CHAP. CXXII.

* *An* ACT *for forfeiting to, and veſting in, the State of* New-Jerſey, *the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders; and for other Purpoſes therein mentioned.*

Paſſed December 11, 1778.

Preamble.

WHEREAS in and by an Act of the General Aſſembly of this State, intitled, † *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, paſſed the eighteenth Day of *April*, in this preſent Year, the Perſonal Eſtates of the Fugitives and Offenders therein mentioned and deſcribed are declared to be forfeited to the State, and directed to be diſpoſed of for the Uſe and Benefit thereof: AND WHEREAS it is highly juſt and reaſonable that the Lands, Tenements, Hereditaments and Real Eſtates whatſoever of the ſaid Fugitives and Offenders ſhould alſo be forfeited to, and veſted in, this State, and applied to the Uſe and Benefit thereof: Therefore,

The Real Eſtates of Fugitives and Offenders forfeited to, and veſted in, the State of *New-Jerſey* forever.

Sect. 1. BE IT ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That all and ſingular the Lands, Tenements and Hereditaments, held in Fee or for Term of Life, and generally, all the Eſtates Real, of what Nature or Kind ſoever they be, within this State, belonging to any ſuch Fugitive or Offender, againſt whom Inquiſition hath been or ſhall be found and returned, and final Judgment thereon entered in Favour of the State, purſuant to the Directions of the above recited Act, or that did or may belong to any ſuch Fugitive or Offender at the Time the Offence for which ſuch Inquiſition was or may be found, is or may therein be charged to have been committed, or which any ſuch Fugitive or Offender at any Time thereafter ſhall have been ſeized or poſſeſſed of, intereſted in, or entitled unto, in his or her own Right, or to his or her own Uſe, or whereof any other Perſon or Perſons was or were at the Time the ſaid Offence is or may be charged to have been committed as aforeſaid, or at any Time thereafter ſhall have been ſeized or poſſeſſed of, intereſted in, or entitled unto, to the Uſe of or in Truſt for ſuch Fugitive or Offender againſt whom Inquiſition hath been or ſhall be found, and Judgment thereon entered as aforeſaid, ſhall ſtand and be forfeited to and veſted in the State of *New-Jerſey* for-ever, and ſhall be deemed and adjudged, and is hereby Declared and Enacted to be in the legal Poſſeſſion of the ſaid State, without any further Inquiſition thereof, thereafter to be taken or found.

What is declared High Treaſon. Perſons convicted thereof to forfeit their Real and Perſonal Eſtates.

2. AND BE IT ENACTED *by the Authority aforeſaid*, That each and every Inhabitant of this State, ſeized or poſſeſſed of, intereſted in, or entitled unto, any Eſtate Real or Perſonal within the ſame, who hath, ſince

* See Chap. XXXIII, LXXXVII, CCLXIX, and CCXCI. † Chap. LXXXVII.

ſince the nineteenth Day of *April*, * One Thouſand Seven Hundred and Seventy-five, and before the † fourth Day of *October*, One Thouſand Seven Hundred and Seventy-ſix, aided and aſſiſted the Enemies thereof, or of the United States, by joining their Armies within this State, or elſewhere, or who hath voluntarily gone to, taken Refuge or continued with, or endeavoured to continue with the Enemy aforeſaid, and aid them by Counſel or otherwiſe, and who hath not ſince returned and become a Subject in Allegiance to the preſent Government, by taking the Oaths or Affirmations preſcribed in the Act, intitled, ‡ *An Act for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, when required, each and every ſuch Perſon is hereby declared to be guilty of High Treaſon againſt this State; and on Conviction thereof by Inquiſition found and final Judgment thereon entered in Favour of the State, as herein after is declared, ſuch Conviction ſhall amount to a full and abſolute Forfeiture of ſuch Perſon's Eſtate, both Real and Perſonal whatſoever within this State, to and for the Uſe and Benefit of the ſame:

Proviſo. PROVIDED ALWAYS, That ſuch Conviction ſhall not extend to affect the Perſon of any ſuch Offender, but ſhall operate againſt his or her Eſtate only.

Inhabitants of other States poſſeſſed of Property in this State, if convicted of High Treaſon, to forfeit the ſame.

3. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That each and every Perſon, not an Inhabitant of this State, but of ſome of the other United States, and ſeized or poſſeſſed of, intereſted in, or entitled unto, any Eſtate Real or Perſonal within this State, who hath, ſince the nineteenth Day of *April*, One Thouſand Seven Hundred and Seventy-five, aided or aſſiſted, or now doth or hereafter may aid or aſſiſt the Enemies of this State, or of the United States, by joining their Armies within this State or elſewhere, or who already hath, or hereafter ſhall have, voluntarily gone to, taken Refuge or continued with, or endeavoured to continue with the Enemy aforeſaid, and aid them by Counſel or otherwiſe, ſhall be, and is hereby declared to be guilty of High Treaſon againſt this State; and on Conviction thereof by Inquiſition found, and final Judgment thereon entered in favour of the State, in Manner herein after declared, ſuch Conviction ſhall amount to a full and abſolute Forfeiture of ſuch Offender's Eſtate, both Real and Perſonal whatſoever within this State, to and for the Uſe of the ſame.

Proviſo. PROVIDED ALWAYS, That ſuch Conviction ſhall not in any Inſtance extend to affect the Perſon of any ſuch Offender, but ſhall operate againſt his or her Eſtate only.

The Proceedings of the Commiſſioners in taking Inquiſitions, to be the ſame as in the former Act.

4. AND BE IT ENACTED *by the Authority aforeſaid*, That the Proceedings in taking, returning and trying Inquiſitions, and entering Judgment thereon againſt the Perſons mentioned and intended in the two preceding Sections, ſhall be the ſame as are directed in the firſt and ſecond Sections of the Act herein before recited, intitled, *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, varying the Forms in Manner following:

Form

* The Æra of the Commencement of Hoſtilities at the Battle of *Lexington*.

† The date of the Treaſon Act, Chap. V.

‡ Chap. II.

Form of the Precept for ſummoning the Jury.

State of New-Jerſey, } *To any Conſtable of the ſaid County.*
County, to wit, }

THESE are, in the Name of the State, to require you immediately on Sight hereof, to ſummon twenty-four good and lawful Men of the ſaid County, to be and appear before me, Eſquire, one of the Juſtices of the Peace of the ſaid County, at in the ſaid County, on the Day of to enquire, upon their Oaths or Affirmations, on Behalf of the State, whether late of (or of as the Caſe may be) *is an Offender*, (or, if more than one, *are Offenders) as deſcribed in an Act of the General Aſſembly of this State, intitled*, An *Act* for forfeiting to, and veſting in, the State of *New-Jerſey*, the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned, *made and paſſed the eleventh Day of* December, *One Thouſand Seven Hundred and Seventy-eight: And be you then there to certify what you ſhall have done in the Premiſes. Given under my Hand and Seal, at the Day of* 17

Qualification of the Jurors.

YOU ſhall well and truly enquire, and true Inquiſition make, whether late of (or of as the Caſe may be) *is an Offender*, (or, if more than one, *are Offenders) in Manner as is deſcribed in an Act of the General Aſſembly of this State, intitled*, An *Act* for forfeiting to, and veſting in, the State of *New-Jerſey*, the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders, and for other Purpoſes therein mentioned, *made and paſſed the eleventh Day of* December, *One Thouſand Seven Hundred and Seventy-eight, and proceed therein according to Evidence.* So help you God.

Qualification of Witneſſes.

THE Evidence you ſhall give to this Inqueſt, on Behalf of the State, ſhall be the Truth, the whole Truth, and nothing but the Truth. So help you God.

Form of the Inquiſition.

County, to wit,

AN Inquiſition taken and made at in the ſaid County, the Day of in the Year of our Lord One Thouſand Seven Hundred and by the Oaths (or Affirmations) of good and lawful Men of the ſaid County, before Eſquire, one of the Juſtices of the Peace of the ſaid County, who, upon their Oaths (or Affirmations) aforeſaid, ſay, That, late of (or of as the Caſe may be) *is an Offender*, (or if more than one, *are Offenders) in Manner as is deſcribed in an Act of the General Aſſembly, intitled*, An *Act* for forfeiting to, and veſting in, the State of *New-Jerſey*, the Real Eſtates of certain Fugitives and Offenders, and for directing the Mode of determining and ſatisfying the lawful Debts and Demands which may be due from, or made againſt, ſuch Fugitives and Offenders, and for other

Purpoſes therein mentioned, *made and paſſed the eleventh Day of* December, *One Thouſand Seven Hundred and Seventy-eight, in that*, &c. (Here ſet forth the Time and Nature of the Offence or Offences.) *In Witneſs whereof the ſaid Jurors, and alſo the ſaid Juſtice, have hereunto ſet their Hands and Seals, the Day and Year firſt above written.*

Perſons againſt whom Inquiſition is found, *&c.* their Eſtates, Real and Perſonal, to be forfeited to, and veſted in, the State of *New-Jerſey* forever.

5. AND IT IS HEREBY FURTHER ENACTED, That all and every the Lands, Tenements and Hereditaments, Debts or Sums of Money, and Goods or Chattels whatſoever, and generally the Eſtates, Goods and Effects, Real and Perſonal, of what Nature or Kind ſoever they be, within this State, belonging to any Perſon againſt whom Inquiſitions ſhall be found, and final Judgment thereon entered in Favour of the State, by Virtue, or in purſuance of this Act, or that did or may belong to ſuch Perſon at the Time of the Offence for which ſuch Inquiſition may be found, is or may therein be charged to have been committed, or which ſuch Perſon at any Time thereafter ſhall have been ſeized or poſſeſſed of, intereſted in, or entitled unto, in his or her own Right, or to his or her own Uſe, or whereof any other Perſon or Perſons was or were, at the Time the ſaid Offence is or may be charged to have been committed, or at any Time thereafter ſhall have been ſeized or poſſeſſed of, intereſted in, or entitled unto, for the Uſe of, or in Truſt for, any ſuch Perſon againſt whom Inquiſition may be found and final Judgment thereon entered as aforeſaid, ſhall ſtand and be forfeited to, and veſted in, the State of *New-Jerſey* forever, and ſhall be deemed and adjudged, and is hereby declared and enacted to be in the legal Poſſeſſion of the ſaid State, without any further Inquiſition thereof thereafter to be taken or found.

The ſixth Section providing that not leſs than two of the Commiſſioners ſhall be a Quorum to tranſact Buſineſs, is ſuperceded by Chap. CCXCI, by which one Agent is appointed, and is therefore omitted.

Offenders to be tried by a Jury of the County they reſided in, *&c.*

7. AND IT IS HEREBY FURTHER ENACTED, That each Inhabitant of this State, offending as aforeſaid, ſhall be enquired of and tried by a Jury of the County of which he or ſhe was an Inhabitant; and an authentick Copy or Tranſcript of the Record of the Court of Common-Pleas of any County in this State, where final Judgment hath been entered in favour of the State againſt any Offender as aforeſaid, ſhall in every Caſe be a ſufficient Warrant on which to proceed to the Sale of ſuch Offender's Perſonal Eſtate in any other County, by the Commiſſioners of ſuch other County, or any two or more of them; and ſhall alſo be a ſufficient Warrant to the Clerk of the Court of Common-Pleas in any other County to grant a Writ or Proceſs in Manner herein after directed, for the * Sale of the Real Eſtate of any ſuch Offender, lying in ſuch other County.

Perſonal Eſtates to be diſpoſed of as directed in a former Act.

8. AND BE IT ENACTED *by the Authority aforeſaid*, That the Perſonal Eſtate of each and every Offender, proceeded againſt by Virtue of this Act, ſhall be taken and diſpoſed of in like Manner as is in ſuch Caſe preſcribed by the Act herein before recited, intitled, *An* Act *for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon.*

9. AND

* The Sales of forfeited Real Eſtates are now ſuſpended by Chap. CCLXIX.

9. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That Exemplifications and authentick Copies or Tranſcripts of the Records, Acts and judicial Proceedings of any other of the United States, ſhall be taken and allowed to paſs as Evidence to any Jury of this State, ſummoned to enquire of an Inhabitant or Subject of ſuch other State, or to try any Traverſe upon an Inquiſition found.

Exemplifications of Records of other States to be taken as Evidence.

10. AND BE IT ENACTED *by the Authority aforeſaid*, That all Eſtates Real, of what Nature or Kind ſoever, forfeited to, or veſted in, this State, in Purſuance of this Act, ſhall be diſpoſed of by Virtue of a Writ or Proceſs iſſuing out of the Court of Common-Pleas in the County in which ſuch Eſtate is ſituated, directed to the Commiſſioners of the ſaid County, or any two or more of them; which Writ or Proceſs the Clerk of ſuch Court is hereby required to iſſue, on Application to him made for that Purpoſe by ſuch Commiſſioners, and moreover to record the ſame in a Book to be kept for that Uſe, before the Delivery thereof; and the ſaid Commiſſioners ſhall thereupon proceed to ſell at publick Vendue all ſuch forfeited Eſtates, giving Notice of the Time and Place of Sale at leaſt one Month before the Day prefixed for the ſame, by Advertiſement in the *New-Jerſey Gazette*, if then publiſhed, and alſo in three or more of the moſt publick Places in the County where any ſuch Eſtate may lie, particularly deſcribing the Premiſes to be ſold; and after the Receipt of the full Purchaſe-Money for each Eſtate, ſhall, in their own Names, make, ſeal and deliver to the Purchaſer or Purchaſers, by Deed-Poll, a good and ſufficient Conveyance for the ſame, therein reciting the Writ by which they were directed to ſell ſuch Eſtate, and granting and conveying to the ſaid Purchaſer or Purchaſers all the Right, Title, Intereſt, Property, Claim or Demand whatſoever, either in Law or Equity, which the Perſon forfeiting had or ought to have had of, in and to the ſaid bargained Premiſes at the Time of committing the Offence for which the ſame became forfeited; by which Deed the Purchaſer or Purchaſers ſhall, in every Caſe be, and is and are hereby declared to be, veſted in as good and perfect an Eſtate in the ſaid bargained Premiſes, as the Perſon forfeiting was veſted in at the Time of committing the Offence as aforeſaid; and ſhall have, hold and enjoy the ſaid bargained Premiſes as fully in every Reſpect as the Perſon forfeiting held, or might or ought to have held the ſame at any Time before committing the Offence for which the ſame became forfeited as aforeſaid; and ſhall moreover be entitled to all ſuch Deeds, Conveyances and other Writings reſpecting the Title of ſuch bargained Premiſes as can be found or obtained.

Real Eſtates, how to be diſpoſed of.

Conveyances to be made to the Purchaſers by the Commiſſioners in their own Names.

11. AND IT IS HEREBY FURTHER ENACTED, That if any Proceſs or Proceedings, by Virtue of which any ſuch Sale may be made as aforeſaid, ſhall hereafter be reverſed or made void for Error, or any other Cauſe whatſoever, ſuch Reverſal ſhall not affect or injure, or be of Force, or in anywiſe operate againſt any *bona Fide* Purchaſer under this Act, but againſt the State only: And in every ſuch Caſe the Plaintiff in Error, or Perſon injured by the Sale of any Eſtate, ſhall apply to the Legiſlature, to be indemnified out of the publick Treaſury, to the Amount of the Purchaſe-Money received for ſuch Eſtate.

Sales made void for Error or otherwiſe, not to affect the Purchaſer.

12. AND BE IT ENACTED *by the Authority aforeſaid*, That all Sales of any Goods, Chattels or Perſonal Eſtate, and all Conveyances and Aſſurances of any Lands, Tenements, Hereditaments or Real Eſtate whatſoever,

Contracts of Offenders when their Property was forfeited, *&c.* to be void.

ſoever, made by any Perſon whoſe Eſtate is herein declared forfeited or forfeitable, or by any his or her Agent or Agents, Attorney or Attornies, on his or her Behalf, after the Time of committing the Offence by which ſuch Forfeiture is or may be incurred, and alſo all ſuch Sales, Conveyances and Aſſurances made by ſuch Perſon before that Time, if made with a View of depriving the State of the Benefit of ſuch Forfeiture; and all Contracts, Covenants or Agreements ſo in either Caſe made, whereby his or her Eſtate may in anywiſe be charged or incumbered, ſhall be deemed and adjudged, and are hereby declared to be fraudulent and void, to all Intents and Purpoſes.

Commiſſioners to pay the Sums into the Treaſury.

13. AND BE IT ENACTED *by the Authority aforeſaid*, That the Commiſſioners for diſpoſing of forfeited Eſtates in each reſpective County, ſhall, within three Months after the Sale of any Eſtate Real and Perſonal in ſuch County, pay the Sum or Sums of Money ariſing therefrom, to the Treaſurer of the State, after deducting all ſuch Coſts and Charges as may accrue on the Proſecution of each reſpective Forfeiture, to be drawn up by the Claimants, or any of them, and taxed by ſome one of the Judges of the Court where ſuch Coſts and Charges ſhall have accrued, and paid by the ſaid Commiſſioners, and alſo after deducting Two per *Centum* Commiſſions as a Compenſation for the Trouble and Expences attending the Management and Diſpoſal of each Eſtate; and the Receipt of the ſaid Treaſurer ſhall be a ſufficient Diſcharge to ſuch Commiſſioners, their Executors and Adminiſtrators, for the Monies by them paid.

Offenders dying before Inquiſition taken, their Eſtates to be proceeded againſt as if alive.

14. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That in every Caſe where any Perſon whoſe Eſtate is declared forfeited or forfeitable by this Act, hath or ſhall have deceaſed before Inquiſition taken or Judgment entered, every ſuch deceaſed Perſon's Eſtate ſhall be proceeded againſt as if ſuch Perſon were alive, agreeably to the Directions of this Act, or the Act, intitled, *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, as Circumſtances may require; and in caſe final Judgment ſhall be entered in Favour of the State, ſuch Eſtate ſhall thereby become forfeited to, and veſted in, this State, and ſhall be proceeded on and ſold for the Uſe thereof, in Manner preſcribed by this Act, any Law, Uſage or Cuſtom, to the contrary notwithſtanding.

Eſtates of Perſons pardoned to be ſubject to Forfeiture.

15. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That if any Perſon whatſoever ſhall, by due Courſe of Law, be convicted of High Treaſon in any Court of this State, for joining, aiding or aſſiſting the Enemy, and thereafter receive a Pardon of the Offence for which he or ſhe may be ſo convicted, ſuch Pardon ſhall not be taken or conſtrued to entitle ſaid Perſon to his or her Eſtate; but the ſame and every Part thereof, held at the Time of committing the Offence, or at any Time thereafter, ſhall, notwithſtanding ſuch Pardon, ſtand and remain forfeited to, and veſted in, this State, as fully and effectually to all Intents and Purpoſes as if ſuch Pardon had never been granted; and all the Eſtate Real and Perſonal, of what Nature and Kind ſoever, ſo forfeited, ſhall be ſold and diſpoſed of by the Commiſſioners of the County in which the ſame may lie, or any two of them, by Virtue of a Writ or

Proceſs

Proceſs iſſuing out of the Supreme Court of this State; which Writ ſhall be iſſued and directed by the Clerk of the ſaid Court in the Manner herein before preſcribed for the iſſuing and directing of a like Writ or Proceſs by the Clerks of the Courts of Common-Pleas in the ſeveral Counties, and ſhall be recorded in the Secretary's Office: And the Commiſſioners to whom ſuch Writ or Proceſs is directed, ſhall proceed to ſell, diſpoſe of and account for ſuch Eſtates, in like Manner as other forfeited Eſtates; and the Purchaſers thereof ſhall hold and enjoy the ſame as fully and effectually to all Intents and Purpoſes, as the Purchaſers of any other Eſtates ſold and conveyed by Virtue of this Act.

Demands againſt Offenders, how to be ſettled and paid.

16. AND WHEREAS divers Perſons may have juſt and equitable Demands againſt the Offenders whoſe Eſtates are or ſhall be forfeited to, and veſted in, this State; and it being highly reaſonable that ſuch Demands ſhould be adjuſted and paid, ſo far forth as the Eſtate of ſuch Offenders reſpectively will anſwer, and diſcharge the ſame; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the Court of Common-Pleas in each reſpective County, or any two or more of the Judges thereof, in the Vacation, be, and they hereby are, empowered and directed to receive all ſuch Demands as may be made againſt the Offenders whoſe Eſtates, forfeited as aforeſaid, may lie in ſuch County; which Demands ſhall be exhibited in Writing, fairly ſtated, within one Year after the Sale of the Eſtate of the Perſon againſt whom ſuch Demands may be made; and for this Purpoſe the Commiſſioners who ſhall ſell and diſpoſe of each reſpective Eſtate, ſhall, within one Month after the Sale of the ſame, give Notice by Advertiſement in the *New-Jerſey Gazette*, if at that Time publiſhed, and alſo in five of the moſt publick Places of the County in which ſuch Eſtate may lie, to all Perſons concerned to exhibit their Demands as aforeſaid, before the Expiration of the Term limited for that End; and the Claimants reſpectively ſhall be entitled to Subpœnas from the ſaid Court or Judges for all ſuch Witneſſes as they may think neceſſary to ſupport their ſeveral Demands; and all Coſts which may neceſſarily attend the Settlement of ſuch Demands, ſhall be drawn up by ſome of the Parties, and taxed by the Court or Judges aforeſaid; and the ſaid Demands, being received, examined and ſettled by the Court or Judges as aforeſaid, in each reſpective County, ſhall, within the Space of one Month, be tranſmitted to the Treaſurer, who ſhall, within three Months after the Expiration of the Term allowed for exhibiting ſuch Demands to the Court or Judges as aforeſaid, pay to each Perſon, upon his or her Application for the ſame, the Sum adjudged to be due, if he hath received of the Produce of the Eſtate againſt which ſuch Demands are made, ſufficient to diſcharge the ſame; but if he ſhall not have ſufficient in his Hands of ſuch Eſtate to pay the Whole of the ſaid Demands, he ſhall pay to each one an equal Proportion of the ſaid Money, according to the Sums due to each, taking Receipts for the Money ſo paid: PROVIDED ALWAYS, That no Claim againſt any forfeited Eſtate ſhall be admitted by the Court or Judges but ſuch as might have been brought and ſupported againſt the Perſon forfeiting ſuch Eſtate, at or before the Time he or ſhe committed the Offence occaſioning ſuch Forfeiture, or ſuch as were or may be contracted at or before that Time, to become due and payable thereafter.

Proviſo.

Former Settlements to be valid.

17. AND WHEREAS in and by the twelfth Section of the Act herein before recited, intitled, *An Act for taking Charge of and leaſing the*

Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon, the Commiſſioners of each reſpective County, or any two of them having the Charge and Management of any forfeited Eſtate, are empowered, in Conjunction with any one Juſtice of the Peace of the ſaid County, to adjuſt and ſettle the Claims and Demands made againſt ſuch Eſtate: AND WHEREAS the ſaid Commiſſioners may have already ſettled ſundry ſuch Claims and Demands, or may ſo do before receiving Notice of this Act; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That all Settlements ſo made ſhall be good and valid; and the Accounts and Demands ſo ſettled, ſhall be certified by the ſaid Commiſſioners, and laid before the Court of Common Pleas of the County or the Judges thereof, as aforeſaid, together with an Account of the Sums paid thereon, in order that they may be properly guarded againſt receiving or paſſing ſuch as have been previouſly ſettled; which Certificates, with Accounts of the Monies ſo paid, and the Sums ſtill due, if any be, the ſaid Court or Judges ſhall tranſmit to the Treaſurer in Manner aforeſaid, that the Sums remaining due or a proportionate Part thereof, may be paid when the Proceeds of the Sale of any ſuch Eſtate, ſhall be received by the ſaid Treaſurer. And the ſaid Commiſſioners ſhall immediately, upon receiving Notice of this Act, ceaſe and deſiſt from ſettling and paying any Accounts or Demands due from or made againſt any Offender or Offenders as aforeſaid.

Commiſſioners to deſiſt paying Demands.

Judges' Fees.

18. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That there be allowed to each of the Judges aforeſaid, *Twenty Shillings* by the Day for the Time they ſhall reſpectively ſpend in the Vacation as aforeſaid, in examining, adjuſting and ſettling the Accounts and Demands exhibited to them, which ſhall be paid by the Commiſſioners of the reſpective County.

Powers veſted in the Commiſſioners.

19. AND BE IT FURTHER ENACTED *by the Authority aforeſaid*, That the Commiſſioners of each reſpective County, or any two of them, ſhall be, and they hereby are veſted with as full and ample Powers for making Diſcovery of all Eſtates both Real and Perſonal, which are or ſhall be forfeited by this Act, as they are veſted with by the Act herein before-recited, intitled, *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon*, for the Diſcovery of Perſonal Eſtates.

The twentieth Section, which appointed the Commiſſioners nominated in the Act *of free and general Pardon*, Chap. XXXIII, Commiſſioners for putting in Execution this Act, and provided for ſupplying Vacancies, is ſuperſeded by Chap. CCXCI, whereby the ſaid Commiſſioners are diſcharged, and an Agent appointed in each County.

Lands to be ſold, ſubject to Leaſes.

21. AND WHEREAS the Commiſſioners appointed by the Act, intitled, *An Act for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe*

diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining the lawful Debts and Claims thereon, have, in Purſuance thereof, let and leaſed out the Real Eſtates, Lands and Tenements of ſundry Perſons againſt whom Inquiſitions have been found, and Judgment entered thereon in Favour of the State, agreeably to the Directions of the ſaid recited Act, which Leaſes will not expire till the twenty-fifth Day of *March* next; BE IT ENACTED *by the Authority aforeſaid*, That the Leſſees, in every ſuch Caſe, ſhall hold the Premiſes which ſhall be leaſed as aforeſaid, till the Expiration of ſuch Leaſes reſpectively; and that all Hereditaments, Real Eſtates, Lands and Tenements, declared to be forfeited by this Act, and directed to be ſold by the Commiſſioners, be ſold ſubject to the ſaid Leaſes, provided ſuch Sale be made before ſuch Leaſes expire.

The Agents now appointed are, by Chap. CCXCI, obliged to ſettle their Accounts with the Auditor on the ſecond *Tueſday* in *November* yearly, under a Penalty. *&c.* by which the twenty-ſecond Section is ſupplied and ſuperſeded.

23. * AND WHEREAS it is highly expedient, in order to ſecure the Liberties of this State, and the Independence of the United States, that no Perſon whatever ſhall hereafter be admitted into any Office or Place of Truſt or Profit, or enjoy certain Privileges within this State, who, during the preſent War with *Great-Britain*, hath joined or aided, or ſhall join or aid the Enemies of the State; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That each and every Perſon being an Inhabitant of this State, who hath joined the Enemy, by taking Refuge among them, or affording them any Aid and Aſſiſtance by their Counſel or otherwiſe, and who may or ſhall be convicted of High Treaſon, or otherwiſe forfeit his Eſtate purſuant to this Act, or who hath been, or ſhall be duly convicted of Treaſon, Felony or Miſdemeanor, for going to, taking Refuge with, or affording any Aid and Aſſiſtance to, the ſaid Enemy, ſhall be, and each and every of the Perſons aforeſaid is and are hereby declared to be incapable hereafter of being admitted into, holding or exerciſing any Office of Truſt or Profit, either civil or military, or of Voting for Repreſentatives of the Legiſlative-Council or Aſſembly in this State; and all Perſons within this State who have ſuffered Fine or Impriſonment for refuſing to give Teſtimony of their Allegiance, by taking the Oath or Affirmation of Abjuration and Allegiance to this State, preſcribed by an Act, intitled, † *An* Act *for the Security of the Government of* New-Jerſey, ſhall be, and each and every of them are hereby declared incapable of holding or exerciſing any military Office within this State hereafter.

Perſons not to hold Offices of Truſt or Profit, *&c.*

CHAP. CXXIII. *An* Act *to explain and amend an Act, intitled,* ‡ *An* Act *to prevent the Subjects of this State from going into, or coming out of, the Enemy's Lines, without Permiſſions or Paſſports, and for other Purpoſes therein mentioned.*

Repealed by Chap. CCCXVII.

See Appendix, No. 6.

Paſſed Dec. 11, 1778.

Although this Act be repealed, yet as it is ſtill in Force for the Puniſhment of Crimes committed before its Repeal, it is inſerted at large in the Appendix, No. 6.

CHAP.

* See other Diſqualifications, at Chap. CCCXXIV.
† Chap. II.
‡ Chap. CV. See alſo Chap. CLXXXIV, CCXXXIV, CCLXXIII, CCLXXXIII, and CCCXVII. See alſo Appendix, No. 6.