

# VIRGINIA COMPACTS



## **Compilation of compacts and related records and reports**

### **§ 2.2-403 - Compilation of compacts and related records and reports**

The Secretary of the Commonwealth shall conserve a copy of each of the compacts to which the Commonwealth is now or has been a party, commencing with the compact entered into with the state of North Carolina that is referenced in chapter XXIX of the October Session of the 1778 Acts of the General Assembly. The record shall contain the dates on which the compacts were confirmed by the Commonwealth.

In accordance with § [30-154.1](#), beginning July 1, 2001, the Virginia Code Commission shall annually forward to the Secretary of the Commonwealth any newly enacted, amended or repealed compact as it was adopted by the Commonwealth.

The Secretary of the Commonwealth shall also maintain all records relating to the appointment of persons in accordance with compacts confirmed by the Commonwealth.

The Secretary of the Commonwealth shall report to the Governor and the Virginia Commission on Interstate Cooperation within fifteen days after the convening of each legislative session, and at such other times as deemed appropriate, on appointments and vacancies to the interstate boards, commissions and committees established for the purposes of such compacts.

1976, c. 198, § 2.1-68.1; 2001, cc. [100](#), [844](#).

## **Publication of Virginia compacts**

### **§ 30-154.1 - Publication of Virginia compacts**

The Code Commission shall annually arrange for the codification and incorporation into the Code of Virginia of all general, special and limited compacts to which the Commonwealth is a party. Within the discretion of the Commission, such incorporation may be through insertion within the existing text and organization of the Code of Virginia or as a freestanding volume.

The Commission shall, on or before July 1 of each year, transmit to the Secretary of the Commonwealth a copy of each new, amended or repealed compact as it was adopted by the Commonwealth in accordance with § [2.2-403](#).

2001, c. [100](#), § 9-77.11:03.

# Potomac River Bridge Towing Compact of 1991

## Extent of territory of the Commonwealth after the Constitution of 1776

### § 1-301 - Extent of territory of the Commonwealth after the Constitution of 1776

The authorities in determining the extent of the territory of the Commonwealth after the adoption of the Constitution of 1776 shall consist of:

1. The charter of April 10, 1606, granted by James the First, in the fourth year of his reign, that authorized the first plantation at any place upon the coast of the Commonwealth between the thirty-fourth and forty-first degrees of north latitude; and granted the territory from the seat of the plantation (which under this charter was begun at Jamestown), for 50 miles along the coast towards the west and southwest, as the coast lay, and for 50 miles along the coast, towards the east and northeast, or towards the north, as the coast lay, together with all the islands within 100 miles directly over against the seacoast, and all the territory from the same 50 miles every way on the seacoast, directly into the mainland for the space of 100 miles.
2. The second charter of James, dated May 23, 1609, in the seventh year of his reign, that granted all the territory from the point of land called Cape or Point Comfort, all along the seacoast to the northward 200 miles, and from the point of Cape Comfort all along the seacoast to the southward 200 miles, and all that space and circuit of land lying from the seacoast of the precinct, up into the land, throughout from sea to sea, west and northwest, and also all the islands lying within 100 miles along the coast of both seas of the precinct aforesaid.
3. The third charter of James, dated March 12, 1611-12, in the ninth year of his reign, that granted all the islands in any part of the seas within 300 leagues of any territory granted in the former patents.
4. The 1763 treaty of peace between Great Britain and France that established a line along the middle of the river Mississippi and became the Commonwealth's western boundary.
5. Section 21 of the Constitution of Virginia adopted June 29, 1776, that ceded, released, and confirmed to the people of Maryland, Pennsylvania, North and South Carolina, such parts of the territory of the Commonwealth as were contained within the charters erecting those colonies, with all the rights in those parts that might have been claimed by the Commonwealth, except the free navigation of the Rivers Potomac and Pocomoke, with the property of the Commonwealth shore or strands bordering on either of the rivers, and all improvements thereon; and that at the same time laid down in the section that the western and northern extent of the Commonwealth should in all other respects stand as fixed by the charter of James the First, granted in 1609, and by the treaty of peace between Great Britain and France in 1763, unless by act of the legislature one or more territories should thereafter be laid off, and governments established, westward of the Alleghany mountains.

Code 1950, § 7-1; 1966, c. 102, § 7.1-1; 2005, c. [839](#).

## **Jurisdiction and ownership of Commonwealth over offshore waters and submerged lands**

### **§ 1-302 - Jurisdiction and ownership of Commonwealth over offshore waters and submerged lands**

A. The jurisdiction of the Commonwealth shall extend to and over, and be exercisable with respect to:

1. Waters offshore from the coasts of the Commonwealth for a distance of three geographical miles as determined by appropriate metes and bounds surveys approved by the Virginia Institute of Marine Science and the Virginia Marine Resources Commission in consultation with the Bureau of Ocean Energy Management pursuant to a decree of the United States Supreme Court in *U.S. v. Maine*, 423 U.S. 1 (1975), and the Submerged Lands Act, 42 U.S.C. § 1301 et seq.

2. All submerged lands, including the subsurface thereof, lying under the waters listed in subdivision 1.

B. The ownership of the waters and submerged lands enumerated or described in subsection A shall be in the Commonwealth unless it shall be, with respect to any given parcel or area, in any other person or entity by virtue of a valid and effective instrument of conveyance or by operation of law.

C. Nothing contained herein shall be construed to limit or restrict in any way:

1. The jurisdiction of the Commonwealth over any person or with respect to any subject within or without the Commonwealth which jurisdiction is exercisable by reason of citizenship, residence, or for any other reason recognized by law.

2. The jurisdiction or ownership of or over any other waters or submerged lands, within or forming part of the boundaries of the Commonwealth. Nor shall anything in this section be construed to impair the exercise of legislative jurisdiction by the United States over any area to which such jurisdiction has been validly ceded by the Commonwealth and that remains in the ownership of the United States.

D. Nothing in this section shall alter the geographic area to which any act of the General Assembly applies if the act specifies the area precisely in miles or by some other numerical designation of distance or position. However, nothing in the act or in this section shall be construed as a waiver or relinquishment of jurisdiction or ownership by the Commonwealth over or in any area to which such jurisdiction or ownership extends by virtue of this section or any other provision or rule of law.

Code 1950, § 7-1.1; 1960, c. 518; 1966, c. 102, § 7.1-2; 1972, c. 689; 2005, c. [839](#); 2016, c. [371](#).

## **Cession of territory northwest of Ohio River**

### **§ 1-303 - Cession of territory northwest of Ohio River**

A. The territory northwest of the Ohio River ceded by the Commonwealth shall be and remain the same as provided by:

1. An act of the General Assembly passed on January 2, 1781, that resolved that this Commonwealth would on certain conditions yield for the benefit of the United States all her right to the territory northwest of the Ohio River.

2. An act of the General Assembly passed on December 20, 1783, that authorized the transfer to the United States, subject to the terms and conditions contained in the act of the United States Congress passed on September 13, 1783 and the deed of cession that was made accordingly.

3. An act of the General Assembly passed on December 30, 1788, whereby, after referring to an ordinance for the government of the territory, passed by the United States Congress on July 13, 1787, and reciting a particular article declared in the ordinance to be part of the compact between the original states and the people and states in the territory, the article of compact was ratified and confirmed.

B. Such cession shall be deemed and taken according to the true intent and meaning of the acts and deed, and subject to all the terms and conditions therein expressed.

Code 1950, § 7-2; 1966, c. 102, § 7.1-3; 2005, c. [839](#).

## **Boundary with North Carolina**

### **§ 1-304 - Boundary with North Carolina**

The boundary line between the Commonwealth and North Carolina shall be and remain the same as the line run by Fry and Jefferson, and afterwards extended by Walker and Smith and approved on December 7, 1791, by an act of the General Assembly.

Code 1950, § 7-3; 1966, c. 102, § 7.1-4; 2005, c. [839](#).

## **Boundary with North Carolina eastward from low-water mark of Atlantic Ocean**

### **§ 1-305 - Boundary with North Carolina eastward from low-water mark of Atlantic Ocean**

The boundary line between the Commonwealth and North Carolina eastward from the low-water mark of the Atlantic Ocean shall be and remains the line beginning at the intersection with the low-water mark of the Atlantic Ocean and the existing North Carolina-Virginia boundary line; thence due east to the seaward jurisdictional limit of Virginia; such boundary line to be extended on the true 90 degree bearing as far as a need for further delimitation may arise.

1970, c. 343, § 7.1-4.1; 2005, c. [839](#).

## **Boundary with Tennessee**

### **§ 1-306 - Boundary with Tennessee**

The boundary line between the Commonwealth and Tennessee shall be and remain the same as established by the Supreme Court of the United States in the case of Tennessee v. Virginia, 190 U.S. 64 (1903), and the compact between the Commonwealth and Tennessee approved on February 9, 1901, by an act of the General Assembly.

Code 1950, § 7-4; 1966, c. 102, § 7.1-5; 2005, c. [839](#).

## **Compact and boundary with Kentucky**

### **§ 1-307 - Compact and boundary with Kentucky**

A. Except such part as may constitute the boundary line between West Virginia and the Commonwealth of Kentucky, the boundary between this Commonwealth and the Commonwealth of Kentucky, shall be and remain as the line approved on January 13, 1800, by an act of the General Assembly.

B. The articles set forth in the act of separation of the Commonwealth of Kentucky from this Commonwealth adopted by the General Assembly on December 18, 1789, shall be and remain a solemn compact mutually binding on the Commonwealths of Virginia and Kentucky, and unalterable by either without the consent of the other.

Code 1950, § 7-5; 1966, c. 102, § 7.1-6; 2005, c. [839](#).

## **Boundary with Maryland**

### **§ 1-308 - Boundary with Maryland**

The Black-Jenkins Award, which established the boundary line between the Commonwealth and Maryland and was ratified on March 14, 1878, by an act of the General Assembly shall be and remain obligatory on this Commonwealth and the citizens thereof, and shall be forever observed and kept by the Commonwealth and all of its citizens according to the true intent and meaning of the same, and to that end the faith of the Commonwealth stands pledged.

Code 1950, § 7-6; 1966, c. 102, § 7.1-7; 2005, c. [839](#).

## **Boundary with Maryland eastward from Assateague Island**

### **§ 1-309 - Boundary with Maryland eastward from Assateague Island**

The boundary line between the Commonwealth and Maryland eastward from Assateague Island shall be and remain as follows: Beginning at a point on the Maryland-Virginia line located on Assateague Island designated as station "Pope Island Life Saving Station (1907)" defined by latitude 38°01'36.93"

and longitude 75 degrees 14'47.105"; thence running N 84°05'43.5" E (true) - 1,100.00 feet to station "Atlantic"; thence due east (true) to the Maryland-Virginia jurisdictional limit.

1970, c. 342, § 7.1-7.1; 2005, c. [839](#).

## **Boundary with Maryland in upper reaches of Pocomoke sound and lower reaches of Pocomoke River**

### **§ 1-310 - Boundary with Maryland in upper reaches of Pocomoke sound and lower reaches of Pocomoke River**

A. The boundary line between the Commonwealth and Maryland in the previously undescribed portion of the Maryland-Virginia line in the upper reaches of the Pocomoke sound and lower reaches of the Pocomoke River shall be and remain as follows:

Beginning at a point which is corner D defined by latitude 37°56'28.00" and longitude 75°45'43.56"; which is the last point on the Maryland-Virginia line that was defined by the "joint report of engineers on relocating and remarking Maryland-Virginia boundary line across Tangier and Pocomoke sounds December 1916"; thence running N 73°34'31.9" E about 17,125.11 feet to corner H a point defined by latitude 37°57'115.82" and longitude 75°42'18.48"; thence running N 85°39'33.9" E about 3,785.82 feet to corner J a point defined by latitude 37°57'18.65" and longitude 75°41'31.25"; thence running S 74°16'00.8" E about 7,278.41 feet to corner K a point defined by latitude 37°56'59.13" and longitude 75°40'03.89"; thence running S 61°57'55.7" E about 3,664.73 feet to corner L a point defined by latitude 37°56'42.10" and longitude 75°39'23.51"; thence running N 76°15'24.5" E about 2,263.49 feet to corner M a point defined by latitude 37°56'47.65" and longitude 75°38'54.85"; thence running N 00°49'51.5" W about 7,178.56 feet to corner N a point defined by latitude 37°57'58.61" and longitude 75°38'56.15"; thence northeasterly about 3 1/2 miles following the middle thread of the meandering Pocomoke river to corner P a point defined by latitude 37°59'39.37" and longitude 75°37'26.52", which is at or near the point of intersection with the Scarborough and Calvert boundary line of May 28, 1668; corners N and P are connected by a line running N 35°08'33.5" E about 12,465.32 feet; thence N 83°45'59.9" E about 24,156.95 feet to the boundary monument near triangulation station Davis on the Scarborough and Calvert boundary line of May 28, 1668. Geographic positions are based on 1927 datum.

B. No vested right of any individual, partnership or corporation within the area affected by this section shall in any wise be impaired, restricted or affected thereby. This section shall not be retrospective in its operation nor shall it in any way affect the rights of any individual, partnership or corporation in any suit now pending in any of the courts of this Commonwealth or of the United States wherein such cause of action arose over, or is in any way based upon, the area affected. This section shall in no wise preclude the Commonwealth from prosecuting any individual, partnership or corporation for violation of any of the criminal laws of this Commonwealth within such area until this section shall become effective.

1970, c. 315, § 7.1-7.2; 2005, c. [839](#).

## **Recession of portion of District of Columbia**

### **§ 1-311 - Recession of portion of District of Columbia**

That portion of the District of Columbia which, by an act of the General Assembly, passed December 3, 1789, was ceded to the United States and receded and forever relinquished to this Commonwealth by an act of Congress approved July 9, 1846, and accepted by the Commonwealth by an act of the General Assembly adopted on February 3, 1846, shall be and remain reannexed to this Commonwealth and constitutes a portion thereof, subject to such reservation and provisions respecting the public property of the United States, as the United States Congress has enacted in its act of recession.

Code 1950, § 7-8; 1966, c. 102, § 7.1-9; 2005, c. [839](#).

## **Boundary with District of Columbia**

### **§ 1-312 - Boundary with District of Columbia**

The boundary line between the Commonwealth and the District of Columbia shall be and remain as described by the United States Public Law 208, Seventy-Ninth Congress, approved October 31, 1945, and amended by Chapter 772 of the 1968 Acts of Assembly and Chapter 94 of the 2002 Acts of Assembly.

Code 1950, § 7-9; 1966, c. 102, § 7.1-10; 1968, c. 772; 2002, c. [94](#); 2005, c. [839](#).

## **Boundary line between Loudoun County, Virginia, and Jefferson County, West Virginia**

### **§ 1-313 - Boundary line between Loudoun County, Virginia, and Jefferson County, West Virginia**

A. The boundary line between Loudoun County, Virginia, and Jefferson County, West Virginia shall be the watershed line of the top of the ridge of the Blue Ridge Mountains as established by the survey approved by the Commission on April 29, 1997, and recorded in the land books in the courthouses of Loudoun County, Virginia, and Jefferson County, West Virginia.

B. No vested right of any individual, partnership, or corporation within the territory affected by this act shall in any wise be impaired, restricted, or affected by this act. This act shall not be retrospective in its operation nor shall it in any way affect the rights of any individual, partnership, or corporation in any suit now pending in any of the courts of this Commonwealth or of the United States wherein the cause of action arose over, or is in any way based upon, the territory affected.

1993, c. 141, § 7.1-10.1; 1998, c. [123](#); 2005, c. [839](#).



# **An Act for Confirming and Establishing the Boundary Line Between this State and the State of Kentucky, Ascertained and Fixed by Certain Commissioners Appointed by Both States, and for Other Purposes**

## **§ - An Act for Confirming and Establishing the Boundary Line Between this State and the State of Kentucky, Ascertained and Fixed by Certain Commissioners Appointed by Both States, and for Other Purposes**

[Passed January 13, 1800.]

Whereas the commissioners appointed to ascertain and adjust the boundary line between this State and the State of Kentucky, in conformity to the act of separation between the two States, have proceeded to the execution of the said business, and made a report thereof in the words following, to wit: -

""The commissioners for ascertaining and adjusting the boundary line between the States of Virginia and Kentucky, appointed pursuant to the act of separation between the two States, to wit, Archibald Stuart, General Joseph Martin, and Creed Taylor, Esquires, on the part of the former, and John Coburn, Robert Johnston, and Buckner Thruston, Esquires, on the part of the latter, having this day met at the forks of Great Sandy river, according to appointment, and taken into consideration the said act of separation, have, and by these presents do, unanimously, agree and declare, that the boundary line between the said States, is, and shall be, and remain as followeth, to wit: To begin at the point where the Carolina, now Tennessee line, crosses the top of the Cumberland Mountain, near Cumberland Gap; thence north eastwardly along the top or highest part of the said Cumberland Mountain, keeping between the head waters of Cumberland and Kentucky rivers, on the west side thereof, and the head waters of Powell and Guest's rivers, and the pound fork of Sandy, on the east side thereof, continuing along the said top or highest part of said mountain, crossing the road leading over the same at the Little Paint Gap, where by some it is called Hollow Mountain, to where it terminates at the west fork of Sandy, commonly called Russel's Fork; thence with a line to run north forty-five degrees east, till it intersects the other great principal branch of Sandy, commonly called the north eastwardly branch; thence down the said north eastwardly branch to its junction with the main west branch, and down main Sandy, to its confluence with the Ohio: "-

And whereas Brice Martin and Hugh Fulton, the surveyors appointed by the said commissioners to run and mark the said line, did, on the second day of November, one thousand seven hundred and ninety-nine, certify, that they did run the same, beginning at a red oak, white oak, and two pines, marked V. K. on each, standing on a high clift, where the said West or Russel's fork of Sandy runs

through the said Cumberland Mountain, near the mouth of a branch; thence with the said course to the said principal branch of Sandy, commonly called the north eastwardly branch, eight thousand six hundred and forty poles to a poplar, black gum, and two spruce pines, each marked with the letters V. K.; and that they had also marked the trees on the said line with four chops in the form of a diamond: And whereas it is deemed proper and expedient that the said boundary line so fixed and ascertained as aforesaid, should be established and confirmed on the part of this Commonwealth:

1. Be it therefore enacted by the General Assembly of the Commonwealth of Virginia, That the said boundary line between this State and the State of Kentucky, as laid down, fixed, and ascertained by the said commissioners above named, in their said report above recited, shall be, and is hereby fully and absolutely, to all intents and purposes whatsoever, ratified, established, and confirmed on the part of this Commonwealth, as the true, certain, and real boundary line between the said States.

2. And whereas the said commissioners have made a further report, to the present General Assembly, in the words following, to wit:

""And whereas doubts have heretofore prevailed, which of the main branches of Sandy the act for dividing the county of Fincastle, (which is the act referred to for the line between the two States,) meant and intended that the line should run up; and locators have been led into errors in entering their land warrants; it is therefore further unanimously agreed between the said commissioners, that no land claims founded on entries within the forks of Sandy, or east of the Cumberland Mountain, on the waters of Sandy, previous to the first day of October, one thousand seven hundred and ninety-nine, on either side of the before mentioned line, to be run from the end of the said Cumberland Mountain, to intersect the said main north eastwardly branch of Sandy, ought to be in any wise affected by the said doubts which have existed respecting the said line, but that the said claims ought to remain valid and secure, as if no such doubts had existed; or as if the territory had been within the acknowledged limits of either State; that is to say, that all entries of land made in the offices of either State, which, by this adjustment of the line, falls into the other, shall be as valid as if made in the offices of that State in which the land lies, and that it be recommended to the said States to pass mutual laws for the ratification of the said claims, pursuant to the meaning and intent of this agreement between us; and that until such laws shall be passed, this instrument shall not be in force, but shall take full effect immediately after the passage of such laws."

And whereas it is deemed also proper and expedient to confirm and validate all such entries above mentioned, in conformity to the recommendation of the said commissioners, in their said report last above recited: Be it further enacted by the authority aforesaid, That all claims for entries of lands made by any person or persons, in any surveyor's office in the State of Kentucky, since the separation thereof from this State, which said lands, by means of the adjustment and establishment of the said

line above mentioned, have fallen into this State, shall be as valid and sufficient to the several claimants under such entries, to all intents and purposes, as if the same had been made in the proper surveyor's offices of this State; any thing in any law contained to the contrary notwithstanding.

This act shall commence and be in force, from and after the passing of a like law on the part of the State of Kentucky.