

as most Part of the Places fit for setting up of Water-Mills, are already in the Hands of Persons under Age, or unable to be at the Charge of building a Water-Mill, or else such as are wilfully obstinate in forbidding and hindering such Persons as would purchase the said Places fit for building Water-Mills, and set them up, to the Increase of our Trade and Navigation, much to the publick Damage of this Province:

Persons desiring to build Water-Mills, may Purchase out of Chancery, a Writ of ad quod Damnum.

Be it Enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of Her Majesty's Governour, Council and Assembly of this Province, and the Authority of the same, That if any Person or Persons, from and after the Publication hereof, shall desire to set up a Water-Mill upon any Land next adjoyning to any Run of Water within this Province, not being the proper Possession or Freehold of such Person or Persons, nor leased to them, to the Intent hereon to let a Water-Mill; they shall purchase a Writ of Chancery directed to the Sheriff of the County where such Land lieth, requiring him by the Oath of Twelve Men of his County, to enquire what Damage it would be to Her Majesty and others to have a Mill set up in such Place, as aforesaid: The Form of which Writ followeth, viz.

ANNE, by the Grace of God, of England, Scotland, France and Ireland,
Queen, Defender of the Faith, &c.
To the Sheriff of A----- County, Greeting.

The Form.

WE Command you, that by the Oaths of Twelve honest and lawful Men, of the County, by whom the Truth of the Matter may be better known, You diligently enquire, if it be to the Damage 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 one Side of such Run, and 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 Clap-boards, upon any the Lands next adjoyning to the said 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 Damage and Prejudice of us or others, then to what Damage and Prejudice of us, and to what Damage and Prejudice of others, and of whom, and in what Manner, and how, and of what Value they are by the Year, according to the true Value thereof, now before any other Improvement of the said Twenty Acres of Land; and who are the present Possessors of the said Twenty Acres of Land; and what Lands and Tenements remain to the present Possessor 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 Manor, viz. the Sixth Part of their Manor, 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, not be charged and grieved: And the Inquisition thereupon openly and distinctly made to us in our Chancery, under the Seal and the Seals of them by whom it was made, without Delay send, &c.

Owners of Land refusing to build in one Year,

Upon Return of which Writ, 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 computed and reckoned, and give