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ACTS OF GENERAL ASSEMBLY, JAN. 6, 1639-40* (Concluded)

And whereas upon consideration of the repairing of the forte it was conceived by the Assembly to be a vain and fruitless endeavour in regard of the apparent decay of the foundation. It is therefore thought fitt that there be levied the next year by the Sheriffs two pounds of Tobo. p. poll for every tithable person towards the making and erecting of a plattforme at Point Comforte whereon to mount the Ordinance and also for the building of a convenient house for the sd Capt wch sd two pounds of Tobo. p. poll is to be paid by the Sheriffs to such Surveyor or officer as shall be appointed by the Governor and Council to oversee the worke.

That there be also levied the next year by the Sheriffs as aforesd two pounds of Tobo. for every tithable person throughout the Colony for and towards the building of a

*This is the second instalment of the Acts of the General Assembly, Jan. 6, 1639-40. The first instalment was published in the January, 1924, number of the William and Mary Quarterly. In William Tatham's Historical and practical essay on the culture and commerce of tobacco, published in London, 1800, pages 149 to 184, will be found some of the laws of this session, which the author undoubtedly copied from the same manuscript in the archives of the general court, afterwards used by Conway Robinson for making his copy. Tatham does not print all the laws, only those relating to tobacco. There is some variation in the names of the viewers of tobacco as printed by Tatham, and as copied by Robinson.

(19) of the misinterpretation of the
 For the chosing of last warrt directed from the
 Burgesses. Governor for the electing of
 Burgesses have warned the In-
 habitants out of their plantations not only contrary to the
 privilege of the places but to the great inconvenience charge
 and danger of the people inhabiting the sd places It is
 therefore enacted for the redress of the like inconveniences
 hereafter that upon any such occasion of choosing Bur-
 gesses It shall not be Lawfull for any Sheriff or Sheriffs to
 compell or warne the people inhabiting any plantation
 which hath formerly enjoyed the privilege of Burgesses to
 go out of the same place or plantation to give his voice to
 any Ellection elsewhere.

(20) *It is thought fitt by the As-*
 Presentmts to the Month- ssembly that all presentmts by
 ly Courts. the Churchwardens be made to
 the Monthly courts and that the
 Commissioners of the sd court
 do punish offenders convicted
 upon such presentmts according to the nature and quality
 of the offence so as the sd offences are not beyond the
 power of the Commissioners to determine.

(21) *Whereas* the rights and inter-
 ests of the Inhabitants are very
 much in [?] by hunting and
 shooting of divers men upon
 their neighbours lands and devi-
 dents Contrary to the privilidges
 granted unto them by their pattents whereby many injuries
 do daily happen to the great damage of the owners of the
 land whereon such hunting and shooting is used. It is
 therefore enacted that if any planter or person shall hunt
 or shoot upon or within the precincts or Limitts of his
 neighbours or any other Devident without leave first ob-
 tained for his so doing and having been warned by the
 owner of the land to forbear hunting and shooting as

aforesd he or they so offending shall forfeit for every such offence forty shillings sterling the one half to the owner of the land and the other half to publick uses notwithstanding it shall and may be lawfull for any person and planter to hunt and shoot upon any devident of land [?] being planted or seated without any restraint or penalty. Provided likewise that the Limitts of every Devident be bounded with certain and noted marckes. Provided also that it shall be lawfull for any person having shott a deer or other game without the Limitts of any mans land to pursue the sd deer or other game into the Devident of another man, and freely to carry away the sd deer or other game without any trespass against the owner or proprietor of the sd land or without incurring the penalty of this Act.

It is thought fitt and enacted
 (22) for a final Determination of all differances between the Isle of Wight County and the Upper and Lower Norfolk counties that the Isle of Wight county shall begin at Lawnes Creek and from thence to extend down along the main River unto the plantation of Richard Haies formerly belonging unto John Seward including the sd plantation & famelies and from thence to extend from the main River into the Woods Southerly unto the plantation of William Norvell and Mr Robt Pitt including likewise the sd plantation and families and from thence Southerly as aforesd And the Upper county of New Norfolk to begin at the aforesd plantation of Richd Haies and from thence into the Woods Southerly as aforesaid and by the Main River from thence to extend down by the Main River unto the Creek near the plantation of Francis Bullock being the first Creek to the Westward of Cranye Point including the plantation of the sd Francis Bullock and no ways in-