: And that the adventurers in such iron-works as shall hereafter be erected, shall, for the like term of seven years, from and after the beginning of those works respectively, have the like allowance and credit in the public levy.

X. *Provided also*, That the persons hereby intended to be entitled to the aforesaid exemption from public levies, and to the allowance and credit aforesaid, shall have, receive and enjoy the same, under the like provisions and restrictions as are mentioned and expressed in the act of assembly aforesaid, and annexed to the exemption thereby granted, from the payment of levies; and not otherwise.



Confirmation of former act.

XI. *And be further enacted, by the authority aforesaid, That the aforesaid act of assembly, intitled, An Act for encouraging Adventurers in Iron-Works, for so much thereof as is not in and by this present act altered, or made void, be, and the same is, hereby confirmed and established.*

#### CHAP. XIV.

*An Act to revive the Act for supply of certain defects found in an Act prescribing the method for appointing Sheriffs.*

Former act made perpetual.

I, **W**HEREAS it hath been found by experience, that one act of assembly made in the seventh year of the reign of our late sovereign lord king George the first, intitled, An Act for the supply of certain defects found in an act prescribing the method for appointing Sheriffs, is very useful and necessary; and it is since determined and expired :

*Be it therefore enacted, by the Lieut. Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same, That the said act, made in the said seventh year of the reign of our said late lord the king, and every the clauses, articles, and sentences therein contained, shall be, and are hereby revived, and made perpetual.*

#### CHAP. XV.

*An Act for raising a Public Levy.*

Taxes for 1730.

I, **B**E it enacted, by the Lieutenant-Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same, That the sum of ten pounds and an half pound of tobacco, be paid by every tithable person, not exempted therefrom by law, within this his majesty's colony and dominion of Virginia, for the defraying and payment of the public charge of the country; being the public levy, from the first day of February, one thousand seven hundred and twenty seven, to the one and twentieth day of May, one thousand seven hundred and thirty.

And that it be paid by the collectors of the several counties to the several persons to whom it is proportioned by this General Assembly. And if it shall happen, that there shall be more tithables in any county, than the present levy is laid on, then such county shall have credit for so much, to the use of the county; and if there shall happen to be fewer tithables in any county, then such county shall bear the loss.

#### CHAP. XVI.

*An Act for empowering Justices of Peace and Constables, to weigh Hemp, in order to entitle the maker to receive the Bounty: And for paying to William Byrd, Esq. five pounds four shillings, due to him for the bounty upon Hemp.*

I, **W**HEREAS, by an act of assembly, made in the eighth year of the reign of our late lord,

king George the first, intitled, An Act for encouraging the making of Tar and Hemp, It is enacted, That the sheriff or under-sheriff of every county, wherein any hemp shall be made, being first duly sworn before the court of such county so to do, shall truly weigh all hemp made within his county, and duly certify unto the said court the true quantity thereof, together with the name or names of the makers or owners; and shall, at the time of weighing every person's hemp, give a certificate to the owner, of the quantity by him then weighed; and that at the time the same was weighed, it was water-rotted, bright, and clean: And for such his trouble, have and receive from the maker or owner, the sum of five shillings per tun; and so in proportion, for a larger or less quantity. And whereas the method prescribed by the said act, for obtaining such certificate as aforesaid, is found very inconvenient and troublesome to the makers or owners of hemp: For making the same more easy, *Be it enacted, by the Lieutenant-Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same, That any justice of the peace, or constable, of any county wherein any hemp shall hereafter be weighed, so made, may and shall, upon the application and request of the maker or owner thereof, truly weigh all such bounty*



hemp as to him or them shall be offered, and desired to be weighed, as aforesaid; and shall receive the same reward for his trouble; and shall give such certificate to the owner thereof, as by the said act is directed: And moreover, shall duly certify to the county court, the quantity of hemp by him as aforesaid weighed; together with the name or names of the makers or owners thereof. And he, she, or they, making such oath as by the said act is required, and that the hemp mentioned in such certificate hath been weighed by some justice of the peace, or constable, of the county where the same was made; the clerk of the said county is hereby required to certify the same, and the true quantity thereof. And upon the producing such certificate to the Governor or commander in chief of this colony, for the time being, the maker thereof shall be entitled to receive the bounty in the said act mentioned, in the same manner as if the same had been weighed by the sheriff or under-sheriff of the county, according to the directions of the aforesaid act; any thing therein contained, to the contrary hereof, in any wise, notwithstanding.

Allowance  
to William  
Byrd.

II. And whereas William Byrd, esq. did obtain a certificate from the court of Henrico, dated in December, one thousand seven hundred and twenty nine, upon the oath of Edward Booker, Gentleman, for receiving the bounty upon twenty six gross hundreds of hemp, made pursuant to the directions of the said act; when the said certificate ought, by the letter of the said act, to have been made, upon the oath of the sheriff, or under-sheriff; by reason of which mistake, the said William Byrd could not receive the bounty: *He it therefore enacted, by the authority aforesaid,* That the sum of five pounds four shillings, out of the public money, in the hands of the treasurer, be paid to the said William Byrd; being the bounty given by the said act, for the quantity of hemp aforesaid.

## CHAP. XVII.

*An Act for erecting a new County on the Heads of Stafford and King George Counties.*

**W**HEREAS divers and sundry inconveniences Prince William attend the upper inhabitants of the said county, by reason of their great distance from their respective court-houses, and other places, usually appointed for public meetings: *Be it therefore enacted, by the Lieut. Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted, by the authority of the same,* That from and immediately after the twenty fifth day of March, one thousand seven hundred and thirty one, all the land, on the heads of the said counties, above Chopawansick Creek, on Potomack river, and Deep run, on Itappahannock river, and a south-west line to be made, from the head of the north branch of the said creek, to the head of the said Deep run, be divided and exempt from the said duties, and from all dependences, offices, and charges, for, or in respect thereof; and also discharged from all duties whatsoever, relating to the same; and be made a distinct county, and shall be called, & known by the name of Prince William county. And for the better administration of justice, *Be it further enacted, by the authority aforesaid, and it is hereby enacted,* That after the time aforesaid, a court, for the said county of Prince William, be constantly held by the justices thereof, upon the third Wednesday in every month, in such manner, as by the laws of this country, is provided, and shall be, by their commission, directed. And whereas, the said counties have considerable claims from the public for killing of wolves, *Be it also enacted, by the authority aforesaid,* That each of the said counties respectively, shall contribute their proportions of the said claims, to the inhabitants taken out of the said counties, into the county of Prince William, according to their number of tithables.



is seized in fee tail, in *John Washington, Gent.* in fee-simple; and for settling other Lands, of greater value, to the same uses.

CHAP. XXX.

An Act to confirm and establish an agreement between *Richard Coleman, William Thornton,* and *Francis Thornton,* for the exchange of certain entailed Lands, therein mentioned; and for settling the same, with certain Negro Slaves, according to the Will of the Donors.

CHAP. XXXI.

An Act for vesting two hundred acres of Land, with the appurtenances, in the Parish of *Stillebury,* in the county of *Richmond,* whereof *William Wilson Homes,* and *Mary* his wife, in right of the said *Mary,* are seised in fee-tail, in *Richard Barnes,* in fee-simple; and for settling other Lands and Negroes, of greater value, to the same uses.

CHAP. XXXII.

An Act for confirming certain entail'd Lands, therein mentioned, to *William Meriwether,* in fee-simple; and for settling other Lands and Negroes, in lieu thereof, to the same uses.

CHAP. XXXIII.

An Act to enable *Thomas Bray, Gent.* to sell certain entail'd Lands, therein mentioned; and to lay out the purchase money in Slaves, to be annexed to other entail'd Lands, therein also mentioned.

CHAP. XXXIV.

An Act to confirm certain entail'd Lands, with the appurtenances, therein mentioned, to *John Taylor.*

Esq. in fee-simple; and for settling other Lands and Negroes, therein also mentioned, of greater value, in lieu thereof, to the same uses.

CHAP. XXXV.

An Act to settle certain entail'd Lands, with the appurtenances, in the County of *Essex,* whereof *William Lowry,* and *Mary* his Wife, in right of the said *Mary,* are seised, upon the issue of the said *Mary,* by her last marriage; and for settling other Lands, in lieu thereof, to the same uses.

Signed by *WILLIAM GOOCH, Esq. Governor.*  
*JOHN POLLOWAY, Speaker.*



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CHAP. XI.

[Chan. Rev. P. 55] *An act for preventing the forgery of certain warrants and certificates, and other purposes.*

Preamble.

Forging and counterfeiting certain warrants & certificates, how punishable.

I. WHEREAS the crime of forgery, at all times pernicious in its nature, but particularly flagitious as committed in some late instances, hath not a punishment sufficiently exemplary annexed thereto: *Be it therefore enacted by the General Assembly,* That if any person, from and after the twenty ninth day of June, in the year of our Lord one thousand seven hundred and seventy seven, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any warrant or draught of the Governour or chief magistrate, or of the president or other member of the privy council acting as lieutenant Governour, or of the navy board, directed to the treasurer for the payment of publick money, or any certificate of the commissioners or auditors of publick accounts directed to the treasurer for payment of publick money, or shall present for payment, at the publick treasury, any false, forged, or counterfeited warrant or draught of the Governour or chief magistrate, or of the president or other member of the privy council, acting as lieutenant Governour, or of the navy board, or any false, forged, or counterfeited certificate of the commissioners or auditors of publick accounts, as aforesaid, knowing the same to be false, forged, or counterfeited, or shall offer to the commissioners or auditors of accounts, for the purpose of obtaining their certificate directed to the treasurer for the payment of publick money, any false, forged, or counterfeited voucher or exhibit, knowing the same to be false, forged, or counterfeited, or shall forge and pass any such voucher or exhibit, then every such person, being thereof convicted according to the due course of law, shall be deemed and holden guilty of felony, shall forfeit his whole estate, real and personal, shall receive on his bare back, at the publick whipping post, thirty nine lashes, and shall serve on board some armed vessel in the service of this commonwealth, without wages, for a term

not exceeding seven years, provided that the Governour and council may make out of the offender's estate such an allowance as they shall think necessary for the maintenance of his wife and children.

II. And whereas it hath been doubted whether it is felony to steal continental bills of credit, treasury notes of this commonwealth, or paper money of any of the other United States:

III. *Be it therefore enacted by the authority aforesaid,* That if any person, from and after the said twenty ninth day of June, shall steal, or take by robbery, any continental bill of credit, any treasury note of this commonwealth, or any sum of the paper money of any other of the United States, such offender shall be deemed guilty of felony, and shall be obliged to restore four times the value of the money so stolen, and in default thereof shall be sold as a servant for such a term, not exceeding seven years, as shall raise the same, and shall farther receive such other punishment, not extending to life or member, as the court before whom the offender shall be convicted shall think adequate to his offence.

IV. *Provided always, and it is hereby enacted by the authority aforesaid,* That no attainder for any offence hereby made felony shall work any corruption of blood, or disherison of heirs.

CHAP. XII.

*An act for the encouragement of Iron Works.* [Chan. Rev. P. 55.]

I. WHEREAS the discovery and manufacturing of iron ore, requisite for the fabricating the various implements of husbandry, small arms, intrinching tools, anchors, and other things necessary for the army and navy, is at this time essential to the welfare and existence of this state, as the usual supplies of pig and bar iron from foreign states is rendered difficult and uncertain, and James Hunter, near Fredericksburg, hath erected, and is now carrying on, at considerable expense and



labour, many extensive factories, siting, plating, and wire mills, and is greatly retarded through the want of pig and bar iron; and whereas there is a certain tract of land in the county of Stafford, called or known by the name of Accatack furnace tract, on which a furnace for the making of pig iron was formerly erected and carried on, which has been since discontinued: Therefore, for encouraging the said James Hunter, and the better to enable him to prosecute his works with efficacy and vigour, *Be it enacted by the General Assembly*, That if the proprietors of the said Accatack furnace tract, or their agent, after previous notice hereof, do not within one month begin, and within six months erect thereon, a furnace and other necessary works on a scale equal to or larger than the former one, and prosecute the same for making pig iron and other castings, that then it shall be lawful to and for the said James Hunter, after the expiration of either of the terms aforesaid, to enter upon and locate two hundred acres of the said tract, including the old furnace seat and dam, within such bounds as shall be laid off by the commissioners herein after appointed; and the said James Hunter shall pay to the proprietors, or their agents, such valuation for the same as may be made by a jury of twelve good and lawful freeholders, upon oath, who shall be summoned by the sheriff of the said county of Stafford for that purpose. And if a sufficient body of iron ore is not discovered on the said two hundred acres of land, the said James Hunter shall and may explore and open any other unimproved lands belonging to the said Accatack furnace tract, and upon discovering a body of iron ore locate ten acres thereof, including such body of ore (in case the proprietors, or their agents, shall not within three months open the same) paying to the said proprietors or their agents such valuation for the same as may be made by a jury in manner aforesaid; and thereafter the same shall be, and is hereby vested, in the said James Hunter in fee simple.

Iron, or be lawful for any person or persons, in company with other ore, justice of the peace of any county, to explore and open, how explored, and the for the purpose of discovering iron or any other sort of ore, any unimproved land within this commonwealth, and all such paying to the proprietors of such lands any and all such damages as are by them sustained thereby, to be award-

ed by a jury summoned and sworn in the manner aforesaid.

III. *And be it farther enacted*, That half an acre of ground for a landing, situate at some convenient place of land, on or near Aquia or Potowmack creek, within such bounds as aforesaid, may be allotted by the commissioners as aforesaid, so that it does not deprive any person of houses or other immediate conveniences, shall be, and the same is hereby assigned to the said James Hunter, who shall hereby pay such valuation for the same as may be made by a jury in manner herein before directed, and thereafter the same shall be vested in the said James Hunter in fee simple, so long as the said James Hunter, his heirs and assigns, shall continue to keep up and carry on his furnace and works aforesaid as herein before directed, otherwise such half acre of land shall revert to the former proprietor from whom the same was taken, his or her heirs, upon repaying to the said Hunter, or his heirs, the valuation made as aforesaid.

IV. *And be it farther enacted*, That William Fitzhugh, Thomas Ludwell Lee, Robert Brent, Samuel Selden, and Charles Carter, esquires, or any three of them, be, and they are hereby appointed commissioners for the several purposes herein before recited, who shall make report of their proceedings and discoveries to the next session of assembly.

V. *And be it farther enacted*, That no recruiting officer, or other person whatever, shall impress or take any horses, waggons, or waggons, employed at any lead, copper, or iron works.

VI. *Provided always*, That this act shall not be construed so as to exempt any unnecessary number of waggons or horses from being subject to the militia law, or service of the state.

VII. And whereas it is represented that the said James Hunter cannot erect his dam and siting mill at his aforesaid works without a small quantity of land adjoining thereto, the property of John Richards, gentleman, be set apart for that purpose:

VIII. *Be it therefore enacted*, That the commissioners aforesaid, if he shall refuse to sell the same for a reasonable price, having caused a jury to set a value thereon in manner herein before directed, may and shall assign to the said James Hunter any quantity, not exceeding half an acre, of the land belonging to the said John Richards, in the most convenient part for the pur-



## CHAP. XVIII.

*An act for forming several new counties, and reforming the boundaries of two others.*

Part of Augusta county added to Hampshire.

## Boundaries.

WHEREAS it is represented to this present session of assembly, by the inhabitants of Augusta and Botetourt counties, that they labour under many inconveniences by reason of the great extent of the said counties and parishes: *Be it therefore enacted by the General Assembly*, That from and after the first day of March next the said county and parish of Augusta shall be divided by a line beginning at the north side of the North Mountain, opposite to the upper end of Sweedland Hill, and running a direct course so as to strike the mouth of Seneca creek, on the north fork of the south branch of Potomack river, and the same course to be continued to the Allegheny mountain, thence along the said mountain to the line of Hampshire county; and all that part of the said county and parish of Augusta which lies to the northward of the said line shall be added to and made part of the said county and parish of Hampshire. And that the residue of the county and parish of Augusta be divided by a line to begin at the South Mountain, and running thence by Benjamin Yartley's plantation so as to strike the north river below James Byrd's house, thence up the said river to the mouth of Naked creek, thence leaving the river a direct course so as to cross the said river at the mouth of Cunningham's branch, in the upper end of Silas Hart's land, to the foot of the North Mountain, thence fifty five degrees west to the Allegheny mountain, and with the same to the line of Hampshire; and all that part which lies north eastward of the said line shall be one distinct parish, \* called and known by the name of

## Boundaries.

Rockingham county and parish formed out of Augusta.

Green Brier county and parish formed out of Botetourt & Montgomery.

\* So in the original; but it should be "county"—or, more probably the words "county and" should be introduced between "distinct" and "parish," so as to read *distinct county and parish*, as is done in relation to the other counties and parishes mentioned in this act.

tour shall be divided by a line beginning on the top of the ridge which divides the Eastern from the Western Boundaries, where the line between Augusta and Botetourt crosses the same, and running thence the same course continued north fifty five degrees west to the Ohio, thence beginning at the said ridge, at the said lines of Botetourt and Augusta, running along the top of the said ridge, passing the Sweet Springs, to the top of Peter's mountain, thence along the said mountain to the line of Montgomery county, thence along the same mountain to the Kanhawa, or New river, thence down the said river to the Ohio. And all that part of the counties and parishes of Botetourt and Montgomery between and to the westward of the said lines shall be one distinct county and parish, and be called and known by the name of Green Brier.

And be it further enacted, That the remaining parts of the said counties and parishes of Augusta and Botetourt be divided into three counties and parishes, as follows, to wit, by a line beginning on the top of the Blue Ridge, near Steel's mill, and running thence north fifty five degrees west, passing the said mill, and crossing the North mountain to the top, and the mountain dividing the waters of the Calf Pasture from the waters of the Cow Pasture, and thence along the said mountain, crossing Panther's Gap, to the line that divides the counties of Augusta and Botetourt; and that the remaining part of the county of Botetourt be divided by a line to begin at Audley Paul's, and running thence south fifty five degrees east, crossing James River, to the top of the Blue Ridge, thence along the same, crossing James River, to the beginning of the above-said line dividing Augusta county, then beginning again at the said Audley Paul's, and running north fifty five degrees west till the said course shall intersect a line to be run south forty five degrees west from the place where the above line dividing Augusta terminated. And all those parts of the said counties and parishes of Augusta and Botetourt included within the said lines shall be one distinct county and parish, and shall be called and known by the name of Rockbridge; and all the remaining parts of the said counties and parishes of Augusta and Botetourt shall each of them respectively be a distinct county and parish, and retain their respective names.

And for the administration of justice in the said counties of Rockingham, Green Brier, and Rockbridge, appointed in this act.



avoidable accidents; but, in such case, the appointments shall be postponed till the next court day, and so on, from court day to court day, as often as such accidents shall happen.

And whereas several of the vestry of the parish of Augusta will by the division be taken into new parishes, whereby it is necessary to dissolve the said vestry, and the inhabitants of the parish of Botetourt having failed to elect a vestry agreeable to an act of assembly in that case made and provided: *Be it therefore enacted*, That the vestry of the said parish of Augusta be, and the same is hereby dissolved.

*And be it farther enacted*, that the inhabitants of every of the said parishes of Rockingham, Augusta, Rockbridge, Botetourt, and Green Brier, respectively, shall meet at some convenient time and place, to be appointed and publicly advertised by the sheriffs of the said counties before the first day of May next, and then and there elect twelve able and discreet persons who shall be a vestry for the said parishes respectively; but the collectors of the parishes of Augusta, Botetourt, and Montgomery, respectively, shall have power to collect and distraint for any dues which shall remain unpaid by the inhabitants of the said parishes of Rockingham, Rockbridge, and Green Brier, and that part of the parish of Montgomery which is added to Green Brier, at the time of the divisions taking place, and shall be answerable for the same in like manner as if this act had never been made.

*And for altering the court day of the county of Dunmore, and changing the name of the said county, Be it enacted*, that from and after the first day of February next the said county shall be called and known by the name of Shanando, and that the courts of the said county of Shanando shall be constantly held on the last Thursday in every month.

*And be it farther enacted*, that the court of the said county of Shanando shall have jurisdiction of all matters and suits now depending before the court of Dunmore county; and all officers, civil and military, within the same, shall have power to execute their respective offices in the said county of Shanando in the same manner as if this act had never been made.

CHAP. XIX.

*An act for establishing the town of Moorefield, in the county of Hampshire shire.*

WHEREAS it hath been represented to this present General assembly, that the establishing a town on the lands of Conrad Moore, in the county of Hampshire, shire county would be of great advantage to the inhabitants, by encouraging tradesmen to settle amongst them:

*Be it therefore enacted by the General Assembly*, That sixty two acres of land belonging to the said Conrad Moore, in the most convenient place for a town, be, and the same is hereby vested in Garret Vanmeter, Abel Randall, Moses Hulon, Jacob Read, Jonathan Heath, Daniel M'Neil, and George Rennock, gentlemen, trustees, to be by them, or any four of them, laid out into lots of half an acre each, with convenient streets, which shall be, and the same is hereby established a town, by the name of Moorefield.

*And be it farther enacted*, That after the said sixty two acres of land shall be laid off into lots and streets, the said trustees, or any four of them, shall proceed to sell the said lots, or so many of them as they shall judge expedient, at publick auction, for the best price that can be had, the time and place of sale being previously advertised for three months in the Virginia Gazette, the purchasers respectively to hold the said lots subject to the condition of building on each a dwelling-house eighteen feet square at least, with a brick or stone chimney, to be finished within two years from the day of sale; and the said trustees, or any four of them, shall, and they are hereby empowered to convey the said lots to the purchasers thereof in fee simple, subject to the condition aforesaid, and pay the money arising from such sale to the said Conrad Moore, his executors, administrators, or assigns.

*And be it farther enacted*, That the said trustees, or the major part of them, shall have power, from time to time, to settle and determine all disputes concerning the bounds of the said lots, and to settle such rules and orders for the regular and orderly building of houses