

To the General Assembly of Virginia —

The Petition of the agricultural society of Albemarle respectfully represents that the interest, which it is the humble design of their institution to advance, is on nothing more dependent for its prosperity than the provision of safe, cheap & practicable channels of transportation — that they themselves, & the community of which they form a part, are, in an especial manner, interested in the condition of the Rivanna river as a public highway, it being the principal channel by which the products of their land & labour now, & for a long time past, have been accustomed to seek a market. Nature, by conducting this River thro' the very heart of the counties of Albemarle & Fluvanna, has constituted them, more particularly, its guardians; but its benefits were destined to embrace a still wider region, & in their ultimate extension, to offer to large portions of the counties of Nelson, Augusta & Rockingham, to the west, & of Louisa, Orange & Madison to the east, their most eligible communication with the great central market of the State. — The actual condition, however, of this highway is far short, both of its own natural capabilities, & of the magnitude & extent of the interests connected with it. During a considerable part of the year, it is now entirely useless, & when it is not so, its use is embarrassed by great difficulties. Among the causes which have hitherto discouraged the attempts to improve this navigation, the most prominent have been the doubts & questions arising out of the establishment of mills along its margin, under the usual authority of orders of court. A difference of opinion has pre-

-vailed as to the legitimate extent of the rights vested in the mill-owners, & also as to the probability of any infringement of those rights by the improvements contemplated in the navigation. On the one hand, an unwillingness has been justly felt to invade the vested rights, (where such were concerned), of any class of citizens entitled to the protection of the laws - on the other, an apprehension has been constantly awakened that those rights would be put in jeopardy. - In this state of things, inaction, as to the great purpose of improvement, & fruitless & jarring counsels, have been the natural consequence. - Your petitioners deem it essential to the successful prosecution of any plan of improvement to provide beforehand some prompt & amicable mode of settling these questions, & of reconciling this conflict of interest & opinion. This may be done, either by a total extinguishment of the rights of the mill-owners for a fair consideration to be ascertained by agreement or valuation, ^{so as to remove at once the whole ground of controversy} or otherwise by making them a rate-able compensation for the injury, if any, which their rights may sustain, to be determined by disinterested & competent commissioners, of the mutual choice of the parties, or of the appointment of the Superior Court of some neighbouring county. It is, therefore, respectfully asked of the General Assembly to incorporate a company for the improvement of the navigation of ^{the} Rivarinas river from Columbia to Moor's Ford, who shall be required to afford two feet depth of water, (at all seasons, except in extraordinary droughts), in the channel of the River, which shall be no where less than 25 feet wide, & with the privilege of improving the navigation above Moor's Ford, under such limita-

tations as the Legislature may think right, and that in organising the powers of the said company, they may be authorised to pursue the measures above suggested, either to obtain a total extinguishment of the rights of the mill-owners, or to make them a rateable compensation for the injury they may sustain; if there should be any interference with their rights, according as the one or other mode of proceeding may to the company, when formed, seem most expedient.

Dec. 11th 1826.

signed by order & in behalf of
The Agricultural Society of Albemarle.

Wm. Nelson
acting as Chairman

P. Minor Secy

Pepper
Agricultural
Society of Alber-
marle. Concerning
Roanoke River

Wm F. Gordon

Dec: 20th 1826

ref^d to Roads
reasonable
reported