

case such part left due and owing in Tobacco shall not be so broken that the party or parties cannot receive the same intire in a hoghead or hogheads.

This Act to continue for three Years or to the End of the next General Assembly which shall first happen.

An Act for the Encouragement of such persons as will undertake to build Watermills.

DA I L Y Experience sheweth that the want of Watermills is the true cause that Husbandry in tilling the Ground & for sowing of Wheat & Barly is but coldly prosecuted tho' the advantage thereby in raising the flock of neat Cattle be great, and forasmuch as most part of the places fit for setting up of Watermills are already in the hands of persons under age or unable to be at the charge of building a Watermill or else such as are wilfully obitinate in forbidding & hindring such persons as would purchase the said places fit for building Watermills and set them up to the increase of our Trade & Navigation much to the publick dammage of the Province.

Be it Enacted by the Queens most Excellent Majesty by and with the Advice and Consent of her Majesty's Governour Council and Assembly of this Province & the Authority of the same, that if any person or persons from and after the publication hereof shall desire to set up a Watermill upon any Land next adjoining to any Run of Water within this Province not being the proper possession or freehold of any such person or persons not leased to them to the intent thereon to set a Watermill they shall purchase a Writt out of Chancery directed to the Sheriff of the County where such Land lyeth requiring him by the Oaths of twelve Men of his County to enquire what dammage it would be to her Majesty or others to have a Mill set up in such places aforesaid, the form of which Writt followeth *viz.*

A N N E by the Grace of God of England Scotland France & Ireland Queen Defender of the Faith &c. To the Sheriff of A County greeting, We command you that by the Oaths of twelve honest & lawful Men of your County by whom the truth of the matter may be better known you diligently enquire if it be to the dammage of us or others if we grant N N of N County twenty Acres of Land lying at N in the County aforesaid *viz.* ten Acres on the one side such Run & ten Acres on the other side of such Run of Water together with liberty to take fall cut down and carry away either by Land or Water any Wood or Timber fit for building a Mill other than Timber fit to split into Clapboards upon any the Lands next adjoining to the laid twenty Acres of Land lying on each side of the said Run of Water at N N aforesaid in the County aforesaid, and if it be to the dammage & prejudice of us and to what dammage & prejudice of others and of whom & in what manner and how & of what value they are by the Year according to the true value thereof now before any other improvements of the said twenty Acres of Land and who are the present possessors of the said twenty Acres of Land and what Lands & Tenements remain to the present possessors over the said twenty Acres, and if the said Land remaining to the present possessors over the said twenty Acres will suffice to uphold their Mannor *viz.* the sixth part of their Mannor allotted them by the Conditions of Plantations for the Demesne as before the Alienation so as the County by the Alienation aforesaid in default of the present possession more than was wont be not charged & grieved and the inquisition thereupon openly & distinctly made to us in our Chancery under the Seal & the Seals of them by whom it was made without delay send &c.

Upon Return of which Writt in case the person or persons who by the said Inquest shall be found to be the true owners and possessors of the Land fit to build a Mill upon shall refuse to build a Mill thereon within one year from that day to be accompted and reckoned and give security the same building to prosecute & finish within two years of the said beginning or laying the foundation as aforesaid for the publick good of this Province it shall and may be lawful for her said Majesty her Heirs or Successors or for their chief Governour here for the time being from time to time to grant any such twenty Acres of Land fit to build a Watermill upon as aforesaid together with free Egress & Regress to the said Watermill either by Land through any Mans Land next adjoining or else by Water together with liberty to fall any Timber for building the said Watermill other than Board Timber fit to split or cleave into Clapboards for any Time or Term not exceeding eighty Years then next to come under the yearly Rent of the Land then by the Oaths of twelve Men by vertue of the Writt aforesaid returned to be paid to the owner of the said Land so form'd & return'd as aforesaid, which said Grant from her said Majesty her Heirs & Successors or from the Governour here for the time being aforesaid shall be good & available in Law to the Grantee as aforesaid for any Term of years not exceeding Eighty Years as aforesaid against all persons whatsoever, any Law Custom or Usage heretofore had made or used within this Province to the contrary notwithstanding.

Provided