

WAREHOUSES.

house, shall be allowed 32 lb Tobacco per Day, in the next County Levy, for his Attendance. *Ibid.* §. 149.

12. If any Warehouse happen to be burnt, the Loss of the Tobacco sustained thereby, shall be made good to the Sufferers out of the Public Levy, at the next Session after such Loss. And in such Case no Inspector shall be sued or molested for Notes by him given, for any Tobacco burnt therein, but shall be altogether discharged from Payment thereof. *Ibid.* §. 54.

13. If any Warehouse be burnt thro' Negligence of the Inspector or Inspectors thereunto belonging, such Inspector, &c. shall forfeit 16,000 lb Tobacco; to be recovered and applied as aforesaid. *Ibid.* §. 147.

See *House-breaking*, 2. *Inspectors*, 1, 2, 40, 41.

*Inspectors Notes*, 13. *Tobacco Inspected*, 12.

WARRANTS. See *Constables*, 8, 9, 11.

WASTE. See *Guardians*, 5, 16, 17, 20, 21. *Indians Lands*, 16, 17. *Orphans*, 14. *Widows*, 7.

WATER-MILLS.

1. Any Person desiring to set up a Water-Mill on any Land next adjoining to any Run of Water, not being his own Possession or Freehold, may purchase out of Chancery, a Writ of *ad quod Damnum*, for taking up Twenty Acres of Land, viz. Ten Acres on one Side, and Ten Acres on the other Side of the Run of Water. 1704, *ch.* 16, §. 2.

2. In case the Owner of such Land, upon Return of the Writ, shall refuse to build a Mill thereon within One Year from that Date, and give Security to prosecute and finish the same within Two Years after laying the Foundation; a Grant thereof may be made by the Governor, according to the Writ, together with free Egress and Regress to the said Water-Mill, with Liberty of falling any Timber (other than Clapboard Timber) for building the said Mill, for any Term not exceeding Eighty Years, under the Yearly Rent returned, on Oath of the Jury, by virtue of the Writ aforesaid, to be paid to the Owner of the Land. *Ibid.*

3. The Grantee, before obtaining such Grant, shall give Security in 50,000 lb Tobacco, that he shall begin to build the Mill within One Year, and finish the same within Two Years after such Beginning. *Ibid.* §. 3.

4. Two Years to be allowed such Grantees for new erecting, building, finishing and repairing any Water-Mill, which shall be casually broke or gone to Decay. Or in Default thereof, the Owner of the Land may re-enter upon the same, by Ejectment or Otherwise, as the Law directs. *Ibid.* §. 5.

5. Millers, &c. taking Toll above one Sixth Part of Indian Corn, or one Eighth Part of Wheat for Grinding, shall forfeit 1000 lb Tobacco; One Half to the Support of Government, the other Half to the Informer, to be recovered in the County Court by Action of Debt, &c. *Ibid.* §. 6.

6. The Owners, &c. of any Water-Mill built on any Branch, &c. where any Public Road crosses, shall make the Top of their Dam Twelve Feet wide at the least, and make good and sufficient Bridges over the Waste and Race of such Mills, and keep the same in good Repair. And if erected where the Public Road passes below the Dam, shall make a good and sufficient Causeway across the Branch Twelve Feet wide, and make a good and substantial Bridge over the Mill Tail, and keep the same in good Repair; on Forfeiture of Twenty Pounds Current Money for Refusal or Neglect to comply with this Act; One Half to the County Charge, the other Half to the Informer. But such Owners shall not be obliged to send their Taxables to work on any Part of such Road, except the Dam, Causeway, Race and Waste, aforesaid. 1753, *ch.* 16, §. 2.

7. Owners, &c. of Mills erected since the 2<sup>d</sup> October 1753, or hereafter to be erected on any Branch below

WATER-MILLS.

the Places where any Public Road shall cross, by the Building, whereof such Public Road shall be any Way injured, or its Passage obstructed, &c. shall, within Three Months after building such Mill, make good and sufficient Bridges and Causeways, Twelve Feet wide at the least, over such Branches or Runs, at the Place where the Public Road crossed such Branches, &c. and the same maintain and keep in good Repair, on Penalty of Twenty Pounds Currency, and the like Sum for every Two Months Neglect thereafter: One Half to the County Charge, the other Half to the Informer. But such Owners shall not be obliged to send their Taxables to work on any other Part of the Road, except such Bridge or Causeway. 1756, *ch.* 12, §. 2, 3.

WEIGHTS. See *Standard*, per Tot. *Warehouses*, 5, 6, 11.

WEIRS. See *Harbours*, 2.

WHARFS. See *Warehouses*.

WHIPPING. See *Coins*, 1. *Cursing*, &c. 3. *Harbours of Servants and Slaves*, 3, 4. *Inspectors*, 49. *Negroes*, 7, 21, 23, 25, 28, 40, 43. *Quakers*, 6. *Seals*, 1. *Servants*, 4, 6, 13, 17. *Thieving*, 2, 3, 5. *Tobacco Inspected*, 5, 6.

WHITE MEN OR WOMEN, begetting or bearing Mulatto Children. See *Negroes*, 3—6, 33.

WIDOWS.

1. Widows of Intestates, after a full Account of the Estate being made by the Administrator, shall have One Third of the Surplusage, in case there be Children. 1715, *ch.* 39, §. 4.

2. If there be no Children, nor legal Representatives of them, then the Widow shall have one Moiety of such Surplusage, and the other Moiety shall be divided equally among the next of Kindred, in which no Collaterals shall be allowed after Brothers and Sisters Children. *Ibid.* §. 6.

3. And if no such Collaterals, then the Widow shall have the whole Residue. 1719, *ch.* 14, §. 4; and 1729, *ch.* 24, §. 19.

4. Where a considerable Part of the Personal Estate is devised to the Wife; and it doth not appear by the Will or Codicil, that the Testator intended such Devise as a Legacy only, and that she should nevertheless have her Thirds of his remaining Estate; such Widow shall, within Forty Days after Probat of the Will, make her Election before the Commissary, whether she will be content with the Devise, or have her Thirds and release the Devise: If she make her Choice of the Devise, she shall thereby be for ever barred from claiming her Thirds: If she renounce the Bequest, she shall have her Thirds and be barred of the Devise; but shall not have both: And if she neglect making such Election within the Forty Days, she shall then be concluded by the Bequest. But such Bequest shall be liable to pay the Testator's Debts, as any other Part of his Estate is or ought to be. 1715, *ch.* 39, §. 35; and 1729, *ch.* 24, §. 10.

5. Where any Part of the Husband's Real Estate is devised to the Wife, and it does not appear from the Will, that he intended her such Part of his Real Estate besides her Dower, such Widow shall make her Election within the Time aforesaid, whether she will accept of the Devise, or the Third Part of her Husband's Real Estate of which she is endowable: And her Acceptance of the Devise, shall for ever debar her of her Dower out of the Rest of the Real Estate: And her Acceptance of her Dower, shall be adjudged a full Recompence of her Devise. And if she neglect to make such Election within the Time aforesaid, she shall be concluded by the Devise, and barred of her Dower, unless it appears to have been the Design of the Devisor, that she shall have both the Devise and Dower. 1715, *ch.* 39, §. 36; and 1729, *ch.* 24, §. 11.

6. Any