Laws of the Royal Colony of New Jersey

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Volume IV

Laws of the Royal Colony of New Jersey 1760·1769

COMPILED BY

BERNARD BUSH



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Laws of the Royal Colony of New Jersey

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Bernard Bush

TRENTON, NEW JERSEY
FEBRUARY 1982

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Bradford (1710) Acts passed by the General Assembly of . . . New-Jersey, in January, 1709. [New York: William Bradford, 1710] pp. 28-38.

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Bradford (1714) The Laws and Acts of the General Assembly Of . . . New Jersey...at a General Assembly begun at Burlington the 7th of December, and continued . . . to the 17th of March . . . 1713. (New York: William Bradford, 1714) pp. 29-101.

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Bradford (1755) 19:3 & 4 ...At two sessions of General Assembly of...New-Jersey; held at Elizabeth-Town, the one begun the seventh day of April 1755, and ended the twenty-third day of the same month; the other begun the twenty-fourth of April 1756, and ended on the twenty-sixth of the same month.... (Philadelphia: William Bradford [1755]) 24 pp.

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Bradford (1756) 19:6:3 ...At a session of General Assembly of...New-Jersey, held at Elizabeth-Town...May 20, 1756, and continued till the second day of June following.... (Philadelphia: William Bradford [1756]) 78 pp.

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Parker (1760) ...At a session of General Assembly, at Perth-Amboy, began March 11th, 1760, and continued till the 26th day of the same month.... (Woodbridge: James Parker, 1760) 24 pp.

Parker (1761) 19:12 ...At a session of General Assembly of...New-Jersey, began at Burlington, October 27th 1760, and continued...to the 5th of December following.... (Woodbridge: James Parker, 1761) 80 pp.

Parker (1761) 20:1 ...At a session of General Assembly, at Perth-Amboy, began March 27th, 1761, and continued till the 7th day of April following.... (Woodbridge: James Parker, 1761) 28 pp.

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March 3, 1762, and continued till the 10th day of the same month.... (Woodbridge: James Parker, 1762) 33, [1] pp.

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Laws Enacted

During the Reign of King George III

1760-1775

BY THE NINETEENTH TO THE TWENTY-SECOND GENERAL ASSEMBLIES OF NEW JERSEY

Nineteenth Assembly, Twelfth Session

29 Oct.-5 Dec. 1760

Burlington

An ACT *for the Support of Government of his Majesty's Colony of New-Jersey, to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-Two; and to discharge the publick Debts, and contingent Charges thereof.*

WHEREAS the Act for supporting the Government of his Majesty's Colony of *New-Jersey,* is expired. We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared, by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given unto his Majesty, his Heirs and Successors, the several Sums following, in Money, as it now passes in the Western Division of this Colony, to be paid out of such of the Money raised for the Support of Government, or out of such of the Money made current for his Majesty's Service in the present War, as may remain in the Treasury; *that is to say,*

To His Excellency THOMAS BOONE,[1] Esq; Governor and Commander in Chief of this Colony, at the Rate of *One Thousand Pounds, per Annum,* Money aforesaid; to commence the Fourth of *July* last.

To the Chief Justice of this Colony for the Time being, the Sum of *One Hundred Pounds, per Annum,* Money aforesaid.

To the Honorable *Samuel Nevill,* Esq; Second Justice of the Supreme Court of this Colony, *Twenty-five pounds, per Annum,* Money aforesaid.

To the Honorable *Richard Saltar,* Esq; Third Justice of the Supreme Court of this Colony, *Twenty-five pounds, per Annum,* Money aforesaid.

To *Courtland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds, per Annum,* Money aforesaid.

To the Honorable *Andrew Johnston,* and to *Samuel Smith,* Esqrs, Treasurers of this Colony, each *Forty pounds, per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty pounds, per Annum,* Money aforesaid.

To *Joseph Sherwood,* Esq; Agent of this Colony at the Court of *Great-Britain,* or to the Agent for the Time being, appointed by the House of Representatives, *Eighty pounds, per Annum,* Money aforesaid.

To *John Smyth,* Esq; Clerk of the Circuits of this Colony, *Twenty pounds, per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be made and paid to the several Officers beforementioned for their respective Annual Salaries, for the Term of Two Years, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Endorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *Thomas Boone,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein beforementioned, shall happen to die, or otherwise to be removed from their respective Offices, at any Time after the Passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-two; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being; and they, or either of them, are hereby authorised and commanded, to pay to his Excellency *Thomas Boone,* Esq; or to his Executors, Administrators or Assigns, or to his or their Orders, and to every other of the said respective Officers, or to their several Executors, Administrators or Assigns, or to their Orders, out of the said Sums of Money received, or to be received by them as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers dying, or being other wise disabled from holding their Offices, as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *Thomas Boone,* Esq; at the Rate of *Sixty Pounds per Annum,* Money aforesaid, for House Rent, during the said Term of two Years, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts, and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore for defraying the same, we the House of Representatives, do further pray, that it may be enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to his Excellency *Thomas Boone,* Governor of this Province, in Addition to his Salary for the First Year, in Consideration of the extraordinary Expence attending the Transportation of Himself and Family in a Time of War, the Sum of *Five Hundred Pounds:* And to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time that either of them shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Goal Delivery, when it shall be necessary that

they be held at the same Time, in the respective Counties of this Colony, either at the Time appointed, or that hereafter shall be appointed for holding the said Courts; provided there shall be a real Occasion for holding the same. *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Goal Delivery, held in any one County, during either of the said two Years, shall be paid for by Virtue of this Act, one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Goal Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any three Justices of the Peace (*Quorum unus*) of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FUTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they have respectively attended, or shall attend, at any Sitting of the General Assembly, during the said two Years; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council, shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To his Excellency *Francis Bernard*[2], Esq; late Governor of this Province, for Arrears of his Salary to the Time of the present Governor's Arrival, and House Rent, while he lived at *Perth-Amboy,* the Sum of *One hundred and twenty six pounds twelve shillings and eleven-pence,* Money aforesaid.

To *Samuel Smith,* Esq; one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Eight shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said two Years; also the Sum of *Four pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, copying the Laws and Minutes for the Printer; and to the said *Samuel Smith,* Esq; the Sum of *Twenty pounds,* for Pen, Ink and Paper, during this Sitting.

To the Secretary, for Charges attending Expresses to this Time, in full of his Account, the Sum of *Forty-five pounds one shilling and ten-pence,* Money aforesaid.

To *Abraham Clark,* jun. for Pen, Ink and Paper, at the late Session at *Amboy, Five pounds,* Money aforesaid.

To each of the Treasurers of this Colony, *Six-pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony; and to each of the said Treasurers, *Fifteen Pounds, per Annum,* for their extraordinary Services during the said two Years.

To the Honorable *Samuel Nevill,* Esq; in Addition to his Salary, the Sum of *Twenty-five Pounds per Annum,* for each of the said two Years.

To *James Parker,* or any other Printer hereafter appointed for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and to the King's Printer, for printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *Charles Read, Hendrick Fisher, Andrew Smyth, Henry Paxson,* and *John Ladd,* Esqrs, or any two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the House of Representatives, at any Sitting during the said Term of two Years, the Sum of *Three Shillings per Diem,* Money aforesaid.

To the Serjeant at Arms for the Time being, who shall attend the Council in Manner aforesaid, the Sum of *Three shillings per Diem,* Money aforesaid.

To the Door-keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem,* Money aforesaid.

To the Executors of *Richard Partridge,* Esq; late Agent of this Colony, in full of his Accounts, the Sum of *One hundred and fifty-two pounds, nine shillings and two-pence,* Money aforesaid.

To *Henry Paxson,* Esq; to pay *John Shaw,* the Sum of *Thirty-five shillings* per Week, for the Use of a Room, Fire-wood and Candles for the House of General Assembly.

To the Honorable *Andrew Johnston,* Esq; the Sum of *Twenty shillings* per Week, to pay for the Use of a Room, Fire-wood and Candles, for the Council, during any Sitting within the said Time.

To *Andrew Smyth,* Esq; to pay for a Room, Firewood and Candles, for the House of Assembly, at their Sitting in *March* last, *Thirty-five shillings* per Week, Money aforesaid.

To *John Wetherill,* and *Hendrick Fisher,* Esqrs, such Sum as on Enquiry they find just to allow the Honourable *James Hude,* Esq; for the Use made of his Store by his Majesty's Regular Troops. And also.

To *John Wetherill* and *Andrew Smyth,* Esqrs, such Sum as they find just to allow *Peter Maclean,* for nursing a Regular Soldier at *Perth-Amboy,* there being no Hospital then provided.

To the Magistrates of the City of *Burlington,* or either of them, the Sum of *Thirteen pounds nine shillings and five-pence,* to reimburse the said City for the Charge of a *Mohawk Indian,* who had the Small-Pox among them.

To the Honorable *Samuel Nevill,* Esq; the Sum of *One hundred and sixty-eight pounds,* in full of the first Subscription to the Second Book of Laws, now going forward by Order of the House of General Assembly: Also the Remainder of the Sum that may be due, for printing and binding the said Books, so soon as the said *Samuel Nevill,* Esq; shall produce a Certificate from the Persons, receiving the same, of their being delivered, according to the Order of the General Assembly.

To *Samuel Smith,* Esq; to pay for Sundry petty Expences for the Use of

the House of Assembly, *Two pounds four shillings and four pence,* Money aforesaid.

ALL which said several Sums abovementioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them have attended, or shall attend at any Sitting of General Assembly, during the said Term of two Years, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Charles Read, Robert Lawrence, Samuel Nevill, Joseph Yard, Hendrick Fisher, Jacob Spicer, Andrew Smyth, Aaron Leaming, John Ogden* and *Henry Paxson,* Esqrs, or any three of them, expressing the Number of Days, such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 3-9.

1. Thomas Boone served as governor in 1760. The crown transferred Boone to South Carolina, where he remained until 1764, when he returned to England.
2. Francis Bernard served as governor from 1758 until 1760, when he was appointed governor of Massachusetts.

An ACT *to ascertain the Proportion of the Money granted, or to be granted by Parliament, to this Colony, in order to lessen the Sinking Funds in each respective County.*

WHEREAS pursuant to a Law of this Colony, *Andrew Drummond* and Company, Bankers in *London,* have received of the Commissioners for Executing the Office of Lord High Treasurer, the Sum of *Nine Thousand One Hundred and Sixty-six Pounds Sterling,* as the Proportion allotted on Behalf of this Colony, for the Year One Thousand Seven Hundred and Fifty-eight; and Expectations having been given for the Years One Thousand Seven Hundred and Fifty-nine, and One Thousand Seven Hundred and Sixty, there will in all Probability be an additional Allowance made for each of those Years:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, pursuant to the Act, entitled, *An Act for raising One Thousand effective Volunteers, Officers included, for his Majesty's Service in the ensuing Campaign, and making Provision for the same; and for other Purposes therein mentioned;* to write to the said *Drummond* and Company, to use their Endeavours to obtain of his Majesty's Ministers, an Allowance for Services done, in Consequence of the Expectations given by the Right Honorable WILLIAM PITT, Esq; one of his Majesty's principal Secretaries of State, in the Years One Thousand Seven Hundred and Fifty-nine, and One Thousand Seven Hundred and Sixty: And as soon as conveniently may be, after they have Advice of their receiving what Sum or Sums may be allowed, to draw a Bill or Bills of Exchange for the same, and place it in the Treasury of this Colony, for the Uses herein after mentioned.

AND *Whereas* it appears by Letter from the said *Drummond* and Company, that they have paid *Fifty-two Pounds Sixteen Shillings and Six-pence Sterling,* Charges, on the Receipt of the said *Nine Thousand One Hundred and Sixty-six Pounds,* which leaves a Ballance in their Hands of *Nine Thousand One Hundred and Thirteen Pounds Three Shillings and Six-pence Sterling,* due to this Colony; and after deducting Five *per Cent.* for other Charges, there will remain to be appropriated to lessen the Taxes in the respective Counties of this Province, the Sum of *Eight Thousand Six Hundred and Fifty-four Pounds Seventeen Shillings and Six Pence;* And the Treasurers being already impowered by Law, to draw Bills of Exchange for the whole Sum received, or to be received of his Majesty's Treasury;

BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers shall appropriate the Sum of *Eight Thousand Six Hundred and Fifty-four Pounds Seventeen Shillings and Six-pence Sterling,* according to the Proportions herein ascertained to each County, *that is to say,* The Treasurer of the Eastern Division, the Sum of *Four Thousand One Hundred and Thirty-two Pounds Fourteen Shillings and Six-pence Halfpenny Sterling;* which said Sum, when received into the Treasury, as soon as Opportunity offers to exchange the same into the

Current Bills of Credit of this Colony, shall be laid before the Justices and Freeholders of *Middlesex,* at one of their annual Meetings on the second Wednesday in *May,* to be sunk in the usual Manner: And when the same shall be so sunk, it shall be applied to ease the respective Counties in the Eastern Division, of the Sinking Fund Taxes, in the several Proportions following, *that is to say;*

The County of *Middlesex,* the Sum of *Seven hundred and eighty-four pounds eight shillings and two-pence halfpenny,* in Sterling Money.

The County of *Monmouth,* the Sum of *One thousand one hundred and thirty-seven pounds seventeen shillings and four-pence,* Sterling.

The County of *Essex,* the Sum of *Six hundred and seventy three pounds sixteen shillings and one farthing,* Sterling.

The County of *Somerset,* the Sum of *Nine hundred and sixty-six pounds six shillings and five pence,* Sterling.

The County of *Bergen,* the Sum of *Five hundred and seventy pounds six shillings and five-pence three farthings,* Sterling.

AND the Treasurer of the Eastern Division, so soon as the said respective Sums in *Sterling* Money shall be reduced into Currency, and exchanged into Bills of Credit, and sunk as aforesaid, shall send a Certificate to the County Collectors for the Time being of the several Counties aforesaid, who shall serve the same, or a Copy thereof, on the Assessors of the Counties, at the usual Time of their Meeting, to levy the said Taxes, in Pursuance of the Laws of this Province: And the said Assessors shall ease the said Counties respectively of so much of the said Taxes, as the said Certificate may express to have been sunk in Bills of Credit in their Behalf, and no more; any Thing in any Law of this Province to the contrary hereof in any wise notwithstanding.

AND the Proportion of the Western Division shall be the Sum of *Four Thousand Five Hundred and Twenty-two Pounds Two Shillings and Eleven-pence halfpenny, Sterling;* which said Sum, when received into the Treasury, as soon as Opportunity offers to exchange the same into the Current Bills of Credit of this Colony, shall be laid before the Justices and Freeholders of *Burlington,* at one of their annual Meetings on the second Wednesday in *May,* to be sunk in the usual Manner; and when the same shall be so sunk, it shall be applied to ease the respective Counties in the Western Division, of the Sinking Fund Taxes, in the several Proportions following, *that is to say;*

The County of *Burlington,* the Sum of *One thousand and eighty-one pounds, nineteen shillings and eight pence half-penny,* in *Sterling* Money.

The County of *Gloucester,* the Sum of *Six hundred and seventy-six Pounds, twelve shillings and four Pence* Sterling.

The County of *Salem,* the Sum of *Six hundred and four pounds ten shillings and ten pence half-penny,* Sterling.

The County of *Cumberland,* the Sum of *Three hundred and six pounds ten shillings and three pence,* Sterling.

The County of *Cape-May,* the Sum of *One hundred and forty-four pounds twelve shillings and one penny half-penny,* Sterling.

The County of *Hunterdon,* the Sum of *One thousand two hundred and twenty-seven pounds and three pence,* Sterling.

The Counties of *Morris* and *Sussex,* the Sum of *Four hundred and eighty pounds, seventeen shillings and five pence,* Sterling.

AND the Treasurer of the Western Division, so soon as the said respective Sums in *Sterling* Money shall be reduced into Currency, and exchanged into Bills of Credit, and sunk as aforesaid, shall send a Certificate to the County Collectors for the Time being of the said several Counties, who shall serve the same, or a Copy thereof, on the Assessors of the Counties, at the usual Time of their Meeting to levy the said Taxes, in Pursuance of the Laws of this Province; and the said Assessors shall ease the said Counties respectively of so much of the said Taxes, as the said Certificate may express to have been sunk in Bills of Credit in their Behalf, and no more: Any Thing in any Law of this Province to the Contrary hereof, in any wise notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That after all the necessary Charges shall be deducted out of the aforesaid *Five per Cent.* what remains shall be divided equally between the Eastern and Western Divisions, and applied to ease the respective Counties of this Colony, as near as may be in the Proportion and Manner aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That so soon as the said Treasurers shall have Advice of *Drummond* and Company's having received what Sum or Sums may be allowed to this Colony, for the Years One Thousand Seven Hundred and Fifty-nine, and One Thousand Seven Hundred and Sixty; they shall respectively draw for the same in the like Proportion and Manner as is herein before directed; and the same shall be exchanged and sunk in the same Manner, and applied to ease the respective Counties in the like Form, proportionably to the Sums which may be so received.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case of Death, or other Disability, of *Drummond* and Company, it shall and may be lawful for the said Treasurers, or one of them, with the Consent of the other in Writing, to appoint such other Person or Persons to apply for, and receive such Sums of Money; and when advised of the Receipt thereof, to draw Bills of Exchange for the same, each in the Proportion, Manner and Form, as is directed by this Act, or to send for it in Specie, or otherwise, as they in their Discretion shall think most for the Advantage of this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the respective Sums aforesaid, and the respective Bills of Exchange, so to be drawn in Pursuance of this Act, or the Act herein before recited, shall be at the sole Charge and Risque of this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers respectively shall retain in their Hands the Sum of *Two*

pounds per Cent. for their Trouble, in drawing and selling the said Bills, and receiving all or any of the respective Sums aforesaid.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 9-13.

An ACT *to explain and fix in what Money the Taxes to the respective sinking Funds shall be hereafter paid into the Treasury.*

WHEREAS the Laws for raising the Taxes to the respective sinking Funds, are not sufficiently clear, respecting the Money to be paid into the Treasury, by which many Inconveniencies may arise, if not remedied by Law;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, to receive all and every of the Taxes, hereafter to be raised and levied by Virtue of all or any of the Laws of this Colony, for levying the respective sinking Funds, in Money as it now passes, or as it may pass, in the Western Division of this Colony, at the Time of paying all or any of the said Taxes into the Treasury; any Law, Usage or Custom to the Contrary, in any wise notwithstanding.

Passed 28 Nov. 1760.
Parker (1761) 19:12, p. 13.

An ACT *to amend and revive an Act, entitled,* An *Act* for the Relief of poor distressed Prisoners for Debt.

WHEREAS an Act of the General Assembly of this Colony, passed in the Twenty-ninth Year of his late Majesty's Reign, entitled, *An Act for the Relief of poor distressed Prisoners for Debt,* is expired;

aforesaid shall issue their Order of Discharge in the same Manner and Form; and the Body of him the said *Robert,* shall be freed from Imprisonment forever thereafter, in as full a Manner as if the Inquiry had been made, and the Certificate been signed, by the Parties elected and agreed upon by the aforesaid *Robert Smith* and his Creditors.

PROVIDED ALWAYS, *And it is hereby Enacted and Declared,* That until the Determination of the Commissioners, directed to be agreed upon, or herein before named, shall be made and certified to the Judges of the County Court for holding of Pleas at *Burlington,* the said *Robert Smith* shall not be confined in the Common Goal or Prison for the said County, but shall be at Liberty to go any where within the City of *Burlington,* upon his giving Bond, with sufficient Security, to the Sheriff of the said County, in such Sum as will be sufficient to satisfy the several Judgments against him, that he will not depart from or go out of the said City of *Burlington,* until the Opinion and Determination of the said Commissioners be made and certified as aforesaid; and that he will then deliver himself up to the said Sheriff, in case he should not be discharged by Virtue of this Act; and the Sheriff of the said County, in whose Custody the said *Robert Smith* now is, is hereby exempted from any Action or Actions of Escapes, or other Suits or Actions, on Account of the Liberty hereby allowed to the said *Robert Smith;* any Law to the Contrary hereof notwithstanding.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 14-17.

An ACT *for continuing an Act, passed in the Twenty-first Year of his late Majesty's Reign, entitled,* An *Act* to prevent Actions of *Fifteen Pounds* and under, being brought into the Supreme Court of this Colony.

WHEREAS the Act for continuing the Act, entitled, *An* Act *to prevent Actions of* Fifteen Pounds *and under, being brought into the Supreme Court of this Colony,* is near expiring by its own Limitation.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That the above-mentioned Act, passed in the twenty-first Year of his late Majesty's

Reign, entitled, *An* Act *to prevent Actions of* Fifteen Pounds *and under, being brought into the Supreme Court of this Colony,* shall be and is hereby continued, and every Clause, Article and Thing therein contained, shall continue, and be in Force; any Thing in the said Act, or in any other Act, in any wise to the Contrary notwithstanding.

Passed 28 Nov. 1760.
Parker (1761) 19:12, p. 17.

An ACT *for running and marking the Lines between the several Counties and Townships of this Colony.*

WHEREAS the Boundaries of several Counties within this Province have not been actually surveyed, whereby many Inconveniences have attended the Officers of the Government in the Execution of their Office, and much Injury has arose to the Inhabitants in levying Taxes; for Remedy whereof,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, whenever it shall be adjudged necessary, by a Majority of all the Freeholders, chosen or to be chosen for any County of this Province, by Virtue of an Act, entitled, *An* Act *for raising of Money for building and repairing of Goals and Court-Houses,* in Conjunction with three Justices of the Peace *(Quorum unus)* for the said County, it shall and may be lawful for them, or such of them, as a Majority at any of their Meetings shall appoint for that Purpose, to agree with a Surveyor, and other necessary Persons, to run out and mark the Lines of the Counties, as ascertained by Law, or such Part thereof as they shall direct; the necessary Sum for which Purpose, they are hereby impowered to levy and issue, in the same Manner and Form, as they levy and issue other Money requisite for the Service of the County.

AND BE IT FURTHER ENACTED, That previous to the said Surveyors running any such Line, two Justices of the County employing him, shall give one Month's Notice in Writing, to two Justices of the County adjoining, affected by said Line, of their Intention, and the Time agreed on for that Purpose, that they may, pursuant to the Directions of this Act, appoint Persons in their Behalf, to see the same impartially run; which Appointment, if they neglect, it shall be lawful for the Party so giving Notice,

to proceed *ex parte;* and the Line so run shall be the Bounds of the said Counties.

AND BE IT FURTHER ENACTED, That it shall and may be lawful for the Justices and Freeholders as aforesaid, to agree with proper Persons to run the Lines of the respective Townships in each County, as agreeable as may be to former Settlements thereof, but so as to include all the Inhabitants of the said County, that the Taxes may be impartially levied; the necessary Sums for which Purpose, it shall and may be lawful for the Justices and Freeholders to raise and issue as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That some of the Trees, in every Line between the respective Counties, Townships and Precincts in this Province, shall be marked on one Side with the first Letter of the County, Town or Precinct, on that Side; and on the other Side with the first Letter of the County, Town or Precinct, on that Side.

AND BE IT ENACTED *by the Authority aforesaid,* That the Surveyor or Surveyors, agreed upon or employed as aforesaid, shall have an Appointment in Writing, signed by such a Number of Justices and Freeholders respectively, as are sufficient by Law to make a Board; in which the particular Business he or they are appointed and employed to perform, shall be mentioned and set forth: Which Surveyor or Surveyors, so named and appointed, shall take an Oath, (or if of the People called Quakers, an Affirmation) for the true and faithful Performance of the Business and Duty, he or they shall be so appointed to execute. A Memorandum of which Oath or Affirmation shall be indorsed upon the Instrument of Appointment, and signed by the Justice administering the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Surveyor or Surveyors, that shall run the Lines of any County, Town or Precinct, by Virtue of, and under the Powers given by this Act, shall keep a Field Book of his or their Transactions, in which shall be set down the Courses and Distances of every Line so by him or them run, with the Marks and Letters he or they shall make or cause to be made; and every Thing else that he or they may judge material for reducing the Lines so run and marked to a Certainty, that they may hereafter be the more readily discovered and known. A fair Copy of which Field Book, shall be returned into, and remain in the Clerk's Office of the County, in and for which the Surveyor or Surveyors making the same, shall be employed and appointed.

AND in order to preserve and perpetuate the Memory of the several Surveys made, and Lines run, by Virtue of, and in Pursuance of this Act, BE IT FURTHER ENACTED, That the Surveyor or Surveyors making such Surveys, or running such Lines, shall make a Certificate thereof, under his or their Hands, describing the same in the fullest Manner; and shall also make a Map of the several Lines so by him or them run and marked; which Certificate and Map shall be returned into the Clerk's Office of the respective Counties of this Province, where the same shall be entered of Record, and the Originals shall then be transmitted to, and recorded in, the Secretary's Office, of the Division to which the Counties respectively belong.

PROVIDED ALWAYS, That nothing herein contained shall in any Respect affect the County of *Cape-May*, or the Lines of any Lands belonging to any Persons whatsoever.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 18-20.

An ACT *for the Continuance of an Act, entitled,* An *Act* for erecting the Bridge over *Salem* Creek, into a Toll-Bridge.

WHEREAS an Act passed in the twenty-fifth Year of his late Majesty's Reign, entitled, *An* Act *for erecting the Bridge over* Salem *Creek into a Toll-Bridge,* is near expiring by its own Limitation: AND *Whereas* by Experience it is found, that the Rents and Profits arising from the Toll of said Bridge and Causeway, have fallen short of what was expected; and that there is now no Money in Bank to support the said Bridge and Causeway, and therefore it seems necessary for the publick Benefit, to continue the Toll of said Bridge and Causeway; therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Act, and every Clause, Article, Matter and Thing therein contained, is hereby continued until the first Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-six, except that Part of the sixth Clause thereof, which says, "So that the said Bridge and Causeway, shall after the first Day of *October,* One Thousand Seven Hundred and Sixty-one, be an open, free and publick Highway, to every one, without Toll, or other Imposition whatsoever, so long as the said Bridge and Causeway, and Monies to repair them, do and shall last." Which said recited Words in the said sixth Clause, are hereby repealed and suspended, for and until the first Day of *October,* which will be the Year of our Lord One Thousand Seven Hundred and Seventy-six.

AND the Powers and Authorities given to the Justices and Freeholders of the said County by the seventh Clause of the said Act, shall continue and remain in Force for and until the said first Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-six.

AND BE IT ENACTED *by the Authority aforesaid,* That for every grown Sheep and Hog, which shall pass over the said Bridge, the Person in Possession of the said Bridge, shall have Power to demand and receive *One Farthing per Head,* of those who shall so drive the said Sheep or Hogs over the same.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 20-21.

An ACT *for building and maintaining a Bridge over* Cooper's *Creek, and rebuilding and maintaining other Bridges on the great Roads from* Burlington *County to* Coopers' *Ferries; and for keeping the New Road, from* Burlington *to the said Ferries, in Repair.*

WHEREAS the New Road from *Burlington* to *Coopers'* Ferries, opposite to the City of *Philadelphia,* has been laid out by Virtue of an Act of the General Assembly of this Colony, and the same has been found very beneficial and convenient, as well to the Publick in general, as to all such of the Inhabitants of the County of *Burlington,* and Part of the Township of *Waterford* in the County of *Gloucester,* in particular, as have Intercourse with the said City: AND *Whereas* the two Bridges hereafter particularised in *Northampton* Township, are in the direct Road from several other Parts of *Burlington* County, and much used by them; and the said Township has, besides, many other Bridges to maintain at their own Charge; it is therefore but equal their Taxes should be lightened with Regard to the said two Bridges, which are maintained for the Benefit of many, who have none, or very few, of their own Bridges to support: AND *Whereas* the Removal of every Interruption in Roads commonly used to Market, is generally found publickly beneficial; in order therefore, that the Petitioners to have the said Bridges built and maintained, and the said Roads kept in Repair, may have the Prayer of their Petitions answered;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That a Bridge, with sufficient Causeways on each Side, be forthwith erected over *Cooper's* Creek, at the Place commonly called *Spicer's* Ferry, to begin and end at the fast Land on each Side, where Passengers are now usually landed, in such Sort, Manner

and Form, as *William Foster* and *Joshua Bispham,* Esqrs, *Edmond Hollinshead, John Hatkinson, John Hoskins, Joseph Morgan, John Lippincoat, John Cox, Daniel Cooper,* and *Benjamin Cooper,* jun. or any Three of them, shall, at their Discretion, think proper: *Provided always,* That the said Bridge shall be built high enough for such Boats as usually ply in the said Creek, to pass under, loaded or empty, without their Masts. And the said *William Foster, Joshua Bispham, Edmond Hollinshead, John Hatkinson, John Hoskins, Joseph Morgan, John Lippincoat, John Cox, Daniel Cooper,* and *Benjamin Cooper,* jun. are hereby appointed Commissioners for that Service, and such other Services as by this Act is hereafter directed. And in case of Death or Refusal of them, or any of them, it shall and may be lawful for the Justices of the Peace of the County of *Burlington,* in their Sessions, to appoint others, who shall, in all Times coming, have the same Power, and be under the same Penalties, with those named in this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, or any Three of them, before they do any Thing in Pursuance of this Act, shall notify their Intentions of erecting a Bridge and Causeway, at the Place aforesaid, by Advertisement, and receive Proposals for compleating the same; and agree, or not agree thereto; as they in their Discretion shall think best; and proceed at their Discretion, to complete the said Bridge and Causeways, as soon as may be: Any Thing in any former Law of this Province, to the Contrary hereof in any wise notwithstanding.

IN ORDER to raise Money sufficient for the good Purposes aforesaid, it shall and may be lawful for the said Commissioners, or any Three of them, to receive such Sum and Sums of Money, as any Person or Persons may voluntarily contribute towards erecting the said Bridge and Causeways; and after waiting till the first Day of *May,* One Thousand Seven Hundred and Sixty-one, to ascertain the Sum raised by Contribution, the said Commissioners, or any Three of them, after estimating the Sum that may be wanted for the Purposes aforesaid, shall first assess the Occupiers of *Coopers'* Ferries, each in One twentieth Part of the Sum necessary to be raised by Tax; and after deducting it, together with the Sum raised by Subscription, and the Tax herein laid on the Township of *Waterford,* from the Sum Total that is wanted, shall notify, by Writing under the Hands of Three or more of the said Commissioners, directed to the Assessors of the County of *Burlington,* at the Time of their usual Meeting, in Consequence of the several Sinking Fund Acts of this Province, and certify to them, how much Money is necessary to be raised, after the Deduction aforesaid, for the erecting and repairing the said Bridge and Causeways; so that the Sum, to be raised on the said County of *Burlington* by Tax, do not at any Time exceed Three Hundred Pounds in the Whole; and at the same Time shall deliver to them, a List of the Subscribers in said County, exempt by this Act; and the said Commissioners shall also deliver, or cause to be delivered, to the Assessor for the Time being for the Township of *Waterford,* in the County of *Gloucester,* a written Notification of the Sum or Sums of Money necessary for the Purpose aforesaid, together with a List of Subscribers in said Township, exempted by

this Act. And the said Assessors of the County of *Burlington,* are hereby directed and commanded to assess the Sums required by the Commissioners aforesaid, or any Three of them, upon the Inhabitants taxable according to the several Sinking Fund Acts aforesaid, in each and every Township of the said County of *Burlington,* (except the Townships of *Nottingham* and *Egg-Harbour)* on the same Certainties, and in the same Proportion with the said several Sinking Fund Taxes; and the same shall be assessed and collected by the Assessors and Collectors in all Times coming, who assess and collect the Provincial Taxes, at the same Time they are assessed and collected. And the Assessor for the Time being of the Township of *Waterford,* shall, on Receipt of the Notification aforesaid, assess on the Inhabitants and Taxables of the Township of *Waterford,* living between the King's Road, commonly called *Salem* Road, till it comes to the Place where the same crosses the North Branch of *Cooper's* Creek, and the River *Delaware,* such Sum or Sums of Money as shall be required of them by the Commissioners aforesaid, for the Purposes aforesaid; so that the Sum demanded by One Sixteenth Part of the whole Sum necessary to be raised by Tax, and no more. And the Collectors of the Townships in the County of *Burlington,* and the Collector of *Waterford,* shall collect their said respective Taxes at the usual Time of collecting the Sinking Fund Taxes aforesaid; and shall pay the same to the Collector of the County of *Burlington,* on the Day the said Sinking Fund Taxes are directed to be paid. And the said several Assessors and Collectors shall have the same Rewards, and be under the same Pains and Penalties, in Proportion, as they now are by the said several Sinking Fund Acts; and the several Taxes, on Failure or Neglect of Payment, shall be recovered in the same Manner.

PROVIDED ALWAYS, That if the County Collector of *Burlington,* should neglect his Duty as by this Act directed, it shall and may be lawful for any one of the Commissioners appointed by this Act, to sue for the Penalty laid on him for Breach of Duty, and no other Person: Any Thing in any former Act of this Province to the Contrary hereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the County Collector of *Burlington* shall pay the said Money so received as aforesaid, to the said Commissioners, or their Order, or to the Order of any Three of them; and the Receipt of them, or of any Three of them, shall at all Times be his sufficient Discharge. And in case an Over-plus may at any Time remain in their or any of their Hands, they are to pay it to the said County Collectors, to remain for future Use of the said Bridges.

AND *Whereas* the lower Bridge over *Pensawkin* Creek, by *Samuel Davis's* House, and two Bridges, One near the Market-House at *Mount-Holly,* and the lowest Bridge on the South Branch of *Ancocas,* are essentially necessary for the Advantage of the Publick, in passing from the upper Part of *Burlington* County to *Philadelphia;* and the Maintenance of them will be unreasonably burthensome to the Townships where they lay, and the Two most expensive of them have been erected by the Generosity of private Persons, without Tax; therefore, BE IT ENACTED *by the Authority aforesaid,* That each of the said

three Bridges, and the necessary Causeways thereto, shall hereafter be built, rebuilt, repaired or amended at the Discretion of the Commissioners aforesaid, or of any Three of them; and the said Bridges and Causeways shall at all Times hereafter, be under the Care of them the said Commissioners, and their Successors in Office. And whenever they, or any Three of them, shall hereafter adjudge any Repairs necessary to either of the said Bridges or Causeways, or the Bridge and Causeways to be built at *Cooper's* Creek, they shall notify to the Assessors aforesaid, the Sum they want raised for that Purpose; which said Sum shall be assessed, collected, and levied, in the same Proportion, Manner, and Form, and under the same Pains and Penalties, as herein before directed; each of the Occupiers of the *Coopers'* Ferries, always bearing One twentieth Part of the Sum necessary.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Person (the Occupiers of *Coopers'* Ferries aforesaid excepted) voluntarily contributing to the present Building, Rebuilding, or Repairing any of the Bridges aforesaid, to the Value of *Twenty Shillings,* shall be exempt from the Tax to be raised for the said Purposes; provided they contribute by the said first Day of *May,* One Thousand Seven Hundred and Sixty-one, but not after.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid for the Time being, shall have the Care of the New Road now laid out from *Coopers'* Ferries to *Burlington,* which is hereby declared a Publick Road; and they, or any One them, shall and may from Time to Time, notify to the Overseers of the Highways, any Defect they may perceive, and where they may want Amendment; and the Overseers of the Township where the Amendment may be wanting, are hereby commanded forthwith to summon the Inhabitants of the said Township to complete the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case of Disagreement among the Commissioners, in any Thing to be done by Virtue of this Act, that the Determination of the Majority of the whole Commissioners shall be conclusive; and if such a Determination cannot be had, then upon written Notice being proved to be left at the House of each of them, of a reasonable Time and Place prefixed for a General Meeting, the Determination of a Majority attending, shall be binding and conclusive.

PROVIDED ALWAYS, That the Inhabitants and Taxables in the Township of *Waterford,* shall be taxed by Virtue of this Act in Manner aforesaid, for the Building and Repairs of the Bridges and Causeways over *Cooper's* and *Pensawkin* Creeks only.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners concerned in receiving the Money aforesaid, shall be from

Time to Time accountable to the Justices and Freeholders of *Burlington* County.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 21-25.

An ACT *to provide for the Pay of the* New-Jersey *Regiment, for the Month of* November, *One Thousand Seven Hundred and Sixty; and other incidental Charges.*

WHEREAS the Pay of the Regiment commanded by Colonel *Peter Schuyler,* raised at the Expence of the Colony of *New-Jersey,* in the Year One Thousand Seven Hundred and Sixty, and employed with his Majesty's Regular Troops, for the Reduction of *Canada,* was only provided for until the first Day of *November,* in the Year aforesaid: AND *Whereas,* the said Regiment, or Part thereof, has been necessarily continued on Duty, and in returning to the said Colony, for and until the first Day of *December,* One Thousand Seven Hundred and Sixty, inclusive; for which it is reasonable the Officers and Soldiers thereof should receive Pay, in the same Proportion as was allowed them for the Campaign; therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Treasurers of this Colony, or either of them, out of any Money, which now is, or hereafter shall be, in their or either of their Hands, made current for the Use of the present War, shall pay, or cause to be paid, unto *Aaron Leaming,* Esq; who is hereby appointed a Commissioner to pay the Officers and Soldiers of the said Regiment for the said Month of *November,* any and all such Sum and Sums of Money as the said Commissioner shall find necessary for the said Service.

AND BE IT ENACTED *by the Authority aforesaid,* That Colonel *Peter Schuyler,* shall, and he is hereby required, to make out a fair Muster-Roll of the said Regiment, Officers and Soldiers included, as the same stood on the first Day of *November* aforesaid, with a Note of such as he shall know to be dead, and the Time of their Decease, and deliver the said Roll to the said *Aaron Leaming,* who shall on certain Days to be by him prefixed, and which shall be previously advertised in *Parker's New-York Gazette,* and the *Pennsylvania Gazette,* attend one Day at each of the Places hereafter mentioned; *that is to*

say, at *Newark, Elizabeth-Town, Amboy, Brunswick, Trenton, Freehold, Mount-Holly, Gloucester, Salem* and *Cohansie-Bridge;* and at each of the said Times and Places shall proceed to pay to all and singular the said Officers and Soldiers, contained in the said Rolls, and who shall attend, the like Sums as by the Act, passed in the Thirty-third Year of his late Majesty's Reign, entitled, *An* Act *for raising One Thousand effective Volunteers, Officers included, for his Majesty's Service in the ensuing Campaign; and making Provision for the same, and for other Purposes therein mentioned,* was allowed them for one Month's Pay. And it shall not be lawful for the said Commissioner to pay any Assignee or Assignees of such Soldier, or any Person, other than the said Soldier, if living, or his legal Representative if dead, except his or their Order is attested before a Magistrate. And it shall be lawful for the said Commissioner to employ in his Service any Officer of the said Regiment, to attend him at the said Days and Places, to prevent his being imposed upon by any Person or Persons, who did not perform Duty in the said Campaign.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioner, out of the Money he shall receive by Virtue of this Act, to pay to the said Officer he shall so employ, such Sum as he shall agree upon for the said Service; and also to retain in his own Hands *Two per Cent.* for all Money he shall pay in Pursuance of this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Commissioner shall keep a fair Book of Accounts, in which he shall regularly enter all Sums by him received and paid by Virtue hereof; and the same shall lay before the General Assembly of this Colony for the Time being, when thereunto required by them, to whom he is hereby made accountable.

AND in case any or either of the said Officers or Soldiers of the said Regiment should be any Means whatsoever, fail of receiving their Wages at any of the Times aforesaid, the said Commissioner shall and may pay them at such other Time as he shall think convenient.

AND in Case of the Refusal, Disability, or Death of the said *Aaron Leaming;* then *Andrew Smyth,* Esq; is hereby appointed his Successor as Paymaster of the said Forces; who shall (in case he succeeds) have all the Powers, and be intituled to the same Rewards, as the said *Aaron Leaming* is intituled to by this Act.

AND *Whereas* no Provision has been made for the unavoidable Expence attending the Quartering his Majesty's Regular Troops, that could not be accommodated in the Barracks last Winter, nor for several other incidental Charges: AND *Whereas* several Soldiers of the *New-Jersey* Regiment are arrived sick, and in a distressed Condition:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, out of any Money made current for the Service of the present War, to pay the several Sums to the several Persons following,

To *Andrew Smyth, Samuel Serjeant, Hendrick Fisher, Reuben Runnion, Robert Ogden, Cornelius Hetfield, Joseph Yard, John Allen, James Smith,* and *Joseph*

Hollinshead, or any two of them, such Sums as they, on Examination, shall find necessary, to satisfy any Person or Persons, who already has or may provide for any Soldier or Soldiers of the *New-Jersey* Regiment, who has been or may be taken sick on his or their Return to the respective Places of their Abode, after the disbanding said Regiment; and it shall and may be lawful for the said *Andrew Smyth, Samuel Serjeant, Hendrick Fisher, Reuben Runnion, Robert Ogden, Cornelius Hetfield, Joseph Yard, John Allen, James Smith,* and *Joseph Hollinshead,* or any one of them, to settle with the Commissioner aforesaid, and Paymaster of the Regiment, and receive from him the Pay that may be due to any such Soldier; which he is hereby impowered to apply to repay the Expence arising to the Colony by Means of such Soldier, in Consequence of this Law.

To the Honourable *Andrew Johnston* and *Richard Saltar,* Esqrs, *Charles Read, John Stevens, William Foster* and *Jacob Spicer,* Esqrs, Commissioners appointed for purchasing the Claims of the *Indians* to Lands in this Colony, or to any Three of them, such a Part of the Sixteen Hundred Pounds yet undisposed of, to indemnify such Persons as have advanced Sums of Money for removing the *Indians* to, and settling them at *Brotherton.* And the Receipt of them, or any Three of them, when produced, shall discharge the said Treasurers, their Heirs, Executors, and Administrators, for so much Money as they shall pay by Virtue of this Act.

AND WHEREAS *William Foster,* one of the Commissioners above-named, has advanced a considerable Sum in the Settling the *Indians* the first Year at *Brotherton;* BE IT ENACTED *by the Authority aforesaid,* That it shall be lawful for the said *William Foster,* to use the Saw-Mill on the said *Indians'* Land, together with the necessary Timber, until the same shall repay him for the Sums so advanced; of which Time the Commissioners aforesaid for *Indian* Affairs, shall be the Judges.

To *Andrew Smyth, Samuel Serjeant, Hendrick Fisher, Reuben Runnion, Robert Ogden, Cornelius Hetfield, Joseph Yard, John Allen, James Smith* and *Joseph Hollinshead,* or any Two of them, such Sums as they, in their Discretion, shall think necessary, to allow for such Articles of Expence as the Inhabitants of this Colony have unavoidably been at, respecting his Majesty's Regular Troops quartered in the Province last Winter, or that may be quartered therein the ensuing Winter; so as always due Regard be had to the Consequence of any Precedents they may make on the Occasion; and that nothing be allowed for marching or recruiting Parties, or that concerns any of their Diversions.

To *Amos Ogden,* the Sum of *Eleven pounds fourteen shillings and three pence,* in full of the Expence he was at, in subsisting supernumerary Men, in the Year One Thousand Seven Hundred and Fifty-nine.

To *Josiah Banks,* the Sum of *Seven pounds, eight shillings and two-pence,* in full for subsisting supernumerary Men in the Year One Thousand Seven Hundred and Fifty-nine.

To *William Pew,* the Sum of *Thirty-five pounds eight shillings,* in full for

subsistence for supernumerary Men, for the Year One Thousand Seven Hundred and Fifty-nine.

To *Daniel Coe,* the Sum of *Ten pounds thirteen shillings,* in full for Subsistence for supernumerary Men for the Year One Thousand Seven Hundred and Fifty-nine.

To the said *Andrew Smyth, Samuel Serjeant, Hendrick Fisher, Reuben Runnion, Robert Ogden, Cornelius Hetfield, Joseph Yard, John Allen, James Smith* and *Joseph Hollinshead,* or any Two of them, such Sums as they in their Discretion find necessary for the Repair of any of the Barracks, in the Years One Thousand Seven Hundred and Fifty-nine, One Thousand Seven Hundred and Sixty, and One Thousand Seven Hundred and Sixty-one, or supplying them with such Necessaries as have been or may be wanted, for either of the said Years.

To *William Burnet,* the Sum of *Four pounds eighteen shillings and five-pence,* to indemnify him for accommodating his Majesty's Troops in the Year One Thousand Seven Hundred and Fifty-six.

AND WHEREAS *Hugh Hartshorne,* Esq; one of the Barrack-Masters appointed for *Burlington* Barracks, is removed out of the Province; BE IT ENACTED *by the Authority aforesaid,* That *James Smith,* Esq; shall be, and he is hereby appointed Barrack-Master in his Room; and the said *James Smith,* shall have the same Powers, and be intituled to receive the same Rewards, as the said *Hugh Hartshorne* would, or ought by Law to have had, if he had not removed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when either of the Treasurers of this Colony shall pay any Money in Pursuance of this Act, they shall take a Receipt from the Person or Persons receiving the same; and such Receipt, or Order with a Receipt thereon, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money paid in Pursuance of this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the Persons herein appointed to pay such billeting Accounts of his Majesty's Regular Troops, as could not be accommodated in the Barracks, shall retain *Five per Cent.* in their Hands, for all Money paid on such Billeting Accounts.

AND *Whereas* on the Eighth of *August,* One Thousand Seven Hundred and Fifty-eight, the House of Assembly came into a Resolution to the following Effect; *that is to say,* That the House would support the Expence of the then Negotiations with the *Minisink Indians,* and of his Excellency's Journey to *Easton,* at the then approaching Treaty; but that this Province would be at no Expence respecting Presents to the *Indians,* or to the Support of General Treaties, otherwise than as the same might contribute to the returning such Captives as had been taken from this Province, engaging the *Indians* to cease from Hostilities, and giving sufficient Security of their doing so themselves, and as much as lies in their Power preventing others, and doing them Justice respecting their Lands, if it appears they had any Complaint against this Province: And by Virtue, and in Pursuance of the above Resolution, sundry Sums of Money have been advanced for the

Purposes aforesaid, by the Treasurers of this Colony, or one of them; therefore,

BE IT FURTHER ENACTED *by the Authority aforesaid,* That all such Money as has been so advanced, agreeable to the Tenor of the above Resolution, shall be allowed the said Treasurers, or either of them, so advancing the same, in their or his Account with this Colony, on proper Vouchers being produced for such Money; which Vouchers shall be sufficient to discharge the said Treasurers or Treasurer, their or his Heirs, Executors and Administrators, of and from the same.

AND BE IT ENACTED *by the Authority aforesaid,* That a Receipt from the Officers and Men receiving the Money of the Commissioner aforesaid, or a Certificate from the Officer attending him, that he saw the Money paid, when produced to the General Assembly, shall discharge the said Commissioner, his Executors, Administrators, of and from all such Money.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 26-31.

An ACT *to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes.*

WHEREAS an Act, entitled, *An* Act *to erect and establish Courts in the several Counties of this Province, for the Trial of small Causes,* has, by many Years Experience, been found very beneficial to the Inhabitants of this Colony; and it being near expired by its own Limitation,

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, now met and assembled, and it is hereby Enacted by the Authority of the same,* That all Actions of Debt and other Demands, for and under the real Value of *Six Pounds,* Money according to the Proclamation of the late Queen ANNE, except such Actions as are herein after excepted, shall, from and after the Publication of this Act, be, and are hereby made cognizable before any one Justice of the Peace, of any of the Counties, Cities, or Towns-Corporate, within this Colony, in the County, City, or Town-Corporate, in which the Defendant shall be, or reside; and the said Justices are hereby, respectively, impowered and required, upon Application to either of them made, for the Recovery of any such Debt or Demand, to issue a Summons or Warrant, as the Case may require, directed to the Constable of the City, Township,

Precinct or District, where the Defendant dwells, or can be found, commanding him to bring, or cause such Defendant to come, with the Plaintiff, before him, at the Time and in the Manner following, *(that is to say)* In case where the Process shall be in Nature of a *Capias,* forthwith after the Service thereof; but where the Summons shall be issued, then on some certain Day, therein to be expressed, not less than Five, nor exceeding Twelve Days, from the Date of such Process; and at the Time appointed for hearing any such Cause, or on such other Day as such Justice shall think reasonable to appoint, the said Justice shall proceed to hear and examine the Allegations and Evidences of the Plaintiff and Defendant, and give his Judgment thereupon, in such Manner as shall appear to him agreeable with Equity and Justice, together with such Costs as are herein after allowed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Process against all Freeholders that are Inhabitants, shall be by Summons only, on which shall be indorsed by the Justice the Plaintiff's Demand; which Summons shall be signed by the Justice that shall grant it, and served on the Person of the Defendant, or that, or a Copy thereof, left at his Ho use, in the Presence of One or more of his Family or Neighbours, (who shall be informed of the Contents thereof) at least Five Days before the Time appointed for a Hearing; and in case the Defendant doth not appear at the Time and Place that shall be appointed in such Summons; then on Oath or Affirmation made by the Constable, that the said Summons was duly served in Manner aforesaid, and no sufficient Reason appearing to the said Justice, why the said Defendant did not appear on the Day appointed in said Summons, the said Justice shall proceed to hear and determine any such Cause or Causes in the Defendant's Absence, and give Judgment, and award Execution thereupon, in the same Manner as if the Defendant had been personally present: But if there shall appear any sufficient Reason why the said Defendant did not obey the said Summons; then the Justice shall and may, in his Discretion, defer the Hearing of the said Cause to such further Time as he shall think fit.

PROVIDED ALWAYS *and be it Enacted by the Authority aforesaid,* That if any such Plaintiff so applying, and any other Person for him or her, shall, upon Oath or Affirmation, declare, that he or she does sincerely believe, that if such Process be only by Summons against such Freeholder, he or she will be in Danger of losing the Debt thereby, or that he or she doth really and sincerely believe, that such Freeholder will depart the County, City or Town, or otherwise abscond before such Time; then the said Justice shall issue out his Warrant, in such Manner as if the Defendant had not been a Freeholder: And if any Defendant shall require a longer Time than is first appointed by the said Justice, and will if required, give sufficient Security to appear and stand Trial on such other Day, as shall be appointed; then the said Justice is hereby required and impowered to adjourn the Trial of such Cause to any Day he shall think most convenient, not exceeding Twelve Days, nor less than Three, from that Time, unless the Justice and Parties shall otherwise consent and agree.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in every Action, that shall hereafter be brought in this Colony, by Virtue of this Act, where the real Debt, Due or Demand exceeds the Sum of *Forty Shillings,* Money aforesaid, it shall and may be lawful, for either of the Parties to the Suit, to demand of the said Justice, to be tried by a Jury; and upon such Demand, the said Justice is hereby required and commanded, to issue a Warrant to the Constable of any of the Towns, Districts or Precincts of the said County, commanding him to bring, or cause to come, at such certain Time and Place as shall be in the Warrant expressed, Six good and lawful Men of the County, being Freeholders, to whom legal Challenges, by either Party, shall be allowed, and the Constable directed to summon others forthwith, in Lieu of those legally challenged, to which six Men, approved of by the Justice, he shall administer an Oath or Affirmation, in the Words following, *viz.*

You shall well and truly try this Matter in Difference between A.B. *Plaintiff, and* C.D. *Defendant, and a true Verdict shall give according to Evidence.*

AND after the six Persons have taken the Oath or Affirmation aforesaid, they shall sit together, and hear the several Proofs and Allegations of the Parties, which shall be delivered in Publick, in their Presence; after which they shall be kept together, in some convenient private Place, without Meat, Drink, Fire or Lodging, till they all agree upon a Verdict, which shall be given in to the said Justice, who is hereby required to give Judgment agreable to such Verdict, and to award Execution in the Manner herein after directed.

PROVIDED ALWAYS, That if any Plaintiff or Defendant in any such Suit, shall demand a Jury, and upon the Trial of the said Cause, the Jury do find the Sum due to either Party, to be under *Forty Shillings,* Money aforesaid; then, in such Case, the Justice, before whom the said Cause shall be so tried, shall give Judgment, that the said Party shall recover his Debt or Damages, so found by the Jury, and further shall give Judgment, that the Person or Persons that did demand the Jury, shall pay all the Costs and Charges that have accrued, by the Reason of demanding the said Jury.

AND BE FURTHER ENACTED *by the Authority aforesaid,* That if the Plaintiff in any such Suit or Action, shall be nonsuited, or discontinue, or withdraw his Suit, without the Leave of the Defendant, then Judgment shall be given against him for the Costs accrued; or if he shall appear to be indebted to the Defendant, then Judgment shall be given against him for the said Debt, or Demand, and Costs, as the Case may require; and whenever Judgment shall be given against either Plaintiff or Defendant in any of the before-mentioned Cases, the Justice that pronounced the said Judgment shall grant Execution thereupon, directed to one of the Constables of the said County, City or Town-Corporate, commanding him to levy the Debt or Demand, and Costs, as the Case may require, on the Goods and Chattels of the Person against whom such Execution shall be granted: And for Want of sufficient Effects, whereon to levy the Execution, to take the Body of the Person, against whom such Execution shall be granted, and him or her convey and deliver to the Keeper of the Common Goal of the County; which

said Constable, after his taking such Goods or Chattels into his Custody (by Virtue of such Execution) shall give publick Notice, by an Advertisement put up at the most publick Place of the Town or Precinct where such Goods shall be taken, of the Sorts of Goods, and of the Time and Place when they will be exposed to Sale, at least Five Days before the Time appointed for selling them; and at the Time and Place so appointed for selling them, shall expose them to Sale by publick Vendue to the highest Bidder, and pay the Money forthwith to the Plaintiff, or in his Absence to the Justice, and return the Overplus, if any be, to the Owner; and for Want of sufficient Goods and Chattels whereon to levy the Execution, the Constable to whom any such Execution shall be directed, shall, according to the Tenor of the said Execution, take the Body of the Person, against whom any such Execution shall be granted, and convey and deliver him or her unto the Keeper of the Common Goal of that County, City, or Town-Corporate; which said Goal-Keeper is hereby commanded to keep such Prisoner in his safe Custody in the Common Goal, until the Debt or Demand, with the Costs, shall be fully paid, or until he or she shall be from thence delivered by due Course of Law.

PROVIDED NEVERTHELESS, That no Execution of any Judgment, given by Virtue of this Act, where the real Value of such Judgment shall exceed the Sum of *Forty Shillings,* Money aforesaid, shall issue against any Freeholder, in less than ONE Month after Judgment, in case the said Freeholder shall confess Judgment for the Sum endorsed on the Summons, with the Interest that may arise thereon, and return said Summons to the Justice, by the Constable who serves it, or within the Time appointed for his appearing; unless the Party in whose Favour such Judgment is given, shall make it appear to the said Justice, on Oath or Affirmation, that he or she is in Danger of losing their Debt, if such Delay be allowed; in which Case the Justice shall issue his Warrant of Execution immediately, as herein before directed, unless the Party against whom such Judgment is given, shall thereupon give Security to the Party in whose Favour Judgment went, to pay the full of the Debt and Cost, at or before the Expiration of the said One Month: And it is the Intent and Meaning of this Act, that if any Defendant in any Action shall appear at the Return of the Precept, and procure any Freeholder to confess and indorse Judgment, with Interest as aforesaid, he shall be intituled to the same Privileges as any Freeholder is intituled to, by Virtue of this Proviso.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Parties to any Cause, determined by Virtue of this Act, shall think him or themselves aggrieved by any Judgment, given as aforesaid, for the Sum of *Twenty Shillings* or more, Money aforesaid; it shall and may be lawful for such Person or Persons, to appeal from any such Judgment, to the next Court of Common Pleas, to be held for the County, City, or Town-Corporate, after the Judgment given; and the Justices are hereby respectively required to grant an Appeal, upon the Conditions following, and no other, *(that is to say)* The Party demanding an Appeal shall enter into Bond to the other Party, with at least One sufficient Security, in double the Debt and

Cost, and sufficient to answer all Cost; the Condition of which Bond shall be, that the Appellant shall appear, and prosecute the Appeal, in the Court above, and shall stand the Award of the Court, and pay such further Costs as shall be taxed, in case the Judgment of the Justice is affirmed.

PROVIDED ALWAYS, That in every Cause, wherein a Jury of six Men give a Verdict as aforesaid, there shall be no Appeal allowed; but it is the true Intent and Meaning of this Act, that the Judgment given upon such Verdict, shall be final to all Intents and Purposes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices shall cause fair Entries to be made in Books, by them to be kept for that Purpose, of the Names of the Plaintiff and Defendant in all such Cases as shall come before them, with the Debt and Cost adjudged, and the Time when such Judgment was given; and in any Case where there shall be a Jury as aforesaid, he shall set down the Verdict by them given; and where any Appeal shall be granted, the Justice who pronounced the Judgment appealed from, shall send a Transcript of such Entry under his Seal, together with the Bond aforesaid, to the Clerk of the Court to which such Appeal shall be made, on or before the first Day of the Court next following such Appeal, for which Transcript the Justice shall be allowed *One Shilling,* and no more.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That at the Court to which any such Appeal shall be made, the Person so appealing, shall cause an Entry of his Suit to be made by the Clerk of such Court, and shall either have his Appearance entered, or give Bail to the Action, as the Nature of the Case may require, and the Court shall direct; or on Neglect thereof, and Application of the Appellee to the Court for that End, the Appellant's Default shall be recorded, the first Judgment affirmed, with further reasonable Costs, and Execution shall be issued out of the said Court against the Defendant's Body, Goods or Chattels, as is usual in other Cases; and in case the Defendant shall appeal and give Bond as aforesaid, the Plaintiff or Defendant in the Appeal (as the Case may require) shall file his or her Declaration, and the adverse Party plead to issue in such Time as shall be directed by the Court, so always, that the Cause, if above *Forty Shillings,* be tried by a Jury of the Country in the usual Manner, either at the Court to which such Appeal is made, or the next Term at farthest, unless the Court, on Cause to them shewn, shall think fit to give the Parties a farther Day; and as the Verdict shall be rendered in any of the said Causes, the Court shall give Judgment thereupon, as the Nature of the Case may require, with Costs of Suit.

PROVIDED ALWAYS, That if both Parties consent, the Judges of the Pleas may proceed to hear and determine upon such Appeals, as aforesaid, in a Summary Way, and give Judgment, and award Execution thereon, for the Debt and Damages adjudged by the said Court, with the Costs accruing.

PROVIDED ALWAYS, That none of the Justices, who by Virtue of this Act, shall have heard and determined any of the Causes aforesaid, out of the Court, shall afterwards sit on the hearing and determining the same Cause on an Appeal made to any of the Courts of Common Pleas aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall commence, sue or prosecute any Suit or Suits, for any Debt or Demand made cognizable as aforesaid, in other Manner than is directed by this Act, and shall obtain a Verdict or Judgment thereon for Debt or Damages, which without Costs of Suit, shall not amount to more than *Six Pounds,* Money aforesaid, (not having caused an Oath or Affirmation to be made, before the obtaining the Writ, and filed the same in the Clerk's Office, that he, she or they, so making Oath or Affirmation, did believe the Debt, Due or Damages sustained, exceeded the Sum of *Six Pounds* Money aforesaid) he, she or they so prosecuting, shall not recover or have any Costs in such Suit; any Law, Usage or Custom, to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, That neither this Act, nor any Thing herein contained, shall be deemed, construed, or understood, to extend to Actions of Debt for Rent, to Actions of Replevin, or to Actions for Trover and Conversion, or Slander, or to Actions of Trespass for Assault and Battery, or Imprisonment, or to such Actions where the Titles of Land shall any Ways come in Question.

AND BE IT FURTHER ENACTED, That it shall not be lawful for any One Justice, to determine any Cause, cognizable by Virtue of this Act, at any Tavern.

AND BE IT FURTHER ENACTED, That every Constable, neglecting all or any of the Duties, enjoined by this Act, shall forfeit and pay the Sum of *Five Pounds,* to be recovered by any Person suing for the same; One Half to the Use of the Person so suing, the other Half for the Use of the Poor of the Township, of which he is Constable.

AND BE IT ENACTED *by the Authority aforesaid,* That no greater or other Fees shall be allowed, taxed or taken, in Actions brought in the Manner by this Act directed, than as in this Act is appointed to be taken; *that is to say,*

JUSTICES FEES.

A Summons, *Six Pence.*
A Warrant, *One Shilling.*
A Judgment, *Nine Pence.*
Administering every Oath or Affirmation, *Four Pence,*
A Summons for Evidence, *Six Pence,*
Every Execution, *One Shilling.*
Issuing the *Venire Facias,* to summon a Jury, *One Shilling.*
Swearing or attesting the Jury, *Eighteen Pence.*

EVIDENCES.

Attending on Summons, or otherwise, *Two Shillings per Day,* and so in Proportion, for a longer or a shorter Time.

CONSTABLE.

Serving every Warrant, or Summons, *Eighteen Pence.*
Every Execution, *Eighteen Pence.*
Summoning every Jury, *Two Shillings and Six Pence.*

JURIES.

All Causes tried, *One Shilling* per Man.
All Causes when summoned, and the Cause not tried, *Six Pence* per Man.
Drawing a Bond on an Appeal, or any other Bond, to the Person drawing the same, *One Shilling.*

AND BE IT ENACTED *by the Authority aforesaid,* That this Act, together with all Things therein contained, shall continue and be in Force for *Seven Years,* after the Publication thereof; and from thence to the End of the next Session of General Assembly, and no longer.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 31-38.

An ACT *for the Preservation of the Publick Records of the Colony of* New-Jersey.

WHEREAS the Care and Preservation of the Publick Records of this Colony, is highly worthy the Attention of the Legislature; and as a Destruction of them by Fire, would be introductive of the greatest Distress to all the Freeholders within the same: In Order to prevent as much as possible so great a Calamity, We the House of Representatives do pray, that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That a proper House for the Conservation of the Publick Records in the Secretary's Office, shall be erected at *Burlington,* and another at *Perth-Amboy,* one Story high, in such Parts of the said Cities as shall be of most convenient Access to the Publick, and least liable to the Accidents of Fire; and not higher than forty Feet to any House or Building whatsoever, and shall in the Construction thereof, regard in particular the Preservation of the Records from Fire; and proper Places for the Conservation of the Records shall be made therein.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may

be lawful for the Commissioners here-after-named, for *Burlington,* or for *Amboy,* to purchase a convenient Lot of Land, in each and either of the said Cities, for the Purpose aforesaid; and to erect the said Buildings thereon, and shall take a Deed or Deeds for the same, in the Name of his Excellency THOMAS BOONE, Esq; and his Heirs; or in the Name of the Commander in Chief for the Time being, and his Heirs, in Trust to and for the Use and Behoof of all the Freeholders of this Colony, their Heirs and Assigns forever.

AND BE IT ENACTED *by the Authority aforesaid,* That to complete the said Work, *Charles Read, John Lawrence,* and *Daniel Smith,* jun. Esqrs, shall be Commissioners at *Burlington;* and *Thomas Bartow, John Smyth,* and *Andrew Smyth,* Esqrs, at *Amboy*. And it shall and may be lawful for the Treasurers of this Colony, or either of them, to pay to the said *Charles Read, John Lawrence, Daniel Smith,* jun. *Thomas Bartow, John Smyth,* and *Andrew Smyth,* or to any Two of them, such Sum or Sums, not exceeding *Three Hundred Pounds,* to either of the said Places, nor above *Six Hundred Pounds* in the Whole, out of such of the Money as may remain in their Hands, that was made current for his Majesty's Service in the present War, as they, or any Two of them, may find necessary, for erecting and compleating the Buildings aforesaid, or either of them: And the Receipt of the said *Charles Read, John Lawrence, Daniel Smith,* jun. *Thomas Bartow, John Smyth* and *Andrew Smyth,* or any Two of them, shall discharge them the said Treasurers, or either of them, their Heirs, Executors, and Administrators, of and from any Money they, or either of them, may pay in Pursuance of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Buildings shall be begun and compleated as soon as conveniently may be, and when so compleated, the Records in the Secretary's Office, which are now kept at *Burlington,* shall be removed into the House erected for that Purpose in *Burlington;* and in like Manner, the Records of the said Office kept at *Perth-Amboy,* shall be removed into the House erected at *Amboy* for that Purpose.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners shall be, and are hereby made, accountable to the General Assembly of the said Province, for the Monies they shall, respectively, receive by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners shall retain *Five per Cent.* in their Hands, on all the Money laid out in Pursuance of this Act.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 39-40.

An ACT *for regulating Roads and Bridges.*

WHEREAS the several Acts of the General Assembly of this Province, relating to the altering and keeping the Highways in good Repair, and the building and repairing of Bridges, have, on Experience, been found to stand in Need of Amendment; therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all Roads and Highways of Six and Four Rods broad, which have been laid out and ascertained by any Acts of Assembly of this Colony, before the passing of this Act, shall be and remain Publick Highways, until altered by Virtue of the Directions of this Act; and that it shall not be lawful to and for any Surveyors, or any other Persons, to alter any Part of the great Road leading from *Amboy* to *Salem,* or the great Road leading from *Elizabeth-Town* to *Trenton,* as the same now goes, or any other Roads laid out Six Rods wide, or the New Road laid out by Act of Assembly from *Burlington* to *Cooper's* Ferry.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Freeholders and Inhabitants of each respective Town, Division and Precinct, within this Province shall meet and assemble together on the second *Tuesday* in *March,* yearly and every Year, in the most publick Place, in each respective Town, Division and Precinct, and there, by Plurality of Voices, elect and choose two Persons, being Freeholders, for Surveyors of the Highways; which Persons so elected, within five Days thereafter, shall be notified of such Election, by the Clerk of every such Town, Division or Precinct, who, besides giving the above Notice, shall likewise, within the Time aforesaid, return their Names to the Clerk of the Peace of the same County; and they the said Persons, thus elected and notified thereof, within five Days after such Notice, shall repair to any one Justice of the Peace of the said County, City, or Town-Corporate, and then and there take an Oath or Affirmation (as the Case may require) for the just and impartial Performance of the Duty of his Office, to the best of his Skill and Knowledge. And if any such Surveyor shall, within five Days after such Notice given as aforesaid, neglect or refuse to take upon him the Office, and take the Oath or Affirmation, as aforesaid; every such Surveyor, so neglecting or refusing, shall forfeit and pay the Sum of *Forty Shillings;* to be recovered by Action of Debt, before any one Justice of the Peace of the County, City, or Town-Corporate, where the Offence shall be committed; and every such Penalty, when recovered, shall be paid into the Hands of the Collector of the Town, Division or Precinct for which the said Surveyor hath been so chosen as aforesaid, to be applied towards repairing and amending the Highways within the said Town, Division or Precinct. And in case of the Neglect, Refusal or Death of any Surveyor so appointed as aforesaid, any Two Justices of the Peace *(Quorum unus)* are impowered and required to appoint another in his Room, who shall be under the same

Qualification, Restriction and Penalty, as the Surveyors so nominated and appointed as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon Application made, and publick Notice given, by any of the Inhabitants, of any of the Towns, Divisions or Precincts, within this Province, for any publick Road or Roads, to be laid out from one Town or Division to another, or to any publick Landing Place, Market or Mill, or from any Town to the King's Highway; that then the said Person or Persons, so applying, shall apply to the two Surveyors of the Township or Precinct where the said Road lies, and the two Surveyors of the Two next adjacent Towns, Divisions or Precincts, within the County: And they shall lay out all such Roads and Highways as shall be necessary and convenient for the respective Town, Division, or Precinct, so making Application as aforesaid; which said Roads and Highways shall be of two, three, or four Rods broad, as the Case may require, and shall be laid out to the best Conveniency of the Inhabitants of the adjacent Towns, Divisions or Precincts, and with as little Disadvantage, as conveniently may be, to the Owner or Owners of the Lands, by which any Road shall be laid out or run through according as the aforesaid six Surveyors, or the major Part of them, shall think proper, and agree upon; and the said Surveyors so agreeing and fixing the said Road or Roads, shall draw a Return thereof, certifying the Courses, Distances and Boundaries of the same, and shall sign the said Return, with the Date affixed, and shall then deliver it to the Clerk of the Peace of the County where the said Road is laid out; which Clerk is required forthwith to enter the same in a Book kept for that Purpose, to be purchased at the County Charge, which Book shall be called the Road Book.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every such Road and Roads, so laid out as aforesaid, shall be taken, deemed and allowed to be free, open, and lawful Highways, from the Time they are so recorded, as aforesaid; and if any Person or Persons shall presume to stop or lessen any of the said Highways, or other Roads heretofore laid out, or hereafter to be laid out, and allowed of, as aforesaid, or shall commit any Nusance therein, by falling of Trees, making Fences, or any other Way, and shall not remove the same forthwith; he or they shall forfeit and pay for every such Offence, the Sum of *Forty Shillings;* to be recovered by Action of Debt, before any one Justice of the Peace of the County, City or Town-Corporate where the Offence shall be committed; and the said Penalty, when recovered, shall be paid into the Hands of the Overseer of the Highways of the Town, Division or Precinct where the Nusance hath arisen, and shall be applied for the Amendment and Repairs of the Highways, in every such Town, Division or Precinct.

AND BE IT FURTHER ENACTED *by the authority aforesaid,* That all Roads and Publick Highways, of four Rods broad, which on Experience have been, or hereafter may be found inconvenient, to any Town, Division or Precinct in this Province, through which the said Roads are laid out, or may be overmuch disadvantageous to the Owner or Owners of the Lands through

which they pass, shall be subject to Alteration and Regulation by the Surveyors of the Highways, *that is to say,* by six of the Surveyors of the Highways, of the County where the Alteration is to be made, joined with six of the Surveyors of the next County, chosen for the Townships nearest the Line of the Place where the Alteration is to be made, Nine of whom agreeing, may cause any Roads to be altered and regulated at their Discretion. PROVIDED ALWAYS, AND BE IT FURTHER ENACTED, That publick Notice be given, of every such Alteration, by Advertisements affixed up in common View, in three of the most publick Places of the County, City or Town-Corporate, where the said Alteration is applied for, at least twenty Days before the Meeting of the Surveyors as aforesaid, setting forth the Time and Place of their Meeting; and that the said nine Surveyors so agreeing to the Alteration of the said Roads, shall draw a Return of the Road so altered, certifying the Courses, Distances and Boundaries of the same, with the Date affixed; which said Return shall be delivered by one of the said Surveyors to the Clerk of the County wherein the said altered Road doth lay, to be by him entered in the Road Book aforesaid; all which being done, the said Road so altered, as aforesaid, shall be taken, deemed, and allowed to be a lawful Highway: And if any Person or Persons shall presume to stop or lessen the said Road, or commit any Nusance therein, he or they shall be subject to the same Fines and Forfeitures, to be recovered in the same Manner, and to be paid and applied to the same Purposes, as is before prescribed by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when at any Time hereafter, any Person or Persons, shall have Occasion to make Application to the Surveyors of the County next adjacent, for any of the Purposes aforesaid; on such Application made, and due Notice, in Writing given, of the Time and Place when and where the Assistance of the Surveyors of such adjacent County is required, the said Surveyors shall attend and give their Assistance, according to the Directions of this Act; and in case they, or any of them, on such reasonable Notice given as aforesaid, shall neglect, delay, or refuse to do the Duty here enjoined them, or any other Service required of them by this Act; each surveyor so offending, shall forfeit and pay the Sum of *Five Pounds* for every such Offence, to be recovered by any Person who will sue for the same, before any one Justice of the Peace; and the Money, when recovered, shall be paid one Half to him who shall sue for the same to Effect, and the other Half to the Collector of the Town, Division, or Precinct, where the Road so intended to be laid out, doth lie, for the purposes aforementioned.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Inhabitants of every Town, Division and Precinct, within this Colony, to assemble at their usual Place of Meeting, on the second *Tuesday* in *March,* yearly and every Year, and then and there, by Plurality of Voices of the Persons so met and assembled, to elect and choose Two or more Persons, for each respective Town, Division or Precinct, to be Overseers of the Highways, for making and keeping in good Repair all publick Roads and Highways within each respective Town, Division or

Precinct, for which they are chosen. And if any of the Overseers of the Highways, so elected and chosen as aforesaid, shall neglect or refuse to take upon him the said Office, after due Notice given him thereof, every such Overseer, so neglecting or refusing, shall forfeit and pay the Sum of *Forty Shillings,* to be recovered in the same Manner and Form, and to be applied to the same Purposes as is last above prescribed.

AND upon any such Neglect or Refusal as aforesaid, or in case of the Death or Removal of any of the Overseers of the Highways chosen by Virtue of this Act, the Surveyors of the Roads in every Town, Division or Precinct, upon Application made to them by any Freeholder of the said Place, shall appoint another in the Room of him so dead, removed or refusing; which Appointment being entered in the Town-Book, the Overseer so appointed, shall, upon Notice thereof, be under the same Restrictions, be subject to the same Penalties, and be vested with the same Powers and Privileges, as those elected and chosen at their annual Town-Meetings, as aforesaid.

AND *Whereas* the good Intentions of several of the Laws of this Colony, have been evaded and neglected, by many of the Officers elected and chosen at the annual Town-Meetings as aforesaid, or otherwise appointed according to Law, pretending they have not had due and timely Notice of such Election or Appointment: For Remedy whereof, BE IT ENACTED *by the Authority aforesaid,* That every Town-Clerk shall, and he is hereby required and commanded, to make out, on the Day of Election, three Lists of the Names of all the Officers chosen for the said Township, and affix them in three of the most publick Places in the said Township, for the Information of the Inhabitants thereof; or otherwise give the Officers so chosen Notice thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Overseer so elected or appointed as aforesaid, shall, at least once in three Months, view and carefully inspect all the publick Highways, Roads, Bridges and Causeways, within his District; and whenever he shall perceive any of them decaying, or wanting Reparation, he shall give Notice, and call together so many of the Inhabitants of the District wherein he is Overseer (the Surveyors of the Highways only excepted) as he in his Descretion, shall judge sufficient to repair and amend the said Roads, Bridges and Causeways: And every Person so noticed, shall come to such Place or Places which the said Overseers shall appoint, or send a sufficient Hand in his Room, at or before the Sun shall be two Hours high in the Morning, with a Spade, Mathook, Axe, or such other Instrument as the said Overseer shall think proper to order him to bring with him, fit for amending the said Roads, Bridges and Causeways; and shall continue at work upon the same (if the said Overseer shall think there is Occasion for it) until Sun-set, Dinner-Time only excepted, for which they shall be allowed one Hour: And every Person so noticed as aforesaid, who shall not be and appear as aforesaid, at the Time above appointed, shall forfeit and pay the Sum of *Six pence per Hour;* and the like Sum for every Hour he shall absent himself, during the said Service, (Sickness excepted, or some other reasonable Excuse, to be allowed of by the said Overseer:) And if any such Person so noticed as aforesaid, shall absent

himself for the whole Day upon which the Notice is given, he shall forfeit and pay the Sum of *Five Shillings;* and so for every Day that he shall be absent, and not appear when summoned, as aforesaid. *Provided always,* That the said Overseer shall give the Inhabitants two Days Notice of the Time and Place, when and where they are to appear as aforesaid; and that no Overseer shall be hereby impowered to command or compel the Inhabitants of any Town, Division or Precinct, to work upon any publick Roads, Bridges or Causeways in Time of Harvest, without special Occasion. All which Forfeitures, the Overseer of every such Road is required and enjoined to sue for and recover, before any one Justice of the Peace, of the County, City or Town-Corporate where the Offence is committed; and when recovered the same shall be applied, one Half to the said Overseer, who shall sue for the same to Effect, and the other Half towards repairing and amending the Highways in every such Town, Division or Precinct, where such Penalties and Forfeitures have accrued.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Overseer, so elected and chosen, or appointed as aforesaid, shall refuse or neglect to do the Duty here enjoined him, or any other Duty he is required to perform by Virtue of this Act, he shall forfeit and pay the Sum of *Forty Shillings;* to be recovered by Action of Debt before any one Justice of the County, City or Town-Corporate, wherein such Cause of Action hath accrued; and when recovered, one Half shall be applied to the sole Use and Benefit of the Person or Persons prosecuting the same to Effect, and the other Half to the Use and Benefit of such Town, Division or District, which may have been injured by such Overseer refusing or neglecting to do his Duty as aforesaid, which shall be paid into the Hands of the Town Collector, to be disposed of by the Inhabitants thereof, in such Manner as they or the Majority of them, shall agree upon, to and for the Amendment of the Highway. And if any Justice of the Peace shall refuse or neglect to do the Duty here enjoined him, or any other Duty he is required to perform by Virtue of this Act, every such Justice of the Peace shall forfeit and pay, for every such Offence, the Sum of *Five Pounds;* to be recovered in the same Manner and Form, and to be applied to the same Uses as is above prescribed by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Team, with Cart or Waggon, with a Man to manage the same, which the said Overseers, or any of them, shall have Occasion to employ, shall be esteemed in the Place of two Days Labour of one working Man; and the Forfeiture of a Team and a Man, with Cart or Waggon, not coming and performing the Duty and Service required by the respective Overseers, shall be proportionable, and to be recovered and applied in the same Manner and Form before prescribed by this Act.

AND *Whereas* the too free Use of Liquor, by Persons working on the Road, is a great Scandal to the Labourers thereon, and an Obstacle to the Service; BE IT ENACTED *by the Authority aforesaid,* That if the Overseer, or any Person whatever working on the Road, or being with them as a

Spectator, shall ask of any Traveller, any Money, Drink, or other Reward, or shall by any Contrivance extort any Thing from any Traveller, he shall forfeit and pay, for every Offence, the Sum of *Ten Shillings;* to be recovered by the Overseer, one Third for his own Use, and the remaining two Thirds for the Use of the Roads. And in case any Overseer shall connive at any Persons asking and demanding any Reward from any Traveller, or shall, for Drink, excuse any Person from working, or shall neglect prosecuting before a Justice of Peace any Person who shall have incurred Forfeitures and Penalties by Virtue of this Act, or for getting drunk when he should work, he shall forfeit and pay for each Offence, the Sum of *Forty Shillings,* to be recovered by any Person whatsoever; one Half to the Use of the Prosecutor, the other Half to and for the Service of the Roads.

AND as it is the Intention of this Act, that the Inhabitants of every Town, Division or Precinct, shall be employed equally and proportionably; BE IT ENACTED *by the Authority aforesaid,* That every Overseer shall keep a Book, in which he shall enter an Account of all the Labour done by the Inhabitants in his District; which Book shall be transmitted to his Successor in Office; and Care shall be taken by the said Overseer, that every Person and Persons shall perform his and their equal Proportion of Labour on the said Road.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the respective Overseers aforesaid, shall cause the Inhabitants of every Town, Division and Precinct, through which any publick Roads and Highways are already laid out, or hereafter shall be laid out or altered, to clear the same, by cutting and stubbing up the Brush and Under-wood, at least two Rods wide, and wider, at the Discretion of the Overseer, lopping off the Limbs of the Trees that hang over the same, and cutting and grubbing up the Stubs, Stumps and Roots that lie above Ground, and pulling up the Stones that can be moved, and carrying them to the Outsides of the said Roads.

AND *Whereas* there are several Places in Roads, that in wet Seasons remain ponded, for Want of proper Outlets; for Remedy whereof for the Future, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful, to and for the Overseer of the Roads, or any other Person or Persons by his Order, to enter upon any Lands, adjoining to any Highway or Road, and to cut such Drains or Ditches, as shall in his Opinion be necessary, compleatly to drain such Road, with the least Disadvantage as may be to the Owner of such Land; which Drains shall not be filled up by the Owner of such Land, or any Person whatever, but shall be kept open by the Inhabitants working on said Road, for the good Purpose aforesaid.

AND *Whereas* several Persons, in clearing of their Lands, through which the publick Highways run, have killed the Trees, and left them standing; which Trees so killed, upon every high Wind, are subject to fall across the Roads, and are thereby dangerous to Persons who are travelling along the said Roads, and Beasts that are feeding in the same; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That whenever any Tree or Trees, shall be girdled and killed on or within one Chain of any publick Road or

Highway, and shall remain standing for two Years after such girdling, the Owner or Owners so girdling the same, shall cut down, or cause to be cut down, such Tree and Trees; or in Failure thereof, shall forfeit and pay the Sum of *Five Shillings,* for every such Tree so girdled and left standing as aforesaid; which said Forfeiture the said Overseer is hereby required to sue for, and recover by Action of Debt, before any one Justice of the Peace of the County, City or Town-Corporate, where the Offence shall be committed, and apply the same towards the Amendment of the Highways in his District.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants of any Town, Division or Precinct, or any other Person or Persons whatsoever, shall think proper to set up and affix any Posts, or Road Marks, in any publick or cross Roads, directing Travellers in their Way, and any mischievous Person or Persons shall pull down or destroy the same; every such Person and Persons so offending, shall forfeit and pay the Sum of *Five Pounds,* for every Post or Road Mark, so pulled down or destroyed; to be recovered by Action of Debt, before any Justice of Peace, and to be applied one Half to the Informer, or the Person who shall prosecute the same to Effect, and the other Half towards the Repair of the Highway.

AND BE IT FURTHER ENACTED, That any Road laid out, altered or running through any Man's Plantation, or improved Lands, shall at the Request of the Owner, be laid out strait, through the same, where the Nature of the Soil will admit of it, and not to run crooked, whereby more Land may be taken up than Necessity requireth.

AND *Whereas* it is highly reasonable, that some Allowance should be made to the Surveyors coming out of their Counties, to perform the Services enjoined them by this Act; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That whenever there shall be a real Occasion to call any of the Surveyors out of a neighbouring County, for any of the forgoing Purposes, each of the said Surveyors shall be allowed *Six Shillings per Day,* for every Day he or they shall be employed in any such Services as aforesaid, to be paid by the Person or Persons applying.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Person or Persons are desirous, and think it necessary, for a Road to be laid out or altered, from his or their Plantation or Plantations to a publick Landing-Place, or to a Mill, or Market, or to any publick Road, every such Person or Persons shall apply to the six Surveyors of the Towns, Divisions or Precincts next adjacent, (including the two Surveyors of the District where the Alteration may be) which said six Surveyors shall (if they think such Road necessary) proceed to lay out, or alter the same, one or two Rod wide, where they or the major Part of them agreeing, shall think most convenient, in such Manner and Form as may be most commodious for the adjacent Plantations, and with as little Disadvantage as may be to any of the Owners of the Lands through which the said Road is required to be laid out. And all such Roads that already are, or hereafter shall be so laid out, agreeable to this Act, of one Rod wide only, shall be cleared and maintained by the Inhabitant or Inhabitants who have or shall apply for the same; and

if of two Rods wide, to be maintained as other publick Roads are. And if the Owner or Owners of any of the Lands through which any of the said Roads, of one or two Rods wide, so laid out, shall pass, may conceive it for his Advantage to hang swinging Gates in said Road, he shall have Liberty to do the same: And all the said Roads of one or two Rods wide, shall be taken, deemed and esteemed to be lawful Roads; and any Person or Persons who shall presume to stop or lessen the same, shall be subject to the same Penalties and Forfeitures, and to be recovered and applied in the same Manner and Form, as is before prescribed by this Act, for lessening and stopping the publick Highways.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall stake or shore open any such Gate and Gates, so hung up by Virtue of this Act, and leave the same open, or shall cut, or pull down and destroy the said Gate and Gates, or shall ride over, or drive through any Lands, Meadow Grounds or Corn-Fields, lying out of the common Road within the said Gates, to the Damage of the Owner or Owners thereof; all and every such Person or Persons shall, for every such Offence, forfeit and pay the Sum of *Ten Shillings;* and shall also pay such Damages, with the Costs of Suit, which the Owner of the Soil, or his Tenant, shall or may sustain thereby; the said Damages to be appraised and valued by three Freeholders, or the Majority of them, in the Neighbourhood where the Offence shall be committed; which Damages so appraised, with the Forfeiture, shall be recovered by Action of Debt, before any one Justice of the Peace of the County, City or Town-Corporate where the Cause of Action shall or may arise; and when recovered, the Damages shall be paid to the Possessor of the Lands so trespassed upon, and the Forfeiture to the Overseer of the Highways of that Town, Division or Precinct, where the Offence shall be committed, to be applied towards the Amendment of the said Highways.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Overseers of the Highways of every Town, Division and Precinct within this Province, at the End of every Year, and before he shall be discharged from his Office, shall make up his Accounts of what Monies he hath disbursed by Virtue of his Office, and of what Monies still remain in his Hands for Forfeitures or otherways, to the Overseer for the ensuing Year, and shall pay the Remainder into the Hands of the new Overseer, to be employed for amending the Highways agreeable to this Act.

AND *Whereas* several Sums of Money may lie in the Hands of some of the Constables, or in the Hands of some other Persons, who were formerly Constables of the several Towns, Divisions and Precincts within this Province, that were taken by Distress or otherways, from several Persons neglecting to work on the Highways; and it is fitting and necessary such Monies should be paid to the proper Officer, to be employed for such Purposes as are directed by this Act; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That all Constables, or any other Person or Persons whatsoever, that have any Money or Goods, taken or received as aforesaid, shall immediately, upon Publication hereof, pay the same to the Overseers of

the Highway for the Time being, of the Town, Division or Precinct where such Money or Goods were taken as aforesaid; and if any such Constable, or other Person or Persons, having such Money or Goods in his or their Hands, shall refuse or neglect to pay in such Money or Goods, taken as aforesaid, it shall and may be lawful for the Overseer or Overseers of the Highways, in any Town, Division or Precinct within this Province, to commence an Action of Debt against him or them, so neglecting or refusing, before any Justice of the Peace, if the Demand be *Five Pounds* and under, and if above *Five Pounds,* in any Court of Record of this Province where the same is cognizable, and recover all such Money or Goods, and double Costs of Suit. And all such Sums of Money so recovered by the Overseers, shall be laid out for making or repairing the publick Roads in the Town, Division or Precinct for which the said Distresses were made.

AND *Whereas* there are many Bridges within this Province, which belong to particular Towns and Precincts to amend and repair, which cannot be sufficiently repaired by Day Labour, without the Assistance of particular Handicraftsmen; BE IT THEREFORE FURTHER ENACTED *by the Authority aforesaid,* That where there are any Bridges in any of the Towns, Divisions and Precincts within the Counties of *Burlington, Somerset, Gloucester, Salem, Cumberland* and *Sussex,* which cannot well be repaired by Day Labourers, that the Overseers of the Highways, from Time to Time, shall give Notice to two Justices of the Peace, of the County (one whereof being of the *Quorum*) and the two Freeholders chosen by the said Town, Division or Precinct, by Virtue of an Act, entitled, *An* Act *for raising of Money for building and repairing of Goals and Court-Houses within each respective County of this Province,* in which the said Bridge or Bridges do lie, together with the Surveyors of the same, to assemble and meet together, at such Time and Place as the said Overseer shall appoint, and then and there shall contract and agree with such Tradesmen and others, as they or the major Part of them then and there met, shall think fit, to build, rebuild, amend or repair such Bridge or Bridges, as they shall then think necessary to be built, rebuilt, amended or repaired; and every such Bridge shall be made and kept strong and substantial, and shall be railed in, on each Side, at least three Foot high, and rendered fit for all Travellers, to pass and repass the same without Danger; and the sum and Sums of Money agreed for and expended in building, rebuilding or amending the said Bridge and Bridges, shall be assessed and collected in the said Towns or Places to which said Bridge or Bridges do belong, by the Assessors and Collectors chosen according to an Act of Assembly of this Province, entitled, *An* Act *for the more regular chusing Assessors and Collectors in the respective Towns and Counties of this Province;* and shall be paid by the said Collector to the Person and Persons so employed in building, rebuilding or repairing the said Bridge and Bridges, by Virtue of an Order or Orders drawn on the said Collector for paying the same, by such Justices, Surveyors, and the two Freeholders aforesaid, or the major Part of them, who contracted and agreed with the Person or Persons so employed as aforesaid; which Order or Orders, with the Workman's Receipt indorsed thereon, shall be the said Collector's

Discharge for the Payment of so much Money: And when any such Bridge or Bridges are to be built, rebuilt, repaired or amended between two Towns, Divisions or Precincts, which is to be done at the Charge and Expence of both Towns, the Overseers of the Highways of said Towns shall give Notice to two of the Justices of the Peace of the County (one whereof being of the *Quorum*) and the two Freeholders of each Town as aforesaid: And if they lie between two Counties, then to two Justices of each County, together with the Surveyors of both said Towns, and the two Freeholders chosen by each Town as aforesaid, to meet together, to build, rebuild, repair and amend such Bridge and Bridges; and for assessing and collecting such Sum and Sums of Money, as shall be found necessary for defraying the Charge and Expence thereof, in Manner as is before mentioned in this Act; and the said Charges and Expences shall be equally defrayed by the Inhabitants of both Towns, Divisions and Precincts, between which the said Bridge and Bridges do lie.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if there shall remain any Money in the Hands of any Collector or Collectors, in any Town, Division or Precinct within this Province, over and above what is expended in building, rebuilding and amending any such Bridge and Bridges, every such Collector or Collectors shall give an Account thereof, and pay all such Overplus Money to the succeeding Collector or Collectors of such Town, Division or Precinct, under the Penalty of *Forty Shillings,* to be sued for by the succeeding Collector or Collectors, and to be recovered and applied in the same Manner and Form as is before prescribed by this Act; and the said succeeding Collector is hereby required and impowered to sue him for the said Overplus Money.

AND *Whereas* the following Counties, *viz. Middlesex, Monmouth, Essex, Bergen, Hunterdon* and *Morris,* have formerly requested, and some of them have, by their humble Petitions presented to the House this Session, desired, that all Bridges requiring Handicraft Work, may be built, rebuilt, repaired and amended at the sole Charges and Expences of the whole County, wherein such Bridge and Bridges do lie; BE IT FURTHER ENACTED *by the Authority aforesaid,* That where there are any Bridges within the Counties of *Middlesex, Monmouth, Essex, Bergen, Hunterdon,* and *Morris,* that require Handicraft Work, and that shall from henceforwards want building, rebuilding, repairing or amending, the Overseers of the Highways of that Town, Division or Precinct, wherein the said Bridge or Bridges do lie, shall give Notice in Writing, to three Justices of the Peace of the County (one whereof being of the *Quorum)* and to every of the Freeholders and Surveyors of the Highways, chosen for each respective Township, Division or Precinct, in any of the Counties above-mentioned, wherein such Bridges are wanting, to meet together, at such Time and Place as they the said Overseers of the Highways shall appoint, who, or the Majority of them, met, (by which is to be understood a Majority of all the Freeholders chosen as aforesaid, in every such County) shall then and there contract and agree with a proper Person or Persons, to build, rebuild, repair or amend any such Bridge or Bridges as afore-mentioned, for such Sum or Sums of Money as shall by them be

thought proper. And all and every such Sum and Sums of Money, so contracted for as aforesaid, shall be from Time to Time, hereafter assessed, raised and levied upon all the Inhabitants of each respective County last mentioned, after the same Manner and Form as other County Taxes are directed and appointed to be raised, by Virtue of an Act of the General Assembly of this Province, made and passed in the twelfth and thirteenth Years of the Reign of her late Majesty Queen ANNE, entitled, *An* Act *for raising of Money for building and repairing of Goals and Court-Houses, within each respective County of this Province;* and by such Assessors and Collectors as are or shall be appointed by Virtue of one other Act of General Assembly of this Province, made and passed in the third Year of the Reign of his late Majesty King GEORGE, entitled, *An* Act *for the more regular chusing and electing Assessors and Collectors in the respective Towns and Counties in this Province.* And every Collector of any of the Towns, Divisions and Precincts, in each respective County last before-mentioned, shall pay all such Monies as he is directed to collect, by Virtue of this Act, in thirty Days after every such Assessment shall be delivered unto him, into the Hands of the Collector, of any of the Counties aforesaid; which County Collector shall retain the said Monies in his Hands, until he shall receive further Orders from the Justices and Freeholders of every such County as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when, and as soon as any Person or Persons so contracted with as aforesaid, shall produce to the Justices and Freeholders, at any of their Meetings, a sufficient Voucher or Vouchers, that the Work contracted and agreed for by them is compleatly finished and accomplished, according to the Conditions and Tenor of every such Contract and Agreement aforesaid, it shall and may be lawful for either of the said Justices, and two of the said Freeholders, to give an Order upon the County Collector, to pay to every such Person or Persons so contracted with as aforesaid, such Sum and Sums of Money as shall be specified in the said Order; which County Collector is required and enjoined to pay the same forthwith. And all and every such County Collector and Collectors as aforesaid, shall account with the said Justices and Freeholders at their annual Meeting in *May,* (or at any other Time they shall think proper to appoint) for all such Sum and Sums of Money as shall from Time to Time be paid into his or their Hands by Virtue of this Act; and shall produce proper Vouchers or Receipts endorsed on every such Order and Orders as aforesaid, of their Disbursements of the same. And all and every such Order and Orders, so endorsed as aforesaid, shall be a sufficient Discharge to them, and each of them, for so much of the Monies by him or them received, or paid into their Hands as aforesaid: And if any Money, assessed and collected by Virtue of this Act, shall remain in the Hands of any County Collector or Collectors, over and above what shall be applied to the Uses for which it was so assessed and collected, the said Overplus Money shall be and remain in every such Collector and Collectors Hands, during the Time of his being Collector; and at his quitting the said Office, all such Overplus Money, that may then remain in his Hands, shall be paid to the

next succeeding County Collector. And no Part of any such Overplus Money shall be made Use of for any other Services of the said County and Counties, but shall always be applied and made Use of, for the building, rebuilding, repairing and amending all and every such Bridge and Bridges as aforesaid. And if any of the Collectors as aforesaid shall pay away, disburse or otherways make Use of any such Sum or Sums of Money, assessed and collected by this Act, or contrary to the true Intent and Meaning thereof, no such Sum or Sums of Money shall be allowed to such Collector in passing his Accounts as aforesaid; but the said Money shall be replaced out of every such Collector's private Estate; and to be recovered therefrom by the succeeding Collector, by Action of Debt, before any one Justice of the Peace, or in any Court of Record in the County, City or Town-Corporate, where the same is cognizable; any Law, Usage or Custom to the Contrary hereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Bridge or Bridges want to be built, rebuilt, repaired or amended, between any of the Counties last before-mentioned, the same shall be built, rebuilt, repaired and amended, at the equal Expence of each County: And the Money then wanting to defray the Expence of the same, shall be equally assessed, levied, collected and paid in the same Manner as is before directed by this Act. And when they happen to lie between any of the last mentioned Counties, and the Counties first mentioned, the Charges and Expences shall be defrayed and paid, one Half by all the Inhabitants of the Counties respectively, last mentioned; and the other Half by the Inhabitants of that Town, Division or Precinct, of the Counties first mentioned, where the said Bridge and Bridges do lie, in the same Manner and Form as is before prescribed.

AND *Whereas* the Roads and Bridges over Mill Dams and Mill Races have been of late much neglected, and the Water Wheels lie open and exposed to the said Roads and Bridges, to the great Annoyance, Danger and Terror of his Majesty's Subjects, passing and repassing the same: To prevent these Inconveniences for the future, BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, all Water-Mill-Wheels, which shall lie open and exposed to any Road or Roads, Bridge or Bridges, over Mill-Dams and Mill-Races within this Province, shall be covered and hid, either by a Breast-Work to be built between the said Road or Bridge and the said Water-Wheels, or in such other Manner, that no Annoyance may be given or Damage happen to Man or Horse passing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the Future, all Roads laid out across Mill-Dams shall be kept in good and sufficient Repair, and the Bridges over the Mill-Races and Flood-Gates shall be substantially built, rebuilt, repaired and amended, and each Bridge shall be strongly railed in on each Side, the Rails to be three Foot high, and rendered easy and convenient for the passing and repassing of Travellers: And the Wheels of all such Mills shall be covered and hid, in the following

Manner, *that is to say,* Where it shall so happen, that a Dam hath been, or hereafter shall be erected, and a publick Road or Highway hath been, or hereafter shall be, laid out over the said Dam, and across the Races and Flood-Gates, every such Road shall be made and maintained, and the Bridge and Bridges over the Races and Flood-Gates, shall be built, rebuilt, repaired and amended, and the Wheels of the Mills covered and hid, under the Care and Inspection, Order and Direction, of the Overseer of the Highways, of every Town, Division or Precinct where such Mill and Dam already hath been, or hereafter shall be built, according to the Directions of this Act. And where it shall so happen, that any publick Road or Highway already hath been, or hereafter shall be laid out, before the erecting of any such Dam, every such Road, if it shall go over any such Mill-Dam, shall be made and maintained, and the Bridge and Bridges over the Races and Flood-Gates, cut across the said Road for the Use of every such Mill, shall be built, rebuilt, repaired and amended, and the Wheels covered and hid, at the sole Charge and Expence of the Owner and Owners of every such Mill so erected as aforesaid. And if the said Owner and Owners of such Mill shall refuse or neglect to do the Duty here required of him or them, he or they shall forfeit and pay the Sum of *Five Pounds,* for every such Neglect or Refusal, to be recovered before any Justice of the Peace of the County, City or Town-Corporate, wherein the said Mill lies; and when recovered, the same shall be paid, one Half to the Person and Persons who shall sue for the same, and the other Half to the Overseers of the Highways of that District where the Offence shall be committed, to be applied to the Use of the Highways and Bridges in the said District.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That where a Road or Highway is laid out over a Dam, after the building the same, the Owner's Property to the said Dam shall be in no wise affected, unless it was laid out at the Request or Consent of such Owner.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owner or Owners of such Dam shall not uphold and maintain his Mill to go, he shall not at such Times be obliged to keep in Repair the said Bridges, until the said Mill is again set to work.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Justice of the Peace, or other Officer or Officers, Person or Persons, shall neglect or refuse to do and perform any Part of the Duty required of him or them by Virtue of this Act, relating to Bridges, every such Person so neglecting or refusing, for every such Offence shall forfeit and pay the Sum of *Five Pounds;* to be recovered by Action of Debt before any Justice of the Peace of the County where the Person neglecting resides, and to be applied, when recovered, one Half to the Use of him who shall prosecute the same to Effect, and the other Half to the Use of the County, City or Town-Corporate, where the Offence shall be committed, for the Amendment of their Highways and Bridges.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bridge over *Gloucester* River, commonly called Great Timber Creek Bridge,

shall be, as heretofore, maintained, amended or rebuilt, at the general Expence and Charge of the County of *Gloucester,* to be paid for out of such Money as shall be raised by Virtue of Acts of Assembly of this Colony now in Force, for the general Use of said County.

AND *Whereas* two Stone Bridges and a Causeway, have been built near the Mouth of *Bound-Brook,* one third Part at the Expence and Charge of the County of *Middlesex,* and two third Parts at the Expence and Charge of the County of *Somerset;* BE IT ENACTED, That the said Bridges and Causeway near the Mouth of *Bound-Brook,* shall hereafter be kept up, amended or rebuilt, one third Part at the Expence and Charge of the Inhabitants of the County of *Middlesex,* and two third Parts at the Expence and Charge of the Inhabitants of the County of *Somerset.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bridge leading from the Mills of *Robert Lettice Hooper,* to *Trenton,* shall at all Times hereafter be repaired, amended or rebuilt, two third Parts at the Expence and Charge of the Inhabitants of the County of *Hunterdon,* and one third Part at the Expence and Charge of the Inhabitants of the Township of *Nottingham,* in the County of *Burlington.*

PROVIDED, That Nothing in this Act shall any Ways alter or affect the Act of the General Assembly of this Colony, passed this present Session, entitled, *An* Act *for building and maintaining a Bridge over* Cooper's *Creek, and rebuilding and maintaining other Bridges on the great Roads from* Burlington *County to* Coopers' *Ferries; and for keeping the New Road from* Burlington *to the said Ferries in Repair.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Laws of this Colony respecting Roads and Bridges, that were in Force before this present Session, and repugnant to this Act, shall be, and they are hereby repealed and declared null and void, to all Intents, Constructions and Purposes whatsoever.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 41-58.

An ACT *to prevent the Sale of Tickets in Lotteries erected out of this Province; and more effectually to prevent Gaming: And to revive three publick Lotteries appointed by a former Law of this Colony.*

WHEREAS a Law of this Colony, passed in the twenty-second Year of his late Majesty's Reign, entitled, *An* Act *for the more effectual preventing of Lotteries, playing of Cards and Dice, and other Gaming for Lucre of Gain, and to restrain the Abuse of Horse-Racing,* has been evaded, and the good Ends proposed therefrom not been answered;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, no Inhabitant of this Colony, or any Person coming within the same, shall sell or buy, or offer to sell or buy, any Lottery Ticket or Tickets (except the Tickets in the Lotteries hereinafter mentioned) under any Pretence whatever; and every Person that shall sell or buy, or be aiding, assisting, or any Way concerned, in buying or selling any Lottery Ticket, under whatsoever Name the same may be coloured and distinguished, shall forfeit and pay for every such Offence, the Sum of *Five Pounds,* Proclamation Money; to be recovered by any Person or Persons who shall or will sue for the same, before any Justice of the Peace, with Costs of Suit; one Half for the Use of the Person suing for the same, the other Half for the Use of the Poor of the Township where the same may be recovered. And all Shooting-Matches for Lucre of Gain, except on Days of publick Training, are hereby declared and adjudged publick Nuisances; and the Authors, Contrivers, Parties and Abettors thereof, shall be adjudged common Disturbers of the publick Peace, and as such shall be prosecuted and proceeded against. And all Wagers, Betts and Agreements, made by any Person or Persons, to be determined by Lot or Chance, shall be, and are hereby declared null and void, to all Intents and Purposes: And it shall and may be lawful for any Person or Persons, who shall forfeit or lose any Sum of Money, or the Value of Money, by any Wager, Bett or Agreement, determined by Lot or Chance, to have his Action, and recover the same, either from the Person in whose Hands the Money was deposited while the Wager, Bett or Agreement was depending, or from the Person or Persons who may have received the same, by Action of Debt, or otherwise, in any Court of Record where the same may be cognizable; and in case the Person so losing, shall neglect suing for the same, for the Space of Five Days, then it shall and may be lawful, for any Person to sue for and recover the same, for his own Use, with Costs of Suit.

AND *Whereas* by a Law of this Colony, passed in the thirty-second Year of his late Majesty's Reign, entitled, *An* Act *to impower certain Persons to purchase the Claims of the* Indians *to Lands in this Colony,* it was, among other Things, Enacted, That three publick Lotteries should be erected and drawn, for sinking the Sum of *Sixteen Hundred Pounds;* the first to be drawn in the Month

of *October,* One Thousand Seven Hundred and Fifty-nine; the Second, in the Month of *October,* One Thousand Seven Hundred and Sixty; and the Third, in the Month of *October,* One Thousand Seven Hundred and Sixty-one; the first of which Lotteries, by the Managers appointed in Pursuance of the before-mentioned Act, was erected agreeable thereto, and many Tickets therein sold to the Inhabitants of the neighbouring Colonies; but so great a Number of the Tickets remained unsold, at the Time appointed for drawing thereof, that it was judged prudent to defer it. And whereas the Drawing of said Lotteries, nevertheless, remains necessary to answer the good Purposes intended by it, as well as in Support of the Publick Credit: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Honourable *Andrew Johnston* and *Richard Saltar,* Esqrs, *Charles Read, John Stevens, William Foster* and *Jacob Spicer,* Esqrs, Commissioners appointed for purchasing the Claims of the *Indians* to Land in this Colony, or any Three of them, by and with the Approbation of the Commander in Chief for the Time being, to appoint such and so many Managers and Directors as they may think necessary, to erect and draw three publick Lotteries, for sinking the Sum of *Sixteen Hundred Pounds,* in the Proportions and at the Periods following; one, to be drawn on or before the first Day of *November,* One Thousand Seven Hundred and Sixty-one, for raising the Sum of *Six Hundred Pounds;* one other, to be drawn on or befor the first Day of *November,* One Thousand Seven Hundred and Sixty-two, for raising the Sum of *Five Hundred Pounds;* one other, to be drawn on or before the first Day of *November,* One Thousand Seven Hundred and Sixty-three, for raising the Sum of *Five Hundred Pounds;* all exclusive of the Expence attending them. And the Directors or Managers shall be under Oath, for the due and impartial Performance of their Duties, and shall give Security for the true Performance of the same; and to pay into the Treasury the Produce of the said Lotteries. And the said Lotteries shall be regulated as to the Blanks, Prizes, Deductions, and in every other Article, in the same Manner as the publick Lotteries in the neighbouring Colonies have been, as nearly as may be.

AND as it may so happen, that there may be some Tickets remaining in the Hands of the Managers, at the Time the said Lotteries may be drawn; and the postponing the Time of drawing being a Discouragement to the Adventurers, BE IT ENACTED *by the Authority aforesaid,* That the Numbers of the Tickets remaining in the Hands of the Managers, shall be taken, and a Copy of the same, shall with the Tickets be delivered to the Governor, and two other Copies to two of the Commissioners, and the Colony shall be liable to the Loss, and intituled to the Advantage arising therefrom; and all the Money arising by said Lotteries, shall be paid into the Treasury, in order to replace the Money advanced for making the *Indian* Purchase aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every Person that has already purchased any Ticket or Tickets of either of the Managers of the before-mentioned Lottery, intended to have been drawn in the Month of *October,* One Thousand Seven Hundred and Fifty-nine, shall be, and are hereby intituled unto his, her or their Chance in the

first Lottery erected and drawn by this Act.

PROVIDED ALWAYS, That nothing in this Law contained, shall affect the Sale of Tickets in the Lottery erected for converting into ready Money, a Tract of Land belonging to *Peter Gordon*.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 58-61.

An ACT *to regulate the Size of Traps to be hereafter set in this Colony.*

WHEREAS the setting of Iron and Steel Traps strong enough to hold Deer, is extremely dangerous to his Majesty's Subjects;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That if any Person or Persons within this Colony, shall set any Trap of Steel or Iron, larger than what is usually and commonly set for Foxes or Musk-Rats, or which Trap when set shall exceed the Weight of Three Pounds and a Half Pound; such Person setting such Trap, shall pay the Sum of *Five Pounds,* and forfeit the Trap; or (in Default of Payment for twenty-four Hours) shall suffer three Months Imprisonment, and shall also be liable to make good all Damages any Person shall sustain by setting such Trap; and the Owner of such Trap, or Person to whom it was lent, shall be esteemed the Setter thereof, unless it shall be proved, on Oath or Affirmation, what other Person set the same, or that such Trap was lost by said Owner or Person to whom it was lent, and absolutely out of his Power. And if the Setter of the Trap be a Slave, he shall, in Lieu of such Fine, be publickly whipt with thirty Lashes, and committed till the Cost is paid: And that the said Traps shall be broken, and entirely destroyed, in the View and Presence of the Justice of the Peace before whom they are brought; and shall be delivered to the Overseer of the Poor, to be by him sold and worked up.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Smith, or other Artificer, who shall hereafter make or mend any Steel or Iron Trap, of greater Weight than three Pounds and a half Pound, he shall forfeit and pay the Sum of *Five Pounds;* and the Person carrying the said Trap to the Artificer aforesaid, shall forfeit and pay the Sum of *Three Pounds:* And every Person who shall bring into this Colony, any new or repaired Trap, above the Weight aforesaid, shall forfeit and pay the Sum of *Three Pounds.* And if the Person, who shall carry the same to the Smith or Artificer, shall be so poor as that he shall not be able to pay the Forfeiture aforesaid, he shall

be committed to the Common Goal, until he shall prove who is Owner of said Trap, or delivered the same to him; and in such case, the Forfeiture aforesaid shall be levied on the Goods, or in Failure of Goods, on the Body of the Owner of said Trap, or the Person who delivered the same to the *Pauper;* and the Trap shall be forfeited, worked up, and entirely destroyed.

AND *Whereas* a most dangerous Method of setting Guns has too much prevailed in this Province; BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons within this Colony, shall presume to set any loaded Gun, in such Manner as that the same shall be intended to go off, or discharge itself, or be discharged by any Rope, or other Contrivance, such Person or Persons shall forfeit and pay the Sum of *Six Pounds,* and on Non-payment thereof, shall be committed to the Common Goal of the County, for Six Months.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Fines and Forfeitures in this Act expressed shall be paid, one Half to the Prosecutor, and the other Half to and for the Use of the Poor of the Town, Precinct or District where the Offence is committed. And that the Execution of this Act, and every Part thereof, shall be within the Cognizance and Jurisdiction of any one Magistrate or Justice of the Peace.

PROVIDED ALWAYS, That this Act, or any Part thereof, except what relates to setting of Guns, shall not be construed to extend to, or any Way affect, the Counties of *Essex, Bergen, Somerset, Morris* or *Sussex.*

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 61-62.

An ACT *to impower the Justices and Freeholders of each County to adjourn; and to remedy the Neglect of chusing County Collectors.*

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Majority of the Freeholders, chosen for any County of this Colony, in Conjunction with three Justices of the Peace, *(Quorum unus)* at any of their Meetings hereafter, to adjourn from Day to Day, and Time to Time, as they find necessary; all which Adjournments shall be valid in the Law. And at any subsequent Meeting, in Consequence of such Adjournment, or in Pursuance of a legal Summons from the Justices of the Peace, the Justices and Freeholders of the Counties of *Burlington* and *Middlesex,* are hereby impowered and required to cut and sink such of the Bills of Credit of this

Province as the respective Treasurers shall lay before them for that Purpose; the cutting and sinking all which Bills of Credit, at any such Meeting or Adjournment, shall be as lawful to the said Treasurers, as if they had been done on the second *Wednesday* in *May*. And the Justices and Freeholders of said Counties, or of any other Counties within this Colony, are hereby impowered, at any Meeting hereafter, in Consequence of any such Adjournments, to do any Kind of Business, as effectually as they could have done on any second *Wednesday* in *May*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case the Justices and Freeholders of any County of this Colony, should hereafter neglect to choose a County Collector; then the County Collector last chosen, or otherwise appointed according to Law, shall be and continue County Collector, and do the Duties of that Station in the said County so neglecting, until another shall be legally chosen, as fully and amply to all Intents, Constructions and Purposes, as if he had been again chosen on the second *Wednesday* in *May*.

AND WHEREAS *David Cooper* was chosen County Collector of *Gloucester,* at a Meeting of the Justices and Freeholders of said County, since the second *Wednesday* in *May* last; BE IT ENACTED *by the Authority aforesaid,* That the Election of the said *David Cooper* shall be valid, and he shall have the same Authority as if he had been chosen on the said second *Wednesday* in *May,* and shall so continue until another Person shall be legally chosen in his Stead.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 62-63.

An ACT *to revive and amend an Act, entitled,* An *Act* for the better enabling Creditors to recover their just Debts from Persons who abscond themselves.

WHEREAS the Act, entitled, *An* Act *for the better enabling Creditors to recover their just Debts from Persons who abscond themselves,* has, by many Years Experience been found beneficial;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the aforesaid Act, entitled, *An* Act *for the better enabling Creditors to recover their just Debts from*

Persons who abscond themselves, be, and is hereby revived and continued, and every Article, Clause and Thing therein contained.

AND BE FURTHER ENACTED *by the Authority aforesaid,* That any Writ of Attachment, issuing from any Court of Record in this Colony, by Virtue of the Act hereby revived and continued, against the Goods and Chattels of any Person absconding, shall be a *Supersedeas* to all Attachments issued by any Justice of the Peace, or other Magistrate, undetermined at the Time of serving said Writ: And it shall and may be lawful for any Sheriff, or his Deputy, to take into his Possession, all Goods attached by Virtue thereof, as fully to all Intents and Purposes, as if the Attachment issued by the Justice had not been served; and the Plaintiffs in said Attachments, shall be intituled to their several Debts, together with the Costs that may have accrued on their several Attachments, in Proportion with the other Creditors Claimants, as by the aforesaid Act is directed: *Provided always,* That no Constable, or other Person, shall be obliged to remove any Goods taken into his Custody by Virtue of any such Attachment.

Passed 5 Dec. 1760.
Parker (1761) 19:12, p. 64.

An ACT *to enable the Owners and Possessors of the Meadows lying on* Little Timber Creek, *in the County of* Gloucester, *to support and maintain a certain Bank, Dam, and other Water-Works, lately erected across the said Creek in order to prevent the Tide from overflowing the same, and to keep the former Water-Course of said Creek open and clear.*

WHEREAS the several Owners and Possessors of the Meadows lying on both Sides of *Little Timber Creek,* in the County of *Gloucester,* have lately (by the mutual Consent of all the said Owners and Possessors) erected a certain Bank, Dam, and other Water-Works, across the aforesaid Creek from the fast Land in the Line between the Lands of *Samuel Harrison* and *Simon Sparks,* on the North Side of said Creek, to the fast Land of *Joseph Harrison* on the South Side of the same, by which Means they have improved a considerable Quantity of rough Swamp into good mowing Meadow, which is likely to become very advantageous to the said Owners and Possessors, provided the

said Bank, Dam, and other Water-Works, can be well and sufficiently supported and maintained so as to prevent the Tide from Overflowing the same, and the former Water-Course of said Creek kept open and clear; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, the said Bank, Dam, and all other Water-Works already erected, or that shall or may at any Time or Times hereafter, be found necessary to be erected, for the more effectual preventing the Tide from overflowing the Meadow lying on the aforesaid Creek, shall be erected, supported and maintained at the equal Expence of all the Owners and Possessors of the same, in Proportion to the Quantity of Meadow that each of the said Owners or Possessors now or hereafter may hold on the said Creek, between the aforesaid Dam, and a Dam called *William Harrison's* Dam, near the Head of the aforesaid Creek.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the natural Water-Course of the said Creek between the aforesaid Dams, shall at all Times hereafter be kept open and clear, so as to give the Water a sufficient Fall from off the Meadows, at the Head of the same, in the same Manner and Proportion as aforesaid; and all the Mud, Grass, and other Rubbish that shall be dragged from out of the same, shall be equally divided, as near as conveniently may be, to each Side of said Creek.

AND to the End that the said Bank, Dam, and other Water-Works, may at all Times hereafter be well and sufficiently supported and maintained, and the said Water-Course kept open and clear;

BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners or Possessors of the aforesaid Meadows, shall and may at all Times hereafter on the first *Tuesday* in *April,* yearly, meet and assemble at the Town of *Gloucester,* and then and there by Plurality of Voices of them so met, elect and choose two Persons to be Managers the ensuing Year (until which Time *William Harrison,* jun. and *Thomas Bispham* are hereby appointed Managers) which said Managers or the Survivor of them, in case one shall happen to die within said Year, shall have full Power to assess the said Owners or Possessors, pursuant to the Directions of this Act, in such Sum or Sums of Money, as shall be by them, or the Survivor of them, thought necessary for the supporting, repairing and maintaining the said Bank, Dam and other Water-Works, and for keeping the said Water-Course open and clear as aforesaid, during the said Year. And if any of the said Owners or Possessors shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time, be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers, or the Survivor of them, to sue all and every such Person or Persons, in their or his own Names or Name, for the respective Sum or Sums of Money, he, she or they were assessed at, in an Action of Debt, if *Five Pounds* or under, before any one Justice of the Peace within said County; if above, in any Court of Record where the same may be

cognizable, and give the said Assessment in Evidence; and the said Court or Justice of the Peace are hereby impowered to give Judgment and Execution for the same, with Costs of Suit. And it shall and may be lawful for the said Managers or Manager, at all Times hereafter, to dig Lume or Sand from out of the Hills adjoining to either End of the aforesaid Bank, for the raising and repairing the same.

AND BE IT FURTER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to meet on the first *Tuesday* in *April* yearly, as aforesaid, to choose Managers; that then, and in such case, the Managers chosen for the preceding Year, or the Survivor of them, shall be continued in the said Office the ensuing Year, and so continued from Year to Year, until the said Owners or Possessors shall meet and elected others in their Room, and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts for all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance of the Monies remaining in their Hands to the succeeding Managers, first deducting thereout *Two Shillings* in the Pound, for all Monies by them or either of them expended for the Purposes aforesaid. And if the said Managers, or either of them, shall neglect or refuse to pay the Ballance remaining in his or their Hands to the succeeding Managers, it shall and may be lawful for the said succeeding Managers, to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, that now are or hereafter may be in Possession of any Part of the aforesaid Meadows, to bring in his or their Accounts of Monies paid, or Services performed, pursuant to the Directions of this Act, against his or their Landlord or Landlords, which shall be allowed out of his or their Rent or Rents. And where it shall happen at any Time or Times hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside on the same, nor in any other Place within said County, nor no other Person to represent him or them, to pay the several Sum or Sums of Money assessed thereon, as aforesaid; that then it shall and may be lawful for the said Managers or the Survivor of them, for the Time being, to rent out Part of said Meadows, or the Whole if necessary, for such a Term as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 65-67.

An ACT *to enable the Owners and Possessors of some Marshes and Cripple Swamp in the County of* Cape-May, *to keep out the Tide from overflowing the same.*

WHEREAS the stopping out the Tide from overflowing certain Marshes and Cripple Swamp, situate on *Will's Creek,* in the County aforesaid, would be of great Benefit, not only to the Owners and Possessors thereof in particular, but to the County in general; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Marshes and Cripple Swamp, to make or cause to be made a good and sufficient Bank, in order to keep out the Tide from overflowing the same, to begin at the Upland of *Thomas Smith,* and to extend thence on a Causeway already erected across the Marshes and Creek aforesaid, to the Upland of *Nathan Hand;* and also to make good and sufficient Sluices or Flood-Gates, and all other Conveniences necessary to stop out the Tide, and drain the Marshes and Cripple Swamp aforesaid; for the better effecting of which, it shall also be lawful to and for the said Owners and Possessors, to keep up and repair from Time to Time, as Occasion shall require, one other Sluice already erected some Distance below the Bank aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Owners and Possessors of the said Marshes and Cripple Swamp, for the Time being, or at any Time or Times hereafter, or so many of them as shall see Cause, to meet and assemble yearly and every Year, after the Publication of this Act, on the first *Tuesday* in *September,* at the now Dwelling-House of the said *Thomas Smith,* and then and there by Majority of Voices of those then present, to choose two Managers, to erect, or employ others to erect, carry on, maintain and uphold a good and sufficient Bank, and the necessary Sluices aforesaid, for the Purposes aforesaid; and when met as aforesaid, shall also choose and appoint one Assessor, who is hereby impowered to assess all such Sum and Sums of Money, as shall by the Managers be adjudged necessary, for defraying the Charges of erecting and maintaining the said Work or Works equally and proportionably, according to the Quantity of Marsh and Cripple Swamp each of said Owners and Possessors do or shall hold within the said Bank; and shall also choose as aforesaid, one Collector, to collect and receive all such Sum and Sums of Money as shall be, from Time to Time, assessed as aforesaid; which said Assessor shall sign and deliver a List of the Names of the Owners and Possessors of said Marsh and Cripple Swamp, with the respective Sum or Sums of Money, that each respective Owner and Possessor as aforesaid is to pay, unto the said Collector, chosen as aforesaid, who shall demand of each Owner and Possessor of said Marshes and Cripple Swamp, the Sum that he or she is to pay; and upon the Neglect or Refusal of any of them to pay the

said Sum or Sums so demanded, it shall and may be lawful, to and for the said Collector, to sue all and every such Person or Persons so neglecting, in his own Name, for the respective Sum or Sums of Money, as he, she or they was or were so assessed at, by Action of Debt, if *Five Pounds* or under, before any one Justice of the Peace of the County aforesaid, and if above *Five Pounds,* in any Court of Record where the same may be cognizable, and give the Assessment in Evidence; and the said Court and Justice of the Peace, are hereby impowered and directed to give Judgment and Execution for the same, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That in case either Managers, Assessor or Collector, shall neglect or refuse to do their respective Duties as aforesaid, or as in this Act shall be hereafter mentioned, they shall forfeit respectively, for each and every Neglect, the Sum of *Twenty Shillings,* Proclamation Money of *New-Jersey;* to be recovered before any one Justice of the Peace, by any of the said Owners or Possessors of the said Marshes and Cripple Swamp, the one Half to him who shall prosecute the same to Effect, the other Half to the said Owners and Possessors, for the Use of said Bank, Sluice and Sluices. And in case that either Managers, Assessor or Collector, shall be removed by Death or otherwise, then and in such case, the said Owners and Possessors as aforesaid, shall meet and choose another in his or their Place, within twenty Days after said Death or Removal; and every Assessor as aforesaid, shall make such Assessment as aforesaid, and deliver his Duplicate thereof to the respective Collector as aforesaid, within thirty Days after he hath Notice in Writing from the respective Managers as aforesaid; and that the said Collector shall collect all such Sum or Sums of Money, so assessed, within thirty Days after he has received the Duplicate as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Collector aforesaid, shall pay all such Sum and Sums of Money, as he shall receive as aforesaid, to the Workmen so employed by the Managers as aforesaid, by Order in Writing from one or both of said Managers, and not otherwise; and the said Managers and Collector shall give a yearly Account of all Money expended on said Bank and Sluices, to the said Owners and Possessors of said Marshes and Cripple Swamp, at their said Meeting; which Managers shall be allowed *Twelve Pence per Pound;* Collector *Six Pence per Pound,* and the Assessor *Four Pence per Pound,* for all the Money assessed, collected and expended as aforesaid; and if the said Collector shall refuse to pay what Money remains in his Hands unto the succeeding Collector chosen as aforesaid, such succeeding Collector is hereby impowered to sue for and recover the same, with Costs of Suit, in Manner as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case there now is, or hereafter shall be, any Part of the said Marshes or Cripple Swamp, claimed or possessed by Persons not residing in said County, who shall make any Delay of Payment of the several Sum or Sums of Money assessed thereon as aforesaid, then and in such case, the Managers for the Time being, shall let out the said Marshes or Cripple Swamp to rent

from Year to Year, or for so long a Time, as until the Rent or Rents arising therefrom shall pay all such Sum or Sums of Money so assessed as aforesaid and no longer. *Provided always,* That in letting out the said Marshes or Cripple Swamp, the said Managers do notify the letting thereof, and let the same to the highest Bidder at private Sale.

AND *Whereas* it is thought most proper to erect the said Bank chiefly with Earth, therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful, for the Managers aforesaid, or either of them, to take from the Upland of the said *Thomas Smith* and *Nathan Hand,* so much Earth as shall be sufficient, not only to erect, but also from Time to Time, to repair and amend the said Dam; provided such Earth be dug near each End of the said Bank, where the same shall be the least detrimental to the Lands of the said *Thomas Smith,* and the said *Nathan Hand.*

AND BE IT ENACTED *by the Authority aforesaid,* That the following Persons shall serve as Managers, Assessor and Collector, until the first *Tuesday* in *September* next, as aforesaid, *viz. Thomas Smith, William Goff,* Managers, and *Elihu Smith,* Assessor, and *Joseph Heldreth,* Collector, who are hereby impowered to do and perform all such Matters, Thing and Things, as in and by this Act is required of them as aforesaid, until others shall be chosen in their Room.

PROVIDED ALWAYS, That Nothing herein contained shall be construed, to affect or Prejudice the Property of any Person or Persons whomsoever, not concerned in Interest, without reasonable Satisfaction be made to such Person or Persons so injured. And in case of any Dispute thereabout, that the same be submitted to three Persons indifferently elected, on the Part and Behalf of each Party in Difference.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 68-71.

An ACT *to continue the Dam across* Woodbury-Creek, *in the County of* Gloucester.

WHEREAS *James Whital, William Wood, John Sparks,* and other Persons, owning and possessing Meadows on *Woodbury-Creek,* in the County of *Gloucester,* esteeming it for their Interest, did erect a Dam across the said Creek, from the Land of *Benjamin Wait* to the Land of the said *James Whital,*

whereby the Navigation of the said Creek became, and still remains obstructed, as alledged to the great Damage of *Moses Ward, Habbakuk Ward, James Ward,* and other Persons, holding Lands on and contiguous to the said Creek, which has occasioned much Controversy; and for the ending thereof the said *James Whital, William Wood, John Sparks,* and other Persons, by their humble Petition, have prayed, to be enabled by Law to oblige each Person holding Meadow on the said Creek and Branches, to cleanse the same opposite to the Meadows they respectively hold, and also to contribute their several Proportions towards maintaining the Dam aforesaid, and other Banks requisite to stop out the Tide: But to establish the said Dam to the Benefit of the Petitioners, and others deriving immediate Profit therefrom, without giving Relief to the Persons injured by the Continuance thereof, would not be equal: Therefore, for granting the said Petitioners Request, upon just and reasonable Terms;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted and Declared, by and with the Authority of the same,* That the said *James Whital, William Wood, John Sparks,* and the Rest of the Persons originally concerned in the first Erection, and still deriving a Profit from the Continuance of the said Dam, shall make Satisfaction in Proportion to the Quantities of Meadow they severally hold, to the said *Moses Ward, Habbakuk Ward, James Ward,* and the Rest of the Persons injured thereby, as the Damages shall be assessed by seven Persons, or any four of them, to be indifferently elected on the Part and Behalf of each Party; provided the said Parties shall agree upon the Election of such Persons, on or before the first *Tuesday* in *March* next; but in case of their Disagreement thereabout, then it shall and may be lawful, to and for *John Wetherill, Andrew Smyth, John Hart, Joseph Skelton, Azariah Hunt, William Lowrie, John Anderson,* of *Freehold,* Esqrs, and they or any Four of them, are hereby authorised and impowered to assess the Damages aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case the Parties aforesaid, shall not agree upon the Election of the said seven Persons, to assess the Damages aforesaid, by the Time before prefixed; then and in that Case, it shall and may be lawful, to and for the said Parties, or either of them, to notify the said seven other Persons appointed by this Act to attend, to whom uponsuch Notice it shall and may be lawful to attend the Service, and assess the Damages aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That there shall be paid to each of the seven Persons to be elected by the Parties aforesaid; and in case of their not electing the same, then to the other seven Persons appointed by this Act, the Sum of *Twelve Shillings per Day,* each, for each Day the said seven Persons, or any less Number of them, shall spend on the Service, in going to and viewing the Premises, in assessing the Damages thereon arising, and in returning to their several Places of Abode; which Assessment shall be particularly declared and set forth, in an Instrument in Writing, signed by the Persons making the same, or any Four of them, and shall contain the Name or Names of the said *James Whital, William Wood,*

John Sparks, and others, concerned in erecting or receiving Benefit from the Continuance of the said Dam, or some of them; and also the Name or Names of the Person or Persons that have suffered or do suffer Damage, by Means of the Erection or Continuance of the said Dam, with the Sum or Sums of the Damages assessed; and made payable to them respectively, in as full and clear a Manner as may be; that the Party or Parties who are to pay the same, may be at no Loss, either as to the Sum to be paid, or the Person to whom it is made payable; and the said Instrument of Assessment, shall set forth and declare the several Charges, that shall or may attend the making the said Assessment, and the Person or Persons to whom the same are respectively to be paid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Instrument of Assessment, so made and signed as aforesaid, shall be sent to, and filed in the Office of the Clerk of the Supreme Court, at *Burlington,* and a Copy or Copies thereof, shall be served upon the Persons mentioned in the said Instrument of Assessment, as being concerned in erecting or receiving Benefit from the Continuance of the said Dam, or some or one of them, or left at his or their usual Place of Abode, and an Affidavit of such Service shall be made and filed in the said Office of the Clerk of the Supreme Court, at *Burlington.*

AND the said *James Whital, William Wood, John Sparks,* and others, concerned in erecting the said Dam, or deriving Benefit from the Continuance of the same, or such of them as shall be named in the Instrument of Assessment, each and every of them so named, their, and each of their Heirs, Executors and Administrators, is and are hereby bound, obliged and made liable, to pay the Damage or Damages, that shall be assessed and declared, by the Instrument of Assessment made and filed as aforesaid, together with the Charges of assessing the same, in the said Instrument of Assessment mentioned and set forth.

AND *Whereas* it is uncertain what the Damages assessed may be, and whether the said *James Whital, William Wood, John Sparks,* and others, concerned in erecting, or benefitted by the Continuance of the said Dam, will not choose rather to remove the Dam, and give a free Passage to the Water of the said *Woodbury-Creek,* than to pay the Damages that may be assessed: In order therefore, to leave that Matter open to the Choice of the Persons that were so concerned in erecting, or are benefitted by the Continuance of the said Dam;

BE IT ENACTED *by the Authority aforesaid,* That at the next Supreme Court, which shall be holden after the said Instrument of Assessment, and the Affidavit of the Service thereof, shall be filed in the Clerk's Office as aforesaid; one or more Judgement or Judgments shall be given, and entered up, upon and agreeable to the said Instrument of Assessment, in Favour of the Person or Persons, to whom by the said Instrument of Assessment, any Money shall be made payable, for the Sum or Sums so made payable, with the Cost of said Judgment, and against the Person or Persons named in the said Instrument, as concerned in erecting or receiving Benefit from the

Continuance of the said Dam, or either of them, at the Election of the Person or Persons to whom the Money or Damage shall be made payable, by the said Instrument of Assessment; and the said Judgment or Judgments shall be as good, valid and effectual in the Law, to all Intents, Constructions and Purposes whatsoever, as if the same had been given upon a Verdict or Verdicts, upon the Report of Referrees, or by the Consent of the Parties thereto, and shall be and remain as a Security to the Parties in whose Favour such Judgment or Judgments shall be so given or entered up as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That at the next Supreme Court, that shall be held after the said Judgment or Judgments shall be so given and entered up as aforesaid; one or more Executions shall issue upon the said Judgment or Judgments, against the Person or Persons respectively against whom such Judgment or Judgments were given, his or their respective Goods and Chattels, Lands and Tenements, agreeable to the Practice of the said Court, and as is usual in other Cases.

PROVIDED ALWAYS, That in case the Person or Persons, mentioned in the said Instrument of Assessment, as concerned in the erecting, or benefitted by the Continuance of the said Dam, some or one of them, on or before the first Day of the said Term, shall pay the several and respective Damages, in and by the said Instrument assessed to the Person or Persons, to whom by the said Instrument of Assessment, they are respectively made payable, together with the Charges of making the said Assessment; and shall file, or cause to be filed, in the said Clerk's Office, and shewn to the Court, on the said first Day of the Term, proper Receipts and Discharges for the several Sums mentioned and directed to be paid by the said Instrument of Assessment, from the Persons to whom such Sums are respectively made payable; or in case the Persons mentioned in the said Instrument of Assessment, as concerned in erecting, or benefitted by the Continuance of the said Dam, shall bring and deliver into the said Court, for the Use of the Persons intituled to the same, under the said Instruments of Assessment, and Judgments thereupon, the several Sums in and by the said Instrument directed to be paid together with the Cost upon the said Judgment or Judgments: Or in case the said Persons mentioned in the said Instrument of Assessment, as concerned in erecting or benefitted by the Continuance of the said Dam, some or one of them, shall pay the Charges of making the said Assessment, and satisfy the Court that they have so done; and shall file and shew to the said Court, on the first Day of the said Term, a Certificate under the Hands of any Three of his Majesty's Justices of the Peace, of the said County of *Gloucester,* by which it shall appear, that the said Dam, so as aforesaid erected and built, across and over the said *Woodbury-Creek,* from the Land of the said *Benjamin Wait,* to the Land of the said *James Whital,* is cut away, and that the Water and Tide has a free Passage up and down the said Creek, without any Interruption from the said Dam, or any Part thereof: That then, and in either of those Cases, but not otherwise, it shall and may be lawful for the said Court, to stay Execution, and to cause Satisfaction to be entered upon each and every of the said Judgments.

AND *Whereas* it is the true Design of this Act, to put a final End to the many Disputes that have subsisted, and still subsist, relating to the said Dam; BE IT THEREFORE ENACTED, That no Writ of Error, or other Writ, shall issue for the Removal of the said Judgment or Judgments, so to be given and entered up in the Supreme Court, upon and agreeable to the said Instrument of Assessment; but the same, and the Proceedings of the Supreme Court thereupon, shall be, and they are hereby declared to be final and conclusive to all Intents, Constructions and Purposes whatsoever; any Law, Usage or Custom to the contrary notwithstanding.

AND in case the said *James Whital, William Wood, John Sparks,* or others, concerned in erecting and benefitted by the Continuance of the said Dam, shall not cut down the same, and open the said *Woodbury-Creek,* but shall pay the Damages assessed and mentioned in the said Instrument of Assessment, agreeable to the Liberty of Choice herein before given to them, or any of them; then and in that Case, IT IS HEREBY PROVIDED AND ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the Owners and Possessors of the Meadows situate between the Dam aforesaid, and another Dam distinguished by the Name of *Moses Ward's* Dam; and they are hereby authorized and impowered, to meet and assemble Yearly on the first Monday in *September,* at the now Dwelling House of *Joseph Tatham,* and after that at such Place as they shall appoint; and by the Majority of Voices of them so meeting, chuse two Managers, to carry on, repair, maintain and uphold the said Work; and shall also chuse one Assessor, to assess such Sum and Sums of Money as shall be necessary for defraying the Charges of Repairing, Maintaining and Upholding the said Work, equally and proportionably, according to the Number of Acres of Meadow each Owner or Possessor doth or shall hold; and shall also choose a Collector, to collect and receive all such Sum and Sums of Money which shall be from Time to Time assessed as aforesaid; which Assessor shall sign and deliver true Lists of the Names of all the Owners and Possessors, with the respective Sum and Sums of Money that each respective Person is to pay to the Collector aforesaid; who shall demand of each Owner and Possessor of said Meadows, the Sum that he or she is to pay; and upon Neglect or Refusal of any of them, it shall and may be lawful to and for the said Collector, to sue all and every such Person or Persons so neglecting, in his own Name, for the respective Sum or Sums of Money, he, she or they was, or were assessed at, in an Action of Debt, in any Court of Record where the same may be cognizable, and give the said Assessment in Evidence; and the said Court is hereby impowered to give Judgment and Execution of the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Collector chosen as aforesaid, shall pay the neat Produce of all such Sum and Sums of Money, as he shall receive as aforesaid, to the Workmen, by Order under the Hand of one of the Managers aforesaid, and not otherwise: And the said Managers and Collector shall give account Yearly of all Monies collected and expended, to the Owners and Possessors of the said

Meadows, at their said meeting; which Managers shall be allowed and suffered to retain in their Hands, *Nine-pence per Pound;* Assessor, *Three-pence per Pound,* and Collector *Six-pence per Pound,* for all Monies assessed, collected and expended as aforesaid: And in case any Collector shall refuse to pay what Money remains in his Hands to the succeeding Collector, chosen as aforesaid, such succeeding Collector is hereby impowered to sue for and recover the same, with Costs of Suit, in Manner as aforesaid.

AND for preventing all Doubt and Misconstruction touching the Manner how the several Shares of the respective Owners and Possessors of the Meadows, situate as aforesaid, shall be ascertained;

BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful, to and for the Managers, to be chosen as aforesaid; and they are hereby authorised and impowered, not only to ascertain and fix what Part, Share and Proportion of the said Dam, so erected across the said *Woodbury-Creek,* from the Land of the said *Benjamin Wait,* to the Land of the said *James Whital,* as aforesaid, and all other interior Banks necessary for stopping out the Tide, each respective Owner or Possessor aforesaid, shall hereafter, from Time to Time, maintain, uphold and keep in good Repair; but shall likewise ascertain, fix and mark out and distinguish, every such Owner's or Possessor's Part, Share and Proportion of the said Creek, and Branches thereof, to be cleansed as aforesaid, according to the several Quantities of Meadow, the said Owners and Possessors shall hold, and have benefitted by the Work aforesaid, within the Limits aforesaid.

AND to the End the same may be expedited as aforesaid, it shall and may be lawful for the said Owners and Possessors, from Time to Time, and at all Times forever hereafter, as Occasion may require, not only to maintain, uphold, and keep in good Repair, the Sluices, Dam and Banks aforesaid, but likewise, on each Side of the said Creek and Branches thereunto belonging, shall at all Times hereafter, be obliged to keep open such Part of the said Creek and Branches, which runs through, joins to, or is against their respective Meadows, so, and in such Manner, as the Water may and will go off, and not prejudice any Part of the said Meadows.

AND if any Owner or Owners, Possessor or Possessors of the said Meadows, should incline to do and perform his, her or their Part, Share and Proportion of the Work aforesaid, instead of having his, her or their Estate taxed, for defraying the Expence thereof, it shall and may be lawful for such Owner or Owners, Possessor or Possessors, so to do; provided the same be done in good Order, and performed in a reasonable Time, of which the said Managers are hereby declared to be the Judges; but in case of Failure, it shall and may be lawful for any of the other Owners or Possessors of the said Meadows, after he, she or they have, before Evidence, given three Months Notice of his, her or their Design, to the Party or Parties neglecting, to enter such Premises where the said Work is to be done, and perform the same, and bring his, her or their Action of Debt, against the said Party or Parties so neglecting, for the Charge of doing the same, in Manner aforesaid: And any Court of Record, upon the Proof being made, by the Testimony of two

credible Neighbours, that the Charge such Plaintiff or Plaintiffs have been at, is to the best of their Judgment, just and reasonable, and that the Services done were necessary, and that the Notice aforesaid was duly given, shall give Judgment for the Plaintiff, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful, for any Tenant or Tenants, which now is, or are, or shall hereafter be, in Possession of any Part of said Meadows, to bring his, her or their Charge, of Money paid and Services done, pursuant to the Directions of this Act, against his, her or their Landlord or Landlords, which shall be allowed out of the Rent.

PROVIDED ALWAYS, That Nothing in this Act contained, shall oblige any Tenant or Tenants to maintain any Part of the said Sluices, Dam or Banks, or to clear any Part of the abovesaid Creek or Branches, or impower such Tenant or Tenants, to charge his, her or their Landlord or Landlords for the same; except such Landlord or Landlords shall reside out of the said County.

Passed 5 Dec. 1760.
Parker (1761) 19:12, pp. 71-78.

An ACT *to enable the Owners and Possessors of some Meadows or Marshes in* Fairfield, *in the County of* Cumberland, *to keep the Tide from overflowing the same.*

WHEREAS stopping the Tide out from flowing on a certain Piece of Marsh, lying on *Cohansey-Creek,* on the South Side thereof, would be of great Benefit to the Owners and Possessors thereof; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of said Marsh, to make, mend, or cause to be kept up, a good and sufficient Bank, in order to keep out the Tide from overflowing the same; to begin at the Fast Landing of *Daniel Dixson,* and so up by and near said Creek, on the South Side thereof, until it comes to the Fast Landing of *Nathan Lawrence;* and also to repair, or make good and sufficient Sluices or Flood-Gates, and all other Conveniencies, to stop out the Tide, and let out and draw off the other Waters through the said Bank, that shall by the

Managers herein after mentioned, be thought convenient for the Benefit of said Marsh.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Owners and Possessors of the said Marsh, for the Time being, or at any Time or Times hereafter, or so many of them as shall see Cause, shall meet and assemble, yearly and every Year, after the Publication of this Act, on the first *Tuesday* in *May,* at the now Dwelling-House of *Nathan Lawrence,* and then and there, by the Majority of Voices then present, choose two Managers, to make, or employ others to make, carry on, maintain and uphold, a good and sufficient Bank and Sluices, for the Purposes aforesaid: And when met as aforesaid, shall also choose and appoint one Assessor, who is hereby impowered to assess all such Sum and Sums of Money, as shall, by the said Managers, be judged necessary for defraying the Charge of making and maintaining all the said Work or Works, equally and proportionably, according to the Quantity of Marsh or Meadow, each of said Owners and Possessors, do or shall hold within the Bank; all which said Officers are to be Proprietors of said Meadows.

AND shall also choose as aforesaid, one Collector, to collect and receive all such Sum and Sums of Money, as shall be from Time to Time, assessed as aforesaid; which said Assessor, shall sign and deliver a List of the Names of the Owners or Possessors of said Marsh, with the respective Sum or Sums of Money that each respective Owner or Possessor as aforesaid, is to pay, unto the said Collector chosen as aforesaid; who shall demand of each Owner and Possessor of the said Marsh, the Sum that he, she or they, is or are to pay; and upon the Neglect or Refusal of any of them, to pay the said Sum or Sums so demanded, it shall and may be lawful, to and for the said Collector, to sue all and every such Person or Persons so neglecting, in his own Name, for the respective Sum or Sums of Money, as he, she or they were so assessed, by Action of Debt, if *Five Pounds* or under, before any one Justice of the Peace of the County aforesaid, and if above *Five Pounds,* in any Court of Record where the same may be cognizable, and give the said Assessment in Evidence; and the said Court and Justice of the Peace, are hereby impowered and directed to give Judgment and Execution for the same, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That in case either Manager, Assessor or Collector, shall neglect or refuse to do their respective Duties as aforesaid, or as in this Act shall be hereafter mentioned, they shall forfeit for each and every Neglect, the Sum of *Twenty Shillings,* Lawful Money of *West-Jersey,* to be recovered before any one Justice of the Peace by any one of the said Owners or Possessors of the said Marsh; one Half to him who shall prosecute the same to Effect, the other Half to the said Owners or Possessors, for the Use of the said Bank; and in case that either the Managers, Assessor or Collector, shall be removed by Death or otherways, then and in such Case, the said Owners and Possessors as aforesaid, shall meet and choose another in his or their Place, within twenty Days after such Death or Removal: And every Assessor as aforesaid, shall make such

Assessment as aforesaid, within thirty Days after he hath Notice in Writing from the respective Managers as aforesaid; and that the said Collector shall collect all such Sum or Sums of Money so assessed, within thirty Days after he has received the Duplicate as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That every Collector as aforesaid, shall pay all such Sum or Sums of Money as he shall receive as aforesaid, to the Workmen so employed by the Managers as aforesaid, by Order in Writing from one or both of said Managers, and not otherways. And the said Managers and Collector, shall give an yearly Account of all Monies expended on the said Bank, to the said Owners and Possessors of said Marsh, at their said Meeting; which Managers shall be allowed *Twelve-pence per Pound,* Collector, *Six-pence per Pound,* and the Assessor, *Two-pence per Pound,* for all Monies so assessed, collected and expended as aforesaid: And if the said Collector shall refuse to pay what Money remains in his Hands, unto the succeeding Collector chosen as aforesaid, such succeeding Collector is hereby impowered to sue for, and recover the same, with Costs of Suit, in Manner as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* In Case there now is, or hereafter shall be, any Part of the said Marsh or Meadow claimed or possessed by Persons not residing in said County, who shall make any Delay of Payment of the several Sum or Sums of Money assessed thereon as aforesaid, or any Person or Persons dying, and leaving Heirs under Age, and their Executors or Administrators neglecting or refusing to pay his, her or their Shares of Monies assessed thereon as aforesaid; that then and in such Case, the Managers for the Time being, shall let out the said Meadows to Rent, from Year to Year, for so long a Time, as until the Rent or Rents arising therefrom, shall pay all such Sum or Sums of Money so assessed as aforesaid, and no longer; *Provided always,* That in letting[1] out the said Marsh the said Managers do notify the leasing thereof and let the same to the Highest Bidder.

AND Be it enacted By the Authority aforesaid That the Owners or possessors of the Meadows aforesaid shall find Meadow sufficient to get Mud or Stuff wherewith to keep the said Bank in Repair every One against his own Meadow without Trouble or Molestation whatsoever.

AND Be it enacted by the Authority aforesaid that the following persons shall serve as Managers, assessor and Collector until the said First Tuesday in May next as aforesaid, viz., Daniel Summas and David Sayers Managers and Henry Sparks assessor and Mark Reeve Collector who are hereby impowered to do and perform all such Matters Thing and Things as in and by this Act is required of them as aforesaid until Others shall be chosen in their Places.

Passed 28 Nov. 1760.
Parker (1761) 19:12, pp. 78-80; Nj-Ms.

1. The last page of the extant session law is missing. The remainder of this act has therefore been printed from the manuscript version.

An ACT *to indemnify* William Thorn *for a Sum of Mony in Bills of Credit of this Colony lost by Accident.*

WHEREAS it appears by Authentic Testimonials produced by William Thorn of Woodbridge That on the Fifth Day of January last in the Bay of New York He unfortunately lost the Sum of Two Hundred and Thirty one pounds Two Shillings proclamation Mony in Bills of Credit of this Colony which is thereby sunk to the province.

BE it enacted By the Governor, Council and General Assembly and it is hereby enacted by the Authority of the same That it shall and may be lawful for the Treasurers of this Colony or either of them to pay unto the aforesaid William Thorn his Heirs Executors and Administrators out of the Fund for exchanging Ragged and Torn Bills, the aforesaid Sum of Two Hundred and Thirty one pounds Two Shillings proclamation Money, for which Sum the aforesaid William Thorn's Receipt shall be a sufficient Discharge to the said Treasurers or either of them their Heirs Executors and Administrators.

Passed 28 Nov. 1760.
Nj-Ms.

An ACT *for Naturalizing* Peter Penier, George Andreas Virselius, Jacob Antsoni *and* Christopher Bauyesen.

WHEREAS Peter Penier, George Andreas Virselius, Jacob Antsoni and Christopher Baueysen by their humble Petitions have set forth that they were born under the Dominions of Foreign Powers but are now settled within this

Province of New Jersey and are desirous of enjoying the Priviledges of his Majestys Natural Freeborn Subjects therein, and as they profess the Protestant Religion and have given Testimony of their Duty Loyalty and Affection to his Majesty King GEORGE the Second and the Succession of the Crown in the Protestant Line according to and in such Manner and Form as is prescribed by an Act of Parliament passed in the Twentieth Year of his present Majesty's Reign; And in Confidence of their conforming themselves in all Dutiful Manner to the Laws and Customs of this Colony.

BE it therefore enacted by the Governor, Council and General Assembly and it is hereby enacted by the Authority of the same That the said Peter Penier, George Andreas Virselius, Jacob Antsoni and Christopher Baueysen shall be from henceforth deemed, taken and esteemed to be as his Majestys Natural Freeborn Subjects within this Province, and they and each of them and each of their Heirs shall enjoy and are intituled unto the same Laws, Liberties, Rights and Privileges as any of his Majestys Natural Freeborn Subjects can or ought to enjoy within the same, any Act, Ordinance, Usage or Custom to the Contrary in any Wise notwithstanding.

Provided always and it is hereby enacted and declared That Nothing in this Act contained shall be construed or take to enable the said Peter Penier, George Andreas Virselius, Jacob Antsoni and Christopher Baueysen or either of them to be of his Majestys Council or of the General Assembly or to hold or enjoy any post or Office of Trust or Profit within this Province, any Thing herein contained to the contrary notwithstanding.

Passed 28 Nov. 1760.
Nj-Ms.

Twentieth Assembly, First Session

27 Mar.-7 Apr. 1761

Perth Amboy

All acts passed 7 Apr. 1761.

An ACT *for raising Six Hundred effective Volunteers, Officers included, for his Majesty's Service, and making Provision for the same; and for other Purposes therein mentioned.*

WHEREAS by Letter from the Right Honourable WILLIAM PITT, Esq; one of his Majesty's principal Secretaries of State, it appears a Number of Men is wanted for his Majesty's Service the ensuing Campaign: Therefore, in order to contribute our equitable Share to the common Cause.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That so many able-bodied Freemen, or well-affected *Indians,* shall be raised by this Colony, as will complete Six Hundred Men, Officers included, to act under his Majesty's Commander in Chief, until the First Day of *November* next, in the Defence and Security of *North-America:* Which Regiment, when raised, shall be formed into Six Companies of One Hundred Men in each Company: The Whole to be commanded by a Colonel, and each Company by a Captain, Lieutenant and Ensign; which said Officers shall be appointed by Commissions from the Governor, or Commander in Chief for the Time being; and that four Serjeants, four Corporals, and one Drummer shall be appointed by each Captain, out of each of the said respective Companies, for the Service of the Company.

AND for the Encouragement of a sufficient Number of able-bodied Freemen, or well-affected *Indians,* voluntary to inlist themselves as Soldiers for the said Service, BE IT FURTHER ENACTED, That there shall be paid to every able-bodied Freeman, or well-affected *Indian,* who shall inlist as a Serjeant, Corporal, Drummer, or private Soldier, the Sum of *Nine Pounds,* Proclamation Money, over and above the Pay herein-after fixed and ordered to be paid him.

AND as a further Encouragement to Volunteers, being Freemen or well-affected *Indians,* to inlist in the Service, IT IS HEREBY FURTHER ENACTED, That if any Person so inlisted, doth not owe upwards of *Seventeen Pounds,* Proclamation Money, to any one Creditor, or upwards of *Fifty Pounds,* Money aforesaid, in the Whole, to all his Creditors; then the Person of the Inlisted shall be free from all Arrests in civil Actions, during the Time of his Service as aforesaid, and for Six Months afterwards: And those that are in Custody, either on mean Process or Execution, and do not owe as aforesaid, shall be discharged, under the Hands and Seals of any of the Judges of the County where any such Person or Persons shall be so imprisoned; and the Goods and Effects of all such Debtors, shall be free from Attachments, Executions, and other legal Process, during the aforesaid Service, and Six Months afterwards: *Provided always,* that such Goods and Effects shall not be removed out of the City, County or Town-corporate where the Persons inlisted resided when they did inlist, during the Time limited as aforesaid;

and upon full Proof of any Attempt to remove the said Goods and Effects out of the City, County or Town-corporate, as aforesaid, then the said Goods and Effects shall be liable to the same Process as the Laws have already provided. And in case the said Person or Persons so inlisted, shall, or do, after the Publication of this Act, or after the Time of such Inlisting, by any Deed or Deeds, Power or Powers of Attorney, make Sale of, or impower others in his or their Absence, or during the Time so limited as aforesaid, to make Sale of his or their Goods and Chattels, Lands and Tenements, to any Person or Persons whatsoever, whereby the Creditor or Creditors of such Person or Persons so inlisting as aforesaid, shall or may be defrauded, or deprived of their just Debts; all and every such Deed or Deeds, and Sales, made by any such Person or Persons, or by Virtue of his or their Power or Powers of Attorney as aforesaid, shall be void and of none Effect: And such Goods and Chattels, Lands and Tenements, shall, nevertheless, be liable to be proceeded against by Attachment, or any other legal Process, at the Suit of any Creditor or Creditors of such Person or Persons; any Thing in this Act to the Contrary thereof, in any wise notwithstanding.

AND as a further Encouragement to Volunteers to inlist themselves in the said Service, his Excellency the Governor hath signified to the Council and General Assembly, that he shall be well pleased that it be Enacted; AND BE IT FURTHER ENACTED, That all able-bodied Freemen, who shall inlist in the said Service, and perform their Duty therein, and at the End thereof, obtain a Certificate from their Captains, of their having so inlisted, and performed their Duty in the said Service, shall thereby be acquitted and pardoned of all Crimes whatsoever by them committed before the Publication of this Act, that are under the Degree of Felony without Benefit of Clergy: Which Certificate so obtained, shall, by Virtue of this Act, be pleadable as a Pardon under the Great Seal of this Colony, of any of the Crimes aforesaid, under the Degree of Felony without Benefit of Clergy, to any Indictment or Information for such Crimes, found or filed, or to be found or filed, and to any Record of Conviction already made, or to be made, for such Crimes; and every able-bodied Freeman in Custody for any Crime or Crimes, under the Degree of Felony without Benefit of Clergy, inlisting as aforesaid, shall be thereon immediately discharged out of Custody, to go upon the said Service; and obtaining a Certificate as aforesaid, shall be thereby pardoned as aforesaid.

AND BE IT FURTHER ENACTED, That it shall not be lawful to inlist any young Man under the Age of Twenty-one Years, or any Slaves who are so for Term of Life, or Apprentices, without the express Leave in Writing, of their Parents or Guardians, Masters or Mistresses, if any such he hath, first had and obtained, and if any Officer or other Person, shall inlist any such young Men, Slaves, or Apprentices as aforesaid, and upon Application and due Proof made before any one Justice of the Peace in this Colony, shall refuse to discharge him or them so unlawfully inlisted; then he the said Justice of the Peace, is hereby impowered and required, to issue his Warrant to any Constable, commanding him to take the Body of such young Man,

Slave or Apprentice, and deliver him to his Parents or Guardian, Master or Mistress; and if the Officer or other Person, with whom such Person is inlisted, shall notwithstanding, secrete, detain, or carry away such Person, then such Officer, or other Person so offending, shall forfeit and pay, for every such young Man under the Age of Twenty-one Years, so inlisting, contrary to the true Intent and Meaning of this Act, the Sum of *Five Hundred Pounds;* for every Slave so inlisted, the Sum of *One Hundred Pounds,* and for every such Apprentice the Sum of *Twenty Pounds;* to be recovered in any Court of Record where the same is cognizable in this Colony, with full Costs of Suit; and to be paid so much thereof to the Person complaining, as his or her Damages by the said Court shall be adjudged; and the Residue thereof to either of the Treasurers of this Colony, to be applied as by Act of General Assembly shall be hereafter directed. And in case the Body of such Officer, or other Person so offending, cannot be taken, then it shall and may be lawful for the Person aggrieved, to proceed against him, by Attachments against the Offender's Goods and Chattels, Lands and Tenements, in Manner and Form as is directed by an Act, entitled, *An* Act *for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves;* saving, that the Person complaining, shall not be obliged to make the Affidavit therein directed, and the Forfeitures recovered, shall be paid as aforesaid.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Bills of Credit made current by this Act, or any other Money remaining in their Hands, that was made current for his Majesty's Service in the present War, shall pay or cause to be paid, unto *John Smyth,* Esq; for the Eastern Division, and *James Smith,* Esq; for the Western Division, who are hereby appoited Commissioners for the Colony of *New-Jersey,* such Sum and Sums of Money, as the said Commissioners, or either of them, from Time to Time, find necessary to be expended, agreable to the Directions, true Intent and Meaning of this Act: And the said Treasurers, or either of them, shall take a Receipt, signifying the Services the Money so paid was designed for, and signed by the Person or Persons receiving the same: And the said several Receipts, when produced by the said respective Treasurers, and signed as aforesaid, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors, or Administrators, on Account of the several Payments so made, and paid out of the Treasury aforesaid; and in case of the Refusal or Disability of the said *John Smyth* and *James Smith,* or either of them, then *Uzal Ogden* and *John Edwards,* are hereby appointed to succeed, according to the Division they belong to, as Commissioners, who, in case of succeeding as aforesaid, are hereby invested with the same Powers, and authorized to receive the same Rewards, as to the said *John Smyth* and *James Smith,* are appointed by this Act; and the Receipt of them, or either of them, shall be sufficient to discharge the respective Treasurers, their Heirs, Executors and Administrators, from such Money as they may pay, in Pursuance of this Act.

AND BE IT FURTHER ENACTED, That there shall be allowed to every of the said Freemen, or well-affekted *Indians,* recruited as aforesaid,

(and to be paid by the Commissioners for the Use of such Men, in Manner and Form hereafter provided) *One Shilling* per Day, Money aforesaid, for his Subsistance, from the Time of his being inlisted before any one of his Majesty's Justices of the Peace of the said Colony, until the Time herein after directed.

AND in order for the more secure Payment of the Bounty and Subsistance Money aforesaid, IT IS FURTHER ENACTED, That each of the said Captains recruiting within this Colony, as soon as his Company be compleat, shall cause a Muster to be made of the same, in the Presence of *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* Esqrs. or either of them, and shall then produce to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, a fair written Muster Roll, containing the Names and Stations of the Men inlisted; under which Muster Roll, the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall certify, that they have seen the Men on the preceding Roll, and have inspected and approved them, and seen the Certificate of their being duly inlisted, and the Day on which each Soldier was inlisted, signed by the respective Justice of the Peace before whom such Soldiers were qualified; and thereupon, the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, in the Presence of the Captain, shall pay to each effective Man then present, and who shall be so approved of, and entered on the Muster Roll as aforesaid, (of the Degree of Serjeant, Corporal, Drummer or private Soldier) the Sum of *Nine Pounds,* Money aforesaid: And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall take a Certificate, signed by the said Captain, signifying the Number of Men, and the Sum of Money paid by the said Commissioners, or either of them, and shall also take a Receipt from the Captain for the same upon the Muster Roll; which Certificate, and the Receipt, shall be sufficient Vouchers to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, for the Payment of so much of the said Money as aforesaid. And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall also pay, in the Presence of the Captains, (for the Use of the Men so mustering) the Subsistance Money of *One Shilling* per Day, to each Soldier so entered upon the Muster Roll as aforesaid, from the Day of the Inlisting such Soldier, until he shall receive Subsistance from the Crown: And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall examine and settle the said Account, and shall take a Receipt from the said Captain upon the Back thereof, for the Subsistance Money then paid; which Receipt shall be a sufficient Voucher to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* (who are hereby appointed Commissioners for that Service) for the Payment of so much of the said Money as aforesaid.

FOR all which Purposes, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, to pay to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, out of the Money aforesaid, all such Sum and Sums of Money as

they may want: And the Receipt of the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, or Order from either of them, with a Receipt thereon, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators of and from all such Money as may be paid in Virtue hereof.

AND BE IT FURTHER ENACTED, That the Colonel of the said Regiment, shall, at the Time of obtaining his Commission, take the Oath of Allegiance and Supremacy required by Law, and have a Certificate thereof endorsed on his Commission; and shall also take an Oath in the Words following; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll, of every Officer and Soldier, that now is or hereafter shall be under my Command, in the Pay of the Colony of* New-Jersey, *and of the Time of the Continuance in Service, Inlistment, Discharge, Death, or Desertion of every such Officer and Soldier; and that I will not suffer the Name of any Officer or Soldier to be continued or entered on the Roll, but such as now are on Duty, and do hereafter inlist, and perform the Service under my Command, to the End the Publick, or any private Person, through my Neglect, may not be defrauded.* So help me GOD.

AND the said Colonel, during the Time of his Command, shall keep a daily Journal of the Situation and Posture of Affairs, and of all his Orders, Proceedings, and Detachments; and a Copy thereof, together with a Duplicate of the Account or Roll aforesaid, once in Three Months, (or oftener if required) shall transmit to the Governor, or Commander in Chief for the Time being, to be laid before the House of General Assembly for their Inspection. And in case of the said Colonel's Death or Removal, his Successor shall observe and perform the Duty by this Act enjoined him, as near as the Nature of the Case will admit.

AND BE IT FURTHER ENACTED, That each of the said Captains to be appointed for recruiting the said Regiment, at the Time of obtaining their Commissions, shall also take the said Oath of Allegiance and Supremacy, and have a Certificate thereof indorsed on such Commissions as aforesaid; and also take an Oath in the following Words; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll of the Time of the Inlisting every Soldier by me inlisted, or caused so to be inlisted, and of the Time of Discharge, Death, Desertion, or Delivery over, of every such Soldier so inlisted, either retain'd under my more immediate Command, or delivered over to any other Officer belonging to the* New-Jersey *Regiment; that I will not suffer any Person to be entered on the Roll, or mustered, but such as are truly inlisted, and to the best of my Knowledge, designed for the Service; and that I will make up the Account of their Pay, Cloathing, and Military Stores, truly and honestly, and deliver exact Duplicates of such Account to my Colonel, or his Successor, and to the Paymaster, in order to enable him to perform the respective Duties by Law enjoined:* So help me GOD.

AND the said Captains respectively, shall severally keep a daily Journal of their Transactions; and a Copy thereof, together with a Duplicate of the Account or Roll aforesaid, once in Three Months, or oftener if required, shall transmit to the Governor or Commander in Chief of this Colony, to be laid

before the General Assembly, for their Inspection as aforesaid; and in case of either of the said Captain's Death or Removal, his Successor shall perform the Duty by this Act enjoined him.

AND BE IT FURTHER ENACTED, That every Person inlisted as aforesaid, and entered on the Muster Roll, shall, before the aforesaid *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, before he receives the aforesaid Bounty, take an Oath in the Words following, *viz.*

I A.B. *do solemnly swear, that I will in all Things be faithful, and bear true Allegiance to his Majesty King* GEORGE *the Third; that I will not directly or indirectly, hold any Manner of Correspondence with the* French, *their Allies, Agents or Spies, nor desert his Majesty's Service, to go over to the* French, *nor any Person in Alliance with them; that I will not betray the Designs or Secrets of his Majesty's Officers to the Enemy; that I am duly inlisted in* C.D's *Company, and intend to go on the present Expedition in his Majesty's Service, without any Design or Expectation of being discharged from going on the same; and that I will not absent myself from or desert the said Service before the first Day of* November *next, unless sooner discharged by a Certificate in Writing under the Hand of the Colonel of the* New-Jersey *Regiment, or his Successor in Command:* So help me GOD.

WHICH several Oaths before-mentioned, the said Commissioners, or either of them, or any other Person legally authorised, are impowered and directed to administer.

AND BE IT FUTHER ENACTED, That *John Blanchard,* is hereby appointed Paymaster of the Forces; and in case of his Death or Disability, then *William McDaniel,* is hereby appointed to succeed as Paymaster; and in case of the Refusal, Death or Disability of the said *William McDaniel,* then *Josiah Furman,* is hereby appointed to succeed as Paymaster of the Forces. And it shall be lawful for the Treasurers of this Colony, to pay to the said Paymaster, or to his Successor in Office, any Sum or Sums of Money that he may find necessary for paying the Forces; and the Receipt of the Paymaster, or Orders drawn by him, with a Receipt thereon, shall, when produced to the General Assembly, discharge the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money paid as aforesaid.

AND BE IT FURTHER ENACTED, That if any Officer or Soldier belonging to the said Regiment, shall sell, imbezzle, or misapply, or cause to be sold, imbezzled, or misapplied, any of the Articles furnished by this Colony; or shall wilfully, or through Negligence, suffer any such Articles to be spoiled, damaged, or lost, every Person so offending, shall make good the Damage out of his Wages: For which End, the Paymaster shall retain in his Hands, *Three Shillings and Six-pence* per Month, of every such Officer and Soldier's Pay, until the Time of his Disbandment or Discharge, when his full Arrearages shall be paid him, provided no Complaint in the Premises shall then appear; but in case thereof, the Damage shall first be made good out of such Arrearages; and if insufficient, the Delinquent to remain liable to be further proceeded against according to Law: Of all which Articles sold, imbezzled, misapplied, or wilfully or negligently spoiled, damaged or lost, as

aforesaid, the said Paymaster shall keep a just Account, and therein shall also truly enter all Arrearages retained in Satisfaction thereof; and shall lay such Accounts before the House of General Assembly, when thereunto required, to whom he is hereby made accountable.

AND BE IT FURTHER ENACTED, That it shall not be lawful for the Paymaster, on any Pretence whatsoever, to pay the said Arrearages, or any Part thereof, to any of the said Officers or Soldiers, Assignee or Assignees, or to any other Person or Persons whomsoever, other than the Person to whom the same at first became due; save only in case of Death, such Arrearages shall be paid to the Deceased's Executors or Administrators; deducting thence all his Delinquencies, if any such there be. And if any of the said Officers or Soldiers, shall, by Word or Writing, sell, transfer, assign, or otherwise dispose of his Wages or Arrearages, or any Part thereof, to any Person or Persons whomsoever, either before or after the same shall become due, such Sale, Transfer, Assignment or Disposal, shall be, and hereby is, declared null and void, and the Property not altered.

AND BE IT FURTHER ENACTED, That in case the said Paymaster shall imbezzle or misapply any of the Money committed to his Care, or shall give, sell, or waste, or cause to be given, sold, or wasted; or shall wilfully, or negligently, suffer any of the Articles aforesaid, to be sold, spoiled, damaged or lost as aforesaid; upon Conviction thereof, he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage the reby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof, be committed to Prison or the common Goal, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid: One Half of which said Penalty, to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the other Half to the Person or Persons who shall prosecute the same to Effect, in any Court of Record where the same shall be cognizable within this Colony, with Costs of Suit; and the Damages or Value recovered on the Prosecution, (exclusive of the said Penalty) shall be deposited in the public Treasury, for the Use of this Colony. And the said Paymaster, before entering into the Colony's Service, shall give Bond, with two good and sufficient Sureties, (being Residents and Freeholders in this Colony) to his Majesty, his Heirs and Successors, in the penal Sum of *Six Thousand Pounds,* Proclamation Money: CONDITIONED as followeth, *(that is to say)* That if he the said doth faithfully discharge the Duty of Paymaster to the Regiment in the Pay of the Colony of *New-Jersey,* until the Disbandment thereof, (Death, Removal, or bodily Disability excepted) and doth not imbezzle, misapply, wilfully or negligently waste, lose, damage, or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony; nor suffer the same, or any Part thereof, to be so imbezzled, misapplied, wilfully or negligently wasted, lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offenders Wages, to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands, according to Law; and keep true Accounts of all Monies

received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House of General Assembly, when thereunto required: And in all Things appertaining to his Duty as Paymaster to the said Regiment, doth well and truly demean himself, according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *for raising Six Hundred effective Volunteers, Officers included, for his Majesty's Service, and making Provision for the same; and for other Purposes therein mentioned:* Then the above Obligation to be void, and of none Effect, otherwise to be and remain in full Force and Virtue. Which Bond, the Secretary of this Colony, is hereby authorised and required to take and retain for the Use thereof. And he the said Paymaster, shall keep a daily Journal of all Things by him advised, requested or transacted; and the same shall, from Time to Time, transmit to the General Assembly, for their Inspection.

AND BE IT FURTHER ENACTED, That the Colonel of the said Regiment, as soon as he enters on the Service, shall acquaint his Majesty's Agent Victualer, or other Person in Trust for him, that he is about to inlist Men for the *Jersey* Regiment, and pray that he would furnish them with Subsistance Money for the same.

AND BE IT FURTHER ENACTED, That the said Commissioners aforesaid, or either of them, or their Successors, Commissioners for the Time being, shall purchase or procure for each Volunteer, the following Cloathing, or other Articles, to be delivered unto them respectively, at the Time of Muster or Embarkation: *(to wit.)* A blue Coat, after the Highland Manner, lapelled and cuffed with red; one Pair of Ticking Breeches, and one Pair of blue ditto, of the same Cloth of their Coat; one Check Shirt, and one white ditto; two Pair of Yarn Stockings; two Pair of Shoes; one Hat or Cap, one Blanket, and one Knapsack.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, to pay unto each of the said Captains respectively, as Levy Money for every Soldier he shall inlist, the Sum of *Twenty Shillings,* Money aforesaid; or so much thereof as the said Captain shall prove, to the Satisfaction of the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, he hath been necessarily put unto in inlisting such Soldier; and such Captain shall give a Receipt for the same, which shall be a sufficient Voucher.

AND *Whereas* sundry small Articles and contingent Charges unforeseen, and not at present provided for, may happen to be needed for the Use of the said Regiment, during the Term aforesaid; and it being necessary the same should be procured and defrayed; therefore, BE IT FURTHER ENACTED, That in case the said *John Smyth* and *James Smith,* in their Discretion, shall at any Time during the said Term, esteem it absolutely necessary for the present Service, to purchase for the Use of the said Regiment, any such small Articles, or defray any such contingent Charges, as are not at present provided for; then it shall be lawful for the said Commissioners, or either of them, to purchase or defray the same, having a strict Regard to good

Oeconomy and Prudence therein; taking Receipts for the Monies advanced in Discharge thereof, and retaining the Letters of Advice relative thereto; which Receipts and Letters shall be sufficient Vouchers.

AND BE IT FURTHER ENACTED, That once in every Month at farthest, during the present Campaign, the several Captains of the said Regiment, shall cause the same to be mustered, in the Presence of the said Colonel and Pay-master, and produce their respective Accounts or Rolls, and otherwise render the said Colonel and Pay-master all farther Assistance in their Power, not only the better to enable the said Colonel and Pay-master, to settle the Wages then due unto the Officers and Soldiers belonging to, and doing Duty in the said Regiment, but also to discover and adjust the Deficiencies with which their said Wages respectively shall then stand charged; and after the same shall be equitably settled and adjusted as aforesaid, the said Pay-master, in a publick Manner, shall proceed to pay, or cause to be paid, unto each and every Officer and Soldier then present, and not deficient, such Part of the Wages then due to him: And in case any of them shall be deficient to the Value of the Whole, or any Part of the same, then otherwise payable; the same, or so much thereof as the Nature of the Case may require, shall then be retained in the Hands of the said Pay-master, to make good such Deficiency; any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That the Property of all the Necessaries, which at present do belong to, or hereafter shall be purchased for the said Regiment, is hereby declared to be vested in the Colony of *New-Jersey;* and, with the Cloathing Articles that shall be provided the said Regiment during the present Campaign, shall be under the Care of the Pay-master, when by him received, who is hereby made accountable for the same: And at the End of the said Campaign, after deducting the said Cloathing Articles, or so much thereof as shall be otherwise applied to the Use of the Soldiers, if not needed for further Services, shall be delivered by the said Pay-master, to one of the Treasurers of this Colony, to be safely kept for the Use thereof, until some further Provision shall be made for disposing of the same; and during the said Campaign, the said Pay-master shall deliver unto the Soldiers respectively, such and so many of the said Cloathing Articles, at such Times, and in such Proportions, as their Wants shall severally require; with this Provision, That each Soldier belonging to the said Regiment, and by this Act directed to be raised, shall have the several Cloathing or other Articles herein before allowed him, at the Time of his being mustered or embarked as aforesaid.

AND BE IT FURTHER ENACTED, That in Case the said Regiment shall be in Need of other Articles, not provided for by this Act, (Provisions excepted) it shall be lawful for the Colonel, or Commanding Officer of said Regiment, to draw on the Commissioners appointed for cloathing and supplying said Regiment with other Necessaries, who are hereby, in their Discretion, impowered to supply the same as aforesaid.

AND BE IT FURTHER ENACTED, That if any Person or Persons

within this Colony, shall purchase any of the Cloathing, or other Necessaries furnished for the Use of the *New-Jersey* Regiment, from any Person or Persons whomsoever; he, she or they so purchasing the same, shall forfeit the Sum of *Five Pounds;* to be recovered by Action, at the Suit, and in the Name of any Person or Persons who shall sue for the said Articles so purchased, and Penalty, in any Court of Record where the same shall be cognizable; and on the Delivery of the said Articles to the said Treasurers, the Person so suing, shall be intituled to the said Penalty.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Money aforesaid, shall pay unto the Paymaster aforesaid, or his Order, such Sum and Sums of Money, as shall be sufficient for paying the said Officers and Soldiers, in the Manner following; *(to wit)* To the Colonel, the Sum of *Twenty Pounds Two Shillings* per Month; To each Captain, the Sum of *Ten Pounds One Shilling* per Month; To each Lieutenant, the Sum of *Seven Pounds Ten Shillings and Nine-pence* per Month; To each Ensign, the Sum of *Six Pounds Fourteen Shillings* per Month; To the Surgeon, the Sum of *Fifteen Pounds* per Month; To one Surgeon's Mate, the Sum of *Nine Pounds* per Month; To each Serjeant, the Sum of *Two Pounds Fifteen Shillings* per Month; To each Corporal and each Drummer, the Sum of *Two Pound Five Shillings* per Month; and, To each private Soldier, the Sum of *One Pound Thirteen Shillings and Six-pence* per Month.

AND BE IT FURTHER ENACTED, That the said Paymaster shall keep regular and just Accounts of all Monies by him received and disbursed in Pursuance of this Act, and shall take Receipts from the respective Persons receiving the same, for all such Money as he shall so disburse; and shall keep the like Accounts, of all such Cloathing and other Necessaries, which upon his entering in the Service, and during the said Campaign, shall be by him received, or, to the best of his Knowledge, in any wise belong to the said Regiment; and also of all Cloathing delivered out, (for which Receipts shall likewise be taken) Imbezzlements, Damages, or Losses happening to accrue; and of all Wages, or Arrearages of Wages, by him retained in Satisfaction thereof; which Accounts and Receipts above-mentioned, he the said Paymaster, shall lay before the House of General Assembly, (when thereunto required) to whom he is to be accountable as aforesaid; and appearing satisfactory, and he also producing a Receipt from the said Treasurer, of his having paid the Ballance of the said Accounts, (if any such there be) and delivering the other Articles therein specified to the said Treasurer, shall be sufficient to discharge him the said Paymaster, and his Sureties, of and from the Bond aforesaid, and for every other Branch of Duty enjoined him by this Act; in which case, it shall be lawful for the said House of General Assembly, by Writing from under the Hand of their Speaker, to order the Secretary aforesaid, to cancel, and deliver the said Bond to the said Paymaster.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said Paymaster, to retain in his Hands, out of the Money aforesaid, as a Compensation for his Service during the said Campaign, *Two per Cent.* on all such Money as shall be by him disbursed in Manner aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Commissioners, or either of them, shall imbezzle, or misapply any of the Money by this Act with them entrusted, or after the same, or any Part thereof, shall be converted into Cloathing or other Stores necessary for the said Regiment, shall give, sell, or imbezzle the same, or any Part thereof, or permit any other Person or Persons so to do, contrary to the true Intent and Meaning of this Act; then the said Commissioner or Commissioners so offending, shall be liable to be prosecuted in any Court of Record in this Colony, where the same shall be cognizable, by the Attorney General, who is hereby authorised, impowered and required, to prosecute such Commissioner or Commissioners, for all such Money, Cloathing, or necessary Stores, so given, sold, or imbezzled as aforesaid; and upon Recovery and Receipt, to pay the same into one of the Treasurers aforesaid.

AND BE IT FURTHER ENACTED, That each of the said Commissioners, shall procure a Book of clean Paper for a Journal, fit for entering therein Memorandums daily of all Things transacted by him, or advised, or requested, concerning his said Office, which he is truly to enter there, and to form regular Accounts of all Monies received and disbursed in Pursuance of this Act; and they shall also take Receipts for all Sums of Money disbursed by them; which Books and Receipts they are to lay before the House of General Assembly of this Colony for the Time being, to be inspected; which said Books and Receipts, when examined by the General Assembly, to whom they are hereby made accountable, and found just, shall discharge the said Commissioners, from all and every such Sum and Sums of Money as they shall have laid out by Virtue of this Act. And it shall and may be lawful for the said *Six* Commissioners before named, jointly, to retain in their Hands, out of the Money aforesaid, *Two per Cent.* on all Monies by them advanced for Cloathing and other Necessaries; and *One per Cent.* for mustering and paying the Bounty Money, Levy Money, and Subsistance Money, and divide the Commissions on the Whole equally amongst them, Share and Share alike.

AND WHEREAS it is necessary, that the Expence of raising the said Regiment should be provided for, and punctually paid; and it being impracticable to provide for, or discharge the same, otherwise than by issuing Bills of Credit for those Purposes, and for the other necessary Uses of the Colony; Therefore, BE IT ENACTED, *and it is hereby* FURTHER ENACTED *by the Authority aforesaid,* That Bills of Credit, to the Value of *Twenty-five* Thousand Pounds, Money of *America,* according to an Act of Parliament made in the Sixth Year of the Reign of the late Queen ANNE, entitled, *An* Act *for ascertaining the Rates of Foreign Coin in her Majesty's Plantations in* America, shall be immediately printed, made and prepared, as followeth, *viz.*

Nine Hundred and Seventeen Bills, each of the Value of *Six Pounds,* or Seventeen Ounces Ten Penny-weight of Plate. Two Thousand Eight Hundred and Fifty Bills, each of the Value of *Three Pounds,* or Eight Ounces Fifteen Penny-weight of Plate. Five Thousand Bills, each of the Value of *One Pound Ten Shillings,* or Four Ounces Seven Penny-weight and Twelve Grains

of Plate. Three Thousand Five Hundred Bills, each of the Value of *Fifteen Shillings,* or Two Ounces Three Penny-weight and Eighteen Grains of Plate. One Thousand Three Hundred and Seventy-two Bills, each of the Value of *Twelve Shillings,* or One Ounce Fifteen Penny-weight of Plate.

Which Bills shall be indented, and impressed with the Arms of *Great Britain* on the left Side of the said Bills; and there shall be printed near the Top and Bottom thereof, the Value of each Bill so made current; and the said Bills shall be in the Form following, *viz.*

THIS Bill by Law shall pass current in *New-Jersey,* for
Ounces, Penny-weight, and
Grains of Plate. 1761.

Which Bills, when printed, shall be delivered to the Honourable *Samuel Nevill,* Esq; of the Eastern Division, and *Thomas Rodman,* Esq; of the Western Division, two of the Signers thereof; who shall, and are hereby directed and impowered, upon the Delivery of the said Bills to them by the Printer thereof, to administer to him, and he is hereby directed and required, to take an Oath to the Purpose following:

I A.B. *do declare, that from the Time the Letters were set, and fit to put in the Press for the printing the Bills of Credit now by me delivered to you, until the same Bills were printed, and the Letters unset and put into the Boxes again, I went at no Time out of the Room in which the said Letters were, without locking them up, so as they could not be come at without Violence, a false Key, or other Art then unknown to me; and therefore to the best of my Knowledge, no Copies were printed off but in my Presence; and that all the Blotters and other Papers whatsoever, printed by the said Letters, while set for printing the said Bills, to the best of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Arms. And that I have not at any Time been privy or consenting to any other or more Bills being struck, than I now deliver unto you: And that in all Things relating to this Affair, I have demeaned myself according to the true Intent and Meaning of the said Act, to the best of my Knowledge and Understanding.*

Which Printer, at the Time he has Orders to print the said Bills, shall have a Copy of this Oath, that he may govern himself accordingly: *Provided always,* That if any unforeseen Accident has happened, he may have the Liberty of making an Exception thereof in his Oath, he declaring fully how it was.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills made current by this Act, shall be nearly of the Bigness and Likeness of the Bills of Credit now current in this Colony, and shall be all signed and numbered by the said *Samuel Nevill* and *Thomas Rodman;* and in case of their or either of their Deaths, or other Disability, by *John Smyth,* Esq; for the Eastern Division, and *Joseph Hollinshead,* Esq; for the Western Division, or one or both of them; and one Half of them shall be delivered to the Treasurer of the Eastern Division of this Colony, to be by him signed, and the other Half to the Treasurer of the Western Division, to be by him signed: And in case of Refusal or Disability of either of the said Treasurers, then any Three of the Persons nominated in this Act, are to sign the same.

AND in order that the said Bills may be numbered and signed with the

less Charge and Risque, and with the more Convenience and Expedition, said Signers are to observe the Directions following, *viz*. First, before the said Signers do receive any of the said Bills, they shall, each of them, take an Oath, or Affirmation if *Quakers,* before a Justice of the Peace, for *the true Signing of the said Bills of Credit, and that they will sign no more than by this Act is directed; and that, to the best of their Skill, they will perform what by this Act they are enjoined as their Duty*. A Certificate of which Oath or Affirmation is to be signed by the Justice, and by the Deponent or Affirmant to be delivered to the Treasurers, with the Bills, when signed by them. Secondly, on receiving the Bills from the Printer, the said Signers shall burn and destroy the Blotters; and they shall divide the fair Bills so received into two equal Parts; and to avoid Confusion, shall agree betwixt themselves, how the Part of each shall be numbered; and the one shall take the Stamps for the Indents, and the other shall take the Stamps for the Arms. Thirdly, each of the said Signers may then carry his Part to his own House, there to be numbered and signed by him with all possible Expedition; which (or such Part as is then absolutely necessary) being done, they shall meet at a Day and Place before by them to be appointed and agreed on, and each deliver the Part numbered and signed by him to the other, in order for him to sign the same; and they shall then, together, burn and destroy the Bills (if any be) over and above the Number hereby appointed to be issued; and in like Manner, shall do, from time to time, till all are signed and exchanged. Fourthly, each of the said Signers may then carry the Part of the Bills aforesaid, so delivered to him by the other, to their respective Houses, to be signed with all possible Expedition; and when signed, in any Sums, from time to time, to be delivered to the Treasurer of the Division where the Signer lives, together with the said Certificate of his having taken an Oath or Affirmation as aforesaid, and the Stamps for the Indents and Arms; taking the Receipts of the respective Treasurers for the Sums so delivered; which, when produced, shall be sufficient to discharge the said Signers respectively, their Heirs, Executors and Administrators, for such Part of the said Bills as the Receipts do express.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers shall, respectively, sign the Bills to them delivered (excepting as aforesaid) and under the Obligation of their Oaths or Affirmation, for the due Execution of their Offices respectively, pay them out according to the Direction of this Act, and no otherwise.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills of Credit to be made and issued by Virtue of this Act, or such Parts thereof as shall remain unsunk, shall be, continue and pass current, until the first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy Eight, but shall be received by the Treasurer either in Exchange for other Money, or in any publick Payments, for Six Months thereafter; and shall be paid and received for the same Value expressed in and upon each Bill, for Goods and Lands, or any other Things bought and sold, by all Persons whatsoever, being in this Colony, according to their Rates.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, Creditor or Creditors, Obligee or Obligees, any Party or Parties to any Contract, Covenant, Bargain or Agreement whatsoever already made, or hereafter to be made, at any Time during the Currency of the said Bills, shall, upon Tender made before two lawful Witnesses, of all or any of their Debts, Dues and Demands whatsoever (provided the said Tender be made of the whole Debt or Demand that is due from any one Person, and not of a Part) in the Bills of Credit made current by this Act, refuse to accept or receive the said Bills of Credit in Discharge of the said Debts, Dues and Demands, according to their Value or Rates; he, she or they so refusing to accept the said Bills of Credit in Discharge as aforesaid, shall lose the said Debt or Debts, Sum or Sums of Money so refused; and they, and every of them, they, and every of their Heirs, Executors and Administrators, shall for ever be barred from bringing his, her or their Actions, for recovering the said Debt or Debts, Sum or Sums of Money, so refused as aforesaid; and the Defendant may plead this Act in barr to any Action or Actions that shall be so commenced.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever within this Province, shall, during the Currency of the said Bills of Credit, offer to sell, or expose to Sale, any Goods or Chattels, Lands or Tenements whatsoever, and deny, or refuse to sell, or ask a greater Value for the same, unless Payment be made in current Silver Money, Gold, Plate, Dollars, or other Species whatsoever, and not in the said Bills of Credit, (whereby the Credit of the said Bills may be impaired) then and in such Case, the Person so exposing to Sale, and refusing as aforesaid, shall forfeit for every such Offence, the Sum of *Twenty-five Pounds,* to be recovered by Action of Debt, in any Court of Record within this Province, with Costs of Suit; the one Half to such Person as shall sue for and prosecute the same to Effect, the other Half to be paid into the Treasury, and to be applied for the Support of Government.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall presume to counterfeit, or be aiding and assisting in counterfeiting or altering any of the Bills of Credit made current by this Act, so as to make them pass or appear to be of greater Value than they were made current for; or utter or cause to be uttered, any Bill or Bills, knowing the same to be counterfeit or altered as aforesaid, and be thereof legally convicted; he, she or they shall incur the Pains and Penalties of Felony without Benefit of Clergy, and shall suffer Death accordingly.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *John Ogden* and *Thomas Gach,* Esqrs; and in case of their or either of their Refusal or Disability, then *Shobal Smith* and *Joseph Yard,* Esqrs, are hereby authorized and directed, to agree with the Printer, for the Price to be paid him for printing the Bills, according to the Directions of this Act; and shall be, and are hereby appointed Inspectors of the Press, to take Care that the Printer of the Bills of Credit doth duly perform the Duty hereby enjoined him.

AND BE IT ENACTED *by the Authority aforesaid,* That there shall be

paid to the Printer of the said Bills of Credit, such Sum or Sums of Money for printing them, as the said Inspectors, or any two of them, shall certify under their Hands, they had agreed to pay him for that Service. And there shall be paid for inspecting the Press, according to this Act, the Sum of *Ten Pounds*. And there shall be paid to each of the said Signers appointed by this Act, the Sum of *Twenty-five Pounds*. All which Sums of Money shall be paid by the Treasurers of this Colony, or either of them, out of the Money made current by Virtue of this Act, and they shall take proper Receipts for the same; which Receipts, when laid before the General Assembly, shall discharge the said Treasurers, their Heirs, Executors and Administrators, for so much.

AND BE IT ENACTED *by the Authority aforesaid,* That for the better Credit, and effectual Sinking the said Bills of Credit, there shall be assessed, levied, and raised, on the several Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, the Sum of *Five Thousand Pounds,* annually, in every of the Years One Thousand Seven Hundred and Seventy-four; One Thousand Seven Hundred and Seventy-five: One Thousand Seven Hundred and Seventy-six; One Thousand Seven Hundred and Seventy-seven, and One Thousand Seven Hundred and Seventy-eight; to be paid in the Proportions following, *(to wit.)*

By the County of *Middlesex,* the Sum of *Four Hundred and fifty-three pounds, three shillings and seven pence,* yearly, for every of the said Five Years.

By the County of *Monmouth,* the Sum of *Six hundred and fifty-seven pounds, three shillings and five pence,* yearly, for every of the said Five Years.

By the County of *Essex,* the Sum of *Three hundred and eighty-nine pounds, five shillings and eight pence,* yearly, for every of the said Five Years.

By the County of *Somerset,* the Sum of *Five hundred and fifty-eight pounds, five shillings and five pence,* yearly, for every of the said Five Years.

By the County of *Bergen,* the Sum of *Three hundred and twenty-nine pounds, nine shillings and eleven pence,* yearly, for every of the said Five Years.

By the County of *Burlington,* the Sum of *Six hundred and twenty-five pounds, one shilling and ten pence,* yearly, for every of the said Five Years.

By the County of *Gloucester,* the Sum of *Three hundred and ninety pounds, eighteen shillings and one half-penny,* yearly, for every of the said Five Years.

By the County of *Salem,* the Sum of *Three hundred and forty-nine pounds, five shillings and five pence half-penny,* yearly, for every of the said Five Years.

By the County of *Cumberland,* the Sum of *One hundred and seventy-seven pounds, one shilling and ten pence,* yearly, for every of the said Five Years.

By the County of *Cape-May,* the Sum of *Eighty-three pounds, ten shillings and ten pence half-penny,* yearly, for every of the said Five Years.

By the County of *Hunterdon,* the Sum of *Seven hundred and eight pounds, seventeen shillings and seven pence,* yearly, for every of the said Five Years.

By the Counties of *Morris* and *Sussex,* the Sum of *Two Hundred and seventy-seven pounds, sixteen shillings and four pence half penny,* yearly, for every of the said Five Years.

AND BE IT FURTHER ENACTED, *by the Authority aforesaid,* That the several Quotas so proportioned, as aforesaid, shall be assessed, raised, levied, collected and paid into the Treasury, in the same Method, Manner, Proportion and Form, and under the same Penalties, Forfeitures and Restrictions, and the several Officers shall receive the same Fees for their Services, as is directed by an Act, entitled, *An* Act *for levying a Fund at different Periods by Provincial Taxes, for sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of Credit, made current for his Majesty's Service in the late War:* And that the said Sum of *Five Thousand Pounds,* to be raised Yearly, by Virtue of this Act, for Five Years, shall be well and truly applied for the sinking the Bills of Credit made current by this Act, and for no other Use; and when the same shall be received by the Treasurers of this Colony, by Virtue of the said Tax for the said Five Years, they shall sink the same agreeable to the Directions of the last mentioned Act.

AND *Whereas* there are several Persons within this Government, who have been heretofore raised for his Majesty's Service, in the Regiments of this Colony, and have been therein (by being wounded and otherwise) totally disabled from procuring their own Subsistance by Labour; BE IT THEREFORE ENACTED *by the Authority aforesaid,* That *James Neilson, Andrew Smyth, Hendrick Fisher, James Holmes, Joseph Borden,* jun., *John Lawrence, William Hancock, Joseph Harrison, Charles Hoff, Rinear Vangeson, Uzal Ogden, Ephraim Seely, Jacob Spicer, Jacob Ford,* and *Joseph Hull,* Esqrs, be, and they are hereby appointed Commissioners, for granting such Relief to the Townships wherein any such disabled Persons are, as they, or any two of them, may in their Discretion judge necessary; for which Purpose it shall and may be lawful, for the Treasurers of this Colony, or either of them, out of the Money that now is, or hereafter may be in their Hands, made current for his Majesty's Service the present War, to pay to the said *James Neilson, Andrew Smyth, Hendrick Fisher, James Holmes, Joseph Borden, John Lawrence, William Hancock, Joseph Harrison, Charles Hoff, Rinear Vangeson, Uzal Ogden, Ephraim Seely, Jacob Spicer, Jacob Ford* and *Joseph Hull,* or to their Order, or to the Order of any two of them, any Sum or Sums of Money, they may find necessary for the Purposes aforesaid; and the Receipt of them the said *James Neilson, Andrew Smyth, Hendrick Fisher, James Holmes, Joseph Borden, John Lawrence, William Hancock, Joseph Harrison, Charles Hoff, Rinear Vangeson, Uzal Ogden, Ephraim Seely, Jacob Spicer, Jacob Ford,* and *Joseph Hull,* or any two of them, or Order from any two of them, with a Receipt thereon, when laid before the General Assembly, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money they may pay in Virtue hereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall be lawful for the respective Treasurers to apply any Money now in their

Hands, made current for his Majesty's Service in the present War, to any of the Purposes aforesaid.

Parker (1761) 20:1, pp. 3-23.

An ACT *for obviating Doubts respecting the Acts of Assembly passed last Session; and for confirming the Proceedings of the Courts of Justice in this Province, since the Demise of his late Majesty.*

TO prevent any Doubts that may arise, whether the Acts done since the Demise of his late Majesty King GEORGE the Second, of glorious Memory, by Virtue of Powers and Authorities given and granted in his Name, are valid and effectual in Law; which Doubts may be productive of many Inconveniences to the Inhabitants of this Colony.

BE IT ENACTED *by the Governor, Council, and General Assembly of the Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That each and every Law passed by the Governor, Council and General Assembly, at *Burlington,* in a Session held therein *October, November* and *December* last, and every Clause, Article and Thing therein contained, shall be, and are hereby declared to be, in full Force, according to their respective Tenors, and shall be obligatory on all Persons in this Colony; and all Acts done in Pursuance of the said Laws, or any of them, and every other Act, Matter and Thing done at the said Session, by either Branch of the Legislature, singly, or all of them together, shall have the same Effect, as if the said Laws had been passed, or the said Acts, Matter and Things had been done during the Life of his said late Majesty.

AND BE IT ENACTED *by the Authority aforesaid,* That this present General Assembly, or any other General Assembly of this Province which shall hereafter be summoned or called by his Majesty King GEORGE the Third, his Heirs or Successors, or by his or their Governor or Commander in Chief of this Province, shall not be determined or dissolved by the Death or Demise of his said Majesty, his Heirs or Successors; but such General Assembly shall, and is hereby Enacted, to continue, and is hereby impowered and required to proceed and act notwithstanding such Death or Demise, until the Successor to the Crown of *Great Britain* shall be proclaimed in this Province, and from thenceforth, *that is to say,* from the Day on which the Successor to the Crown of *Great Britain,* shall be proclaimed, for and during the Space of Six Months, and no longer; unless the same be sooner dissolved by such Person to whom the Crown of *Great Britain* shall come,

remain and be, according to the Acts of Parliament for limiting and settling the Succession thereof, or by the Governor and Commander in Chief of this Province for the Time being.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Court, or Office of Justice, within this Province, shall be dissolved or discontinue, upon or by Reason of the Death or Demise of his Majesty King GEORGE the Third, or upon or by Reason of the Death or Demise of any of his Successors, Kings or Queens of *Great Britain,* until the Expiration of Six Months after every such Demise as aforesaid; and all Rules, Orders, Judgments, Determinations, and other Proceedings, had, made, done or transacted, in any Court in this Province, since the Demise of his said late Majesty, shall be, and they are hereby declared and enacted, to be as firm, valid and effectual in the Law, as if they had been made, done, ruled and transacted in the Life-time of his said late Majesty.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case his Majesty, his Heirs or Successors, should signify his or their Royal Disallowance of one or more of the said Laws hereby continued or enforced; such Royal Disallowance shall not in any Manner invalidate or affect any of the said Laws other than the Law or Laws so disallowed.

Disallowed 2 Jan. 1762.
Parker (1761) 20:1, pp. 24-25.

An ACT *for the Relief of* Francis Goelet.

WHEREAS *Francis Goelet,* of the City of *Perth-Amboy,* hath, by his Petition, set forth, that he is under unhappy Circumstances, and by Misfortunes rendered incapable of discharging his Creditors just Demands; that he is possessed of sundry Bonds, and other Effects, to a considerable Value, which he is ready and very desirous of assigning and delivering up into the Hands of Trustees justly and fairly, for the Use of his Creditors, or such of them as shall apply for that Purpose; praying the Aid of the Legislature therein:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Francis Goelet,* immediately after the Publication hereof, shall give publick Notice in the New-York Gazette, that he is desirous of compounding with his

Creditors, and vesting all his Estate and Effects in certain Trustees Hands for their Use and Benefit; and that by an Act of the Legislature of the Province of *New-Jersey,* five Persons are to be named and appointed, by the joint Consent of the said Remonstrant and his Creditors, or such of them as shall for that Purpose meet at the City of *Perth-Amboy,* on the twelfth Day of *May,* One Thousand Seven Hundred and Sixty-One; which Trustees, or any Three of them so chosen, shall have full Power and Authority, to enquire of and take into their Hands, all the Estate, Goods, Chattels, Books, Rights and Credits, of him the said *Francis Goelet;* which are to be vested in the Trustees for the Use of the said Creditors: And in order to discover the Truth in the Matter, and to prevent Fraud and Collusion, it shall and may be lawful to and for the said Trustees, or any three of them, to cite and examine upon Oath or Affirmation the said *Francis Goelet,* or any other Person, touching the Premisses; and if upon Examination of the Matter, they shall find, that the said *Francis Goelet* hath fairly and honestly delivered up into their Hands, all his Estate and Effects for the Use of his Creditors, and that no Part thereof hath been by the said *Francis Goelet* secreted or fraudulently made over and conveyed to any Person or Persons in Trust for him; then and in such Case, it shall and may be lawful to and for the said *Francis Goelet* to go at large; and the Body of him the said *Francis Goelet* shall from thenceforth be free from Confinement on Account of any Debts heretofore contracted: Nevertheless, such Estate as he may hereafter be intituled to, shall be subject to Execution. And in case the Creditors who shall meet on the said twelfth Day of *May,* One Thousand Seven Hundred and Sixty-one, at the City of *Perth-Amboy,* and the said *Francis Goelet,* do not agree, and mutally consent to nominate and appoint Persons, agreeable to the Directions of this Act; then it shall and may be lawful to and for *John Ogden, Andrew Smyth, Samuel Kemble, William Bryant,* and *James Neilson,* or the major Part of them, to proceed on the Enquiry aforesaid, and to exercise the Powers and Authorities in the Premises, and their Certificate, or the Certificate of the major Part of them, to the Purpose aforesaid, shall be of the same Force and Effect as if the said Persons had been elected and agreed on by the Parties; and the Body of the said *Francis Goelet* shall be free from Imprisonment, in as full a Manner as if the Enquiry had been made, and the Certificate been signed by the Persons elected and agreed upon by the aforesaid *Francis Goelet* and his Creditors.

AND *Whereas* some of the Creditors of said *Francis Goelet* reside in Parts beyond Sea; and as it is but equitable and just that they should have an Opportunity of being heard upon the Premises, and be intituled to an equitable Distribution of the Effects of said *Francis Goelet,* with the other Creditors; BE IT ENACTED *by the Authority aforesaid,* That as soon as the said *Francis Goelet* has delivered up, and vested his Estate in the Hands of Trustees, for the Use of his Creditors, he the said *Francis Goelet,* and the Trustees into whose Hands the Effects are so delivered up, shall use their utmost Endeavours to notify the foreign Creditors thereof, for which, Time shall be allowed until the first Day of *May,* One Thousand Seven Hundred and Sixty-two; after which Time (and not before) if no Defraud or Collusion

in the Premises shall be made appear, it shall and may be lawful to and for the Trustees, or any three of them, to cause publick Notice to be inserted in the *New-York* and *Pennsylvania* Gazettes and Mercury, at least Sixty Days before, of the Time and Place when and where the Goods and Effects of the said *Francis Goelet* will be sold and assigned, and that an equitable Distribution will then be made to such of his Creditors as shall then and there apply to the Trustees for that Purpose, who are hereby impowered and required to make the same, and proceed accordingly; after which Time no Creditor or Creditors, who shall not at that Time apply themselves, or by his or their Agents or Attornies, shall any Ways after be intituled to a Distribution of said Effects, or have any other Remedy than against such Effects and Estate as he the said *Francis Goelet* may thereafter be intituled to.

PROVIDED always, AND IT IS HEREBY ENACTED and DECLARED, That Nothing in this Act is intended or understood, to impower the Trustees taking the Goods and Effects of the said *Francis Goelet* out of the Province of *New-Jersey,* before Sale made thereof, or to free and discharge the said *Francis Goelet* from any Arrests, unless he shall, as immediately as may be after the Publication of this Act, give and execute a Bond, with one or more sufficient Surety or Sureties, to *Charles Read,* Esq; Secretary of this Province, in the Sum of Two Thousand Pounds, Proclamation, for the Use of his Creditors, with Condition, That he the said *Francis Goelet* shall not depart from or go out of the Limits and Bounds of the Corporation of *Perth-Amboy,* until he the said *Francis Goelet* has satisfied the Trustees, or the major Part of them, and obtained their Certificate; which shall be filed in the Secretary's Office in the City of *Perth-Amboy,* that he has honestly and justly delivered in a full and true Schedule, and assigned all his Effects and Estate whatsoever and wheresoever, for the Use and Benefit of his Creditors, and that the same Effects shall not be embezzled, but forth-coming on the Day hereafter to be notified by the Trustees for the Sale and Distribution thereof, (Casualties excepted.) Upon the Execution of which Bond as aforesaid, and filing the same in the Secretary's Office at *Amboy,* the Body of the said *Francis Goelet* shall be exempt from Confinement, and at Liberty to pass and repass upon his lawful Occasions within this Province.

PROVIDED always, That in case it shall hereafter appear, that he the said *Francis Goelet,* on the Oath to be administered to him by the Trustees aforesaid, respecting his Estate delivered them, hath secreted any Part thereof, he shall not be intituled to any Relief by Virtue of this Act, and every Clause, Article and Thing therein contained, shall be void and of none Effect.

Disallowed 2 Jan. 1762.
Parker (1761) 20:1, pp. 25-28.

An ACT *for Naturalizing* David Slayback, Henry Luts, Michael Hammer, *and* John Allison.

WHEREAS *David Slayback, Henry Luts, Michael Hammer,* and *John Allison,* by their humble Petition have set forth, that they were born under the Dominion of Foreign Powers, but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to his Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line, according to and in such Manner and Form, as is prescribed by an Act of the General Assembly, made in the eighth Year of the Reign of his Majesty King GEORGE the First, entitled, *An* Act *for the Security of his Majesty's Government of New-Jersey;* and in Confidence of their conforming themselves in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *David Slayback, Henry Luts, Michael Hammer* and *John Allison,* shall be from henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province, and they, and each of them and their and each of their Heirs, shall and may enjoy, and are intituled unto the same Laws, Liberties, Rights, and Privileges, as any of his Majesty's natural free-born Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom to the Contrary in any wise notwithstanding.

Provided always, and it is hereby Enacted and Declared, That Nothing in this Act contained, shall be construed or taken, to enable the said *David Slayback, Henry Luts, Michael Hammer* and *John Allison,* or either of them, to be of his Majesty's Council, or of the General Assembly, or to hold or enjoy any Post or Office of Trust or Profit, within this Province; any Thing herein contained to the Contrary notwithstanding.

Parker (1761) 20:1, p. 28.

Twentieth Assembly, Second Session

4-8 July 1761

Burlington

An ACT *to provide for the Inlisting, Cloathing, and Pay of Sixty-six effective Volunteers, Officers included, to be employed in his Majesty's Service from and after the first Day of* November *next.*

WHEREAS in Consequence of a Letter from General AMHERST, of the 15th of *June* last, the Governor of this Colony has recommended it to the House of General Assembly, to provide for and continue in Pay a Captain and Lieutenant, and Sixty-four Private Men, (after the Regiment now on Foot shall be discharged.) And to the End, the Service may not be in any wise obstructed for Want of such further Aid;

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it bodied Volunteers, if so many of the said Regiment shall then consent to inlist themselves, if not, then so many of such other able-bodied Volunteers may be inlisted as will complete the aforesaid Number of Sixty-four private Men; which, with a Captain and Lieutenant, shall act under his Majesty's Commander in Chief in *North-America,* until the first Day of *November,* in the Year One Thousand Seven Hundred and Sixty-two, unless sooner discharged. And the said Men, when inlisted as aforesaid, shall be formed into a Company, and be commanded by a Captain and a Lieutenant, which Officers shall be appointed by Commissions from the Governor or Commander in Chief of this Colony for the Time being: And three Serjeants, three Corporals, and one Drummer shall be appointed by the said Captain, out of the said Company, for the Service thereof.

AND for the Encouragement of a sufficient Number of such able-bodied Volunteers to inlist themselves as Soldiers for the said Service, BE IT FURTHER ENACTED, That there shall be paid to every able-bodied Volunteer, who shall inlist in Quality of a Serjeant, Corporal, Drummer or private Soldier, the Sum of *Three Pounds,* Proclamation Money, over and above the Pay herein after fixed and ordered to be paid him.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, (out of the Money made current for his Majesty's Service in the present War) shall pay or cause to be paid unto *John Smyth* and *James Smith,* Esqrs. or either of them, (who are hereby appointed Commissioners for the Colony of *New-Jersey)* such Sum and Sums of Money as the said Commissioners, or either of them, shall from Time to Time, find necessary to be expended, agreable to the Directions, true Intent and Meaning of this Act. And the said Treasurers, or either of them, shall take Receipts signifying the Services the Money so paid was designed for, and signed by the Person or Persons receiving the same. And the said several Receipts, when produced by the respective Treasurers, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their or either of their Heirs, Executors or Administrators, on Account of the several

Payments so made and paid out of the Treasury as aforesaid: And in case of the Refusal or Disability of the said *John Smyth* or *James Smith,* then *Uzul Ogden* and *John Edwards,* are hereby appointed to succeed as Commissioners, according to the Divisions they respectively belong to; who, in case of such Succession, is or are hereby vested with the same Powers, and authorised to receive the same Rewards as to the said *John Smyth* and *James Smith,* are appointed by this Act; and the Receipt of them or either of them, shall be sufficient to discharge the respective Treasurers, their Heirs, Executors and Administrators from such Money as they may pay in Pursuance of this Act.

AND for the more secure Payment of the Bounty Money aforesaid, IT IS FURTHER ENACTED, That the Captain aforesaid, on the said first Day of *November* next, or as soon thereafter as his Company shall be complete, shall cause a Muster to be made of the same in the Presence of the Colonel and Paymaster of the said Regiment, or in the Presence of one of them at least, and shall then produce to the said Colonel and Paymaster, or one of them, a fair written Muster-Roll, containing the Names and Stations of the Men inlisted; to which Men respectively, the said Colonel and Paymaster, or one of them, shall administer the Oath herein after directed to be taken by them respectively, which said Oath the said Colonel and Paymaster, or either of them, are hereby directed and impowered to administer; and after the Administration thereof, shall not only certify, that they or one of them have administered the said Oath, but have likewise seen the Men whose Names shall have been entered on the said Roll, and have inspected and approved them; when, and not before, the said Captain in the Presence of the said Colonel and Paymaster, or one of them, shall pay to each effective Man then present, who shall be so qualified, approved of and entered on the Muster-Roll as aforesaid, (of the Degree of Serjeant, Corporal, Drummer, or private Soldier) the Sum of *Three Pounds,* Money aforesaid; and the said Captain shall take a Certificate, signed by the said Colonel and Paymaster, or one of them, signifying the Number of Men and the Sums of Money paid by the said Captain to the Men aforesaid, which said Certificate, so signed as aforesaid, shall be a sufficient Voucher to him the said Captain, his Heirs, Executors and Administrators, for the Payment of so much of the said Money as aforesaid.

AND BE IT FURTHER ENACTED, That the said Captain of the said Company, at the Time of obtaining his Commission, and his Successor in Command respectively, shall take the Oath of Allegiance and Supremacy required by Law, and have a Certificate thereof endorsed on his Commission: And shall also take an Oath in the Words following, *(that is to say.)*

I A.B. *do swear, that I will keep an exact Account or Roll, of every Officer and Soldier, that shall be under my Command, by Virtue and in Consequence of an Act of General Assembly of the Colony of* New-Jersey, *entitled,* An *Act* to provide for the Inlisting, Cloathing and Pay of Sixty-six effective Volunteers, (Officers included) to be employed in his Majesty's Service from and after the first Day of *November* next; *and of the Time of the Inlistment, Continuance in Service, Discharge, Death or Desertion of every such Officer and Soldier; and that I will not suffer the Name*

of any Officer or Soldier to be entered or continued on the Roll, but such who shall fairly inlist, and actually perform Duty under my Command, to the End of the Publick, or any private Person, through my Neglect, may not be defrauded. So help me GOD.

AND BE IT FURTHER ENACTED, That every Person inlisted as aforesaid, and entered on the Muster-Roll, shall before the aforesaid Colonel or Paymaster, before he receives the aforesaid Bounty, take an Oath in the Words following, *viz.*

I A.B. *do solemnly swear, that I will in all Things be faithful, and bear true Allegiance to his Majesty King* GEORGE *the Third; that I will not desert his Majesty's Service to go over to the* French, *nor any Person in Alliance with them, that I will not betray the Designs or Secrets of his Majesty's Officers to the Enemy; that I am duly inlisted in* C.D's *Company, and intend to continue in the present Service, and will not absent myself from or desert the same before the first Day of* November, *which will be in the Year One Thousand Seven Hundred and Sixty-two, unless sooner legally discharged.* So help me GOD.

AND BE IT FURTHER ENACTED, That the said Captain to be appointed as aforesaid, is hereby also appointed Paymaster of the said Company, not only for paying them their Bounty as aforesaid, but also the Wages which shall from Time to Time become due and payable, by Virtue of the Directions of this Act; and in case of the Death or Disability of the said Captain, then his Successor in Command is hereby appointed to succeed as Paymaster of the said Company. And it shall be lawful for the Treasurers of this Colony, or either of them, out of the Money aforesaid, to pay to the said Paymaster or his Successor, any Sum or Sums of Money that he may find necessary for paying the said Company: And the Receipt of the said Paymaster or his Successor, or Orders drawn by him, with a Receipt thereon, shall, when produced to the General Assembly, discharge the said Treasurers, or either of them, their or either of their Heirs, Executors and Administrators of and from any Money paid as aforesaid.

AND BE IT FURTHER ENACTED, That if any Officer or Soldier belonging to the said Regiment, shall sell, imbezzle, or misapply, or cause to be sold, imbezzled or misapplied any of the Articles furnished by this Colony, or shall wilfully or through Negligence suffer any such Articles to be spoiled, damaged or lost, every Person so offending, shall make good the Damage out of his Wages; for which End the Paymaster shall retain in his Hands *Three Shillings and Six-pence* per Month, of every such Officer's and Soldier's Pay, until the Time of his Disbandment or Discharge, when his full Arrearages shall be paid him; provided no Complaint in the Premises shall then appear; but in case thereof, the Damage shall first be made good out of such Arrearages, and if insufficient, the Delinquent to remain liable to be further proceeded against according to Law: Of all which Articles sold, imbezzled, misapplied or wilfully or negligently spoiled, damaged or lost as aforesaid, the said Paymaster shall keep a just Account, and therein shall also truly enter all Arrearages retained in Satisfaction thereof, and shall lay such Accounts together, with all other Accounts of Receipts and Disbursements

before the House of General Assembly, when thereunto required, to whom he is here by made accountable.

AND BE IT FURTHER ENACTED, That it shall not be lawful for the Paymaster, on any Pretence whatsoever, to pay the said Arrearages, or any Part thereof, to any of the said Officers or Soldiers, Assignee or Assignees, or to any other Person whomsoever, other than the Person to whom the same at first became due; save only in case of Death such Arrearages shall be paid to the Deceased's legal Representatives, deducting thence all his Delinquencies, if any such there be. And if any of the said Officers or Soldiers shall by Word or Writing, sell, transfer, assign or otherwise dispose of his Wages or Arrearages, or any Part thereof, to any Person or Persons whomsoever, either before or after the same shall become due, such Sale, transfer, Assignment or Disposal, shall be, and hereby is declared null and void, and the Property not altered.

AND BE IT FURTHER ENACTED, That in case the said Paymaster shall imbezzle or misapply any of the Money committed to his Care, or shall give, sell or waste, or cause to be given, sold or wasted, or shall wilfully or negligently suffer any of the Articles aforesaid to be sold, spoiled, damaged or lost as aforesaid, upon Conviction thereof he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage thereby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof be committed to Prison or the common Goal, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid: One Half of which said Penalty to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the other Half to the Person or Persons who shall prosecute the same to Effect in any Court of Record, where the same shall be cognizable within this Colony, with Costs of Suit; and the Damages or Value recovered on the Prosecution (exclusive of the said Penalty) shall be deposited in the publick Treasury for the Use of this Colony. And the said Paymaster, before entering into the Colony's Service in Quality of Paymaster, shall give Bond, with two good and sufficient Sureties, in the penal Sum of *One Thousand Pounds,* Proclamation Money: CONDITIONED as followeth, *(that is to say)* That if he the said doth faithfully discharge the Duty of Paymaster to the Company in the Pay of the Colony of *New-Jersey,* until the Disbandment thereof, (Death, Removal or bodily Disability excepted) and doth not imbezzle, misapply, wilfully or negligently waste, lose, damage or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony, nor suffer the same, nor any Part thereof to be so imbezzled, misapplied, wilfully or negligently wasted, lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offenders Wages to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands according to Law, and keep true Accounts of all Monies received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House of General Assembly, when thereunto required, and in all Things appertain-

ing to his Duty as Paymaster to the said Company, doth well and truly demean himself according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *to provide for the Inlisting, Cloathing and Pay of Sixty-six effective Volunteers, (Officers included) to be employed in his Majesty's Service from and after the first Day of* November *next;* then the above Obligation to be void and of no Effect, otherwise to remain in full Force and Virtue: Which Bond the Secretary of this Colony is hereby authorised and required to take and retain for the Use thereof.

AND BE IT FURTHER ENACTED, That the said Commissioners, or either of them, shall purchase and transmit to the said Paymaster, for the Use of each Volunteer, to be respectively delivered him on the said first Day of *November* next, after he shall be inlisted and qualified as aforesaid, the following Cloathing Articles: *(that is to say)* One Blanket; a Watch-Coat of blue Duffels, or other thick and warm Cloth of equal Quality; one Cloth Jacket; one Pair of Ticking Breeches; one Pair of blue Cloth Breeches; one Check Shirt, and two white ditto; two Pair of Yarn Stockings; two Pair of Shoes, and one Felt Hat. The Ticking Breeches, one Shirt, and one Pair of Shoes, to be delivered them in *May,* One Thousand Seven Hundred and Sixty-two.

AND *Whereas* sundry small Articles and contingent Charges, unforeseen and not at present provided for, may happen to be needed for the Use of said Company, during the Term aforesaid; and it being necessary that the same shall be procured and defrayed: Therefore, BE IT FURTHER ENACTED, That when, and as often as the said Paymaster shall discover a real Necessity of any such small Articles or contingent Charges being purchased or defrayed, he shall duly advise said Commissioners, or either of them thereof; who, on Receipt of such Advice, shall be, and hereby are impowered to purchase the said Articles, or defray the said contingent Charges, having a strict Regard to good Oeconomy and Prudence therein; taking Receipts for the Monies advanced in Discharge thereof, and retaining the Letters of Advice relative thereto; which Receipts and Letters shall be sufficient Vouchers to discharge them the said Commissioners, or either of them, their, or either of their Heirs, Executors and Administrators of and from the Monies so advanced.

AND BE IT FURTHER ENACTED, That once in every Month at farthest, during the Terms aforesaid, the said Paymaster shall cause the said Company to be mustered in the Presence of the Lieutenant, and with his Assistance, settle the Wages then due unto the Officers and Soldiers belonging to and doing Duty in the said Company; and also adjust the Deficiences with which their said Wages respectively shall then stand charged; and after the same shall be equitably settled and adjusted as aforesaid, the said Paymaster, in a publick Manner, shall proceed to pay, or cause to be paid unto each and every Officer then present, and not deficient, such Part of the Wages then due to him: And in case any of them shall be deficient to the Value of the whole, or any Part of the same, then otherwise payable, the same, or so much thereof as the Nature of the Case may require,

shall then be retained in the Hands of the said Paymaster, to make good such Deficiency: Any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That if any Person or Persons within this Colony, shall purchase any of the Cloathing or other Necessaries furnished for the Use of the said Company, from any Person or Persons whomsoever; he, she or they so purchasing the same, shall forfeit the Sum of *Five Pounds;* to be recovered by Action, at the Suit, and in the Name of any Person or Persons who shall sue for the said Articles so purchased, and Penalty, in any Court of Record where the same shall be cognizable; and on the Delivery of the said Articles to the said Treasurers, or either of them, the Person so suing, shall be intituled to the said Penalty.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Money aforesaid, shall pay unto the Paymaster aforesaid, or his Order, such Sum and Sums of Money as shall be sufficient, not only for paying unto himself such Commissions as shall be herein after allowed him, but likewise for paying the following Wages; *(that is to say)* To himself in Quality of Captain, the Sum of *Ten Pounds One Shilling* per Month, and for Levy-Money, *Ten Shillings* for each Man; To the Lieutenant, the Sum of *Seven Pounds Ten Shillings and nine-pence* per Month; To each Serjeant, the Sum of *Two Pounds Fifteen Shillings* per Month; To each Corporal, the Sum of *Two Pounds Five Shillings* per Month; To the Drummer, the Sum of *Two Pounds Five Shillings* per Month; and, To each private Soldier, the Sum of *One Pound Thirteen Shillings and Six-pence* per Month.

AND BE IT FURTHER ENACTED, That the said Paymaster shall keep regular and just Accounts of all Monies by him received and disbursed in Pursuance of this Act, and shall take Receipts from the respective Persons receiving the same, for all such Money as he shall so disburse; and shall keep the like Accounts of all such Cloathing, and other Necessaries, which upon his entering in the Service, and during the said Term, shall be by him received, or, to the best of his Knowledge, in any wise belong to the said Company; and also of all Cloathing delivered out, (for which Receipts shall likewise be taken) Imbezzlements, Damages, or Losses happening to accrue; and of all Wages, or Arrearages of Wages, by him retained in Satisfaction thereof; which Accounts and Receipts above-mentioned, he the said Paymaster, shall lay before the House of General Assembly, (when thereunto required) to whom he is to be accountable as aforesaid; and appearing satisfactory, and he also producing a Receipt from the said Treasurer, of his having paid the Ballance of the said Accounts, (if any such there be) and delivering the other Articles therein specified to the said Treasurer, shall be sufficient to discharge him the said Paymaster, and his Sureties, of and from the Bond aforesaid, and from and for any other Branch of Duty enjoined them by this Act; in which case, it shall be lawful for the said House of General Assembly, by Writing from under the Hand of their Speaker, to order the Secretary aforesaid, to cancel, and deliver the said Bond to the said Paymaster.

AND BE IT FURTHER ENACTED, That it shall be lawful for the

said Paymaster, to retain in his Hands, out of the Money aforesaid, *Two per Cent.* on all such Money as shall be by him disbursed in Manner aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Commissioners, or either of them, shall imbezzle, or misapply any of the Money with them or either of them intrusted, or after the same, or any Part thereof, shall be converted into Cloathing or other Stores necessary for the said Company, shall give, sell, or imbezzle the same, or any Part thereof, or permit any other Person or Persons so to do, contrary to the true Intent and Meaning of this Act; then the said Commissioner or Commissioners so offending, shall be liable to be prosecuted in any Court of Record in this Colony, where the same shall be cognizable, by the Attorney General, who is hereby authorised, impowered and required, to prosecute such Commissioner or Commissioners, for all such Money, Cloathing, or necessary Stores, so given, sold or imbezzled as aforesaid; and upon Recovery and Receipt, to pay the same to one of the Treasurers aforesaid.

AND BE IT FURTHER ENACTED, That the said Commissioners, or one of them, shall procure a Book of clean Paper for a Journal, fit for entering therein Memorandums of all Things by them, or either of them advised, requested, or transacted, respecting his or their Office, which he or they are truly to enter there, and to form regular Accounts of all Monies received and disbursed in Pursuance of this Act; and he or they shall also take Receipts for all Sums of Money disbursed by him or them; which Books and Receipts, he or they are to lay before the House of General Assembly of this Colony for the Time being, to be inspected, to whom he and they are hereby made accountable; and when the same shall be by them examined and found just, shall be sufficient to discharge them the said Commissioners, or either of them, of and from all and every such Sum and Sums of Money as he or they shall have laid out by Virtue of this Act. And it shall and may be lawful for the said Commissioner or Commissioners, to retain in his or their Hands, *Two per Cent.* on all Monies which shall be by him or them disbursed, agreeable to the foregoing Directions: And the said Treasurers, or either of them, out of the Money aforesaid, shall pay unto the said Commissioners or Commissioner, so much Money as shall be adequate to his or their Commissions, at the Rate aforesaid; and the said Commissioners, or either of their Receipts, shall be a sufficient Voucher to discharge them the said Treasurers, or either of them, their or either of their Heirs, Executors or Administrators, of and from the same.

Passed 8 July 1761.
Parker (1761) 20:2, pp. 3-11.

Twentieth Assembly, Third Session

30 Nov.-12 Dec. 1761

Perth Amboy

All acts passed 12 Dec. 1761.

An ACT *to continue the Support of Government, till the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-Three.*

WHEREAS 'tis necessary to continue the Support of Government till the Twenty-first Day of *May,* One Thousand Seven Hundred and Sixty-Three; We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray, that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared, by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given unto his Majesty, his Heirs and Successors, the several Sums following, in Money, as it now passes in the Western Division of this Colony, to be paid out of such of the Money raised for the Support of Government, or out of such of the Money made current for his Majesty's Service in the present War, as may remain in the Treasury, *that is to say,*

To His Excellency JOSIAH HARDY,[1] Esq; Governor and Commander in Chief of this Colony, at the Rate of *One Thousand Pounds, per Annum,* Money aforesaid; to commence the Twenty-ninth Day of *October,* One Thousand Seven Hundred and Sixty-One.

To the Honourable *Robert Hunter Morris,* Esq; Chief Justice of this Colony, the Sum of *One Hundred Pounds,* Money aforesaid.

To the Honourable *Samuel Nevill,* Esq; Second Justice of the Supreme Court of this Colony, *Twenty-five pounds,* Money aforesaid.

To the Honourable *Richard Saltar,* Esq; Third Justice of the Supreme Court of this Colony, *Twenty-five pounds,* Money aforesaid.

To *Courtland Skinner,* Esq; Attorney General of this Colony, *Thirty pounds,* Money aforesaid.

To the Honourable *Andrew Johnston,* and to *Samuel Smith,* Esqrs, Treasurers of this Colony, each *Forty pounds,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty pounds, per Annum,* Money aforesaid.

To *Joseph Sherwood,* Esq; Agent of this Colony, at the Court of *Great-Britain,* or to the Agent for the Time being, appointed by the House of Representatives, *Eighty pounds,* Money aforesaid.

To *John Smyth,* Esq; Clerk of the Circuits of this Colony, *Twenty pounds,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten pounds,* Money aforesaid.

ALL which said several Sums abovementioned, shall be made and paid

to the several Officers beforementioned for their respective Annual Salaries, for the Term of One Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Endorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED, *by the Authority aforesaid,* That in Case his Excellency *Josiah Hardy,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein beforementioned, shall happen to die, or otherwise to be removed from their respective Offices, at any Time after the Passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-three; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorised and commanded, to pay to his Excellency *Josiah Hardy,* Esq; or to his Executors, Administrators or Assigns, or to his or their Orders, and to every other of the said respective Officers, or to their several Executors, Administrators or Assigns, or to their Orders, out of the said Sums of Money received, or to be received by them as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices, as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *Josiah Hardy,* Esq; at the Rate of *Sixty Pounds per Annum,* Money aforesaid, for House Rent, from the said Twenty-ninth Day of *October,* in the Year of our Lord One Thousand Seven Hundred and Sixty-one, to the said Twenty-first Day of *May,* in the Year One Thousand Seven Hundred and Sixty-three; provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts, and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore for defraying the same, we the House of Representatives, do further pray, that it may be enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to his Excellency *Josiah Hardy,* Esq; Governor of this Province, in Addition to his Salary for the First Year, in Consideration of the extraordinary Expence attending the Transportation of Himself and Family in a Time of War, the Sum of *Five Hundred Pounds:* And to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time that either of them shall hold the Court of *Nisi*

Prius, and of Oyer and Terminer and General Goal Delivery, when it shall be necessary that they may be held at the same Time, in the respective Counties of this Colony, either at the Time appointed, or that hereafter shall be appointed for holding the said Courts; provided, there shall be a real Occasion for holding the same: *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Goal Delivery, held in any one County, during the said One Year, shall be paid for by Virtue of this Act, one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Goal Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any three Justices of the Peace *(Quorum unus)* of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they shall respectively attend, at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Samuel Smith,* Esq; one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Eight Shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said one Year; also the Sum of *Four-pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, copying the Laws and Minutes for the Printer.

To the Secretary, for Charges attending Expresses to this Time, in full of his Account, the Sum of *Fifty-three pounds eleven shillings and three-pence.*

To *Abraham Clark,* jun. for Pen, Ink and Paper, at this and the late Session at *Amboy,* and extraordinary Services, *Fifteen Pounds,* Money aforesaid.

To each of the Treasurers of this Colony, *Six-pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony; and to each of the said Treasurers, *Fifteen Pounds,* for their extraordinary Services during the said Year.

To the Honourable *Samuel Nevill,* Esq; in Addition to his Salary, the Sum of *Twenty-five Pounds,* for the said Year.

To *James Parker,* or any other Printer hereafter appointed for printing the Minutes of the House of Representatives of any Sitting during the Conti-

nuance of this Act; and to the King's Printer, for printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *Hendrick Fisher, John Wetherill, Robert Ogden, John Ogden, John Hoghland,* and *Andrew Smyth,* Esqrs, or any two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the House of Representatives, at any Sitting during the said Term of one Year, the Sum of *Three shillings per Diem,* Money aforesaid.

To the Serjeant at Arms for the Time being, who shall attend the Council in Manner aforesaid, the Sum of *Three Shillings per Diem,* Money aforesaid.

To the Door-keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem,* Money aforesaid.

To the Honourable *Andrew Johnston,* Esq; the Sum of *Twenty Shillings* per Week, to pay for the Use of a Room, Fire-wood and Candles, for the Council, during any Sitting within the said Time.

To *Andrew Smyth,* Esq; to pay for a Room, Firewood and Candles, for the House of Assembly, at their Sitting in *March* and *April* last, and at this Session, *Thirty-five shillings* per Week, Money aforesaid. Also, such Sums of Money as he may expend in repairing the Damage done the Assembly Room this Session, by its accidentally taking Fire.

ALL which said several Sums above-mentioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of the General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Samuel Nevill, Hendrick Fisher, Jacob Spicer, Andrew Smyth, Aaron Leaming, John Ogden, David Cooper, George Reading, Richard Lawrence,* and *Joseph Borden,* Esqrs, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of

them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Parker (1761) 20:3, pp. 3-8.

1. Josiah Hardy served as governor from 1761 to 1763, when he was recalled for disobedience to royal instructions regarding appointment of provincial judges. Hardy had appointed several judges of the Supreme Court to serve during their "good behavior," instead of during the "King's pleasure" only, as had been required by the crown.

An ACT *to amend and revive an Act, entitled,* An *Act* for the Relief of poor distressed Prisoners for Debt.

WHEREAS an Act of the General Assembly of this Colony, passed in the Twenty-ninth Year of his late Majesty's Reign, entitled, *An* Act *for the Relief of poor distressed Prisoners for Debt,* is expired:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the aforementioned Act, entitled *An* Act *for the Relief of poor distressed Prisoners for Debt,* with every Clause and Article therein contained, shall be revived, and stand and remain in full Force and Virtue for the Relief of all and every Person and Persons whatsoever, that was or were actually in Prison, in the common Goal of any County, City, or Borough in the Province of *New-Jersey,* on the fourth Day of *December,* One Thousand Seven Hundred and Sixty-one, for the Cause in the said Act expressed, and so continued Prisoners, shall be entitled to all the Benefits, Privileges and Advantages of said Act, in as full and ample a Manner for their Relief from their Imprisonment of their Persons, and be subject to all the Orders, Pains and Penalties in said Act expressed, in as full and ample a Manner as if the said Act had still continued in full Force and Virtue.

AND *Whereas* it often happens, that Persons are confined in Goal for small Debts, and the Publick are deprived of their Labour for a long Time, because the Body of the Prisoner is liable to future Arrests, during the Time such Prisoner hath agreed to serve any Person who advances the Money to

discharge the Prisoner from his Confinement; for Remedy whereof for the Future: BE IT ENACTED *by the Authority aforesaid,* That whenever any Person is confined in Goal for any Sums under *Fifty Pounds* in the Whole, and shall by Agreement, indent himself to serve any Person in this Colony, for such Time as two Justices for the County where the Prisoner is confined, shall certify to be reasonable, the Body of such Person shall be free from Arrests in civil Actions, during the Time of such Service, expressed in the Indenture; and such Indenture, with the Certificate of the Justices thereon, that the Time is reasonable in Respect to the Sum advanced, shall be sufficient to protect the Person of such Servant, during such Servitude. And it shall and may be lawful for a Judge of any Court from whence such Process issues, whereon the Prisoner is confined, on the Master's producing such Indenture, to discharge such Servant from any Arrests in civil Actions, during the Time expressed in such Indenture. And the Sheriff of the County, shall, on the Receipt of such Sums, for which such Person is indented, give Notice by Advertisement, of the Sum in his Hands, and therein notify to such Persons as may be Creditors to the Person so discharged, to meet, at a Time not less than ten, or more than fourteen Days, from the Time of the Receipt of such Sum or Sums, at a certain Place, to appear and evidence the Claims, they or any of them may have on such Prisoner. And the Sheriff shall first pay the Costs, and then divide the Money received, proportionably amongst such Creditors as appear by themselves or Attorney, for that Purpose.

Parker (1761) 20:3, pp. 8-9.

An ACT *for paying sundry incidental Charges.*

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, and they are hereby ordered and directed, to pay to the several Persons herein after named, such Sum and Sums of Money as may be necessary for the Purposes herein after mentioned, (*that is to say*)

To *John Blanchard,* Paymaster of the *New-Jersey* Regiment, for paying such of the Officers and Soldiers who were detained on Duty at *Oswego,* after the first Day of *November* last, their usual Pay for such Time as it shall appear they were in returning into this Colony, not exceeding twenty Days; which

the said *John Blanchard* is hereby authorized and impowered to pay, and charge the same against the Colony in his General Accounts.

To *Robert Ogden,* Esq; for the Use of *John May,* the Sum of *Twelve Pounds,* Proclamation, in full for Nursing, and for the Funeral Expences of two of the *Jersey* Recruits, in the Year One Thousand Seven Hundred and Sixty. And the Receipts of the said *John Blanchard,* and *Robert Ogden,* when produced, shall be sufficient Vouchers to discharge the said Treasurers, or either of them, their Heirs, Executors and Administrators, for so much Money as they shall express.

Parker (1761) 20:3, p. 10.

An ACT *for building a Court-House and Goal in the County of* Sussex.

WHEREAS a great Number of the Inhabitants of the County of *Sussex,* have petitioned to have erected and built, a Court-House and Goal in the said County.

BE IT ENACTED *by the Governor, Council and General Assembly of this Province, and it is hereby Enacted by the Authority of the same,* That in some convenient Time, after the Publication of this Act, it shall and may be lawful for the Inhabitants of the said County, to erect and build a Court-House and Goal for the said County, on the Plantation now in the Possession of *Henry Harelocker,* or within Half a Mile of said *Harelocker's* Dwelling-House: The particular Spot to be fixed (with the Consent of the Owner of the Land) by a Majority of the Justices and Freeholders of said County.

AND BE IT ENACTED *by the Authority aforesaid,* That in order to raise Money to build and compleat the said Court-House and Gaol, it shall and may be lawful for the Assessors and Collectors, for the Time being, chosen by Virtue of an Act, entitled, *An* Act *for the more regular choosing and electing Assessors and Collectors, in the respective Towns and Counties in this Province;* and they are hereby commanded, to assess and collect, from Time to Time, within the said County, such Sum or Sums of Money, as shall be judged necessary by three Justices of the Peace of the said County, whereof one to be of the *Quorum,* and the Majority of the Freeholders chosen for the said County, by Virtue of an Act, entitled, *An* Act *for raising of Money for building and repairing of Goals and Court-Houses.* And the said Sum and Sums of Money

so assessed and collected, shall be paid into the Hands of such Managers, as the said Justices and a Majority of the said Freeholders, shall think fit to appoint, to carry on the said Work. And the said Managers appointed as aforesaid, are hereby impowered to agree with Carpenters, Masons, and other Workmen, from Time to Time, in such Manner, for such Sum or Sums of Money, to be paid in such Payments, as they shall think most proper and convenient. And all, and every Person or Persons, who by this Act, are enjoined any Matter or Thing, and shall neglect or refuse to perform the same, such Person or Persons shall be liable to the same Penalties and Forfeitures, as by the last recited Act are appointed: And the said Collectors and Managers, are hereby obliged from Time to Time, to render an exact Account to the said Justices and Freeholders, of all such Monies as they shall collect, receive, pay or expend, when thereunto required.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices and Freeholders, and those who may be at any Time appointed and chosen in any succeeding Years, shall be, and are hereby impowered, to build, carry on, amend and repair the Court-House and Goal aforesaid, and to do and perform every other Matter or Thing relating to the same, as fully, amply and largely as the Justices and Freeholders, by the last recited Act, are appointed and authorized to do, touching or concerning any of the Court-Houses and Goals therein particularly mentioned.

Parker (1761) 20:3, pp. 10-11.

An ACT *effectually to prevent Horse-Racing and Gaming in the Province of* New-Jersey.

WHEREAS by a Law of this Colony, passed in the Twenty-second Year of the Reign of his late Majesty, entitled, *An* Act *for more effectually preventing of Lotteries, playing of Cards and Dice, and other Gaming, for Lucre of Gain, and to restrain the Abuse of Horse-Racing within this Colony, for the Future,* all Persons are allowed at all Fairs, and on the first working Days after the three grand Festivals of *Christmass, Easter,* and *Whitsunday,* to run, trot or gallop Horses, for any Sum or Sums of Money, not exceeding the Sum of *Forty Shillings:* And whereas many Persons of vicious or unguarded Conduct, taking Advantage of the Toleration granted in said Law, assemble themselves together from many Parts of the Country, at some of the yearly Fairs held in said Province,

and game and lay Wagers to an immoderate Degree, to the great Prejudice of some Families, and the Hindrance of Trade and Industry, and the Corruption of the Morals of Youth, and against the Peace and Quiet of many of his Majesty's liege Subjects. WHEREFORE, We the House of Representatives, in order to guard as much as possible against all Indulgencies that have a Tendency to debauch Youth, impoverish Families, and propagate Vice and Immorality; do pray that it may be enacted:

AND BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That all Horse-Racing, pacing or trotting of Horses, Mares or Geldings, for Lucre of Gain, or for any Sum or Sums of Money, or Specie or Value of Money of any Kind whatever, as well at all Fairs to be held in the said Province after the Publication hereof, as at all other Times whatsoever, shall be, and are hereby declared and adjudged publick Nuisances; and the Authors, Parties, Contrivers and Abettors thereof, shall be adjudged common Disturbers of the publick Peace; and as such shall be prosecuted and proceeded against by Indictment, Fine or Imprisonment. And all Wagers, Betts and Agreements to be made by any Person or Persons, to be determined by a Race or Races, Game or Games of any Kind, shall be, and are hereby declared null and void, to all Intents and Purposes. And it shall and may be lawful for any Person or Persons, who shall lose any Sum of Money, or the Value of Money, by any Wager, Bett or Agreement, to have his Action, and recover the same, either from the Person in whose Hands the Money or the Value thereof was deposited while the Wager, Bett or Agreement was depending, or from the Person or Persons who may have received the same, by Action of Debt, in any Court of Record in this Colony, where the same may be cognizable, with Costs of Suit. And in case the Person so losing, shall neglect suing for the same, for the Space of five Days, then it shall and may be lawful for any Person to sue for and recover the same for his own Use, with Costs of Suit: Any Clause, Matter or Thing contained in the before mentioned Law to the Contrary hereof in any wise notwithstanding.

AND *Whereas,* by a Clause in the before recited Law, it is provided, that it shall and may be lawful for any Body Politick, or Body Corporate, within this Province, on certain Days therein mentioned, to cause or suffer any Piece of Plate, or any Sum of Money they shall think proper, not exceeding the Value or Sum of *Twenty-five Pounds,* to be run, paced or trotted, or otherwise rid for, by two or more Horses, as they shall think fit: Therefore, in order that the said Indulgence may be made void for the future: BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall contribute or collect any Money, Goods or Chattels, to make up any Plate, Purse or other Thing, to be run, raffled or gamed for, at any Fair, or at any other Time, within this Province; or be aiding or assisting in contributing or collecting any Money, Goods or Chattels for the Purpose aforesaid, or ask or desire any Person so to do; every Person so offending, shall forfeit and pay for each Offence, the Sum of *Forty Shillings,* to be recovered by Action of Debt, by any Person who will sue for the same, with

Costs of Suit; the one Half thereof to be applied for and towards the Support of the Poor, of the Town where the Offence is committed, and the other Half to the Person suing for the same; and all such Plate, Purse, or other Things so made up, shall be forfeited to, and recovered, with Costs of Suit, by any Person who will sue for the same, by Action of Debt or otherwise, against the Person in whose Hands the same may be deposited.

AND *Whereas* Wagers are many Times laid, and Races run, where a large Number of Persons are convened together for that Purpose, although direct Proof of such wager is not to be come at until the Persons waging may have left the County, and perhaps the Colony, carrying away considerable Sums of Money from unwary Persons; for preventing of which for the future: BE IT ENACTED *by the Authority aforesaid,* That it shall not be lawful for any Person or Persons to run any Horse-Race within this Colony, at any Time or Place where Ten Persons or more shall have convened together, although no Wager shall be laid, or be aiding and assisting or any Way concerned in said Race; every such Person, so offending, shall be, and are hereby subjected to a Fine of *Forty Shillings;* to be recovered by any Person who will sue for the same, with Costs of Suit; the same to be applied, when received, for and towards the Support of the Poor of the Town where the Offence was committed.

AND in order to enforce the due Execution of this Law, BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case the several Fines and Forfeitures laid and imposed by this Act, shall remain in the Hands of the Persons forfeiting the same, and no Prosecution had or commenced for the same, for the Space of Twenty Days; that it shall and may be lawful for the Overseers of the Poor, or any one of them, of the several Townships, for the Time being, to which they may respectively belong, and they are hereby required and enjoined to prosecute, sue for, and recover the same, in any Court of Record in this Colony where the same may be cognizable, with Costs of Suit; which Fines and Forfeitures shall be chargeable on, and recovered by the said Overseers of the Poor, and shall be by them applied for and towards the Support of the Poor of the Township where the same shall be forfeited and recovered. And any Overseer of the Poor, now chosen, or hereafter to be chosen, refusing or neglecting to prosecute and sue for the Fines and Forfeitures aforesaid, done or perpetrated in the Township to which they severally belong, for the Space of Ten Days after Knowledge or Information thereof, shall forfeit and pay for every such Neglect or Refusal, the Sum of *Forty Shillings,* to be recovered by any Person suing for the same, with Costs of Suit.

PROVIDED ALWAYS, That if any Overseer of the Poor, upon due Information, shall commence any such Suit, and upon Failure of Evidence, shall be nonsuited, it shall be lawful for him to pay the Costs of such Miscarriage, out of any of the publick Money in his Hands.

BUT *Whereas* the Improvement of the Breed of Horses may be a Matter of Consequence, and by some thought in Part to depend on their publick Exercises: BE IT FURTHER ENACTED *by the Authority aforesaid,* That it

shall be lawful for any three Magistrates of a County, to give Leave, under their Hands in Writing, for the Appointment of any publick Race; provided they shall themselves attend at the Time, to see that no Wagers are laid, and that no Drunkenness or Disorders of any Kind are committed: *Provided also,* That no such publick Race shall ever be allowed within two Miles of any House appointed for the publick Worship of any Persuasion in this Province.

Parker (1761) 20:3, pp. 12-15.

An ACT *to impower the Church-Wardens and Vestry-Men of* St. Peter's *Church, in the City of* Perth-Amboy, *to raise by Lottery, a Sum of Money for repairing the Church, Parsonage, School-House, and Ferry-House in said City.*

WHEREAS the Church-Wardens and Vestry-Men of *St. Peter's* Church, have, by their humble Petition, set forth the ruinous Condition of the said Church, Parsonage-House, School-House, and Ferry-House, in said City, and their Inability to raise a sufficient Sum for the Repairing the same, and prayed the Aid of the Legislature, to raise a Sum of Money by Lottery for the Purposes aforesaid:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Church-Wardens and Vestry-Men of *St. Peter's* Church aforesaid, to erect and draw a Lottery for raising any Sum of Money not exceeding *One Thousand Pounds,* Proclamation Money, and to sell and dispose of the Tickets in said Lottery; any Law to the Contrary notwithstanding.

PROVIDED ALWAYS, That the said Lottery be erected and drawn within one Year from the Publication hereof.

Parker (1761) 20:3, p. 15.

An ACT *to enable the Owners and Possessors of three several Tracts of Tide Meadow and Marsh, lying and adjoining on the North Side of* Cohansey *Creek, alias* Caesaria *River, in the County of* Cumberland, *in the Township of* Hopewell, *to keep out the Tide from overflowing the same.*

WHEREAS the Owners and Possessors of three several Tracts of Tide Meadow and Marsh, adjoining the North Side of *Cohansey* Creek, alias *Caesaria* River, in the County of *Cumberland;* one Tract adjoining the Land in Possession of *Samuel Miller;* another Tract lying between that Marsh called Jewel's, and the Fork Marsh; the other adjoining on the upper Side of the Fork Marsh; have by the mutual Consent of the said Owners and Possessors, erected a Bank for keeping out the Tide and draining said Meadows and Marsh, which is likely to become very advantageous to the said Owners and Possessors; provided the said Bank and other proper Water Works can be well and sufficiently supported and maintained, so as to prevent the Tide from overflowing the same:

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, the said Bank, Dam, and all other Water Works, already erected, or that shall or may at any Time or Times hereafter, be found necessary to be erected, for the more effectual preventing the Tide from overflowing the said three Tracts of Marsh and Meadow aforesaid, shall be erected, supported and maintained at the equal Expence of all the Owners and Possessors of the same, in Proportion to the Quantity of Meadow that each of the said Owners or Possessors, now, or hereafter may hold. The first Tract adjoining the Land of *Samuel Miller,* beginning at the fast Land of *Robert Wheaton,* and running up said *Cohansey* Creek, to the fast Land near *Freeman's* Landing; the second Tract, beginning at the fast Land near the Head of a Creek, known by the Name of *Jewell's* Creek, thence running down said Creek to *Cohansey* Creek, then up *Cohansey* Creek, until it intersects with the Fork Marsh Bank; the third Tract begins at *Sayres's* Bank, on the Upper Side of the Fork Marsh Bank, near *Cohansey* Creek aforesaid, thence running up the same to the Island Branch Creek, thence up the said Island Branch Creek, to the fast Land of *Ebenezer Miller.*

AND to the End that the said Bank, and other Water-Works, may at all Times hereafter be well and sufficiently supported and maintained, and the Sluices kept open and clear, BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners or Possessors of the aforesaid Meadows or Marsh, shall and may at all Times hereafter, on the third *Tuesday* in *May,* yearly, meet and assemble at the now Dwelling-House of *Samuel Miller,* or at such other Place as they shall appoint, and then and there, by Plurality of Voices, of them so met, elect and choose three Persons to be Managers, and three Persons to be Assessors, and three Persons to be Collectors, one of each

for each Tract, for the ensuing Year; which said Managers shall have full Power to order and direct the said Assessors to assess the said Owners or Possessors pursuant to the Directions of this Act, such Sum or Sums of Money as shall be by the said Managers thought necessary for the supporting, repairing and maintaining the said Bank, and other Water-Works, and for keeping the Sluices open and clear as aforesaid, during the said Year; which said Sum or Sums of Money, so ordered and directed to be assessed as aforesaid, the several and respective Assessors, chosen, or to be chosen as aforesaid, are hereby enjoined and required to assess in some equitable Manner upon all the Owners or Possessors of the aforesaid Meadows; and within twelve Days after Notice had from the said Managers, shall deliver the said Assessments or Duplicates thereof, to the several and respective Collectors, chosen as aforesaid; which said Assessments, the said respective Collectors are hereby enjoined and required to use their utmost Endeavours to collect, in some convenient Time after receiving the said Assessments from the said Assessors. And if any of the said Owners or Possessors, shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time be assessed on him or them, for the Space of twenty Days next after the same shall have been demanded by the Collector or Collectors aforesaid, that then it shall and may be lawful for such Collector or Collectors, to sue all and every such Person or Persons, in his or their own Name or Names, for the respective Sum or Sums of Money, he, she or they were assessed at, in an Action of Debt, of *Six Pounds* or under, before any one Justice of the Peace within said County; if above, in any Court of Record where the same may be cognizable, and give the said Assessment in Evidence; and the said Court or Justice of the Peace, are hereby impowered to give Judgment and Execution for the same, with Costs of Suit. And the said Collectors shall deliver unto the said Managers, unto whom they are hereby respectively made accountable, all such Sum and Sums of Money, as he or they shall collect or receive as aforesaid. And it shall and may be lawful for the said Managers, at all Times hereafter, to dig Mud for the raising and repairing the aforesaid Bank or Sluices, where it shall be most convenient, and to the least Damage of the Owner or Possessor of said Marsh. And if the aforesaid Managers shall have Occasion to make Use of so much of any of the Possessor's Marsh, towards Support of the Banks, as may be prejudicial to the Owner thereof, then, and in such Case, the Person so damaged, shall apply to two Neighbours, which two Neighbours so applied to, shall value the Marsh so dug up for Support of the Bank, and said Possessor so damaged, shall deliver an Account of the Sum so adjudged for Damages, to the Assessor for the Time being, of said Tract in which the said Person so damaged may be interested; and said Assessor shall assess the same on the Possessors, in the same Manner as other Taxes by this Act, are directed to be assessed, and the Collector for the Time being, shall collect the said Tax, and deliver the same when received, to the said Person damaged.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to meet on the third *Tuesday* in

May, yearly as aforesaid, to choose Managers and other Officers, that then and in such Case, the Managers and other Officers, chosen for the preceeding Year, shall be continued in the said Office the ensuing Year; and so continued from Year to Year, until the said Owners or Possessors shall meet and elect others in their Room, and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accounts, and Receipts for all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance of the Monies remaining in their Hands, to the succeeding Managers, first deducting thereout *Eleven Pence* in the Pound, for all Monies by them or either of them expended for the Purposes aforesaid, *Six-pence* thereof for the Use of the said Managers, *Four-pence* thereof for the Use of the Collectors, and one Penny thereof for the Use of the Assessors. And if the said Managers or either of them, shall neglect or refuse to pay the Ballance remaining in his or their Hands, to the succeeding Managers, it shall and may be lawful for the said succeeding Managers, to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, that now are, or hereafter may be in Possession of any Part of the aforesaid Meadows, to bring in his or their Accounts of Monies paid, or Services performed, pursuant to the Directions of this Act, against his or their Landlord or Landlords, which shall be allowed out of his or their Rent or Rents. And where it shall happen, at any Time or Times hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside on the same, nor in any other Place within said County, nor no other Person to represent him or them, to pay the several Sum or Sums of Money assessed thereon as aforesaid; that then it shall and may be lawful for the said Managers or the Survivor of them for the Time being, to rent out Part of said Meadows, or the Whole if necessary, for such a Term as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND *Whereas* the effectual keeping up the Banks, and Improvement of two of the said Tracts of Marsh, will from Time to Time depend upon the effectual keeping up the Banks of the Fork Marsh; BE IT FURTHER ENACTED *by the Authority aforesaid,* That when and as often as the Manager for either of said three Tracts, shall discover any Imperfection or Decay in the Banks of the adjacent Tract, and shall give Notice thereof to the Manager, whose Duty it is to repair such Imperfection or Decay, and the said Manager shall delay repairing the same; it shall and may be lawful for the Person so giving Notice, to proceed in the customary Manner, and repair the same, and deliver an Account of the Expence thereof to the Manager for keeping up the Bank so amended; which Expence shall be assessed and collected in the same

Manner as other Monies are, for repairing as aforesaid, and forthwith paid to the Person so repairing.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the following Persons shall serve as Managers, Assessors and Collectors, until the said third *Tuesday* in *May* next, as aforesaid, *viz.* For the first Tract adjoining *Samuel Miller's, Samuel Miller,* Manager, *Robert Wheaton,* Assessor, and *John Miller,* Collector; and for the second Tract up the Creek, *Nathaniel Harris,* Manager, *Benjamin Holmes,* Assessor, and *Jonathan Bowen,* jun. Collector; and for the third Tract, up the Creek, *Benjamin Lupton,* Manager, *Stephen Ayres,* Assessor, and *Nathaniel Lupton,* Collector; who are hereby impowered to do and perform all such Matters and Things as in and by this Act are required of them aforesaid, until others are chosen in their Places.

PROVIDED, that nothing herein contained, shall be construed to affect the Title of any Person or Persons whatsoever, claiming Property in the Marsh aforesaid, or any Part thereof.

Parker (1761) 20:3, pp. 16-20.

Twentieth Assembly, Fourth Session

3-10 Mar. 1762

Burlington

All acts passed 10 Mar. 1762.

An ACT *to Compleat the* New-Jersey *Regiment to Six Hundred and Sixty-six effective Volunteers, Officers included.*

WHEREAS by Letter from the Right Honourable the Earl of EGREMONT, one of his Majesty's principal Secretaries of State, it appears, that for prosecuting the just and necessary War in which his Majesty is engaged, and the Defence and Security of his Dominions and Conquest in *North-America;* his Majesty hath thought it necessary, that the Regiment of this Colony, should be compleated to Six Hundred and Sixty-Six Men. AND *Whereas* Sixty-Six are already provided for, and upon Duty; and it being necessary to raise Six Hundred more (Officers included) for his Majesty's Service the ensuing Campaign: Therefore, the more effectually to comply with his Majesty's Requisition, and to demonstrate our Duty to the best of Kings, the House of Assembly do pray, that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That Six Hundred able-bodied Freemen, or well-affected *Indians,* Officers included, shall be forthwith raised by this Colony, to act under his Majesty's Commander in Chief, until the First Day of *November* next, in the Defence and Security of *North-America:* Which Number, when raised, shall be formed into Six Companies of One Hundred Men in each Company: The Whole (including the said Sixty-Six Men already raised) to be commanded by a Colonel, and each of the said Six Companies by a Captain, Lieutenant and Ensign; which said Officers shall be appointed by Commissions from the Governor, or Commander in Chief for the Time being; and that four Serjeants, four Corporals, and one Drummer, shall be appointed by each Captain, out of each of the said Six Companies, for the Service of the said Six Companies.

AND for the Encouragement of a sufficient Number of able-bodied Freemen, or well-affected *Indians,* voluntarily to inlist themselves as Soldiers for the said Service, BE IT FURTHER ENACTED, That there shall be paid to every able-bodied Freeman, or well-affected *Indian,* who shall inlist as a Serjeant, Corporal, Drummer, or private Soldier, the Sum of *Nine Pounds,* Proclamation Money, over and above the Pay herein-after fixed and ordered to be paid him.

AND as a further Encouragement to Volunteers, being Freemen or well-affected *Indians,* to inlist in the Service, IT IS HEREBY FURTHER ENACTED, That if any Person so inlisted, doth not owe upwards of *Seventeen Pounds,* Proclamation Money, to any one Creditor, or upwards of *Fifty Pounds,* Money aforesaid, in the Whole, to all his Creditors; then the Person of the inlisted shall be free from all Arrests in civil Actions, during the Time of his Service as aforesaid, and for Six Months afterwards: And those that are in Custody, either on mean Process or Execution, and do not owe as aforesaid, shall be discharged, under the Hands and Seals of any of the Judges of the County where any such Person or Persons shall be so imprisoned; and the

Goods and Effects of all such Debtors, shall be free from Attachments, Executions, and other legal Process, during the aforesaid Service, and Six Months afterwards: *Provided always,* that such Goods and Effects shall not be removed out of the City, County or Town-corporate, where the Persons inlisted resided when they did inlist, during the Time limited as aforesaid; and upon full Proof of any Attempt to remove the said Goods and Effects out of the City, County or Town-corporate, as aforesaid, that then the said Goods and Effects shall be liable to the same Process as the Laws have already provided. And in case the said Person or Persons so inlisted, shall, or do, after the Publication of this Act, or after the Time of such Inlisting, by any Deed or Deeds, Power or Powers of Attorney, make Sale of, or impower others of his or their Absence, or during the Time so limited as aforesaid, to make Sale in his or their Goods and Chattels, Lands and Tenements, to any Person or Persons whatsoever, whereby the Creditor or Creditors of such Person or Persons so inlisting as aforesaid, shall or may be defrauded, or deprived of their just Debts; all and every such Deed or Deeds, and Sales, made by any such Person or Persons, or by Virtue of his or their Power or Powers of Attorney as aforesaid, shall be void and of none Effect: And such Goods and Chattels, Lands and Tenements, shall, nevertheless, be liable to be proceeded against by Attachment, or any other legal Process, at the Suit of any Creditor or Creditors of such Person or Persons; any Thing in this Act to the contrary thereof, in any wise notwithstanding.

AND as a further Encouragement to Volunteers to inlist themselves in the said Service, his Excellency the Governor hath signified to the Council and General Assembly, that he shall be well pleased that it be Enacted; AND BE IT FURTHER ENACTED, That all able-bodied Freemen, who shall inlist in the said Service, and perform their Duty therein, and at the End thereof, obtain a Certificate from their Captains, of their having so inlisted, and performed their Duty in the said Service, shall thereby be acquitted and pardoned of all Crimes whatsoever by them committed before the Publication of this Act, that are under the Degree of Felony without Benefit of Clergy: Which Certificate so obtained, shall, by Virtue of this Act, be pleadable as a Pardon under the Great Seal of this Colony, of any of the Crimes aforesaid, under the Degree of Felony without Benefit of Clergy, to any Indictment or Information for such Crimes, found or filed, or to be found or filed, and to any Record of Conviction already made, or to be made, for such Crimes; and every able-bodied Freeman in Custody for any Crime or Crimes, under the Degree of Felony without Benefit of Clergy, inlisting as aforesaid, shall be thereon immediately discharged out of Custody, to go upon the said Service; and obtaining a Certificate as aforesaid, shall be thereby pardoned as aforesaid.

AND BE IT FURTHER ENACTED, That it shall not be lawful to inlist any young Man under the Age of Twenty-one Years, or any Slaves who are so for Term of Life, or Apprentices, without the express Leave in Writing, of their Parents or Guardians, Masters or Mistresses, if any such he hath, first had and obtained; and if any Officer or other Person, shall inlist any

such young Men, Slaves, or Apprentices as aforesaid, and upon Application and due Proof made before any one Justice of the Peace in this Colony, shall refuse to discharge him or them so unlawfully inlisted; then he the said Justice of the Peace, is hereby impowered and required, to issue his Warrant to any Constable, commanding him to take the Body of such young Man, Slave or Apprentice, and deliver him to his Parents or Guardian, Master or Mistress; and if the Officer or other Person, with whom such Person is inlisted, shall notwithstanding, secrete, detain, or carry away such Person, then such Officer, or other Person so offending, shall forfeit and pay, for every such young Man under the Age of Twenty-one Years, so inlisting, contrary to the true Intent and Meaning of this Act, the Sum of *Five Hundred Pounds;* for every Slave so inlisted, the Sum of *One Hundred Pounds;* and for every such Apprentice the Sum of *Twenty Pounds;* to be recovered in any Court of Record where the same is cognizable in this Colony, with full Costs of Suit; and to be paid so much thereof to the Person complaining, as his or her Damages by the said Court shall be adjudged; and the Residue thereof to either of the Treasurers of this Colony, to be applied as by Act of General Assembly shall be hereafter directed. And in case the Body of such Officer, or other Person so offending, cannot be taken, then it shall and may be lawful for the Person aggrieved, to proceed against him by Attachments against the Offender's Goods and Chattels, Lands and Tenements, in Manner and Form as is directed by an Act, entitled, *An* Act *for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves;* saving, that the Persons complaining, shall not be obliged to make the Affidavit therein directed; and the Forfeitures recovered, shall be paid as aforesaid.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Bills of Credit made current by this Act, or any other Money remaining in their Hands, that was made current for his Majesty's Service in the present War, shall pay or cause to be paid, unto *John Smyth,* Esq; for the Eastern Division, and *James Smith,* Esq; for the Western Division, who are hereby appointed Commissioners for the Colony of *New-Jersey,* such Sum and Sums of Money, as the said Commissioners, or either of them, from Time to Time, find necessary to be expended, agreeable to the Directions, true Intent and Meaning of this Act: And the said Treasurers or either of them, shall take a Receipt, signifying the Services the Money so paid was designed for, and signed by the Person or Persons receiving the same: And the said several Receipts, when produced by the said respective Treasurers, and signed as aforesaid, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors, or Administrators, on Account of the several Payments so made, and paid out of the Treasury aforesaid; and in case of the Refusal or Disability of the said *John Smyth* and *James Smith,* or either of them, then *Uzal Ogden* and *John Edwards,* are hereby appointed to succeed, according to the Division they belong to, as Commissioners; who, in case of succeeding as aforesaid, are hereby invested with the same Powers, and authorized to receive the same Rewards, as to the said *John Smyth* and *James Smith,* are appointed by this

Act; and the Receipt of them, or either of them, shall be sufficient to discharge the respective Treasurers, their Heirs, Executors and Administrators, from such Money as they may pay, in Pursuance of this Act.

AND BE IT FURTHER ENACTED, That there shall be allowed to every of the said Freemen, or well-affected *Indians,* recruited as aforesaid, (and to be paid by the Commissioners for the Use of such Men, in Manner and Form hereafter provided) *One Shilling* per Day, Money aforesaid, for his Subsistance, from the Time of his being inlisted before any one of his Majesty's Justices of the Peace of the said Colony, until the Time herein after directed.

AND in order for the more secure Payment of the Bounty and Subsistance Money aforesaid, IT IS FURTHER ENACTED, That each of the said Captains recruiting within this Colony, as soon as his Company be compleat, shall cause a Muster to be made of the same, in the Presence of *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* Esqrs, or any two of them, and shall then produce to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or any two of them, a fair written Muster Roll, containing the Names and Stations of the Men inlisted; under which Muster Roll, the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or any two of them, shall certify, that they have seen the Men on the preceeding Roll, and have inspected and approved them, and seen the Certificate of their being duly inlisted, and the Day on which each Soldier was inlisted, signed by the respective Justice of the Peace before whom such Soldiers were qualified; and thereupon the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or any two of them, in the Presence of the Captain, shall pay to each effective Man then present, and who shall be so approved of, and entered on the Muster Roll as aforesaid, (of the Degree of Serjeant, Corporal, Drummer or private Soldier) the Sum of *Nine Pounds,* Money aforesaid: And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or any two of them, shall take a Certificate, signed by the said Captain, signifying the Number of Men, and the Sum of Money paid by the said Commissioners, or any two of them, and shall also take a Receipt from the Captain for the same upon the Muster Roll; which Certificate, and the Receipt, shall be sufficient Vouchers to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, for the Payment of so much of the said Money as aforesaid. And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall also pay, in the Presence of the Captains, (for the Use of the Men so mustering) the Subsistance Money of *One Shilling* per Day, to each Soldier so entered upon the Muster Roll as aforesaid, from the Day of the Inlisting such Soldier, until he shall receive Subsistance from the Crown: And the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, shall examine and settle the said Account, and shall take a Receipt from the said Captain upon the Bank thereof, for the Subsistance Money then paid; which Receipt shall be a sufficient Voucher to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* (who are

hereby appointed Commissioners for that Service) for the Payment of so much of the said Money as aforesaid.

FOR all which Purposes, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, to pay to the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, out of the Money aforesaid, all such Sum and Sums of Money as they may want: And the Receipt of the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, or Order from either of them, with a Receipt thereon, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators of and from all such Money as may be paid in Virtue hereof.

AND BE IT FURTHER ENACTED, That the Colonel of the said Regiment, shall, at the Time of obtaining his Commission, take the Oath of Allegiance and Supremacy required by Law, and have a Certificate threreof endorsed on his Commission; and shall also take an Oath in the Words following; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll, of every Officer or Soldier, that now is or hereafter shall be under my Command, in the Pay of the Colony of* New-Jersey, *and of the Time of the Continuance in Service, Inlistment, Discharge, Death, or Desertion of every such Officer and Soldier; and that I will not suffer the Name of any Officer or Soldier to be continued or entered on the Roll, but such as now are on Duty, and do hereafter inlist, and perform the Service under my Command, to the End the Publick, or any private Person, through my Neglect, may not be defrauded.* So help me GOD.

And the said Colonel, during the Time of his Command, shall keep a daily Journal of the Situation and Posture of Affairs, and of all his Orders, Proceedings and Detachments; and a Copy thereof, together with a Duplicate of the Account or Roll aforesaid, once in three Months, (or oftner if required) shall transmit to the Governor, or Commander in Chief for the Time being, to be laid before the House of General Assembly for their Inspection. And in case of the said Colonel's Death or Removal, his Successor shall observe and perform the Duty by this Act enjoined him, as near as the Nature of the Case will admit.

AND BE IT FURTHER ENACTED, That each of the said Captains to be appointed for recruiting the said Regiment, at the Time of obtaining their Commissions, shall also take the said Oath of Allegiance and Supremacy, and have a Certificate thereof indorsed on such Commissions as aforesaid; and also take an Oath in the following Words; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll of the Time of the Inlisting every Soldier by me inlisted, or caused so to be inlisted, and of the Time of Discharge, Death, Desertion, or Delivery over, of every such Soldier so inlisted, either retained under my more immediate Command, or delivered over to any other Officer belonging to the* New-Jersey *Regiment; that I will not suffer any Person to be entered on the Roll, or mustered, but such as are truly inlisted, and to the best of my Knowlege, designed for the Service; and that I will make up the Account of their Pay, Cloathing, and Military Stores, truly and honestly, and deliver exact Duplicates of such Account to my*

Colonel, or his Successor, and to the Paymaster, in order to enable him to perform the respective Duties by Law enjoined: So help me GOD.

AND the said Captains respectively, shall severally keep a daily Journal of their Transactions; and a Copy thereof, together with a Duplicate of the Account or Roll aforesaid, once in Three Months, or oftener if required, shall transmit to the Governor or Commander in Chief of this Colony, to be laid before the General Assembly, for their Inspection as aforesaid; and in case of either of the said Captain's Death or Removal, his Successor shall perform the Duty by this Act enjoined him.

AND BE IT FURTHER ENACTED, That every Person inlisted as aforesaid, and entered on the Muster Roll, shall, before the aforesaid *James Nielson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, before he receives the aforesaid Bounty, take an Oath in the Words following, *viz.*

I A.B. *do solemnly swear, that I will in all Things be faithful, and bear true Allegiance to his Majesty King* GEORGE *the Third; that I will not directly or indirectly, hold any Manner of Correspondence with the King's Enemies, their Agents or Spies, nor desert his Majesty's Service, to go over to the King's Enemies nor any Person in Alliance with them; that I will not betray the Designs or Secrets of his Majesty's Officers to the Enemy; that I am duly inlisted in* C.D's *Company, and intend to go on the present Expedition in his Majesty's Service, without any Design or Expectation of being discharged from going on the same; and that I will not absent myself from or desert the said Service before the first Day of* November *next, unless sooner discharged by a Certificate in Writing under the Hand of the Colonel of the* New-Jersey *Regiment, or his Successor in Command:* So help me GOD.

WHICH several Oath before-mentioned, the said Commissioners, or either of them, or any other Person legally authorised are impowered and directed to administer.

AND BE IT FURTHER ENACTED, That *William Mac Donald,* is hereby appointed Paymaster of the Forces to be raised by this Act; and in case of his Death or Disability, then *John Edwards,* is hereby appointed to succeed as Paymaster; and in case of the Refusal, Death or Disability of the said *John Edwards,* then *Azariah Hunt,* is appointed to succeed as Paymaster to the Forces, And it shall be lawful for the Treasurers of this Colony, to pay to the said Paymaster, or to his Successor in Office, any Sum or Sums of Money that he may find necessary for paying the Forces; and the Receipt of the Paymaster, or Orders drawn by him, with a Receipt thereon, shall, when produced to the General Assembly, discharge the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money paid as aforesaid.

AND BE IT FURTHER ENACTED, That if any Officer or Soldier belonging to the said Regiment, shall sell, imbezzle, or misapply, or cause to be sold, imbezzled, or misapplied, any of the Articles furnished by this Colony; or shall wilfully, or through Negligence, suffer any such Articles to be spoiled, damaged, or lost, every Person so offending, shall make good the Damage out of his Wages: For which End, the Paymaster shall retain in his Hands, *Three Shillings and Six-pence* per Month, of every such Officer and

Soldier's Pay, until the Time of his Disbandment or Discharge, when his full Arrearages shall be paid him, provided no Complaint in the Premises shall then appear; but in case thereof, the Damage shall first be made good out of such Arrearages; and if insufficient, the Delinquent to remain liable to be further proceeded against according to Law: Of all which Articles sold, imbezzled, misapplied, or wilfully or negligently spoiled, damaged or lost, as aforesaid, the said Paymaster shall keep a just Account, and therein shall also truly enter all Arrearages retained in Satisfaction thereof; and shall lay such Accounts before the House of General Assembly, when thereunto required, to whom he is hereby made accountable.

AND BE IT FURTHER ENACTED, That it shall not be lawful for the Paymaster, on any Pretence whatsoever, to pay the said Arrearages, or any Part thereof, to any of the said Officers or Soldiers, Assignee or Assignees, or to any other Person or Persons whomsoever, other than the Person to whom the same at first became due; save only in case of Death, such Arrearages shall be paid to the Deceased's Executors or Administrators; deducting thence all his Delinquencies, if any such there be. And if any of the said Officers or Soldiers, shall, by Word or Writing, sell, transfer, assign, or otherwise dispose of his Wages or Arrearages, or any Part thereof, to any Person or Persons whomsoever, either before or after the same shall become due, such Sale, Transfer, Assignment or Disposal, shall be, and hereby is, declared null and void, and the Property not altered.

AND BE IT FURTHER ENACTED, That in case the said Paymaster shall imbezzle or misapply any of the Money committed to his Care, or shall give, sell, or waste, or cause to be given, sold, or wasted; or shall wilfully, or negligently suffer any of the Articles aforesaid, to be sold, spoiled, damaged or lost as aforesaid; upon Conviction thereof, he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage thereby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof, be committed to Prison or the common Goal, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid: One Half of which said Penalty, to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the other Half to the Person or Persons who shall prosecute the same to Effect, in any Court of Record where the same shall be cognizable within this Colony, with Costs of Suit; and the Damages or Value recovered on the Prosecution, (exclusive of the said Penalty) shall be deposited in the publick Treasury, for the Use of this Colony. And the said Paymaster, before entering into the Colony's Service, shall give Bond, with two good and sufficient Sureties, (being Residents and Freeholders in this Colony) to his Majesty, his Heirs and Successors, in the penal Sum of *Six Thousand Pounds,* Proclamation Money: CONDITIONED as followeth, *(that is to say)* That if he the said doth faithfully discharge the Duty of Paymaster to the Regiment in the Pay of the Colony of *New-Jersey,* until the Disbandment thereof, (Death, Removal, or bodily Disability excepted) and doth not imbezzle, misapply, wilfully or negligently

waste, lose, damage, or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony; nor suffer the same, or any Part thereof, to be so imbezzled, misapplied, wilfully or negligently wasted, lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offenders Wages, to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands, according to Law; and keep true Accounts of all Monies received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House of General Assembly, when thereunto required: And in all Things appertaining to his Duty as Paymaster to the said Regiment, doth well and truly demean himself, according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *to compleat the* New-Jersey *Regiment to Six Hundred and Sixty-six effective Volunteers, Officers included:* Then the above Obligation to be void, and of none Effect, otherwise to be and remain in full Force and Virtue. Which Bond, the Secretary of this Colony, is hereby authorised and required to take and retain for the Use thereof. And he the said Paymaster, shall keep a daily Journal of all Things by him advised, requested or transacted; and the same shall, from Time to Time, transmit to the General Assembly, for their Inspection.

AND BE IT FURTHER ENACTED, That the Colonel of the said Regiment, as soon as he enters on the Service, shall acquaint his Majesty's Agent Victualler, or other Person in Trust for him, that he is about to inlist Men for the *Jersey* Regiment, and pray that he would furnish them with Subsistance Money for the same.

AND BE IT FURTHER ENACTED, That the Commissioners aforesaid, or either of them, or their Successors, Commissioners for the Time being, shall purchase or procure for each Volunteer, the following Cloathing, or other Articles, to be delivered unto them respectively, at the Time of Muster or Embarkation; (*to wit.*) A blue Coat, after the Highland Manner, lapelled and cuffed with red; one Pair of Ticking Breeches, and one Pair of blue ditto, of the same Cloth of their Coat; one Check Shirt, and one white ditto: two Pair of Yarn Stockings; two Pair of Shoes; one Hat or Cap, one Blanket, and one Knapsack.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, to pay unto each of the said Captains respectively, as Levy Money for every Soldier he shall inlist, the Sum of *Twenty Shillings,* Money aforesaid; or so much thereof as the said Captain shall prove, to the Satisfaction of the said *James Neilson, Uzal Ogden, Thomas Rodman,* and *Wilson Hunt,* or either of them, he hath been necessarily put unto in inlisting such Soldier; and such Captain shall give a Receipt for the same, which shall be a sufficient Voucher.

AND *Whereas* sundry small Articles and contingent Charges unforeseen, and not at present provided for, may happen to be needed for the Use of the said Regiment, during the Term aforesaid; and it being necessary the same should be procured and defrayed; therefore, BE IT FURTHER ENACTED, That in case the said *John Smyth* and *James Smith,* in their Discretion, shall at

any Time during the said Term, esteem it absolutely necessary for the present Service, to purchase for the Use of the said Regiment, any such small Articles, or defray any such contingent Charges, as are not at present provided for; then it shall be lawful for the said Commissioners, or either of them, to purchase or defray the same, having a strict Regard to good Oeconomy and Prudence therein; taking Receipts for the Monies advanced in Discharge thereof, and retaining the Letters of Advice relative thereto; which Receipts and Letters shall be sufficient Vouchers.

AND BE IT FURTHER ENACTED, That once in every Month at farthest, during the present Campaign, the several Captains of the said Regiment, shall cause the same to be mustered, in the Presence of the said Colonel and Pay-master, and produce their respective Accounts or Rolls, and otherwise render the said Colonel and Paymaster all farther Assistance in their Power, not only the better to enable the said Colonel and Paymaster, to settle the Wages then due unto the Officers and Soldiers belonging to, and doing Duty in the said Regiment, but also to discover and adjust the Deficiencies with which their said Wages respectively shall then stand charged; and after the same shall be equitably settled and adjusted as aforesaid, the said Paymaster, in a publick Manner, shall proceed to pay, or cause to be paid, unto each and every Officer and Soldier then present, and not deficient, such Part of the Wages then due to him: And in case any of them shall be deficient to the Value of the Whole, or any Part of the same, then otherwise payable; the same, or so much thereof as the Nature of the Case may require, shall then be retained in the Hands of the said Paymaster, to make good such Deficiency; any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That the Property of all the Necessaries, which at present do belong to, or hereafter shall be purchased for the said Regiment, is hereby declared to be vested in the Colony of *New-Jersey;* and, with the Cloathing Articles that shall be provided the said Regiment during the present Campaign, shall be under the Care of the Paymaster, when by him received, who is hereby made accountable for the same: And at the End of the said Campaign, after deducting the said Cloathing Articles, or so much thereof as shall be otherwise applied to the Use of the Soldiers, if not needed for further Services, shall be delivered by the said Paymaster, to one of the Treasurers of this Colony, to be safely kept for the Use thereof, until some further Provision shall be made for disposing of the same; and during the said Campaign, the said Paymaster shall deliver unto the Soldiers respectively, such and so many of the said Cloathing Articles, at such Times, and in such Proportions, as their Wants shall severally require; with this Provision, That each Soldier belonging to the said Regiment, and by this Act directed to be raised, shall have the several Cloathing or other Articles herein before allowed him, at the Time of his being mustered or embarked as aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Regiment shall be in Need of other Articles, not provided for by this Act, (Provisions

excepted) it shall be lawful for the Colonel, or Commander Officer of said Regiment, to draw on the Commissioners appointed for cloathing and supplying said Regiment with other Necessaries, who are hereby, in their Discretion, impowered to supply the same as aforesaid.

AND BE IT FURTHER ENACTED, That if any Person or Persons within this Colony, shall purchase any of the Cloathing, or other Necessaries furnished for the Use of the *New-Jersey* Regiment, from any Person or Persons whomsoever; he, she or they so purchasing the same, shall forfeit the Sum of *Five Pounds;* to be recovered by Action, at the Suit, and in the Name of any Person or Persons who shall sue for the said Articles so purchased, and Penalty, in any Court of Record where the same shall be cognizable; and on the Delivery of the said Articles to the said Treasurers, the Person so suing, shall be intitled to the said Penalty.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Money aforesaid, shall pay unto the Paymaster aforesaid, or his Order, such Sum and Sums of Money, as shall be sufficient for paying the said Officers and Soldiers, in the Manner following; *(to wit)* To the Colonel, the Sum of *Twenty Pounds Two Shillings* per Month; To each Captain, the Sum of *Ten Pounds One Shilling* per Month; To each Lieutenant, the Sum of *Seven Pounds Ten Shillings and Nine-pence* per Month; To each Ensign, the Sum of *Six Pounds Fourteen Shillings* per Month; To the Surgeon, the Sum of *Fifteen Pounds* per Month; To one Surgeon's Mate, the Sum of *Nine Pounds* per Month; To each Serjeant, the Sum of *Two Pounds Fifteen Shillings* per Month; To each Corporal and each Drummer, the Sum of *Two Pounds Five Shillings* per Month; and, To each private Soldier, the Sum of *One Pound Thirteen Shillings and Six-pence* per Month.

AND BE IT FURTHER ENACTED, That the said Paymaster shall keep regular and just Accounts of all Monies by him received and disbursed in Pursuance of this Act, and shall take Receipts from the respective Persons receiving the same, for all such Money as he shall so disburse; and shall keep the like Accounts, of all such Cloathing and other Necessaries, which upon his entering in the Service, and during the said Campaign, shall be by him received, or, to the best of his Knowledge, in any wise belong to the said Regiment; and also of all Cloathing delivered out, (for which Receipts shall likewise be taken) Imbezzlements, Damages, or Losses happening to accrue; and of all Wages, or Arrearages of Wages, by him retained in Satisfaction thereof; which Accounts and Receipts above-mentioned, he the said Paymaster, shall lay before the House of General Assembly, (when thereunto required) to whom he is to be accountable as aforesaid; and appearing satisfactory, and he also producing a Receipt from the said Treasurer, of his having paid the Ballance of the said Accounts, (if any such there be) and delivering the other Articles therein specified to the said Treasurer, shall be sufficient to discharge him the said Paymaster, and his Sureties, of and from the Bond aforesaid, and for every other Branch of Duty enjoined him by this Act; in which case, it shall be lawful for the said House of General Assembly, by Writing from under the Hand of their Speaker, to order the Secretary

aforesaid, to cancel, and deliver the said Bond to the said Paymaster.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said Paymaster, to retain in his Hands, out of the Money aforesaid, as a Compensation for his Service during the said Campaign, *Two per Cent.* on all such Money as shall be by him disbursed in Manner aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Commissioners, or either of them, shall imbezzle, or misapply any of the Money by this Act with them entrusted, or after the same, or any Part thereof, shall be converted into Cloathing or other Stores necessary for the said Regiment, shall give, sell, or imbezzle the same, or any Part thereof, or permit any other Person or Persons so to do, contrary to the true Intent and Meaning of this Act; then the said Commissioner or Commissioners so offending, shall be liable to be prosecuted in any Court of Record in this Colony, where the same shall be cognizable, by the Attorney General, who is hereby authorised, impowered and required, to prosecute such Commissioner or Commissioners, for all such Money, Cloathing, or necessary Stores, so given, sold, or imbezzled as aforesaid; and upon Recovery and Receipt, to pay the same unto one of the Treasurers aforesaid.

AND BE IT FURTHER ENACTED, That each of the said Commissioners, shall procure a Book of clean Paper for a Journal, fit for entering therein Memorandums daily of all Things transacted by him, or advised, or requested, concerning his said Office, which he is truly to enter there, and to form regular Accounts of all Monies received and disbursed in Pursuance of this Act; and they shall also take Receipts for all Sums of Money disbursed by them; which Books and Receipts they are to lay before the House of General Assembly of this Colony for the Time being, to be inspected; which said Books and Receipts, when examined by the General Assembly, to whom they are hereby made accountable, and found just, shall discharge the said Commissioners, from all and every such Sum and Sums of Money as they shall have laid out by Virtue of this Act. And it shall and may be lawful for the said *Six* Commissioners before named, jointly, to retain in their Hands, out of the Money aforesaid, *Two per Cent.* on all Monies by them advanced for Cloathing and other Necessaries; and *One per Cent.* for mustering and paying the Bounty Money, Levy Money, and Subsistance Money, and divide the Commissions on the Whole equally amongst them, Share and Share alike.

AND WHEREAS it is necessary, that the Expence of raising the said Regiment should be provided for, and punctually paid; and it being impracticable to provide for, or discharge the same, otherwise than by issuing Bills of Credit for those Purposes, and for the other necessary Uses of the Colony; Therefore, BE IT ENACTED, *and it is hereby* ENACTED *by the Authority aforesaid,* That Bills of Credit, to the Value of *Thirty* Thousand Pounds, Money of *America,* according to an Act of Parliament made in the Sixth Year of the Reign of the late Queen ANNE, entitled, *An* Act *for ascertaining the Rates of foreign Coin in her Majesty's Plantations in* America, shall be immediately printed, made and prepared, as followeth, *viz.*

One Thousand two Hundred and Nineteen Bills, each of the Value of *Six*

Pounds, or Seventeen Ounces Ten Penny-weight of Plate. Three Thousand Three Hundred and Thirty Bills, each of the Value of *Three Pounds,* or Eight Ounces Fifteen Penny-weight of Plate. Five Thousand Eight Hundred and Fifty Bills, each of the Value of *One Pound Ten Shillings,* or Four Ounces Seven Penny-weight and Twelve Grains of Plate. Four Thousand and Eighty-four Bills, each of the Value of *Fifteen Shillings,* or Two Ounces Three Penny-weight and Eighteen Grains of Plate. One Thousand Six Hundred Bills, each of the Value of *Twelve Shillings,* or one Ounce Fifteen Penny-weight of Plate.

Which Bills shall be indented, and impressed with the Arms of *Great-Britain* on the left Side of the said Bills; and there shall be printed near the Top and Bottom thereof, the Value of each Bill so made current; and the said Bills shall be in the Form following, *viz.*

THIS Bill by Law shall pass current in *New-Jersey* for Ounces, Pennyweight, and Grains of Plate. 1762.

Which Bills, when printed, shall be delivered to the Honourable *Samuel Nevill,* Esq; of the Eastern Division, and *Thomas Rodman,* Esq; of the Western Division, two of the Signers thereof; who shall, and are hereby directed and impowered, upon the Delivery of the said Bills to them by the Printer thereof, to administer to him, and he is hereby directed and required, to take an Oath to the Purpose following:

I A.B. *do declare, that from the Time the Letters were set, and fit to put in the Press, for the printing the Bills of Credit now by me delivered to you, until the same Bills were printed, and the Letters unset and put into the Boxes again, I went at no Time out of the Room in which the said Letters were, without locking them up, so as they could not be come at without Violence, a false Key, or other Art then unknown to me; and therefore to the best of my Knowledge, no Copies were printed off but in my Presence; and that all the Blotters and other Papers whatsoever, printed by the said Letters, while set for printing the said Bills, to the best of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Arms. And that I have not at any Time been privy or consenting to any other or more Bills being struck, than I now deliver unto you: And that in all Things relating to this Affair, I have demeaned myself according to the true Intent and Meaning of the said Act, to the best of my Knowledge and Understanding.*

Which Printer, at the Time he has Orders to print the said Bills, shall have a Copy of this Oath, that he may govern himself accordingly: *Provided always,* That if any unforeseen Accident has happened, he may have the Liberty of making an Exception thereof in his Oath, he declaring fully how it was.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills made current by this Act, shall be nearly of the Bigness and Likeness of the Bills of Credit now current in this Colony, and shall be all signed and numbered by the said *Samuel Nevill* and *Thomas Rodman;* and in case of their or either of their Deaths, or other Disability, by *John Smyth,* Esq; for the Eastern Division, and *Joseph Hollinshead,* Esq; for the Western Division, or one or both of them; and one Half of them shall be delivered to the Treasurer of the Eastern Division of this Colony, to be by him signed, and the other Half to the Treasurer of the Western Division, to be by him signed: And in case of

Refusal or Disability of either of the said Treasurers, then any Three of the Persons nominated in this Act, are to sign the same.

AND in order that the said Bills may be numbered and signed with the less Charge and Risque, and with the more Convenience and Expedition, said Signers are to observe the Directions following, *viz*. First, before the said Signers do receive any of the said Bills, they shall, each of them, take an Oath, or Affirmation if *Quakers,* before a Justice of the Peace, for *the true Signing of the said Bills of Credit, and that they will sign no more than by this Act is directed; and that, to the best of their Skill, they will perform what by this Act they are enjoined as their Duty*. A Certificate of which Oath or Affirmation is to be signed by the Justice, and by the Deponent or Affirmant, to be delivered to the Treasurers, with the Bills, when signed by them. Secondly, on receiving the Bills from the Printer, the said Signers shall burn and destroy the Blotters; and they shall divide the fair Bills so received into two equal Parts; and to avoid Confusion, shall agree betwixt themselves, how the Part of each shall be numbered; and the one shall take the Stamps for the Indents, and the other shall take the Stamps for the Arms. Thirdly, each of the said Signers may then carry his Part to his own House, there to be numbered and signed by him with all possible Expedition; which (or such Part as is then absolutely necessary) being done, they shall meet at a Day and Place before by them to be appointed and agreed on, and each deliver the Part numbered and signed by him to the other, in order for him to sign the same; and they shall then, together, burn and destroy the Bills (if any be) over and above the Number hereby appointed to be issued; and in like Manner, shall do, from time to time, till all are signed and exchanged. Fourthly, each of the said Signers may then carry the Part of the Bills aforesaid, so delivered to him by the other, to their respective[1] Houses, to be signed with all possible Expedition; and when signed, in any Sums, from time to time, to be delivered to the Treasurer of the Division where the Signer lives, together with the said Certificate of his having taken an Oath or Affirmation as aforesaid, and the Stamps for the Indents and Arms; taking the Receipts of the respective Treasurers for the Sums so delivered; which, when produced, shall be sufficient to discharge the said Signers respectively, their Heirs, Executors and Administrators, for such Part of the said Bills as the Receipts do express.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers shall, respectively, sign the Bills to them delivered (excepting as aforesaid) and under the Obligation of their Oaths or Affirmation, for the due Execution of their Offices respectively, pay them out according to the Direction of this Act, and no otherwise.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills of Credit to be made and issued by Virtue of this Act, or such Parts thereof as shall remain unsunk, shall be, continue and pass current, until the first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty, but shall be received by the Treasurers either in Exchange for other Money, or in any publick Payments, for Six Months thereafter; and shall be paid and received for the same Value expressed in

and upon each Bill, for Goods and Lands, or any other Things bought and sold, by all Persons whatsoever, being in this Colony, according to their Rates.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, Creditor or Creditors, Obligee or Obligees, any Party or Parties to any Contract, Covenant, Bargain or Agreement whatsoever already made, or hereafter to be made, at any Time during the Currency of the said Bills, shall, upon Tender made before two lawful Witnesses, of all or any of their Debts, Dues and Demands whatsoever (provided the said Tender be made of the whole Debt or Demand that is due from any one Person, and not of a Part) in the Bills of Credit made current by this Act, refuse to accept or receive the said Bills of Credit in Discharge of the said Debts, Dues and Demands, according to their Value or Rates; he, she or they so refusing to accept the said Bills of Credit in Discharge as aforesaid, shall lose the said Debt or Debts, Sum or Sums of Money so refused; and they, and every of them, their,[2] and every of their Heirs, Executors and Administrators, shall for ever be barred from bringing his, her or their Actions, for recovering the said Debt or Debts, Sum or Sums of Money, so refused as aforesaid; and the Defendant may plead this Act in barr to any Action or Actions that shall be so commenced.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever within this Province, shall, during the Currency of the said Bills of Credit, offer to sell, or expose to Sale, any Goods or Chattels, Lands or Tenements whatsoever, and deny, or refuse to sell, or ask a greater Value for the same, unless Payment be made in current Silver Money, Gold, Plate, Dollars, or other Species whatsoever, and not in the said Bills of Credit, (whereby the Credit of the said Bills may be impaired) then and in such Case, the Person so exposing to Sale, and refusing as aforesaid, shall forfeit for every such Offence, the Sum of *Twenty-five Pounds,* to be recovered by Action of Debt, in any Court of Record within this Province, with Costs of Suit; the one Half to such Person as shall sue for and prosecute the same to Effect, the other Half to be paid into the Treasury, and to be applied for the Support of Government.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall presume to counterfeit, or be aiding and assisting in counterfeiting or altering any of the Bylls of Credit made current by this Act, so as to make them pass or appear to be of greater Value than they were made current for; or utter or cause to be uttered, any Bill or Bills, knowing the same to be counterfeit or altered as aforesaid, and be thereof legally convicted; he, she or they shall incur the Pains and Penalties of Felony without Benefit of Clergy, and shall suffer Death accordingly.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *John Ogden* and *Hendrick Fisher,* Esqrs; and in case of their or either of their Refusal or Disability, then *Shobal Smith* and *Joseph Yard,* Esqrs, are hereby authorised and directed, to agree with the Printer, for the Price to be paid him for printing the Bills, according to the Directions of this Act; and shall be, and

are hereby appointed Inspectors of the Press, to take Care that the Printer of the Bills of Credit doth duly perform the Duty hereby enjoined him.

AND BE IT ENACTED *by the Authority aforesaid,* That there shall be paid to the Printer of the said Bills of Credit, such Sum or Sums of Money for printing them, as the said Inspectors, or any two of them, shall certify under their Hands, they had agreed to pay him for that Service. And there shall be paid for inspecting the Press, according to this Act, the Sum of *Twelve Pounds*. And there shall be paid to each of the said Signers appointed by this Act, the Sum of *Thirty Pounds*. All which Sums of Money shall be paid by the Treasurers of this Colony, or either of them, out of the Money made current by Virtue of this Act, and they shall take proper Receipts for the same; which Receipts, when laid before the General Assembly, shall discharge the said Treasurers, their Heirs, Executors and Administrators, for so much.

AND BE IT ENACTED *by the Authority aforesaid,* That for the better Credit, and effectual Sinking the said Bills of Credit, there shall be assessed, levied, and raised on the several Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, the Sum of *Fifteen Thousand Pounds,* annually, in every of the Years One Thousand Seven Hundred and Seventy-nine; and One Thousand Seven Hundred and Eighty: To be paid in the Proportions following, (*to wit.*)

By the County of *Middlesex,* the Sum of *One thousand three hundred and fifty-nine pounds, ten shillings and eight pence farthing,* yearly, for every of the said Two Years.

By the County of *Monmouth,* the Sum of *One thousand nine hundred and seventy-one pounds, ten shillings and one penny half-penny,* yearly, for every of the said Two Years.

By the County of *Essex,* the Sum of *One thousand one hundred and sixty-seven pounds, seventeen shillings,* yearly, for every of the said Two Years.

By the County of *Somerset,* the Sum of *One thousand six hundred and seventy-four pounds, sixteen shillings and three pence,* yearly, for every of the said Two Years.

By the County of *Bergen,* the Sum of *Nine hundred and eighty-eight pounds, nine shillings and nine pence three farthings,* yearly, for every of the said Two Years.

By the County of *Burlington,* the Sum of *One thousand eight hundred and seventy-five pounds, five shillings and seven pence, seven eighths,* yearly, for every of the said Two Years.

By the County of *Gloucester,* the Sum of *One thousand one hundred and seventy-two pounds, fourteen shillings and one penny half-penny,* yearly, for every of the said Two Years.

By the County of *Salem,* the Sum of *One thousand and forty-seven pounds, sixteen shillings and four pence half-penny,* yearly, for every of the said Two Years.

By the County of *Cumberland,* the Sum of *Five hundred and thirty-one pounds, five shillings and six pence three farthings,* yearly, for every of the said Two Years.

By the County of *Cape-May,* the Sum of *Two hundred and fifty pounds, twelve*

shillings and seven pence half-penny, yearly, for every of the said Two Years.

By the County of *Hunterdon,* the Sum of *Two thousand one hundred and twenty six pounds, twelve shillings and nine pence,* yearly, for every of the said Two Years.

By the Counties of *Morris* and *Sussex,* the Sum of *Eight hundred and thirty-three pounds, nine shillings and three eighths,* yearly, for every of the said Two Years.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several Quotas so proportioned, as aforesaid, shall be assessed, raised, levied, collected and paid into the Treasury, in the same Method, Manner, Proportion and Form, and under the same Penalties, Forfeitures, and Restrictions, and the several Officers shall receive the same Fees for their Services as is directed by an Act, entitled, *An* Act *for levying a Fund at different Periods by Provincial Taxes, for sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of Credit, made current for his Majesty's Service in the late War:* And that the Sum of *Fifteen Thousand Pounds,* to be raised yearly, by Virtue of this Act, for Two Years, shall be well and truly applied for the sinking the Bills of Credit made current by this Act, and for no other Use; and when the same shall be received by the Treasurers of this Colony, by Virtue of the said Tax for the said Two Years, they shall sink the same agreeable to the Directions of the last mentioned Act.

AND BE IT ENACTED *by the Authority aforesaid,* That if the said *William MacDonald,* or his Successor, shall accept of any Office in the said Regiment; then his or their Place as Paymaster shall be void: And the casual Successor in that Station, shall take Place as Paymaster, with the same Powers to draw on the Treasurers, and receive the same Rewards, and be under the same Restrictions as aforesaid.

Parker (1762) 20:4, pp. 3-23.

1. In the printed session law this word appears as "respecting." The word "respective" has been substituted since it makes more sense in the context of the act.
2. In the printed session law this word appears as "they." The word "their" has been substituted since it makes more sense in the context of the act.

An ACT *to impower the Church-Wardens and Vestry-Men of* St. Mary's *Church, in the City of* Burlington, *to raise by Lottery, a Sum of Money for repairing the Church, Parsonage-House and Burying-Ground in said City.*

WHEREAS the Church-Wardens and Vestry-Men of *St. Mary's* Church, have, by their humble Petition, set forth, the ruinous Condition of the said Church, Parsonage-House, and Burying-Ground in said City, and their Inability to raise a sufficient Sum for the Repairing the same; and prayed the Aid of the Legislature, to raise a Sum of Money by Lottery, for the Purposes aforesaid.

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Church-Wardens and Vestry-Men of *St. Mary's* Church aforesaid, to erect and draw a Lottery, for raising any Sum of Money, not exceeding *One Thousand Pounds,* Proclamation Money, and to sell and dispose of the Tickets in said Lottery; any Law to the Contrary notwithstanding.

PROVIDED ALWAYS, That the said Lottery be erected and drawn within Eighteen Months from the Publication hereof.

Parker (1762) 20:4, p. 23.

An ACT *to impower the Managers of the* Bound-Brook *Bridge, in the County of* Somerset, *to raise by Lottery a Sum of Money, for rebuilding and compleating the said Bridge.*

WHEREAS the Managers of the *Bound-Brook* Bridge, in the County of *Somerset,* have, by their Petition, set forth, that they had at a very considerable Expence, erected a Bridge of publick Advantage over *Rariton* River, at a Place called *Bound-Brook;* which Bridge, by the late extraordinary high Fresh, was carried away and rendered useless, and their Inability to repair the same; and praying for Leave to establish a Lottery, to enable them to rebuild the same.

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may

be lawful for *Hendrick Fisher, Anthony White, James Neilson,* and *Samuel Kemble,* Esqrs, Managers as aforesaid, to erect and draw a Lottery for raising any Sum of Money for the Purposes aforesaid, not exceeding *Four Hundred Pounds,* Proclamation Money, and to sell and dispose of the Tickets in said Lottery; any Law to the Contrary notwithstanding.

PROVIDED ALWAYS, That the said Lottery be erected and drawn within one Year from the Publication hereof.

Parker (1762) 20:4, p. 24.

An ACT *for granting an additional Supply, for the Finishing the Secretary's Offices at* Burlington *and* Perth-Amboy.

WHEREAS it appears the Sum allowed by Law, for building the Secretary's Offices at *Burlington* and *Perth-Amboy,* is insufficient:

BE IT ENACTED *by the Governor, Council, and General Assembly of the Province of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the respective Treasurers of this Colony, or either of them, to pay to the Managers appointed to build the said Offices, or any two of them, any Sum or Sums of Money they may want, not exceeding *One Hundred Pounds* Proclamation Money, to any one of said Offices; and the Receipts of the said Managers, or of any two of them, when produced to the General Assembly, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money they may pay in Consequence hereof.

Parker (1762) 20:4, pp. 24-25.

An ACT *to enable the Owners and Possessors of the Meadows lying on a Branch of* Newton *Creek, in the County of* Gloucester, *(commonly called the Back Creek) to erect and maintain a Bank, Dam, and other Water-Works, across the said Creek, in order to prevent the Tide from overflowing the same; and to keep the former Water-Course of said Creek open and clear.*

WHEREAS the Owners and Possessors of the Meadows lying on a Branch of *Newton* Creek, in the County of *Gloucester,* (commonly called the Back Creek) many Years past, erected a certain Dam, across the aforesaid Branch of said Creek, by which Means they have had for many Years past a considerable Advantage from the Meadows drained by erecting the said Dam. AND *Whereas* by an uncommon high Tide the said Dam hath been carried away, and the said Meadows exposed to the Overflowing of the Tide, and many of the said Owners neglecting to contribute to the putting the same up again to the very great Damage of themselves and the other Owners and Possessors of the said Meadows: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Meadows, to make, mend, or cause to be made, mended, and kept up a good and sufficient Bank, Dam and other Water-Works, necessary for keeping out the Tide from overflowing the said Meadows; the Bank to begin at the Fast Land, now *John Buzby's,* in the Line of Lands late *Richard Smith's,* then crossing the Meadow to the old Bank on the Side of the said *Newton* Creek, then up the said Creek to the said Branch or Back Creek, then crossing the same to the Fast Land of *Hugh Forbes,* in the same Place, or as near as conveniently may be, where the old Bank and Dam were formerly erected.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Bank, Dam and other Water-Works, that may be found necessary to be erected, for the effectual preventing the Tide from overflowing the Meadows inclosed within the same, shall be erected, supported, and maintained, at the equal Expence of the Owners and Possessors thereof, in Proportion to the Quantity of Meadow, that each of the Owners or Possessors, now or hereafter may hold within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the natural Water-Course of the said Creek, from the Head thereof to the said Dam, shall at all Times hereafter be kept open and clear, so as to give the Water a sufficient Fall from off the Meadows at the Head of the same, in the same Manner and Proportion aforesaid; and all Mud, Grass or other Rubbish, that shall be dragged from out of the same, shall be equally divided, as near as conveniently may be, to each Side of the Creek.

AND to the End that the said Bank, Dam, or other Water-Works, shall be immediately erected, and at all Times hereafter, be well and sufficiently supported and maintained, and the said Water-Course kept open and clear: BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Meadows, shall and may at all Times (after the ensuing Year) on the first *Tuesday* in *April,* yearly and every Year, meet and assemble at the Town of *Gloucester,* and then and there, by Plurality of Voices, of them so met, elect and choose two Persons to be Managers the ensuing Year, until which Time *Hugh Forbes* and *John Buzby,* are hereby appointed Managers; which said Managers, during said Year, shall have full Power to assess the said Owners and Possessors, pursuant to the Directions of this Act, in such Sum or Sums of Money, as shall be by them thought necessary for the erecting, repairing and maintaining the said Bank, Dam and other Water-Works, and for keeping the said Water-Course open and clear as aforesaid, during the said Year: And if any of the said Owners and Possessors, shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may, from Time to Time, be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded; it shall and may be lawful for the said Managers, to sue all and every such Person and Persons, in their own Names, for the respective Sum or Sums of Money, he, she or they were assessed at, in an Action of Debt of *Six Pounds* or under, before any one Justice of the Peace within said County; if above, in any Court of Record where the same may be cognizable, and give the said Assessment in Evidence; and the said Court or Justice of the Peace, are hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit. And it shall and may be lawful for the said Managers, at all Times hereafter, to dig Mud the most convenient and least detrimental to the Owner of the Soil, as also Lume or Sand out of the Bank or Fast Land adjoining to either End of the aforesaid Bank, for the erecting, raising and repairing the same.

PROVIDED ALWAYS, That no Person or Persons shall be chosen a Manager or Managers, but what is or are an Inhabitant or Inhabitants in the said County, at the Time of said Choice, and owns at least ten Acres of the said Meadow mentioned in this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to meet on the first *Tuesday* in *April,* yearly, as aforesaid, to choose Managers, that then and in such Case, the Managers chosen for the preceding Year, shall be continued in said Office the ensuing Year, and so continued from Year to Year, until the said Owners or Possessors shall meet and elect others in their Room; and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND in order to find and fix the said Proportion, it shall and may be lawful for the Managers appointed by this Act, or their Successors, if they find it necessary to measure the said Meadows, the Cost and Expence of

which shall be paid by the Owners and Possessors thereof, in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts, for all Monies by them received and expended by Virtue of this Act; and shall deliver the Ballance of the Monies remaining in their Hands to the succeeding Managers, first deducting thereout *Two Shillings* in the Pound, for all Monies by them, or either of them expended, for the Purposes aforesaid. And if the said Managers, or either of them, shall neglect or refuse so to account, and pay the Ballance remaining in his or their Hands, to the succeeding Managers, it shall and may be lawful for the said succeeding Managers, to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, that now are, or hereafter may be in Possession of any Part of the aforesaid Meadows, to bring in his or their Accounts of Monies paid or Services performed, pursuant to the Directions of this Act, against his or their Landlord or Landlords, which shall be allowed out of his or their Rent or Rents. And where it shall happen at any Time hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside on the same, or in any other Place within the said County, or any other Person to represent him or them, to pay the several Sum or Sums of Money assessed thereon as aforesaid, that then it shall and may be lawful for the said Managers for the Tme being, to rent out Part of the said Meadows, or the Whole if necessary, for such a Time or Term, as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT FURTHER ENACTED, *by the Authority aforesaid,* That if one or both the said Managers should remove out of the said County, that in such Case, it shall and may be lawful for the Survivor, or any other Person interested in this Act, to warn in the Owners and Possessors of said Meadows, to meet at the Place aforesaid, on a Day by him appointed, giving them, and each of them, at least Ten Days Notice, to choose a Manager or Managers, in the Stead of him or them so dead or removed as aforesaid. And the said Manager or Managers so chosen, shall be invested with the same Power and Authority as though they had been chosen on the first *Tuesday* in *April.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons, neglecting or refusing to do and perform any Duty or Thing required by this Act, shall forfeit the Sum of *Six Pounds* Proclamation Money, to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace of said County, and applied towards the supporting the said Bank, Dam and Water-Works as aforesaid, together with Costs of Suit.

Parker (1762) 20:4, pp. 25-28.

An ACT *for continuing the Bridge over* Cedar-Swamp *Creek, in the County of* Cape-May, *and for accommodating the same with a sufficient Causeway.*

WHEREAS *Joseph Corson, Isaac Beaner, John Mackey, James Willets,* and sundry other Persons, by their humble Petition, have prayed to be legally authorised to build by Subscription a Toll-Bridge and Causeway over *Cedar-Swamp* Creek, and through the Marsh adjacent, at a Place called the Fast Landing, in the Upper Precinct of the County of *Cape-May;* and all Objections against the same having been long since obviated and fully compromised; therefore, in full Confidence, that the Legislature would be pleased to confirm and duly legitimate so necessary an Undertaking, have already adventured, by Consent of Parties, to build the said Bridge; and now crave, that the same may not only be established by Law, but likewise, that they may be also further impowered to make and compleat a Causeway, sufficient for rendering the said Bridge useful.

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That the said Bridge so already built over the said *Cedar-Swamp* Creek, at the Place called the Fast Landing as aforesaid, shall be, and forever hereafter remain a Toll-Bridge; and that it shall and may be lawful for the said *Joseph Corson, Isaac Beaner, John Mackey, James Willets,* and their Associates, to make and compleat by Subscription, a good and sufficient Causeway through or over any Part of the Marsh next adjacent and most convenient to the said Bridge, so as to render the same beneficial and useful: And to that End also, it shall and may be lawful for the said *Joseph Corson, Isaac Beaner, John Mackey, James Willets,* and their Associates, to take the said Bridge and Causeway into their particular Care and Management; and to appoint (by Plurality of Voices, in case of any Dissent) one or more Manager or Managers, or let the said Bridge and Causeway to farm, to be continued, made and kept in good Order and sufficient Repair; and to build one or more Gate or Gates where they shall think most convenient, upon or across the said Bridge or Causeway; and to demand and receive of all and every Person or Persons (not a Subscriber or Subscribers, to the Expence of erecting the said Bridge and Causeway) who shall pass over the same, the following Rates; (*that is to say,*) For every Waggon or Ox-Cart, with the Team and Driver *Six Pence;* For every Chair, Chaise or Horse-Cart, with the Passenger or Passengers, Horse or Horses, Mare or Mares, Gelding or Geldings, thereunto belonging, *Four Pence;* For every Passenger with a Horse, Mare or Gelding, *Two Pence;* For every Passenger on Foot, *One Penny;* For all Cattle, Horses, Mares or Geldings, drove or led over, *One Penny* per Head; For all Sheep in like Manner, drove or led over as aforesaid, *One Farthing* per Head.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, (not being a Subscriber or Subscribers to the Expence of erecting

the said Bridge and Causeway as aforesaid) shall refuse or neglect to pay at the Rates aforesaid, for his, her or their Passage or Passages; in that Case, it shall and may be lawful for the said Manager or Managers, Person or Persons farming the said Bridge or Causeway, to shut his or their Gates, and refuse Passage unto such Person or Persons, until he, she or they shall have first paid the Rates abovesaid: And if any Person or Persons (not being a Subscriber or Subscribers as aforesaid) shall pass without paying such Rates, then it shall and may be lawful for the Person or Persons keeping the said Bridge and Causeway, to stop such Passenger or Passengers another Time, until he, she or they shall pay for his, her or their first Passage abovementioned, or otherwise to prosecute his or their Action of Debt against such Passenger, in any Court where the same shall be cognizable.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Manager or Managers to be appointed as aforesaid, (and who shall voluntarily take upon him or themselves that Office) or the Person or Persons to whom the said Bridge and Causeway shall be let to farm, shall be obliged to keep, make and maintain the same in good Order and sufficient Repair, for all Land Passengers aforesaid. And if such Manager or Managers, Farmer or Farmers, shall at any Time after Six Months from the Publication hereof, neglect to keep such Bridge and Causeway in good Repair; such Person or Persons so neglecting, shall be liable to be presented by the Grand Jury, to the Quarter-Sessions which shall be holden in the said County, and if found guilty, shall be fined at the Discretion of the Court, in a Sum not exceeding *Ten Pounds,* to be applied to the Use of the Poor of the Upper Precinct of said County.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Bridge and Causeway, shall hereafter be, and hereby is declared to be a publick Highway, for all and every of his Majesty's Subjects to pass over, who shall first pay the Rates aforesaid. And for that Purpose, the said Manager or Managers, Farmer or Farmers, shall at all Times after the said Causeway shall be erected, give good Attendance at the said Bridge and Causeway, and shall set the Gate or Gates open, and peaceably, freely and quietly suffer every Person and Persons, with their Goods and Chattels, to pass unmolested over the said Bridge and Causeway, they having first paid the Toll aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Expence of erecting the said Bridge and Causeway, shall be borne and defrayed by the Subscribers aforesaid, who for that Purpose, shall pay their several and respective Subscriptions, to such Manager or Managers as by them shall be appointed as aforesaid, who, upon Receipt thereof, shall punctually apply the same to the Purposes aforesaid; but in case any of the said Subscribers, shall neglect or refuse to pay his or their Subscription or Subscriptions, to such Manager or Managers, for the Space of Thirty Days after the same shall be by him or them demanded, then and in that Case, it shall and may be lawful for such Manager or Managers, in his or their own Name, to sue for and recover, of all and every such delinquent Subscriber or

Subscribers, such Sum or Sums of Money, which he or they shall have subscribed; and upon Recovery, shall in like Manner apply the same towards defraying the Expence aforesaid. And after the said Bridge and Causeway shall be fully compleated and paid for by the said Subscribers, the same shall be thereafter, from Time to Time, kept and maintained in good Order and sufficient Repair, out of the Profits arising by the Toll thereof, if adequate to the Purpose; but if inadequate, the said Subscribers and such other Persons, who at any Time hereafter, may think proper to associate themselves therewith, shall make good the Deficiency, for so long Time as they shall see proper to continue the said Bridge and Causeway a publick Highway.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Manager or Managers, Farmer or Farmers of the said Bridge and Causeway, to retain out of the Rents, Issues or Profits thereof, so much Money as shall from Time to Time, be sufficient to keep and maintain the said Bridge and Causeway in good Repair; and shall only account for the Surplusage then remaining, to the said Subscribers, who shall annually meet on the third *Tuesday* in *March,* in each respective Year, at the Dwelling-House most contiguous to the said Bridge, if inclinable so to do; and then and there divide such Surplusage Money, if any, among themselves, in Proportion to their several and respective Subscriptions; or if on the contrary, any Deficiency should then happen to appear, the same shall be by them supplied in the like Proportion; for which Purpose, the said Manager or Managers, Farmer or Farmers, shall keep just and fair Accounts, and the same shall well and truly render unto the said Subscribers, or the major Part of them, when thereunto required. And in case the said Farmer or Farmers, shall neglect or refuse to render such Accounts, and pay to the said Manager or Managers, the Rent justly arising for the Use of the said Bridge and Causeway, when the same shall become due and payable, according to the Tenor of the Contract by him or them made with the Manager or Managers aforesaid; then and in that Case, it shall and may be lawful to and for such Manager or Managers, in his or their own Name, to sue such Farmer or Farmers to account, and shall recover of and from him or them, all such Sum and Sums of Money, as shall be found justly due, owing and payable thereon. And in case the said Manager or Managers, shall imbezzle, squander, misapply, or refuse to pay, or account for any Sum or Sums of Money, belonging to the said Subscribers, any or either of them; then and in such Case, it shall and may be lawful for the said Subscribers, or the major Part of them, to discard such Manager or Managers, and to appoint one or more Manager or Managers, in Lieu thereof, from Time to Time, as Occasion shall require: Which said Manager or Managers, so last appointed, shall be, and hereby is and are impowered, in his or their own Name, to sue such preceding delinquent Manager or Managers to Account; and shall recover of and from him or them, all such Sum and Sums of Money, as shall be justly due, owing and payable thereon as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person shall subscribe and pay towards the Expence of building the said

Bridge and Causeway, the Sum of *Twenty Shillings* or upwards, then and in such Case, it shall and may be lawful for such Person so subscribing and paying the same, with his Dwelling Household, and his or thier Goods and Chattels, to pass and repass the said Bridge and Causeway Toll free.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Manager or Managers aforesaid, to retain in his or their Hands, *Five per Cent* as Commissions on all such Money as he or they are impowered to disburse, by Virtue of the Directions of this Act.

Parker (1762) 20:4, pp. 29-32.

An ACT, *for naturalizing* George Beck, Jacob Wigmore, *and* Stephen Sarich.

WHEREAS *George Beck, Jacob Wigmore,* and *Stephen Sarich,* by their humble Petition have set forth, that they were born under the Dominion of foreign Powers, but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to his Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line, according to and in such Manner and Form, as is prescribed by an Act of the General Assembly, made in the eighth Year of the Reign of his Majesty King GEORGE the First, entitled, *An* Act *for the Security of his Majesty's Government of New-Jersey;* and in Confidence of their conforming themselves in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *George Beck, Jacob Wigmore,* and *Stephen Sarich,* shall be from henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province, and they, and each of them, and their[1] and each of their Heirs, shall and may enjoy, and are intituled to the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken, to enable the said

George Beck, Jacob Wigmore, and *Stephen Sarich,* or either of them, to be of his Majesty's Council, or of the General Assembly, or to hold or enjoy any Post or Office of Trust or Profit, within this Province; any Thing therein contained to the Contrary notwithstanding.

Parker (1762) 20:4, p. 33.

1. In the printed session law this word appears as "they." The word "their" has been substituted since it makes more sense in the context of the act.

Twentieth Assembly, Fifth Session

26-28 Apr. 1762

Perth Amboy

All acts passed 28 Apr. 1762.

An ACT *directing the Treasurers of this Colony, to pay the Commander in Chief of all His Majesty's Forces in* North-America, *the Sum of* One Thousand Six Hundred *and* Two Pounds, *for His Majesty's Service; to be repaid when His Majesty shall think proper: And for other Purposes therein mentioned.*

WHEREAS it is absolutely necessary, that the Regiments sent to *North-America,* should be recruited to their full Compliment, in order to a vigorous Prosecution of the War, and the obtaining in Consequence thereof a Glorious Peace, on which the future Safety and Prosperity of this Colony does immediately depend; and it appears requisite, that this should be done in *America,* as well for the greater Speed of the Operations there, as from the Impracticability of their being recruited from *Great Britain,* which must be in a great Measure drained of Men, by the vast Numbers already furnished for the Service of His Majesty in all the different Parts of the World. AND *Whereas* for this Purpose, it is recommended by His Majesty's Command, that this Colony should provide for the raising of One Hundred and Seventy Eight Recruits, by granting them the same Levy Money which is granted by this Colony to the Provincials, without which Expedient, it is not probable that so necessary a Service can be performed:

THEREFORE, That His Majesty's Most faithful and loyal Subjects in this Colony, may contribute every Thing in their Power, to the further Annoyance of the Enemy in this Part of World, consistent with their Custom of providing for their Defence by their Militia, and serving their Sovereign in all Attacks on his Enemies by Provincial Forces, raised for a limited Time; which Custom being in a Manner interwoven into their Constitution, cannot be altered without great Injury to the Colony, and Prejudice to His Majesty's Subjects:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Treasurers of this Colony, or either of them, shall on Demand, out of the Monies that may be in their Hands, made or to be made current for His Majesty's Service in the present War, pay to His Excellency Sir *Jeffery Amherst,* Commander in Chief of His Majesty's Forces in *North-America,* or his Order, or to the Commander in Chief of His Majesty's Forces in *North-America* for the Time being, or Order, the Sum of *One Thousand Six Hundred and Two Pounds,* to be applied to such Purposes in His Majesty's Service, as is most expedient.

AND *Whereas* the Regiment of this Colony is not yet provided with a Major, and the same now appearing necessary, BE IT ENACTED *by the Authority aforesaid,* That the Pay-Master of the said Regiment, shall pay to such Person as the Governor or Commander in Chief of this Province shall appoint Major, such Sum and Sums as were allowed for that Service during the last Campaign that a Major was provided: And it being probable, that a

Detachment of the said Regiment may be employed in a distant Situation from the Regiment, which may render it inconvenient for the former Pay-Master to attend both; BE IT ENACTED, That the commanding Officer of the said Detachment, shall pay all the Men under his Command, when employed separate from the Regiment; and it shall be lawful for the Treasurers of this Colony, or either of them, to pay to the said commanding Officer, or his Order, such Sum or Sums as he may want for the Purposes aforesaid; and his Receipt, or Order with a Receipt thereon, shall indemnify the said Treasurers, their Heirs, Executors and Administrators, of and from such Money as they may pay in Consequence hereof; and the said Commanding Officer shall enter into Security with the Secretary of this Colony, in the Sum of *Two Thousand Pounds,* for the faithful Performance of his Trust; pursuant to the Act, entitled, *An* Act *to compleat the* New-Jersey *Regiment, to Six Hundred and Sixty-Six effective Volunteers, Officers included.*

AND BE IT ENACTED *by the Authority aforesaid,* That in Case neither of the Pay-Masters by Law appointed, for the Whole of the said Regiment, should act; then *Elias Dayton* is hereby appointed Pay-Master, with all the Powers and Rewards, and subject to the Securities and Penalties attending the said Office, according to the Act aforesaid.

Parker (1762) 20:5, pp. 1-3.

An ACT *for naturalizing* Christian Syberberg, *and others.*

WHEREAS *Christian Syberberg, Christopher Huson, Hans Jacob Prettiker, Jacob Stucky, Henry Cook, Michael Maps, Charles Martin Roan, Henry Diffidaffy, Henry Swink, Nicholas Philips, Philip Marks, Leonard Fox, Caspar Grim,* and *John Rouse;* by their humble Petition, have set forth, That they were born under the Dominion of Foreign Powers, but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of His Majesty's natural freeborn Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to His Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line, according to, and in such Manner and Form, as is prescribed by an Act of the General Assembly, made in the Eighth Year of

the Reign of His Majesty King GEORGE the First, entitled, *An* Act *for the Security of His Majesty's Government of* New-Jersey; and in Confidence of their conforming themselves in all dutiful Manner, to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Christian Syberberg, Christopher Huson, Hans Jacob Prettiker, Jacob Stucky, Henry Cook, Michael Maps, Charles Martin Roan, Henry Diffidaffy, Henry Swink, Nicholas Philips, Philip Marks, Leonard Fox, Caspar Grim,* and *John Rouse,* shall be from henceforth deemed, taken and esteemed to be as His Majesty's natural freeborn Subjects, within this Province; and they and each of them, and they and each of their Heirs, shall, and may enjoy, and are entitled to the same Laws, Liberties, Rights and Privileges, as any of His Majesty's natural freeborn Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom, to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That nothing in this Act contained, shall be construed or taken, to enable the said *Christian Syberberg, Chrisopher Huson, Hans Jacob Prettiker, Jacob Stucky, Henry Cook, Michael Maps, Charles Martin Roan, Henry Diffidaffy, Henry Swink, Nicholas Philips, Philip Marks, Leonard Fox, Caspar Grim* and *John Rouse,* or either of them, to be of His Majesty's Council, or of the General Assembly, or to hold or enjoy any Post or Office of Trust or Profit, within this Province; any Thing herein contained to the contrary notwithstanding.

Parker (1762) 20:5, pp. 3-4.

Twentieth Assembly, Sixth Session

14-25 Sept. 1762

Burlington

All acts passed 25 Sept. 1762.

An ACT *to provide for the Inlisting, Cloathing, and Pay of Sixty-six effective Volunteers, Officers included, to be employed in his Majesty's Service from and after the first Day of* November *next; and for other Purposes therein mentioned.*

WHEREAS in Consequence of a Letter from General AMHERST, the Governor of this Colony has recommended it to the House of General Assembly, to provide for and continue in Pay, a Captain and Lieutenant, and Sixty-four private Men, (after the Regiment now on Foot shall be discharged.) And to the End, the Service may not be in any wise obstructed for Want of such further Aid;

BE IT ENACTED by the Governor, Council and General Assembly of this Colony of New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful to inlist out of the said Regiment, Sixty-four able-bodied Volunteers, if so many of the said Regiment shall then consent to inlist themselves, if not, then so many of such other able-bodied Volunteers may be inlisted as will complete the aforesaid Number of Sixty-four private Men; which, with a Captain and Lieutenant, shall act under his Majesty's Commander in Chief in *North-America,* until the first Day of *November,* in the Year of our Lord One Thousand Seven Hundred and Sixty-three, unless sooner discharged. And the said Men, when inlisted as aforesaid, shall be formed into a Company, and be commanded by a Captain and a Lieutenant; which Officers shall be appointed by Commissions from the Governor or Commander in Chief of this Colony for the Time being: And three Serjeants, three Corporals, and one Drummer shall be appointed by the said Captain, out of the said Company, for the Service thereof.

AND for the Encouragement of a sufficient Number of such able-bodied Volunteers to inlist themselves as Soldiers for the said Service, BE IT FURTHER ENACTED, That there shall be paid to every able-bodied Volunteer, who shall inlist in Quality of a Serjeant, Corporal, Drummer or private Soldier, the Sum of *Three Pounds,* Proclamation Money, over and above the Pay herein fixed and ordered to be paid him.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, (out of the Money made current for his Majesty's Service in the present War) shall pay or cause to be paid unto *John Smyth* and *James Smith,* Esqrs, or either of them, (who are hereby appointed Commissioners for the Colony of *New-Jersey)* such Sum and Sums of Money as the said Commissioners, or either of them, shall from Time to Time, find necessary to be expended, agreeable to the Directions, true Intent and Meaning of this Act. And the said Treasurers, or either of them, shall take Receipts signifying the Services the Money so paid was designed for, and signed by the Person or Persons receiving the same. And the said several Receipts, when produced by the respective Treasurers, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their or

either of their Heirs, Executors or Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid: And in case of the Refusal or Disability of the said *John Smyth* or *James Smith,* then *Uzal Ogden* and *John Edwards,* are hereby appointed to succeed as Commissioners, according to the Divisions they respectively belong to; who, in case of such Succession, is or are hereby vested with the same Powers, and authorised to receive the same Rewards as to the said *John Smyth* and *James Smith,* are appointed by this Act; and the Receipt of them or either of them, shall be sufficient to discharge the respective Treasurers, their Heirs, Executors and Administrators, from such Money as they may pay in Pursuance of this Act.

AND for the more secure Payment of the Bounty Money aforesaid, IT IS FURTHER ENACTED, That the Captain aforesaid, on the said first Day of *November* next, or as soon thereafter as his Company shall be complete, shall cause a Muster to be made of the same, in the Presence of the Colonel and Paymaster of the said Regiment, or in the Presence of one of them at least, and shall then produce to the said Colonel and Paymaster, or one of them, a fair written Muster-Roll, containing the Names and Stations of the Men inlisted; to which Men respectively, the said Colonel and Paymaster, or one of them, shall administer the Oath herein after directed to be taken by them respectively, which said Oath the said Colonel and Paymaster, or either of them, are hereby directed and impowered to administer; and after the Administration thereof, shall not only certify, that they or one of them, have administered the said Oath, but have likewise seen the Men whose Names shall have been entered on the said Roll, and have inspected and approved them; when, and not before, the said Captain, in the Presence of the said Colonel and Paymaster, or one of them, shall pay to each effective Man then present, who shall be so qualified, approved of and entered on the Muster-Roll as aforesaid, (of the Degree of Serjeant, Corporal, Drummer, or private Soldier) the Sum of *Three Pounds,* Money aforesaid: and the said Captain shall take a Certificate, signed by the said Colonel and Paymaster, or one of them, signifying the Number of Men, and the Sums of Money paid by the said Captain to the Men aforesaid; which said Certificate, so signed as aforesaid, shall be a sufficient Voucher to him the said Captain, his Heirs, Executors and Administrators, for the Payment of so much of the said Money as aforesaid.

AND BE IT FURTHER ENACTED, That the said Captain of the said Company, at the Time of obtaining his Commission, and his Successor in Command respectively, shall take the Oath of Allegiance and Supremacy required by Law, and have a Certificate thereof endorsed on his Commission: And shall also take an Oath in the Words following, *(that is to say.)*

I A.B. *do swear, that I will keep an exact Account or Roll, of every Officer and Soldier that shall be under my Command, by Virtue and in Consequence of an Act of General Assembly of the Colony of* New-Jersey, *entitled,* An *Act* to provide for the Inlisting, Cloathing and Pay of Sixty-six effective Volunteers, (Officers included) to be employed in his Majesty's Service from and after the first Day of *November* next; and for other Purposes therein mentioned; *and of the Time of*

the Inlistment, Continuance in Service, Discharge, Death or Desertion of every such Officer and Soldier; and that I will not suffer the Name of any Officer or Soldier to be entered or continued on the Roll, but such who shall fairly inlist, and actually perform Duty under my Command, to the End the Publick, or any private Person, through my Neglect, may not be defrauded. So help me God.

AND BE IT FURTHER ENACTED, That every Person inlisted as aforesaid, and entered on the Muster-Roll, shall before the aforesaid Colonel or Paymaster, before he receives the aforesaid Bounty, take an Oath in the Words following, *viz.*

I A.B. *do solemnly swear, that I will in all Things be faithful and bear true Allegiance to his Majesty King* GEORGE *the Third; that I will not desert his Majesty's Service to go over to the* Enemy, *nor any Person in Alliance with them; that I will not betray the Designs or Secrets of his Majesty's Officers to the Enemy; that I am duly inlisted in* C.D's *Company, and intend to continue in the present Service, and will not absent myself from or desert the same, before the first Day of* November, *which will be in the Year One Thousand Seven Hundred and Sixty-three, unless sooner legally discharged.* So help me GOD.

AND BE IT FURTHER ENACTED, That the said Captain to be appointed as aforesaid, is hereby also appointed Paymaster of the said Company, not only for paying them their Bounty as aforesaid, but also the Wages which shall from Time to Time become due and payable, by Virtue of the Directions of this Act; and in Case of the Death or Disability of the said Captain, then his Successor in Command is hereby appointed to succeed as Paymaster of the said Company. And it shall be lawful for the Treasurers of this Colony, or either of them, out of the Money aforesaid, to pay to the said Paymaster, or his Successor, any Sum or Sums of Money that he may find necessary for paying the said Company: And the Receipt of the said Paymaster or his Successor, or Orders drawn by him, with a Receipt thereon, shall, when produced to the General Assembly, discharge the said Treasurers, or either of them, their or either of their Heirs, Executors and Administrators, of and from any Money paid as aforesaid.

AND BE IT FURTHER ENACTED, That if any Officer or Soldier belonging to the said Regiment, shall sell, imbezzle, or misapply, or cause to be sold, imbezzled or misapplied any of the Articles furnished by this Colony, or shall wilfully or through Negligence, suffer any such Articles to be spoiled, damaged or lost; every Person so offending, shall make good the Damage out of his Wages; for which End the Pay-master shall retain in his Hands *Three Shillings* and *Six-pence* per Month, of every such Officer's and Soldier's Pay, until the Time of his Disbandment or Discharge, when his full Arrearages shall be paid him; provided no Complaint in the Premises shall then appear; but in case thereof, the Damage shall first be made good out of such Arrearages, and if insufficient, the Delinquent to remain liable to be further proceeded against according to Law: Of all which Articles sold, imbezzled, misapplied, or wilfully or negligently spoiled, damaged or lost, as aforesaid, the said Paymaster shall keep a just Account, and therein shall also truly enter all Arrearages retained in Satisfaction thereof, and shall lay such

Accounts, together with all other Accounts of Receipts and Disbursements, before the House of General Assembly, when thereunto required, to whom he is hereby made accountable.

AND BE IT FURTHER ENACTED, That it shall not be lawful for the Paymaster, on any Pretence whatsoever, to pay the said Arrearages, or any Part thereof, to any of the said Officers or Soldiers, Assignee or Assignees, or to any other Person whomsoever, other than the Person to whom the same at first became due; save only in Case of Death such Arrearages shall be paid to the Deceased's legal Representatives, deducting thence all his Delinquencies, if any such there be. And if any of the said Officers or Soldiers shall by Word or Writing, sell, transfer, assign, or otherwise dispose of his Wages or Arrearages, or any Part thereof, to any Person or Persons whomsoever, either before or after the same shall become due; such Sale, Transfer, Assignment or Disposal, shall be, and hereby is declared to be null and void, and the Property not altered.

AND BE IT FURTHER ENACTED, That in case the said Pay-master shall imbezzle or misapply any of the Money committed to his Care, or shall give, sell or waste, or cause to be given, sold or wasted, or shall wilfully or negligently suffer any of the Articles aforesaid, to be sold, spoiled, damaged or lost as aforesaid, upon Conviction thereof he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage thereby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof be committed to Prison or the common Gaol, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid: One Half of which said Penalty to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the other Half to the Person or Persons who shall prosecute the same to Effect, in any Court of Record where the same shall be cognizable within this Colony, with Costs of Suit; and the Damages or Value recovered on the Prosecution (exclusive of the said Penalty) shall be deposited in the publick Treasury for the Use of this Colony. And the said Paymaster, before entering into the Colony's Service in Quality of Paymaster, shall give Bond, with two good and sufficient Sureties, in the penal Sum of *One Thousand Pounds,* Proclamation Money: CONDITIONED as followeth, *(that is to say)* That if he the said doth faithfully discharge the Duty of Paymaster to the Company in the Pay of the Colony of *New-Jersey,* until the Disbandment thereof, (Death, Removal or bodily Disability excepted) and doth not imbezzle, misapply, wilfully or negligently waste, lose, damage or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony, nor suffer the same, nor any Part thereof, to be so imbezzled, misapplied, wilfully or negligently wasted, lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offenders Wages to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands according to Law, and keep true Accounts of all Monies received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House

of General Assembly, when thereunto required, and in all Things appertaining to his Duty as Paymaster to the said Company, doth well and truly demean himself according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *to provide for the Inlisting, Cloathing and Pay of Sixty-six effective Volunteers, (Officers included) to be employed in his Majesty's Service from and after the first Day of* November *next; and for other Purposes therein mentioned;* then the above Obligation to be void and of no Effect, otherwise to remain in full Force and Virtue: Which Bond the Secretary of this Colony is hereby authorised and required to take and retain for the Use thereof.

AND BE IT FURTHER ENACTED, That the said Commissioners, or either of them, shall purchase and transmit to the said Paymaster, for the Use of each Volunteer, to be respectively delivered him on the said first Day of *November* next, after he shall be inlisted and qualified as aforesaid, the following Cloathing Articles: *(that is to say)* One Blanket; a Watch-Coat of blue Duffels, or other thick and warm Cloth of equal Quality; one Cloth Jacket; one Pair of Ticking Breeches; one Pair of blue Cloth Breeches; one Check Shirt, and two white ditto; two Pair of Yarn Stockings; two Pair of Shoes, and one Felt Hat. The Ticking Breeches, one Shirt, and one Pair of Shoes, to be delivered them in *May,* One Thousand Seven Hundred and Sixty-three.

AND *Whereas* sundry small Articles and contingent Charges, unforeseen and not at present provided for, may happen to be needed for the Use of said Company, during the Term aforesaid; and it being necessary that the same shall be procured and defrayed; Therefore, BE IT FURTHER ENACTED, That when, and as often as the said Paymaster shall discover a real Necessity of any such small Articles or contingent Charges being purchased or defrayed, he shall duly advise said Commissioners, or either of them thereof; who, on Receipt of such Advice, shall be, and hereby are impowered to purchase the said Articles, or defray the said contingent Charges, having a strict Regard to good Oeconomy and Prudence therein; taking Receipts for the Monies advanced in Discharge thereof, and retaining the Letters of Advice relative thereto; which Receipts and Letters shall be sufficient Vouchers to discharge them the said Commissioners, or either of them, their, or either of their Heirs, Executors and Administrators, of and from the Monies so advanced.

AND BE IT FURTHER ENACTED, That once in every Month at farthest, during the Terms aforesaid, the said Paymaster shall cause the said Company to be mustered in the Presence of the Lieutenant, and with his Assistance, settle the Wages then due unto the Officers and Soldiers belonging to and doing Duty in the said Company; and also adjust the Deficiencies with which their said Wages respectively shall then stand charged; and after the same shall be equitably settled and adjusted as aforesaid, the said Paymaster, in a publick Manner, shall proceed to pay, or cause to be paid unto each and every Officer and Soldier then present, and not deficient, such Part of the Wages then due to him or them: And in case

any of them shall be deficient to the Value of the Whole, or any Part of the same, then otherwise payable, the same, or so much thereof as the Nature of the Case may require, shall then be retained in the Hands of the said Paymaster, to make good such Deficiency: Any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That if any Person or Persons within this Colony, shall purchase any of the Cloathing or other Necessaries furnished for the Use of the said Company, from any Person or Persons whomsoever; he, she or they so purchasing the same, shall forfeit the Sum of *Five Pounds;* to be recovered by Action, at the Suit, and in the Name of any Person or Persons who shall sue for the said Articles so purchased and Penalty, in any Court of Record where the same shall be cognizable; and on the Delivery of the said Articles to the said Treasurers, or either of them, the Person so suing, shall be intituled to the said Penalty.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Money aforesaid, shall pay unto the Paymaster aforesaid, or his Order, such Sum and Sums of Money as shall be sufficient, not only for paying unto himself such Commissions as shall be herein after allowed him, but likewise for paying the following Wages; *(that is to say)* To himself in Quality of Captain, the Sum of *Ten Pounds One Shilling* per Month, and for Levy-Money, *Ten Shillings* for each Man; To the Lieutenant, the Sum of *Seven Pounds Ten Shillings and Nine-pence* per Month; To each Serjeant, the Sum of *Two Pounds Fifteen Shillings* per Month; To each Corporal, the Sum of *Two Pounds Five Shillings* per Month; To the Drummer, the Sum of *Two Pounds Five Shillings* per Month; and, To each private Soldier, the Sum of *One Pound Thirteen Shillings and Six-pence* per Month.

AND BE IT FURTHER ENACTED, That the said Paymaster shall keep regular and just Accounts of all Monies by him received and disbursed in Pursuance of this Act, and shall take Receipts from the respective Persons receiving the same, for all such Money as he shall so disburse; and shall keep the like Accounts of all such Cloathing, and other Necessazies, which upon his entering in the Service, and during the said Term, shall be by him received, or, to the best of his Knowledge, in any wise belong to the said Company; and also of all Cloathing delivered out, (for which Receipts shall likewise be taken) Imbezzlements, Damages, or Losses happening to accrue; and of all Wages, or Arrearages of Wages, by him retained in Satisfaction thereof; which Accounts and Receipts above-mentioned, he the said Paymaster, shall lay before the House of General Assembly, (when thereunto required) to whom he is to be accountable as aforesaid; and appearing satisfactory, and he also producing a Receipt from the said Treasurer, of his having paid the Ballance of the said Accounts, (if any such there be) and delivering the other Articles therein specified to the said Treasurer, shall be sufficient to discharge him the said Paymaster, and his Sureties, of and from the Bond aforesaid, and from and for any other Branch of Duty enjoined them by this Act; in which case, it shall be lawful for the said House of General Assembly, by Writing from under the Hand of their Speaker, to

order the Secretary aforesaid, to cancel, and deliver the said Bond to the said Paymaster.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said Paymaster, to retain in his Hands, out of the Money aforesaid, *Two per Cent.* on all such Money as shall be by him disbursed in Manner aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Commissioners, or either of them, shall imbezzle, or misapply any of the Money with them or either of them intrusted, or after the same, or any Part thereof, shall be converted into Cloathing or other Stores necessary for the said Company, shall give, sell, or imbezzle the same, or any Part thereof, or permit any other Person or Persons so to do, contrary to the true Intent and Meaning of this Act; then the said Commisssioner or Commissioners so offending, shall be liable to be prosecuted in any Court of Record in this Colony, where the same shall be cognizable, by the Attorney General, who is hereby authorised, impowered and required, to prosecute such Commissioner or Commissioners, for all such Money, Cloathing, or necessary Stores, so given, sold or imbezzled as aforesaid; and upon Recovery and Receipt, to pay the same to one of the Treasurers aforesaid.

AND BE IT FURTHER ENACTED, That the said Commissioners, or one of them, shall procure a Book of clean Paper, for a Journal, fit for entering therein Memorandums of all Things by them, or either of them, advised, requested or transacted, respecting his or their Office, which he or they are truly to enter there, and to form regular Accounts of all Monies received and disbursed in Pursuance of this Act; and he or they shall also take Receipts for all Sums of Money disbursed by him or them; which Books and Receipts, he or they are to lay before the House of General Assembly of this Colony for the Time being, to be inspected, to whom he and they are hereby made accountable; and when the same shall be by them examined and found just, shall be sufficient to discharge them the said Commissioners, or either of them, of and from all and every such Sum and Sums of Money as he or they shall have laid out by Virtue of this Act. And it shall and may be lawful for the said Commissioner or Commissioners, to retain in his or their Hands, *Two per Cent.* on all Monies which shall be by him or them disbursed, agreeable to the foregoing Directions: And the said Treasurers, or either of them, out of the Money aforesaid, shall pay unto the said Commissioners or Commissioner, so much Money as shall be adequate to his or their Commissions, at the Rate aforesaid; and the said Commissioners, or either of their Receipts, shall be a sufficient Voucher to discharge them the said Treasurers, or either of them, their or either of their Heirs, Executors or Administrators, of and from the same.

AND *Whereas* by two Acts of the General Assembly of this Colony, now in Force, the One, entitled, *An* Act *for raising One Thousand effective Volunteers, (Officers included) for his Majesty's Service in the ensuing Campaign, and making Provision for the same; and for other Purposes therein mentioned;* and the Other, entitled, *An* Act *to ascertain the Proportion of the Money granted, or to be granted by Parliament, to this Colony, in order to lessen the sinking Funds in each respective County;*

Provision is made, that the respective Treasurers, should have Power to draw for, receive, and sink, such Sum and Sums of Money, as his Majesty should allow to this Colony, out of the Parliamentary Donations, for the Years One Thousand Seven Hundred and Fifty-eight, One Thousand Seven Hundred and Fifty-nine, and One Thousand Seven Hundred and Sixty, according to the Proportions in the last recited Act mentioned; but no Provision is made for ascertaining the Proportions of said Money, for the Years One Thousand Seven Hundred and Sixty-one, and One Thousand Seven Hundred and Sixty-two, for which there is equal Reason to expect a Parliamentary Allowance, according to the Services performed: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That the said Acts respectively, shall remain and continue in full Force and Virtue, from the Time of passing them, till the respective Treasurers shall have received and sunk, and be discharged from every such Parliamentary Allowance, that his Majesty has or may appropriate to this Colony, for Services, in the Years One Thousand Seven Hundred and Sixty-one, and One Thousand Seven Hundred and Sixty-two; which Donations, severally shall be applied for, received and sunk by the same Persons, in the same Proportions, and in the same Manner, as in and by the before recited Acts, is directed for the Years One Thousand Seven Hundred and Fifty-eight, One Thousand Seven Hundred and Fifty-nine, and One Thousand Seven Hundred and Sixty, and the Risks and Rewards shall also in every Respect, be the same in Proportion to the Sums so to be drawn for.

Parker (1762) 20:6, pp. 3-12.

A Supplement to the ACT *for regulating Roads and Bridges.*

WHEREAS the Act passed in the First Year of the Reign of his present Majesty, entitled, *An* Act *for regulating Roads and Bridges;* is found on Experience, not to be sufficiently extensive, and some Parts thereof to need Explanation and Amendment;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That when any Persons, who are substantial Freeholders, not less than Ten in Number, of which, Two of the chosen Freeholders of the County, are always to be Part, shall think a publick

Road necessary, in any Township, Precinct or District, within this Province, where they dwell, or in either of the Townships next adjoining; they shall apply in writing to the Two Surveyors of the Township or Precinct, where the said Road is proposed to be laid, and the Two Surveyors of the Two next adjacent Townships or Precincts within the said County, agreeable to the Third Section of the above recited Act; and some of the said Ten Persons, so applying, shall also affix Advertisements in Two of the most publick Places of that Township or Precinct, Townships or Precincts, where the Road is to be laid, of the Time and Place of the Meeting of the said Surveyors, and therein intelligibly describe the Place where the Road is proposed to be laid; which Advertisements shall be signed by Two of the said applying Persons, and fixed up at least Fifteen Days immediately before the said Time of Meeting; and the Surveyors, when met as aforesaid, on viewing the Premises, may proceed to lay out the said Road, if the said Two Surveyors, serving for the said Township or Precinct where the said Road is to lie, do consent thereunto, and will sign the Return thereof; or otherwise any further Proceeding therein shall be of no Effect: And the procuring a Surveyor with Chain and Compass, to locate a Road, shall in all Cases, be done wholly at the Expence and Trouble of those who request the said Road.

AND BE IT FURTHER ENACTED, That all publick Roads of four Rods wide and under, are hereby subjected to Alteration, agreeable to the Directions of the Fifth Section of the before recited Act: *Provided always,* That the Surveyors in the said County wherein the Alteration is to be made, shall always be the Six Surveyors that live nearest the Place where the Alteration is proposed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Roads of Two Rods wide, that were laid out before the Fifth Day of *December,* which was in the Year of our Lord One Thousand Seven Hundred and Sixty, for private Roads; are hereby declared to be and remain as much private Roads, as if the above recited Act had never been passed, (unless the same be made publick Roads according to the Directions of this Act) and be hereafter wholly maintained by and at the Expence of those Persons, who required the same, and their Successors in Interest therein. And if the Possessor of the Land, through or into which any private Road heretofore hath, or hereafter shall be laid, shall think it for his Advantage to have a Hanging-Gate in the same, the Person or Persons at whose Request the said Road was or shall be laid out, and his or their Successors in Interest therein, shall be obliged to erect and maintain a good Gate, where the Person, over whose Lands they shall pass, shall direct: *Provided nevertheless,* That the Possessor of the said Land may at his own Expence, erect as many more Gates in the said Road, as he shall keep in good Order. And if the Person or Persons for whom the said Road was laid, or his or their Successors, after being requested to hang such Gate by the Possessor of the said Land, shall neglect hanging the said Gate, for the Space of one Week after such Request; then the Owner or Owners of the said Land, may erect the said Gate, and sue the Person whose Duty it was to have erected the same, in any Court where

such Suit may be cognizable; which Court, shall give Judgment against the Defendant, for the whole Expences thereof, with Costs of Suit: *Provided always,* That no Inclosure shall be laid open by Reason of any such private Road, before the Person for whose Benefit the said Road lies, shall hang such Gate, unless the Possessor of the said Land, shall consent thereunto in Writing.

AND BE IT ENACTED *by the Authority aforesaid,* That when the Surveyors of the Highways, have met to lay out or alter any private Road, they may lay it out any Width, not exceeding Thirty Feet wide, which shall be returned and recorded in the same Manner as publick Roads.

AND *Whereas* the Twenty-seventh Section of the above recited Act, relating to Bridges in the Counties of *Middlesex, Monmouth, Essex, Bergen, Hunterdon,* and *Morris,* is represented as inconvenient, touching the Repairs of Bridges; Therefore, BE IT ENACTED *by the Authority aforesaid,* That where any Bridge or Bridges does or shall lie wholly in one Township, in any of the said Counties, and shall need Repairs by Handicraft Work; that any one or more of the Overseers of the Highways of that Township, shall have full Power, and they are hereby directed, to give Notice to one Justice of the Peace of such County, and the Two chosen Freeholders of the said Township, to meet together, at some Time and Place, by Overseer or Overseers to be appointed; and when they are so met, the said Two Freeholders, having the Concurrence of the said Justice, may, if they think proper, proceed to agree with Workmen, agreeable to the Twenty-seventh Section aforesaid.

AND for the Explanation of that Part of the said Twenty-seventh Section, that directs the Meeting of the Justices and Freeholders therein-mentioned; BE IT ENACTED *by the Authority aforesaid,* That hereafter the same shall be construed and understood to mean as follows, *viz.* That no Meeting of that Kind shall hereafter be lawful, wherein the Majority of the Freeholders chosen for the said County, shall not be present; and the said Majority being so present, or as many more as may attend, shall proceed to vote, and the Majority of the Whole present, with the Concurrence of at least two Justices, shall proceed.

AND BE IT ENACTED *by the Authority aforesaid,* That if the Overseers of the Highways, of any Town, Division, or Precinct, within the Counties of *Middlesex, Monmouth, Essex, Hunterdon, Morris,* or *Sussex,* shall esteem it necessary for any new Bridge to be built; it shall and may be lawful for such Overseers, to give Notice in Writing to some one Justice of the Peace, and the two chosen Freeholders of the said Town or Precinct, to attend at the Place, where the said Overseers shall esteem such Bridge necessary to be built; and if upon a View of the said Place, the said Justice and Freeholders, or the major Part, shall likewise esteem the said Bridge necessary to be built, then and not otherwise, it shall and may be lawful for the said Justice and Freeholders, or the major Part of them as aforesaid, to give Notice in Writing, to three Justices of the Peace of the County (one whereof being of the *Quorum*) and to every of the Freeholders chosen for each respective Town,

Division or Precinct, in the said County, wherein such Bridge shall be wanting, to meet together, at such Time and Place, as they the said Justice and Freeholders (or the major Part of them as aforesaid) shall appoint; and when met, it shall and may be lawful for them the said three Justices and Freeholders chosen as aforesaid, or the major Part of the Whole, including at least a Majority of the said Freeholders, if they judge such Bridge necessary to be built, to contract and agree with a proper Person or Persons to build the said Bridge, for such Sum or Sums of Money as shall by them be thought proper: And all and every such Sum and Sums of Money so contracted for as aforesaid, shall be from Time to Time hereafter assessed, raised, levied and applied, in such Manner and Form, as by the Twenty-seventh Section of the above-recited Act is already directed.

AND BE IT ENACTED *by the Authority aforesaid,* That when it shall be necessary to lay a publick Road through any Persons Plantation, Marshes, or improved Land, to pass to a Landing, the Surveyors of the Highways, or the Majority of them, shall have Liberty to lay the said Road two or three Rods wide, as they shall judge proper, and the Owner or Owners of the Lands over which it is to pass, shall have Liberty to hang a Gate or Gates therein, where he or they shall find it necessary for his or their Advantage, and the same shall keep in good Repair. And in Cases where such Roads are already laid, such Owners shall also have Liberty of hanging such Gate or Gates; and if any Person or Persons shall leave open such Gate or Gates, every such Offender shall for each Offence, forfeit to the Owner of the said Gate, the Sum of *Fifteen Shillings;* to be recovered by the said injured Person of the said Offender, with Costs of Suit, by Action of Debt, before any Justice of the Peace of that County, together also with all Damages which the said Owner shall sustain by reason of leaving open the Gate or Gates aforesaid, to be recovered in any Court where the same shall be cognizable.

AND BE IT ENACTED *by the Authority aforesaid,* That the Inhabitants of each Township and Precinct, who are Freeholders, and shall meet on the second *Tuesday* in *March* yearly, to chuse their Town or Precinct Officers, or at any Time afterwards, when summoned by any Judge or two Magistrates of the County, shall by Plurality of Voices, direct so much Money to be raised on the Inhabitants of the said Township or Precinct, as they shall find necessary for procuring such Materials as cannot easily be procured by Day Labour, so always as to have Money in Bank, for repairing such Roads, Causeways and small Bridges, as do not require Carpenter's Work, and make Order in Writing for that Purpose; and the Clerk of said Town, shall deliver said Order to the Assessor of the said Township, within ten Days after its being made, who is or shall be chosen to assess the Provincial Taxes, who is hereby commanded to assess the same on the Inhabitants of that Township or Precinct, in the same Proportion and Manner as the Provincial Taxes are or may be levied, and shall deliver the Duplicate thereof to the Town or Precinct Collector, chosen to collect the aforesaid Provincial Taxes; who shall collect the same, and pay it out agreeable to the Order of the respective Overseers of the Roads, or the Order of any one of them; which said

Collector and several Overseers aforesaid, shall annually account to the Inhabitants of the said Township or Precinct, at their yearly Meeting, on every second *Tuesday* in *March:* And if either of the said Overseers or Collector, shall neglect to account as aforesaid, then either of the chosen Freeholders of the said Township or Precinct, shall and may, in his own Name, sue such Delinquent, for all Monies remaining in his Hands, and recover with Costs of Suit: And on Recovery, the Monies to be applied to the Uses of the Roads as aforesaid. And the Assessors shall have *Eight-pence* per Pound for assessing, and the Collector *Eight-pence* per Pound for collecting and paying out.

AND BE IT ENACTED *by the Authority aforesaid,* That if the aforesaid Assessors or Assessor, shall neglect to assess the Taxes as aforesaid, or either of the aforesaid Collectors shall neglect to collect and account as aforesaid, such Delinquent shall for every Offence as aforesaid, forfeit the Sum of *Twenty Shillings;* to be recovered by Action of Debt, by the chosen Town or Precinct Clerk, with Costs of Suit, before any Justice of the Peace of that County, and to be applied to the Use of repairing the Roads in the Township or Precinct where the Offence or Neglect shall be committed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any publick Road or Highway within this Province, shall be found unnecessary or overburthensome to the Inhabitants, that it shall and may be lawful for the Inhabitants of the Township, Division or Precinct, wherein the said Road so lays, not less than Ten, who shall be Freeholders; who in Writing shall call together the Surveyors of Highways, agreeable to the Form directed in the above recited Act, for relaying of publick Highways; who shall, if nine of the said Surveyors agree, vacate and make void the same, to all Intents and Purposes, as if the same had not heretofore been laid out, certifying the same under their Hands, and the Place where the same formerly used to go; which said Certificate, shall be entered on Record in the Road Book, by the Clerk of the County wherein the said Road was vacated, and at the Expence of the Persons requesting the same. And it shall and may be lawful for the said Clerk, to take and demand for every Return and Certificate, by him entered in the said Road Book, agreeable to the Direction of this and the before recited Act, the Sum of *One Shilling.* And if he the said Clerk of the Peace, shall neglect or refuse to do and perform any Duty or Thing enjoined him, by this or the before recited Act, he shall forfeit and pay the Sum of *Forty Shillings;* to be recovered by any Person or Persons who shall sue for the same, to be applied towards repairing the Highways.

AND BE IT ENACTED *by the Authority aforesaid,* That the County of *Sussex* shall be exempt from the Twenty-fifth Section of the before recited Act, and subject only to the Twenty-seventh Section, with Regard to the Matters mentioned in the said Twenty-fifth Section.

PROVIDED ALWAYS, *and be it Enacted by the Authority aforesaid,* That Nothing in this Act contained, shall be construed in any wise, to affect the

great Cedar Swamp Bridge leading on to *Cape-May,* nor in any wise extend to or affect either of the Counties of *Bergen* and *Somerset.*

Parker (1762) 20:6, pp. 13-18.

An ACT *for laying a Duty upon Negroes and Mulatto Slaves, imported into this Province.*

WHEREAS the Provinces of *New-York* and *Pennsylvania,* have each laid Duties on the Importation of Negroes, and this Province being situate between both, and there being no Duty here, exposes this Government to many Inconveniences, and prevents industrious People from our Mother Country, and Foreigners, to settle among us; which calls aloud for a Remedy:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, of this Colony and it is hereby Enacted by the Authority of the same,* That for every Negro or Mulatto Slave which shall be imported, landed or brought into this Province at any Time after the Passing of this Act, other than such Negroes and Mulatto Slaves as shall be brought or sent into this Province upon their Masters' immediate Business, and not to remain in the Province, or for Sale; there shall be paid, if in the Eastern Division the Sum of *Two Pounds;* and if in the Western Division, the Sum of *Six Pounds:* And that all Masters of Vessels and others, who shall after the Passing of this Act, bring into this Province by Land or Water, any Negroes or Mulatto Slaves, shall forthwith make Entry, and give or cause to be given, on Oath or Affirmation, to the Person hereafter appointed to collect the said Duty, or his lawful Deputy, a true and just Account of all the Negroes or Mulatto Slaves so imported or brought in, and to whom they respectively belong; which the said Collector shall duly enter in a Book for that Purpose, and thereupon shall grant a Permit; for which the Person obtaining the same shall pay the Sum of *Two Shillings and Sixpence,* for every Negro or Mulatto Slave contained in the said Permit, for landing or bringing them in.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Master of a Vessel or other Person, who by this Act are obliged or ought to make such Entry as aforesaid, and shall refuse or neglect to make the same accordingly, within the Time and in the Manner directed by this Act, and being thereof convicted, before any one Justice of the Peace, shall forfeit for every Negro or Mulatto Slave, of which he ought to give an Account to the Collectors of the Duties imposed by this Act, the Sum of *Thirty-five Shillings;* to be levied upon the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal of the Justices aforesaid, before whom the

Party is convicted. And that every such Importer, Owner or Claimer, of such Negroes or Mulatto Slaves, shall before landing of them, pay down the said Duty, or otherwise become bound to the Collector for the Time being, with one or more sufficient Sureties, or procure some other sufficient Person or Persons, to be bound to the said Collector, to answer and pay the said Duty, hereby imposed upon such Negroes or Mulatto Slaves, within Six Months next after the Date of the said Obligation; for which the Collector shall receive of the Party the Sum of *Two Shillings and Six-pence,* and no more.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the said Negroes or Mulatto Slaves, shall be imported, landed or brought in, during the Continuance of this Act, without making Entry, and obtaining a Permit as aforesaid, or without paying, or giving Security for Payment of the said Duty in Manner aforesaid; that then all the Negroes or Mulatto Slaves so imported, landed or brought in, or the Value of them, if they cannot be found, shall be forfeited by the Importer or Owner, one Moiety (after the said Duty and all Charges of Seizure and Prosecution are deducted) shall be paid into the Treasury, and applied as the Legislature shall hereafter direct; and the other Half (after the said Deduction) to the said Collector, or such other Person as will sue for the same in any Court of Record in this Province, by Bill, Plaint or Information, wherein no Essoin, Protection or Wager of Law, or any more than one Imparlance, shall be allowed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Collector of the said Duty arising by this Act, or his Deputy, shall have full Power and Authority by Virtue hereof, without any further or other Warrant, to enter on board any Ship or Vessel, and into any House or Place whatsoever, where he shall suspect any of the said Negroes or Mulatto Slaves to be concealed, and make Searches, and do all other Matters and Things which may tend to secure the true Payment of the said Duty, and the due and orderly Collection thereof; and in case of Opposition or Refusal, the said Collector or his Deputy, with the Assistance of the Sheriff, Water-Bailiff, Constable or other Officer, who without any other or further Warrant, are enabled and required, under the Penalty of *Five Pounds,* for every Neglect or Refusal in that behalf, to be recovered as aforesaid, to be aiding and assisting to the said Collector, to seize the said Negroes and Mulatto Slaves which shall be concealed, or endeavoured so to be, as aforesaid, and for that End to break open Doors and other Things in the Day-time, and to do and perform all other Act and Acts, which by this Act is and are required to be done, for collecting, receiving and recovering of the said Duty, and the Penalties and Forfeitures herein-mentioned, or for making Seizures of Negroes or Mulatto Slaves landed or brought in, without making Entries, and paying and securing the said Duty, in as full and ample Manner to all Intents, as any of the Collectors or Officers of the King's Customs, may or can do by the Laws of *Great-Britain.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Masters of Vessels and others, trading in the River *Delaware,* and the *North-*

River, and coming into any Port or Place of this Province, having Negroes or Mulatto Slaves on board, which by this Act are liable to pay the said Duty, are hereby required under the Penalty of *Thirty-five Shillings,* to comply with the Directions of this Act, as if such Vessel came from Sea directly; and that all Persons obliged by this Act to pay the said Duty, shall apply to the said Collector or his Deputy, without any Notice given, or Request made by him for their so doing.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any Vessel shall arrive at any Port, Member, Creek or Landing Place, in this Province, with any Negroes or Mulatto Slaves on board, and there remain the Space of Forty-eight Hours, without making Entry, under Pretence of going to some other Port, or any other Pretence whatsoever; the Master or Owner of the said Vessel, shall give a true Account of the Number of Negroes or Mulatto Slaves on board, and shall give Security to the said Collector or his Deputy, that he shall not land any of the said Negroes or Mulatto Slaves, without Entry made, and Permit obtained from the said Collector, under the Penalty of Seizure and Forfeiture of the said Negroes or Mulatto Slaves; to be recovered as aforesaid.

PROVIDED ALWAYS, That if any of the said Negroes or Mulatto Slaves, for which the said Duty is paid, or secured as aforesaid, shall within the Space of Six Months, be exported or carried out to Sea; then and in such case, three Fourths of the said Duty hereby imposed, shall be abated, for such of them as shall be exported as aforesaid; and on Payment of the remaining one fourth Part, the Security given shall be delivered up and discharged; and the Officer shall and may deduct *Five Shillings* per Head for his Care and Trouble therein.

PROVIDED ALSO, That all such Negroes or Mulatto Slaves, for which such Deduction shall be made, shall actually and *bona fide,* be forthwith shipped off, or sent out of this Province, so as not to return again without complying with this Act, under the Penalty of Seizure and Forfeiture as aforesaid.

PROVIDED ALWAYS NEVERTHELESS, That if any Person or Persons, shall during the Continuance of this Act, transport him or themselves, with their Families and Negroes or Mulatto Slaves, in order to settle in this Province, and shall upon Oath or Affirmation, declare before the said Collector or his Deputy, who are hereby impowered to administer the same, that such Negroes or Mulatto Slaves so brought in, are for their own Service and not for Sale, he or they shall not be liable to pay the said Duty for such Negroes or Mulatto Slaves; but shall forthwith give Security to the said Collector, (which he is hereby impowered and required to take) by a Bond of the full Value of such Negroes or Mulatto Slaves, conditioned for the Payment of the Rates aforesaid, in Case such Negroes or Mulatto Slaves shall be sold, or the Property of them directly or indirectly altered, within the Space of Six Months after the Date of such Bond.

AND to prevent the clandestine Practice of landing or bringing in of Negroes or Mulatto Slaves, into the remote Parts of this Province, by Masters

of Vessels, Merchants and others, without making Entry of and paying the Duty for the same, according to the Directions of this Act: BE IT ENACTED *by the Authority aforesaid,* That the Constables of the respective Cities, Townships or Precincts, within this Province, shall and are hereby obliged, under the Penalty of *Twenty Shillings,* for every Refusal or Neglect, upon Oath or Affirmation; which the said Justices or some of them are hereby required to administer, to bring in a List to the respective Courts of Quarter-Sessions, for the City or County where they live, or all the Negroes and Mulatto Slaves, that shall come or be brought into their respective Townships or Precincts, and by whom the said Negroes were imported or brought in, and in whose Possession such Negroes or Mulatto Slaves are; and the Collector, or his Deputy or Deputies, in the respective Counties, shall and may have Recourse to the Returns of the Constables, for the better collecting the Duties, Fines and Forfeitures arising by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the respective County Collectors of this Province for the Time being, are hereby appointed the Collectors of the said Duty hereby imposed, and Receivers of all Fines, Forfeitures and Penalties herein before appointed, to be set, imposed and levied by Virtue of this Act; which the said Collector, by himself or his Deputy, is hereby impowered to demand, collect, receive and recover, of and from all Persons importing, landing or bringing in, any Negroes or Mulatto Slaves, during the Continuance of this Act, and shall from Time to Time take all Bonds required to be given as aforesaid. And the said Collector shall keep fair and true Accounts in Writing, of all such Transactions relating to the Premises; which he shall from Time to Time submit to the View and Inspection of the General Assembly, when thereunto required, and once in twelve Months, or oftener if required, during the Continuance of this Act, pay into the Treasurers Hands, all such Sums of Money as he shall receive by Virtue of this Act, and shall deduct out of the same, for his own Use, *Five per Cent.* for all Sums so by him paid; and shall further be allowed, in the final adjusting of his Accounts, all reasonable Charges by him expended, in the Prosecution of the said Seizures and Recovery of any of the said Fines, Forfeitures and Penalties, in Pursuance of this Act.

PROVIDED ALWAYS, That each of the said Collectors, before they enter upon the Execution of their Office, shall be sworn or affirmed, before some Justice of the Peace, for the true and faithful Execution of his said Office.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall at any Time be sued or prosecuted, for any Thing done in Pursuance of this Act, such Person or Persons so sued or prosecuted, may plead the General Issue, and give this Act, and the special Matter in Evidence, for their Excuse or Justification; and if the Plaintiff or Prosecutor become Nonsuit, or forbear Prosecution, or suffer a Discontinuance, or if a Verdict pass against him, in such Action, Suit or Information; the Defendant shall have treble Costs, as in any Cases where Costs by Law are given to Defendants.

PROVIDED ALWAYS, That neither this Act, nor any Thing therein contained, shall be in Force until his Majesty's Royal Assent be had thereunto.

Parker (1762) 20:6, pp. 18-23.

A Supplementary ACT *to the Act, entitled,* An *Act* to preserve the Navigation of the Rivers and Creeks, within the Colony of *New-Jersey.*

WHEREAS the Act, entitled, *An* Act *to preserve the Navigation of the Rivers and Creeks, within the Colony of* New-Jersey, though beneficial in its Nature, by making Provision for freeing the Navigation of the said Rivers and Creeks from the Obstructions within the same, yet not making the like Provision, for cutting down and removing from the Banks of said Rivers and Creeks, such Trunks and Limbs of Trees, and such like Obstructions, that hang over and impede the Navigation of the same, renders it necessary to supply that Omission; for Remedy whereof,

BE IT ENACTED *by the Governor, Council and General Assembly, of the said Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful, for any Person or Persons whomsoever, to cut down and remove from the Banks of any River or Creek within this Colony, all such Trunks and Limbs of Trees, and such like Obstructions, which shall hang over, or any ways interrupt the Navigation of the same, so as such Obstructions be removed with as little Detriment to the Owners of the Lands where the same may happen, as the Nature of the Case will admit, for the Benefit of the Navigation.

Parker (1762) 20:6, p. 23.

An ACT *to prevent Persons prosecuted in the Colony of* New-York, *for Trespasses committed on* Sandy-Hook, *being again prosecuted in* New-Jersey, *on the same.*

WHEREAS by a Law passed in *New-York,* this present Year, the Proprietor or Proprietors of *Sandy-Hook,* for Reasons therein set forth, are entitled forever hereafter, to bring his or their Actions in any Court or Courts of Law in that Colony, for any Trespass or Trespasses that shall be committed on any Part of *Sandy-Hook,* by any Person or Persons whatsoever, Inhabitants or Residents of that Colony, with this Provision nevertheless, that said Law shall not be in Force, till a Law be passed here, providing, That such Person or Persons who shall have been sued for the same Trespass in any Court of that Colony, shall be exempt from Prosecution here on the same Trespasses:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That every Person or Persons, Inhabitants or Residents of the Colony of *New-York,* who shall be sued for any Trespass done at *Sandy-Hook,* in any of the Courts of that Colony, shall be exempt from Prosecution in the Courts of *New-Jersey,* for such Trespasses as aforesaid.

Parker (1762) 20:6, p. 24.

An ACT *to postpone the Drawing of the Province Lottery.*

WHEREAS the Managers appointed to draw a Lottery, on or before the first Day of *November* next, agreeable to an Act, entitled, *An* Act *to prevent the Sale of Tickets in Lotteries erected out of this Province,* &c. have informed the Legislature, that they were apprehensive, the Tickets of said Lottery could not be sold by the Time appointed, so as to answer the End proposed by said Lottery.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Managers of said Lottery, to postpone the Drawing of said Lottery to any farther Time, not exceeding One Year after the Publication

hereof, any Thing in any other Law to the contrary in any wise notwithstanding.

Parker (1762) 20:6, pp. 24-25.

An ACT *to impower the Trustees of the College of* New-Jersey, *to raise by a Lottery, a Sum of Money for the Use of said College.*

WHEREAS the Trustees of the College of *New-Jersey,* by their humble Petition, set forth, that from the great Expence of Erecting their Buildings, the Salaries of their College Officers, and incidental Charges attending so great a Work, has reduced their Fund so much, that they are at present unable to support a sufficient Number of learned Men for the Tuition of the Students, and to furnish themselves with a Library, *&c.* and praying the Aid of the Legislature, to raise a Sum of Money for the Purposes aforesaid:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Trustees of the College aforesaid, to erect and draw a Lottery, for raising any Sum not exceeding *Three Thousand Pounds* Proclamation Money, and to sell and dispose of the Tickets in said Lottery, any Law to the contrary in any wise notwithstanding.

PROVIDED ALWAYS, That none of the said Lottery Tickets shall be sold, or offered to Sale, within this Province, before the several Lotteries already established by Law, shall be drawn.

Parker (1762) 20:6, p. 25.

An ACT *for rendering void the Lottery lately made by* Peter Gordon, *for the Sale of certain Lands lying in the County of* Middlesex, *and to relieve and secure the Trustees and Managers of the said Lottery, against any Action that is, or may be brought against them, concerning the same.*

WHEREAS *Peter Gordon,* in order to make Sale and dispose of certain Lands to discharge his Incumbrances, and to acquit himself of his Debts, did some Time since erect, set up and make a Lottery, and did appoint *William Ouke, Joseph Rue, Robert Cummings* and *Henry Moore,* Managers of the said Lottery. And *whereas* by a mere Mistake in numbering of certain Tickets in the said Lottery, divers of the said Tickets were numbered alike, and of the same Number. And *whereas* it appears, that the said Mistake was by Accident, and with no Design or intended Fraud; and that nevertheless, certain Actions have been brought by some of the Adventurers or Purchasers of certain Tickets in said Lottery, against some of the said Managers or Signers of the said Tickets, which are now depending, and other Actions and Suits are threatened to be brought by other Adventurers and Purchasers of the said Tickets, against the said Managers and Signers thereof; which is likely to be very prejudicial to the said Managers, if not their utter Ruin; for Prevention whereof,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Lottery, and every Matter and Thing relating thereto, or concerning the same, be hereby vacated, rendered and made null, void and of none Effect, to all Intents and Purposes whatsoever; and that no Suit or Suits, Action or Actions, shall or may be brought, commenced, maintained, prosecuted or carried on, by any Person or Persons whatsoever, against the said Managers or Signers of the said Tickets, or against any or either of them, in any Court of Record within this Province, for or by Reason of any Prize or Prizes drawn upon or by any Ticket or Tickets in the said Lottery: And in case any Suit or Suits, Action or Actions, shall be brought, commenced, prosecuted or further carried on, in any Court of Record in the said Province, against the said Managers or Signers of the said Tickets, or against any or either of them the said respective Managers or Signers of the said Tickets, so sued and prosecuted, for any of the Prize Monies drawn by any Ticket or Tickets in said Lottery, shall and may plead the General Issue, and give this Act in Evidence, in Bar of such Action or Actions, and shall thereupon be forthwith discharged of and from such Action or Actions.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Adventurers, Owners or Purchasers, of any of the Tickets in the said Lottery, that have actually and *bona fide,* paid Money for such Ticket or Tickets, shall have and receive the several and respective Sum or Sums of Money they have so paid for the said Ticket or Tickets, provided the said Sum so to be received

does not exceed *Thirty Shillings* for each respective Ticket, of and from the respective Managers, or of and from the Persons to whom they respectively paid for the same, (except as hereafter is excepted.)

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Costs and Charges of the said Actions, already brought and commenced against the said Managers or Signers, for or by Reason of any Prizes drawn by any of the said Tickets hitherto accrued, shall be paid by the respective Managers or Signers of the said respective Tickets, against whom such Action or Actions are already brought, to the respective Plaintiffs, or Persons prosecuting the said Action or Actions; and that no more or further Costs shall be taxed, allowed or paid, than has hitherto accrued on such Actions.

AND *Whereas* the said *Peter Gordon,* has disposed of and sold sundry Tickets in the before-mentioned Lottery, and received the Monies, or otherwise accounted with the Purchasers or Owners thereof for the same; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers, or either of them, their Heirs, Executors or Administrators, shall at all Times hereafter be exempt and discharged from the Payment of any Sum or Sums of Money, received by said *Peter Gordon,* for Tickets by him sold, and which Monies have not been paid, or otherwise come into the Hands of the said Managers, or either of them; and in case any Action now is, or hereafter shall be commenced or brought, by the Adventurer or Proprietor of any Ticket or Tickets, purchased of said *Peter Gordon,* for the Monies paid into his Hands, and which are not received by the Managers or either of them, it shall and may be lawful to and for the said Managers, or either of them, their Heirs, Executors or Administrators, to plead the General Issue, and give this Act in Bar to any such Action or Actions, already commenced, or that may be hereafter commenced as aforesaid.

PROVIDED ALWAYS, That this Act or any Thing therein contained, shall not be deemed or understood to bar or deprive the Adventurers, Owners or Proprietors, of any Ticket or Tickets purchased of said *Peter Gordon,* from having or maintaining his, her or their Action or Actions against him, for the Recovery of all such Sum or Sums of Money, as he, she or they may have respectively paid to the said *Peter Gordon,* in Pursuance of said Lottery, for any Ticket or Tickets by him sold, and the Monies for the same not paid into the Hands of the Managers or either of them as aforesaid.

Disallowed 20 July 1764.
Parker (1762) 20:6, pp. 26-28.

An ACT *to enable the Owners of the Meadows and Marshes on the East Side of* Great Mantua Creek, *in the County of* Gloucester, *to drain the said Marshes, and to keep their Tide Bank in proper Repair.*

WHEREAS it has been found convenient and necessary, for *Joshua Lord, Samuel Cousen, Jacob Cousen, Joshua Cousen, Daniel Cousen, Hannah Wilkinson, John West, Israel West,* and *Richard West,* Owners of certain Meadows and Marshes situate on the East Side of *Great Mantua Creek,* in the County of *Gloucester,* to erect a Tide Bank, for the keeping out the Tide, and draining said Meadows and Marshes; and for the better upholding, maintaining and keeping the said Tide Bank in proper Repair, the Persons above-mentioned, are desirous to have their several Measures and Allotments of the said Tide Bank proportioned to each of them;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, it shall and may be lawful for the said *Joshua Lord, Samuel Cousen, Jacob Cousen, Joshua Cousen, Daniel Cousen, Hannah Wilkinson, John West, Israel West,* and *Richard West,* and their Heirs and Assigns, to uphold, keep up and maintain the said Tide Bank; and that the several and respective Measures and Allotments of the said Tide Bank, be proportioned out to each of them as follows, *viz.* the said *Joshua Lord's* Part of the Tide Bank, to begin at a Post marked I L standing on *Israel West's* fast Land, thence running along said Bank Seventeen Chains and Fifty Links, to a Stake in the Line between the said *Joshua Lord* and *Samuel Cousen.* The said *Samuel Cousen's* Part of the said Bank, to begin at the last mentioned Stake, and running from thence Twelve Chains and Seventy-Nine Links to another Stake, including a Dam of Fifty Links, which Dam and Sluice are to be maintained at the equal Cost of the said *Samuel Cousen* and *Jacob Cousen.* The said *Jacob Cousen's* Part of the Bank, to begin at the last mentioned Stake, and running thence along the Bank Twelve Chains and Twenty-nine Links to another Stake. The said *Joshua Cousen's* Part of the said Bank, to begin at the last mentioned Stake, and running thence, along the Bank Twelve Chains and Seventy Nine Links to another Stake, including a Dam of Fifty Links, which Dam and Sluice are to be maintained at the equal Expence of the said *Joshua Cousen* and *Daniel Cousen.* The said *Daniel Cousen's* Part of the said Bank, to begin at the last mentioned Stake, and running from thence Twelve Chains and Twenty-Nine Links, to a Stake standing in the Line between the said *Daniel Cousen* and *Hannah Wilkinson.* The said *Hannah Wilkinson's* Part of the said Bank, to begin at the last mentioned Stake, and running from thence Ten Chains and Seventy-Nine Links, to a Stake in the Line between the said *Hannah Wilkinson* and *John West.* The said *John West's* Part of the said Bank, to begin at the last mentioned Stake, and runs from thence Five Chains, to a Stake in the Line between the said *John West* and *Israel West.* The said *Israel*

West's Part of the said Bank to begin at the last mentioned Stake, and running from thence Forty-Two Chains and Eighty-four Links, to an Ash, Corner between the said *Israel* and *Richard West*. The said *Richard West's* Part of the said Tide Bank, to begin at the said Ash Tree, and running from thence Fifteen Chains and Eighty-Four Links, to the Fast Land of the said *Richard West*. And that all the Mud or Earth that will be necessary for the Support of the said Tide Bank, is to be taken from the Land most convenient to the said Bank, and with as little Detriment to the Owners as may be.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Division Drains that are already made, or that shall hereafter be made, within the Bank aforesaid, shall be constantly kept open and clear by the Persons adjoining thereto, at an equal Expence to both Parties. And in case of the Neglect or Refusal of either Party, it shall and may be lawful for the other, (after he has before Evidence given three Months Notice to the Party neglecting) to enter upon the said Party's Premises, and cause the Whole to be done, dividing the Mud to be thrown up, as near as may be between both the said Parties, and bring his Action of Debt against the Party so neglecting, for an equal Part of the Charge, if *Six Pounds* or under, before any one Justice of the Peace of the County aforesaid; and if above, in any Court of Record of this Colony, where the same shall be cognizable. And the said Court, or Justice of the Peace, upon Proof being made by the Testimony of two credible Neighbours, that the Charges the Plaintiff has been at, are to the best of their Judgment just and reasonable, that the Services done were necessary, and that the Notice aforesaid was duly given, shall give Judgment for the Plaintiff with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That if any of the Persons herein-mentioned, or their Heirs or Assigns, or any of the Owners and Possessors of any of the Allotments herein-mentioned, shall require any Drains to be made on any of the Division Lines within the Bank aforesaid, and the Person adjoining thereto, shall refuse to be at a Share of the Expence in making the same; the Necessity of such Drains shall be adjudged by two indifferent Men of the Neighbourhood, being Freeholders, and the Parties to abide by such Adjudication. And where such Division Drains shall be adjudged necessary, it shall and may be lawful for the Party requesting the same, to enter upon the Premises, and cause the same to be done, the Expence thereof being adjudged as aforesaid, and proportioned to each Party according to the Benefits arising therefrom; it shall and may be lawful for the Person doing the Work as aforesaid, to bring his or her Action against the Party refusing as aforesaid, for the Sum so proportioned as aforesaid, and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the afore-mentioned Person or Persons, or either of their Heirs or Assigns, or the Owners or Possessors of any of the Shares or Allotments herein-mentioned, shall neglect or refuse to act, do and perform, whatsoever is required of him, her or them, by this Act as aforesaid, or shall neglect or refuse to keep up his, her or their Part of the Tide Bank, Sluices and Dams,

sufficient to keep the Tide off of the said Meadows; it shall and may be lawful for the other Owners of the said Tide Bank, Sluices and Dams, or any of them, after giving Notice thereof to the Party so neglecting or refusing as aforesaid, to enter immediately on that Part so neglected, and to do and repair the same; and the Changes and Expences of the doing thereof, shall be judged by two indifferent Men as aforesaid, in Respect to Drains (the three Months Notice only excepted.) And the Person or Persons so neglecting or refusing to pay whatsoever Sum or Sums of Money that shall be adjudged thereon, shall be liable to be sued by the other Owners of the said Tide Bank, or either of them, if *Six Pounds* or under, before any one Justice of the Peace of said County, by Action of Debt, to be recovered before him, with Costs of Suit; and if above *Six Pounds,* to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any Court of Record in this Province, where the same shall be cognizable, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

PROVIDED ALWAYS, AND IT IS HEREBY DECLARED TO BE UNDERSTOOD, That nothing in this Act shall be construed, to authorise or give Power to any Person or Persons whatsoever, to make Sale of the Lands of any Person or Persons under Age; but in that Case, on their Default in maintaining the Dam, Bank or Sluices aforesaid, or Non-compliance with any of the Terms mentioned in this Act, the Rents and Profits of their said Lands, shall be applied to defray their Part of the necessary Expences towards the said Bank, and the Repairs thereof agreed on as aforesaid.

Parker (1762) 20:6, pp. 28-31.

An ACT *to enable the Owners of Meadows and Marshes lying on the Westerly Side of* Raccoon Creek, *in the County of* Gloucester, *to keep out the Tide from overflowing the same.*

WHEREAS it is become necessary for *Samuel Lippincot, Simeon Calm, Peter Homan, John Leonard Calm, Frederick Urion, Thomas Chester, Jacob Jones, Josiah Key, Jonathan Rumford* (Executor to *John Rumford,* deceased) and *Justus Justison,* Owners of certain Meadows, Marshes and Swamps, situate on the Westerly Side of *Raccoon* Creek, in the County aforesaid, to erect a Tide-Bank, for the keeping out the Tide, and draining said Meadows, Marshes

and Swamps, beginning at or near the upper Side of the said *Samuel Lippincot's* fast Land, adjoining said *Raccoon* Creek, then down the said Creek to the fast Land of the said *Lippincott,* at the lower End of said Marsh, so as to include the Meadow, Marsh and Swamp of the aforesaid Owners within the same: And for the better making, upholding and maintaining the said Tide-Bank, Sluices, and other Water-works necessary thereto, in a just and equitable Manner;

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful for any one of the Owners above-named, to give Notice (at least ten Days before the Day of Meeting) to all the Parties concerned, to meet at a Time and Place by him affixed, to chuse five indifferent and disinterested Persons of the said County, to measure, ascertain and fix each respective Owner's Share, of the said Tide-Bank, Sluices and other Water-Works, which each of them respectively, their Heirs and Assigns, shall make, maintain, uphold and support, sufficient to keep the Tide from overflowing the Meadows included within the same; and the said five Persons so chosen, or any three of them, so measuring, allotting and laying out the several Shares and Proportions as aforesaid, fixing and ascertaining the same in writing under their Hands, or under the Hands of any three of them, and the said Instrument filed in the Clerk's Office of said County, shall be as conclusive to each of the said Parties, their Heirs and Assigns, as if said Proportions were herein affixed and ascertained.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for said Parties, at said Meeting, or the Majority so met, to choose two Managers, (Parties interested in said Meadows) which said Managers, in case of Neglect of the Parties, or either of them, in making their Proportion of said Tide Bank, Sluices and other Water-Works, may enter on the Allotments so neglected, and cause the same to be made and done, and bring their Action of Debt, against the said Party or Parties, for the Charge of doing the same, if *Six Pounds* or under, before any Justice of the Peace of said County; if above, in any Court of Record where the same shall be cognizable: And said Court, or Justice of the Peace, on Proof being made by the Testimony of two credible Neighbours, that the Charges the said Managers or Manager brings against the Defendant, is just and reasonable, and that the same was neglected by him or her to be done, shall give Judgment for the Plaintiff, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the said Tide Bank is made and compleated, if any Person or Persons interested therein, shall neglect to keep up and maintain their Proportion thereof as aforesaid, sufficient to keep the Tide from overflowing the said Meadows, it shall and may be lawful for any of the other Owners, after giving Notice thereof to the Party or Parties so neglecting, to enter immediately on the Part so neglected, and to do and perform what shall be necessary, and shall receive such Sum or Sums of Money, of him or them who ought to have done the same, as the said Work shall be adjudged to be Worth, by two

honest Neighbours; to be recovered in Manner aforesaid. And if it shall be found convenient and necessary, for the Owners and Possessors of said Meadows, or for any of them, to dig Drains, along the Lines of the several Lots of said Meadows, or along the Lines of any of them, and either of the Parties shall neglect or refuse to do their equal Share, in making and keeping open any such Line, Drain or Drains against their own Meadow; then it shall and may be lawful for the other, (after giving the Party so neglecting three Months Notice before Evidence) to enter on said Premises, and get the whole done, the Middle of said Drains to be in the Line of said Lots as near as may be, and the Mud equally divided to each Side, and bring his, her or their Action or Actions of Debt, against the Party or Parties so neglecting, for one Half the Cost of doing the same; which upon the Testimony of two credible Neighbours, that the Plaintiff's Charge is just and reasonable, that the Service done was necessary, and the said Notice was duly given, shall be recovered in Manner aforesaid.

Parker (1762) 20:6, pp. 31-33.

An ACT *to enable the Owners and Possessors of the Marsh and Swamp, lying on a small Creek called* Pumpessy *or* Walker's Creek, *in the Township of* Chester, *in the County of* Burlington, *to erect and maintain a Bank, Dam, and other Water-Works, across the said Creek, in order to prevent the Tide from overflowing the same.*

WHEREAS Stopping the Tide out from overflowing the Marsh and Swamp, lying on *Pumpessy* or *Walker's Creek,* would be of great Benefit to the Owners and Possessors thereof; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Marsh and Swamp, to make, or cause to be made, and kept up a good and sufficient Bank, Dam, and other Water-Works, necessary for keeping out the Tide from overflowing the said Marsh and Swamp.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bank, Dam and other Water-Works, that may be found necessary to be

erected for the effectual preventing the Tide from overflowing the Marsh or Swamp, inclosed within the same, shall be erected, supported and maintained at the equal Expence of the Owners and Possessors thereof, in Proportion to the Quantity and Quality of Marsh or Swamp, each of the Owners or Possessors now do, or hereafter may hold, within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the natural Water Course of the said Creek, (so far up as the Meadow may extend) shall at all Times hereafter be kept open and clear, so as to give the Water a sufficient Fall from off the Meadows or Swamp, in the same Manner and Proportion aforesaid; and all Rubbish, Mud or Grass, that shall be dragged from out of the same, shall be equally divided, as near as may be, to each Side of the said Creek.

AND to the End that the said Bank, Dam and other Water Works, may be immediately erected, and at all Times hereafter, well and sufficiently supported and maintained, and the said Water Course be kept open and clear; BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Marsh and Swamp, shall and may, at all Times, (after the ensuing Year) on the first *Tuesday* in *April,* Yearly and every Year, meet at the Dwelling House of *Darby Durell;* and then and there by Plurality of Voices, of them so met, elect and choose one of the Owners or Possessors thereof, to be a Manager the ensuing Year, (until which Time *William Cox* is hereby appointed Manager) which said Manager, during the said Year, shall have full Power to assess the Owners and Possessors aforesaid, pursuant to the Directions of this Act, in such Sum or Sums of Money, as shall be by him thought necessary, for erecting, repairing and maintaining the said Bank, Dam and other Water Works, and for keeping the said Water Course open and clear as aforesaid, during the said Year; and if the said Owners and Possessors shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time be assessed on them, any or either them, for the Space of Twenty Days next after the same shall have been demanded; it shall and may be lawful for the said Manager, to sue all and every such Person and Persons in his own Name, for the respective Sum or Sums of Money, he, she or they were assessed at, in an Action of Debt of *Six Pounds,* or under, before any One Justice of the Peace, within the said County; if above, in any Court of Record, where the same may be cognizable, and give the said Assessment in Evidence; and the said Court and Justice of the Peace, is and are hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit; And it shall and may be lawful for the said Manager, at all Times hereafter, to dig Mud, the most convenient and least detrimental to the Owner of the Soil; as also Sand, Gravel or Lume, out of the Bank or Fast-Land adjoining to either End of the said Bank or Dam, for the erecting, raising and repairing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners and Possessors aforesaid, shall neglect to meet on the said first *Tuesday* in *April,* yearly as aforesaid, to choose a Manager; that then and in

such Case, the Manager chosen for the preceding Year, shall be continued in said Office the ensuing Year; and so continued from Year to Year, until the said Owners and Possessors shall meet and elect another in his Room, and shall have the same Power and Authority to all Intents and Purposes, as if the said Owners and Possessors had met and elected him, agreeable to the Directions of this Act.

AND in order to find and fix the said Proportion, it shall and may be lawful for the Manager, at any Time, to cause the said Marsh and Swamp to be measured; the Cost and Expence of which shall be paid by the Owners and Possessors thereof, in Proportion as aforesaid.

AND further, it shall and may be lawful, for the Owners and Possessors of the said Marsh and Swamp, by Plurality of Voices, to choose Two or more Neighbouring Freeholders, to inspect into the Quality thereof; and value the same, in order that the said Manager may assess it in Proportion, according to the Judgment of the said Freeholders, chosen as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Manager shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts for all Monies by him received and expended by Virtue of this Act; and shall deliver the Ballance of the Monies remaining in his Hands, to the succeeding Manager, first deducting thereout *Six Pence* in the Pound, for all Monies by him expended for the Purposes aforesaid: And if the said Manager shall refuse or neglect so to account, and pay the Ballance remaining in his Hands, to the succeeding Manager, it shall and may be lawful for the said succeeding Manager, to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Managers should happen to die, or remove out of the said County; that then and in such Case, it shall and may be lawful for any Owner or Possessor, to warn in the other Owners and Possessors of said Meadow, to meet at the Place aforesaid, on a Day by him to be appointed, giving them and each of them at least Ten Days Notice, to choose a Manager in the Stead of him so dead or removed as aforesaid: And the said Manager so chosen, shall be invested with the same Power and Authority, as tho' he had been chosen on the first *Tuesday* in *April*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall neglect or refuse to do and perform any Duty or Thing required by this Act; such Person or Persons so neglecting or refusing, shall forfeit the Sum of *Six Pounds* Proclamation Money; to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace of said County, and applied towards the supporting the said Dam, Bank, and other Water-Works, as aforesaid, with Costs of Suit.

PROVIDED ALWAYS, and it is the true Intent and Meaning of this Act, that Nothing herein contained, shall be construed as to oblige any of the said Owners or Possessors of any Part of the said Marsh or Swamp, which shall be hereafter contained within the said Bank and Dam, to pay any Money towards the said Bank, Dam or other Water-Works; except such of

the said Owners and Possessors who have petitioned for this Act; *(to wit) Darby Durell, John Walker* and *Edward Walker;* until such Time as the said other Owners and Possessors of the Residue of the said Marsh or Swamp, or either of them, shall begin to improve the same; at which Time the Persons concerned, shall choose four Neighbouring Freeholders, who shall judge the Value of the said Bank, Dam and other Water Works, at that Time, and deliver the same in Writing, under the Hands and Seals of them so chosen, or any Three of them, unto the Manager aforesaid: And it shall and may be lawful for the said Manager, to recover his or their Proportion of and from the said Owner or Owners, Possessor or Possessors, so beginning to improve as aforesaid, and divide the Monies, when recovered, equally in Proportion, among the other Owners and Possessors, who at first erected the said Works.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of any Part of the said Marsh or Swamp, after they have begun to clear or improve any Part thereof, as aforesaid, shall be and are hereby made liable to the same Pains and Penalties, to all Intents and Purposes, as those who petitioned for this Act; any Thing herein contained to the Contrary notwithstanding.

Parker (1762) 20:6, pp. 33-36.

Twentieth Assembly, Seventh Session

25 May-3 June 1763

Perth Amboy

All acts passed 3 June 1763.

An ACT *for the Support of Government of his Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-three, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-four; and to discharge the publick Debts and contingent Charges thereof; and for other Purposes therein mentioned.*

WHEREAS the Act for the Supporting the Government of his Majesty's Colony of *New-Jersey,* is expired. We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given unto his Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for his Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To His Excellency WILLIAM FRANKLIN,[1] Esq; Governor and Commander in Chief of this Colony, at the Rate of *Twelve hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of this present *May.*

To *Robert Hunter Morris,* Esq; Chief Justice of this Colony, *One hundred and fifty Pounds per Annum,* Money aforesaid.

To *Samuel Nevill,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Courtland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds, per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty Pounds per Annum,* Money aforesaid.

To *Joseph Sherwood,* Esq; Agent of this Colony at the Court of *Great-Britain,* or to the Agent for the Time being, appointed by the House of Representatives, *Eighty Pounds per Annum,* Money aforesaid.

To *John Smyth,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Endorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein before mentioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-four; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorised and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers, dying or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; the Sum of *Two hundred and Eighty-six Pounds Sixteen Shillings,* in full for his Salary, from the Twenty-fifth Day of *February* last, the Time he took upon him the Administration of the Government of this Colony, until the said Twenty-first Day of this Instant *May.*

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent, from the said Twenty-fifth Day of *February* last, until the Expiration of this Act, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts, and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers,

or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time in the respective Counties of this Colony, either at the Time appointed, or that hereafter shall be appointed for holding the said Courts, provided there shall be a real Occasion for holding the same. *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Gaol Delivery, held in any one County during the said one Year, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Gaol Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any three Justices of the Peace *(Quorum unus)* of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* The the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they have respectively attended, or shall attend at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Abraham Clark,* jun. one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said one Year; also the Sum of *Four-pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, copying the Laws and Minutes for the Printer; and to said *Abraham Clark,* the Sum of *Ten Pounds,* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session: And to *Richard Smith,* for the said Services in four former Sessions, *Fourteen Pounds;* and to pay for a new Journal, and other Expences, *One pound nineteen shillings* and *five pence.*

To the Secretary, for Charges attending Expresses to this Time, in full of his Account, the Sum of *Fifty three pounds twelve shillings and eight pence:* And for his Salary as Judge, from the 24th of *November* last, till this Bill commences, the Sum of *Twelve pounds ten shillings,* Money aforesaid.

To each of the Treasurers of this Colony, *Six-pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony; and to each of

the said Treasurers, *Fifteen Pounds,* for their extraordinary Services.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, or any other printing, such Sums as *John Stevens, Hendrick Fisher, John Wetherill, John Hoghland* and *John Ogden,* Esqrs, or any two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three shillings per Diem:* And to the Serjeant at Arms who shall attend the House of Representatives, the Sum of *Three shillings per Diem.*

To the Door-keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem.*

To *John Stevens,* Esq; to pay for a Room for the Assembly, *Twenty shillings* per Week: And also *Fifteen shillings* per Week, to pay for a Room, Fire-wood and Candles, for the Council, during any Sitting within the said Time.

ALL which said several Sums abovementioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief, for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers, to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Robert Ogden, Hendrick Fisher, Jacob Spicer, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers, to discharge them the said Treasurers or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Parker (1763), pp. 3-8.

1. The natural son of Benjamin Franklin, William Franklin was the last royal governor of New Jersey, serving from 1763 until 1776. Although a very popular and effective governor throughout most of his term in office, he remained loyal to English rule, for which he was eventually arrested by the new patriot government in June of 1776. Released through a prisoner exchange, he left for England in 1782, never to return to the United States.

An ACT *to provide for the Pay of the* New-Jersey *Regiment, for the Month of* November, *One Thousand Seven Hundred and Sixty Two; and for other Purposes therein mentioned.*

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Treasurers of this Colony, or either of them, out of the Money in their Hands, made current for his Majesty's Service in the late War, shall pay or cause to be paid unto *Hendrick Fisher,* Esq; who is hereby appointed a Commissioner to pay the Officers and Soldiers of the said Regiment for the said Month of *November,* any and all such Sum and Sums of Money as the said Commissioners shall find necessary for the said Service.

AND BE IT ENACTED *by the Authority aforesaid,* That Colonel *Samuel Hunt* and Lieutenant-Colonel *William Mac Daniel* shall, and they are hereby required to make out fair Muster-Rolls of the said Regiment, (Officers and Soldiers included) as the same stood on the first Day of *November* aforesaid, with a Note of such as they shall know to be dead, and the Time of their Decease, and deliver the said Rolls to the said *Hendrick Fisher,* who shall on certain Days, to be by him prefixed, and which shall be previously advertised in the *New-York* and *Pennsylvania* Gazettes, attend one Day at each of the Places hereafter mentioned; that is to say, at *Elizabeth Town, Amboy, Brunswick, Trenton, Burlington,* and *Gloucester;* and at each of the said Times and Places shall proceed to pay to all and singular the said Officers and Soldiers contained in the said Rolls, and who shall attend, the like Sums as by the Act of General Assembly of this Colony by which the said Regiment was raised, was allowed them for one Month's Pay. And it shall not be lawful for the said Commissioner to pay any Assignee or Assignees of such Soldier, or any Person other than the said Soldier if living, or his legal Representative if dead, except his or their Order is attested before a Magistrate. And it shall be lawful for the said Commissioner to employ in his Service any Officer of the said Regiment, to attend him at the said Days and Places, to prevent his

being imposed upon by any Person or Persons who did not perform Duty in the said Campaign.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioner, out of the Money he shall receive by Virtue of this Act, to pay to the said Officer he shall so employ, such Sum as he shall agree upon for the said Service; and also to retain in his own Hands *two per Cent.* for all Money he shall pay in Pursuance of this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Commissioner shall keep a fair Book of Accounts, in which he shall regularly enter all Sums by him received and paid by Virtue hereof, and the same shall lay before the General Assembly of this Colony, for the Time being, when thereunto required by them, to whom he is hereby made accountable. AND in Case any or either of the said Officers or Soldiers of the said Regiment should by any Means whatsoever, fail of receiving their Wages at any of the Times aforesaid, the said Commissioner shall and may pay them at such other Time as he shall think convenient. And the Receipts, or Order with Receipts, of the said *Hendrick Fisher* or *John Wetherill,* shall indemnify the respective Treasurers, their Executors and Administrators. And in Case of the Refusal, Disability or Death of the said *Hendrick Fisher,* then *John Wetherill,* Esq; is hereby appointed his Successor as Pay-Master of the said Forces, who shall (in Case he succeeds) have all the Powers, and be intitled to the same Rewards, as the said *Hendrick Fisher* is entitled to by this Act.

AND *Whereas* no Provision is made for sundry contingent Charges, BE IT ENACTED *by the Authority aforesaid,* that it shall be lawful for the Treasurers aforesaid, or either of them, out of the Money aforesaid, to pay unto *Jacob Spicer, Ephraim Seely, Robert Friend Price, Thomas Rodman, Joseph Borden, John Hart, John Hoghland, Hendrick Fisher, John Taylor, John Wetherill, John Ogden, Theunis Dey,* and *George Reading,* Esquires, or to their Order, or to the Order of any two of them, who are appointed Commissioners to enquire into, and adjust, and pay the Claims of all Persons for Services done this Government in the late War, not heretofore provided for by Law; and the Receipt of them the said *Jacob Spicer, Ephraim Seely, Robert Friend Price, Thomas Rodman, Joseph Borden, John Hart, John Hoghland, Hendrick Fisher, John Taylor, John Wetherill, John Ogden, Theunis Dey,* and *George Reading,* or Order of any two of them, with a Receipt thereon, shall, when laid before the General Assembly, be sufficient Vouchers to discharge the said Treasurers, their Executors and Administrators of and from any Money paid in Virtue hereof.

AND *Whereas* there are several Persons within this Government who have been heretofore raised for his Majesty's Service, in the Regiments of this Colony, and have been therein (by being wounded and otherwise) totally disabled from procuring their own Subsistence by Labour, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That *James Neilson, Hendrick Fisher, Joseph Borden, John Lawrence, Rinear Vangeson, Uzal Ogden, Jacob Spicer, John Smyth, John Anderson, Jacob Ford, Charles Hoff, Ephraim Seely, Joseph Hull, Edward Keasby,* and *Samuel Harrison,* Esquires, be and they are hereby appointed Commissioners, for granting such Relief to the Townships

wherein any such disabled Persons are, as they, or any two of them, may, in their Discretion, judge necessary; for which Purpose, it shall and may be lawful for the Treasurers of this Colony, or either of them, out of the Money that now is, or hereafer may be in their Hands, made current for his Majesty's Service in the late War, to pay to the said *James Neilson, Hendrick Fisher, Joseph Borden, John Lawrence, Rinear Vangeson, Uzal Ogden, Jacob Spicer, John Smyth, John Anderson, Jacob Ford, Charles Hoff, Ephraim Seely, Joseph Hull, Edward Keasby,* and *Samuel Harrison,* or to their Order, or to the Order of any two of them, any Sum or Sums of Money they may find necessary for the Purposes aforesaid; and the Receipt of them, the said *James Neilson, Hendrick Fisher, Joseph Borden, John Lawrence, Rinear Vangeson, Uzal Ogden, Jacob Spicer, John Smyth, John Anderson, Jacob Ford, Charles Hoff, Ephraim Seely, Joseph Hull, Edward Keasby,* and *Samuel Harrison,* or any two of them, or Order from any two of them, with a Receipt thereon, when laid before the General Assembly, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money they may pay in Virtue hereof.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or one of them, shall pay to *William Foster,* Esq; for the Use of the Indians at *Brotherton,* to discharge some Expectations formerly given them by the Commissioners for Indian Affairs, *One hundred and six Pounds,* and his Receipt shall be a Discharge to the said Treasurers for said Sum of Money.

AND *Whereas* a Number of Arms and Accoutrements belonging to this Province now lie useless, BE IT ENACTED *by the Authority aforesaid,* That it shall be lawful for the Board of Justices and Freeholders, in each County, to sell the said Arms and Accoutrements belonging to their respective Counties, and apply the Money arising therefrom, to the Use of the County.

AND BE IT ENACTED *by the Authority aforesaid,* That the respective Barrack-Masters of this Province, already appointed by Law, shall be continued from the Time of their ceasing until the first Day of *May,* One Thousand Seven Hundred and sixty four, with Power to draw on the Treasurers as usual, for the same Sums and the same Salaries they have heretofore had; and the Receipts of any one of them shall indemnify the respective Treasurers, their Executors and Administrators, when laid before the General Assembly, for so much as they shall pay as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall be lawful for either of the Treasurers to pay unto *Aaron Miller,* for his extraordinary Invention in forming a Compass, whereby Lines of Land may be run to any Minute of a Degree, the Sum of *Thirty Pounds.* And also, to *Israel Pemberton,* to pay the Expences attending the Death of *Maudlin* the Indian, the Sum of *Fifteen Pounds six Shillings.* And the Receipts of the said *Aaron Miller* or *Israel Pemberton,* or Order with a Receipt thereon, shall be sufficient to indemnify the said Treasurers, their Executors and Administrators, of and from said Sums respectively.

AND BE IT ENACTED *by the Authority aforesaid,* That *Jonathan Hampton,* Esq; shall be a Commissioner for collecting and selling to the best Advan-

tage, all the Arms prepared for the Frontiers of this Province; and when the same are so sold, shall pay the Money into the Treasury of this Province, after retaining in his Hands *Five per Cent.* Commissions, for his Trouble.

Parker (1763), pp. 8-12.

An ACT *for submitting the Property of Lands which are held or claimed by any of his Majesty's Subjects as lying within this Colony, and are affected by the Controversy about the Boundary or Partition-Line between this Colony and the Colony of* New-York, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint.*

WHEREAS the Boundary or Partition-Line between this Colony and the neighbouring Colony of *New-York,* has not hitherto been duly ascertained, and by Reason of the unsettled State of the Limits of the two Colonies, not only the Extent of their respective Jurisdictions remain uncertain, and the due and regular Administration of Government in both Colonies is by that Means greatly impeded, but also frequent and dangerous Riots have been occasioned, and are still likely to arise, between the Borderers, as well concerning the Extent of the respective Jurisdictions as the Property of the Soil, to the great Disturbance of the publick Peace, and the manifest Discouragement of his Majesty's good Subjects in the Settlement and Improvement of that Part of the Country:

AND Whereas the Governor, the Council, and General Assembly, of the Province of *New-York,* did, at their Session held in *December* last, pass a Law, entitled, *An* Act *for submitting the Property of the Lands which are held or claimed by Grant under the Great Seal of this Colony, and are affected by the Controversy about the Boundary or Partition-Line between this Colony and the Colony of* New-Jersey, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint; and for defraying the Expence to accrue on the Part of this Colony, on the final Settlement of the said Line:* Wherein full and adequate Provisions are made on the Part of that Province, for the Purpose of settling and adjusting the said Partition-Line, and putting an End to a Controversy dangerous to the Peace of both Colonies.

AND Whereas the Property of all the Lands within this Colony are held or claimed by some or other of his Majesty's Subjects in Consequence of divers Grants and mean Conveyances from and under his Royal Highness *James* Duke of *York,* (afterwards King *James* the Second) the original Proprietor thereof.

TO the Intent, therefore, that the salutary Work so well begun on the Part of the Colony of *New-York,* may have a happy Issue, and that the said Controversy, as far as it concerns the Property of the Lands, held and claimed by any of his Majesty's Subjects, as lying and being within this Colony, may, together with the Boundary or Partition-Line between the two Colonies, be finally settled and determined.

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all and singular the Messuages, Lands, Tenements and Hereditaments, and all Right, Title, Interest and Property, in and to the same, which are held or claimed by any of his Majesty's Subjects, as lying and being within this Colony, and are, can, shall, or may be in any wise affected by the said Controversy, concerning the Boundary or Partition-Line between this Colony and the Colony of *New-York,* are hereby fully and absolutely, to all Intents, Constructions and Purposes in the Law whatsoever, submitted and made subject to the same Method of Decision as his most gracious Majesty shall think proper, by his Royal Commission, or otherwise, to institute and appoint, for the final Settlement and Determination of the Boundary or Partition Line between the said two Colonies: And that all and every Determination and Determinations, to be made by any Person or Persons whatsoever, by Authority derived from his most gracious Majesty, by his Royal Commission, or otherwise, that shall in any wise concern the said Line, or the Controversy that has hitherto subsisted relating to the same, and whereby the Right, Title, Interest and Property of the said Messuages, Lands, Tenements and Hereditaments, so held or claimed as aforesaid, as lying and being within this Colony, or any Part or Parcel thereof, shall be intended to be bound and determined, shall fully, compleatly, and absolutely bind, and forever determine, the Right, Title, Interest and Property of the said Messuages, Lands, Tenements and Hereditaments, to all Intents, Constructions and Purposes in the Law whatsoever; any Law, Usage or Custom to the Contrary thereof in any wise notwithstanding.

AND to the End that sufficient Provision may be made on the Part of this Colony, for Payment of the one equal Half-Part of the joint Expence to accrue on the final Settlement of the said Controversy and the Boundary Line between the said Colonies; and also for paying of the particular Expences that shall or may accrue on the Part of this Colony, in prosecuting the said Controversy to a final Settlement; BE IT ENACTED *by the Authority aforesaid,* That the Right Honourable *William* Earl of *Stirling,* the Honourable *Robert Hunter Morris, John Stevens, James Parker,* and *Henry Cuyler, jun.* Esquires, or the Majority of them, or the Majority of the Survivors of them, are hereby nominated and appointed Agents, to manage the said Controversy, on the

Part and Behalf of this Colony; and also, that the said Agents, or the major Part of them, and the major Part of the Survivors of them, shall, and are hereby authorized to pay, lay out and expend, from Time to Time, from and out of the publick Monies in the Treasury of this Colony, all such Sum and Sums of Money as shall from Time to Time be necessary, to defray, as well the one Half of the said joint Expence as the particular Expences aforesaid; which Sum and Sums of Money, shall, from Time to Time, upon Application of the said Agents, or the major Part of them, or the major Part of the Survivors of them, as Occasion shall require, be drawn out of the said Treasury, by Warrant or Warrants of his said Excellency, or the Commander in Chief of this Colony for the Time being, by and with the Advice of his Majesty's Council, in Favour of the said Agents, or the major Part of them, and the major Part of the Survivors of them; and also, that the said Agents, and the Survivors of them, shall, from Time to Time, account upon Oath, for and concerning the Execution of the Trust hereby reposed in them, to his said Excellency, or the Commander in Chief for the Time being, his Majesty's Council, or the General Assembly of this Colony, when by them, or any of them, they shall be thereunto required.

Parker (1763), pp. 12-14.

An ACT *for subjecting the Estates of the General Proprietors of the Eastern Division of this Colony, to the Indemnification of this Province, from any Expence in running the Line between* New-Jersey *and* New-York.

WHEREAS by an Act of the General Assembly of the Province of *New-Jersey,* passed in the third Year of his present Majesty King GEORGE the Third, entitled, *An* Act *for submitting the Property of Lands which are held or claimed by any of his Majesty's Subjects as lying within this Colony, and are affected by the Controversy about the Boundary or Partition-Line between this Colony and the Colony of* New-York, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission or otherwise, to appoint;* wherein, among other Things, it is Enacted, That the Right Honourable *William* Earl of *Stirling,* the Honourable *Robert Hunter Morris, John Stevens, James Parker,* and *Henry Cuyler, jun.* Esquires, or the Majority of them, or the Majority of the Survivors of

them, are nominated and appointed Agents, to manage the said Controversy, on the Part and Behalf of this Colony; and also, that the said Agents, or the major Part of them, and the major Part of the Survivors of them, are thereby authorized to pay, lay out and expend, from Time to Time, from and out of the publick Monies in the Treasury of this Colony, all such Sum and Sums of Money as shall from, Time to Time be necessary, to defray, as well the one Half of the said joint Expence as the particular Expences thereof; which Sum and Sums of Money shall, from Time to Time upon Application of the said Agents, or the major Part of them, as Occasion shall require, be drawn out of the said Treasury, by Warrant or Warrants of his Excellency, or the Commander in Chief of this Colony for the Time being. But the Legislature having received Assurances from the general Proprietors of the Eastern Division, that the Province should be indemnified of all Demands for the Purposes aforesaid; BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all and singular, the Lands, Tenements, Hereditaments, and other Estates, of the said *William* Earl of *Stirling, Robert Hunter Morris, John Stevens, James Parker* and *Henry Cuyler, jun.* Esquires, and all others who are of the General Proprietors of the Eastern Division of *New-Jersey,* and of each and every of them, jointly and severally, be subjected and made liable to indemnify and save harmless this Colony of *New-Jersey,* of and from any Money being demanded or drawn out of the Treasury of this Province, by Virtue of any Power granted in the before recited Act of General Assembly.

Parker (1763), pp. 14-15.

An ACT *to raise a Fund for defraying Damages done by Dogs in the Province of* New-Jersey.

WHEREAS many of the Inhabitants within the Province of *New-Jersey,* have sustained great Losses, occasioned by Dogs killing their Sheep, without being able to obtain Redress; which have often times fell heavy upon Individuals. For Remedy whereof

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Town Collectors, chosen in each respective City, Town or Precinct, within this Province, once in every Year during the Continuance of this Act, and not

oftener, to demand and receive of and from all Persons having the Property in, or keeping any Dog, of what Age, Size or Kind soever, the Sum of *Six Pence* for each Dog; and if there should be more than one Dog, kept by any one Person or Family, then the Sum of *One Shilling* for the second Dog; and the Sum of *Three Shillings* for every Dog above the Number of Two, kept as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, having Property in, or keeping any Dog, of what Age, Size or Kind soever, shall neglect or refuse to pay unto the Collector or Collectors of their respective Cities, Towns or Precincts, the Sum or Sums as above-fixed, Ten Days after the same is demanded; it shall and may be lawful for the Collector or Collectors of each respective City, Town or Precinct, to commence and prosecute his or their Action or Actions, against any Delinquent or Delinquents, for Recovery of the same, with Costs of Suit, before any Magistrate in this Colony. And if any Person or Persons, shall deny that he, she or they, have Property in, or keep any Dog, yet if it can be proved, that such Person or Persons are in Possession of, or suffer the same to remain about his House Thirty Days before the Demand made by the Collector, he, she or they shall be deemed to be the Owner or Owners of such Dog, and liable to the Payment of the aforesaid Tax; to be recovered as above: And if no Owner appears to claim said Dog, it shall and may be lawful to and for the Person or Persons having the same about his or their House, to kill them at any Time after Thirty Days from their first coming to the House.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Person or Persons within this Province, shall have sustained Damages by Dogs, of any Kind, Age or Size, killing his, her or their Sheep, it shall and may be lawful for him, her or them, to call in two adjacent Freeholders of Credit, who are hereby impowered to view the Sheep so killed or hurt; and if it shall appear, upon positive or circumstantial Proof to their Satisfaction, that they were killed by Dogs only; then the said Freeholders shall certify the same, with the true and real Value of the Sheep or Damage sustained, and the Number killed or hurt, under their Hands; which Certificate shall be a sufficient Voucher to the Collector or Collectors, for paying the Value of the Sheep, or Damages therein express'd.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever Sheep within this Colony shall hereafter be killed or hurt by any Dog, and it can be proved whose Dog it was that did the Mischief, if the Owner or Possessor of such Dog shall neglect or refuse to kill the same, or make Satisfaction to the Person or Persons injured, after Demand made, it shall and may be lawful for the Person or Persons so injured, to get the Value of the Sheep, or the Damages, certified by two credible Freeholders as aforesaid, and commence his, her, or their Action or Actions against the Owner or Possessor of such Dog, before any Magistrate, if under *Six Pounds,* and if above *Six Pounds,* in any Court of Record within this Colony, and recover the same, with Costs of Suit.

AND BE IT FURTHER ENACTED, That if any Person or Persons shall find any Dog killing or worrying his, her or their Sheep, it shall and may be lawful for them immediately to shoot or kill the same on their own Premisses; and if it can be prov'd by any disinterested Evidence, that such Dog was ever before concern'd in killing of Sheep, and the same came to the Knowledge of the Owner or Possessor thereof, then, and in such Case, it shall and may be lawful for the Person or Persons injured, to get the Value of the Sheep or Damages certified as above, and commence his, her, or their Action, for the Recovery thereof, as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Collector or Collectors of each respective City, Town or Precinct within this Colony, shall keep a Book, and therein enter the Names of every Person in his or their several Districts keeping Dogs, and the Number, with the Tax or Sums collected by Virtue of this Act, and shall also take Receipts on the Back of the Certificates, for the Monies paid on the same; which Book and Certificates shall be laid before the succeeding Town Meeting, to be held on the second *Tuesday* in *March,* in each Year, in order to be settled and adjusted by said Town Meeting; and if there shall appear to be a Ballance, or overplus Money, in the Hands of said Collector or Collectors, the same, with the Book and Certificates, shall be delivered into the Hands of his or their Successor in Office; and the overplus Money applied to such publick Uses or Benefit, as the Inhabitants of said City, Town, or Precinct, at their Town Meetings, shall appoint and direct.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Collector or Collectors of each respective City, Town, or Precinct, within this Colony, shall retain and keep in his or their Hands, *Two Shillings* in the *Pound,* for all Sums by them collected and paid, in Pursuance of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Collectors of any of the Cities, Towns or Precincts within this Colony, shall neglect or refuse to collect the Taxes aforesaid, and do what is further enjoined them by this Act, he or they so offending, shall forfeit and pay the Sum of *Five Pounds;* to be recovered by Action of Debt, before any Magistrate of this Province, with Costs of Suit, by any Person or Persons who will prosecute the same to Effect; one Half to the Prosecutor, and the other Half to be applied to the Uses aforesaid.

Provided, That nothing in this Act shall be deemed or understood to affect the County of *Bergen.*

This Act to continue in Force for the Space of two Years, from the Publication thereof, and from thence to the End of the next Session of General Assembly.

Parker (1763), pp. 16-18.

An ACT *for Naturalizing* Jacob Albright, Daniel Dorn, Nicholas Angle, Benedict Yare, Johannes Vos, Gabriel Hymer, Johannes Heyler, Cornelius Ferberg, Joseph Huppell *and* John Snyder.

WHEREAS *Jacob Albright, Daniel Dorn, Nicholas Angle, Benedict Yare, Johannes Vos, Gabriel Hymer, Johannes Heyler, Cornelius Ferberg, Joseph Huppell* and *John Snyder,* by their humble Petitions have set forth, that they were born under the Dominions of Foreign Powers, in Amity with *Great-Britain,* but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and having given Testimony of their Duty, Loyalty and Affection, to his Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line, according to, and in such Manner and Form, as is prescribed by an Act of Parliament, passed in the twentieth Year of the Reign of his late Majesty King GEORGE the Second; and in Confidence of their conforming themselves in all dutiful Manner, to the Laws and Customs of this Colony;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Jacob Albright, Daniel Dorn, Nicholas Angle, Benedict Yare, Johannes Vos, Gabriel Hymer, Johannes Heyler, Cornelius Ferberg, Joseph Huppell* and *John Snyder,* shall be from hencforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are intituled unto the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom, to the contrary in any-wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken, to enable the said *Jacob Albright, Daniel Dorn, Nicholas Angle, Benedict Yare, Johannes Vos, Gabriel Hymer, Johannes Heyler, Cornelius Ferberg, Joseph Huppell* and *John Snyder,* or either of them, to be of his Majesty's Council, or of the General Assembly, or to hold and enjoy any Post or Office of Trust or Profit within this Province, any Thing herein contained to the contrary notwithstanding.

Parker (1763), pp. 18-19.

Twentieth Assembly, Eighth Session

15 Nov.-7 Dec. 1763

Burlington

All acts passed 7 Dec. 1763.

An* ACT *for making current Ten Thousand Pounds in Bills of Credit, to enable the Inhabitants of this Colony to protect and defend their Frontiers from any Invasions which may be made upon the same by the Enemy; and more particularly for making Provision for the Guard and Defence of the Frontiers of this Province, along the River* Delaware, *in the County of* Sussex, *and other Places adjacent, by fitting up and repairing Block-Houses, and supplying the same with such a Number of Forces as shall be thought necessary for that Purpose; and also for directing the Manner of Sinking the said Bills of Credit.

WHEREAS several Murders, Cruelties, and Devastations have been lately committed upon his Majesty's Subjects in the neighbouring Province of *Pennsylvania,* by the Savage Indians, more especially in the upper Part of the said Province, joining upon the River *Delaware,* and bordering upon this Province of *New-Jersey,* where the said Savages are now daily murdering the Inhabitants, and burning and destroying all before them; and this even within View of the Inhabitants settled along the River *Delaware,* in the County of *Sussex,* who are quitting their Habitations in the utmost Confusion. AND *Whereas* there is Reason to apprehend, that this savage and cruel Enemy will enter this Province, and commit the same Barbarities, more especially upon the Frontiers along the River *Delaware* aforesaid, if not Timely prevented: Therefore it is become absolutely necessary, without delay, to make Provision for the Preservation and Safety of the King's Subjects, as well as for the Defence of this his Majesty's Province. AND *Whereas* these necessary Purposes cannot be attained without some Fund for Supporting the same.

BE IT ENACTED *by the Governor, Council and General Assembly of this Province, and it is hereby Enacted by the Authority of the same,* That Bills of Credit, to the Value of *Ten* Thousand Pounds, Money of *America,* according to an Act of Parliament made in the Sixth Year of the Reign of the late Queen *ANNE,* entitled, *An* Act *for ascertaining the Rates of Foreign Coins in her Majesty's Plantations in* America, shall be immediately printed, made and prepared, as followeth, *viz.* Two Hundred and Fifty Bills, each of the Value of *Six Pounds,* or Seventeen Ounces Ten Penny-weight of Plate. Five Hundred Bills, each of the Value of *Three Pounds,* or Eight Ounces Fifteen Penny-weight of Plate. One Thousand Bills, each of the Value of *One Pound Ten Shillings,* or Four Ounces Seven Penny-weight and Twelve Grains of Plate. Two Thousand Bills, each of the Value of *Fifteen Shillings,* or Two Ounces Three Penny-weight Eighteen Grains of Plate. Three Thousand Bills, each of the Value of *Twelve Shillings,* or One Ounce Fifteen Penny-weight of Plate. Three Thousand Bills, each of the Value of *Six Shillings,* or Seventeen Penny-weight

Twelve Grains of Plate. Four Thousand Bills, each of the Value of *Three Shillings,* or Eight Penny-weight and Eighteen Grains of Plate. Five Thousand Bills, each of the Value of *One Shilling* and *Six Pence,* or Four Penny-weight and Nine Grains of Plate. Six Thousand Five Hundred Bills each of the Value of *One Shilling,* or Two Penny-weight and Twenty Two Grains of Plate. Which Bills shall be indented, and impressed with the Arms of *Great Britain* on the left Side of the said Bills; and there shall be printed near the Top and Bottom thereof the Value of each Bill so made current; and the said Bill shall be in the Form following, *viz.*

THIS Bill by Law shall pass current in *New-Jersey,* for Ounces, Pennyweight, and Grains of Plate. *December* 1763.

Which Bills, when printed, shall be delivered to *John Johnston,* Esq; of the Eastern Division, and *Richard Smith,* Esq; of the Western Division, Two of the Signers thereof; who shall, and are hereby directed and impowered, upon the Delivery of the said Bills to them by the Printer thereof, to administer to him, and he is hereby directed and required, to take an Oath or Affirmation to the Purpose following:

I A.B. *do declare, that from the Time the Letters were set, and fit to be put in the Press for the Printing the Bills of Credit now by me delivered to you, until the same Bills were printed, and the Letters unset and put into the Boxes again, I went at no Time out of the Room in which the said Letters were, without locking them up, so as they could not be come at without Violence, a false Key, or other Art then unknown to me; and therefore to the best of my Knowledge, no Copies were printed off but in my Presence; and that all the Blotters and other Papers whatsoever, printed by the said Letters, while set for printing the said Bills, to the best of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Arms. And that I have not at any Time been privy or consenting to any other or more Bills being struck, than I now deliver to you: And that in all Things relating to this Affair, I have demeaned myself according to the true Intent and Meaning of the said Act, to the best of my Knowledge and Understanding.*

Which Printer, at the Time he has Orders to print the said Bills, shall have a Copy of this Oath, that he may govern himself accordingly: *Provided always,* That if any unforeseen Accident has happened, he may have the Liberty of making an Exception thereof in his Oath, he declaring fully how it was.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills made current, shall be nearly of the Bigness and Likeness of the Bills of Credit now current in this Colony, and shall be all signed and numbered by the said *John Johnston* and *Richard Smith;* and in case of their or either of their Deaths, or other Disability, by *John Smyth,* Esq; of the Eastern Division, and *Daniel Smith,* jun. Esq; of the Western Division, or one or both of them; and one Half of them shall be delivered to the Treasurer of the Eastern Division of this Colony, to be by him signed, and the other Half to the Treasurer of the Western Division, to be by him signed: And in case of Refusal or Disability of either of the said Treasurers, then any three of the Persons nominated in this Act, are to sign the same. And in order that the said Bills may be numbered and signed with the less Charge and Risque, and with the more

Convenience and Expedition, the said Signers are to observe the Directions following, *viz.* First, before the said Signers do receive any of the said Bills, they shall, each of them, take an Oath, or Affirmation if *Quakers,* before a Justice of the Peace, for *the true Signing of the said Bills of Credit, and that they will sign no more than by this Act is directed; and that, to the best of their Skill, they will perform what by this Act they are enjoined as their Duty.* A Certificate of which Oath or Affirmation is to be signed by the Justice, and Deponent or Affirmant, and to be delivered to the Treasurers, with the Bills, when signed by them. Secondly, on the receiving the Bills from the Printer, the said Signers shall burn and destroy the Blotters; and they shall divide the fair Bills so received into two equal Parts; and to avoid Confusion, shall agree betwixt themselves, how the Part of each shall be numbered; and the one shall take the Stamps for the Indents, and the other shall take the Stamps for the Arms. Thirdly, each of the said Signers may then carry his Part to his own House, there to be numbered and signed by him with all possible Expedition; which (or such Part as is then absolutely necessary) being done, they shall meet at a Day and Place before by them to be appointed and agreed on, and each deliver the Part numbered and signed by him to the other, in order for him to sign the same; and they shall then, together, burn and destroy the Bills (if any be) over and above the Number hereby appointed to be issued; and in like Manner, shall do, from time to time, till all are signed and exchanged. Fourthly, each of the said Signers may then carry the Part of the Bills aforesaid, so delivered to him by the other, to their respective Houses, to be signed with all possible Expedition; and when signed, in any Sums, from time to time, to be delivered to the Treasurer of the Division where the Signer lives, together with the said Certificate of his having taken an Oath or Affirmation as aforesaid, and the Stamps for the Indents and Arms; taking Receipts of the respective Treasurers for the Sums so delivered; which, when produced, shall be sufficient to discharge the said Signers respectively, their Heirs, Executors and Administrators, for such Parts of the said Bills as the Receipts do express.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers shall respectively sign the Bills to them delivered (excepting as aforesaid) and under the Obligation of their Oaths or Affirmation, for the due Execution of their Office respectively, pay them out according to the Directions of this Act, and no otherwise.

AND BE IT ENACTED *by the Authority aforesaid,* That the aforesaid Bills of Credit to be made and issued by Virtue of this Act, shall be, and continue current, for and during the Term and Space of Eighteen Years, to be computed from the Date of the said Bills, between Man and Man; but shall be received by the said Treasurers for Twelve Months thereafter and no longer; and shall be paid and received for the same Value expressed in and upon each Bill, for Goods or Lands, or any other Thing bought and sold, by all Persons whatsoever, residing in, and passing through this Colony, according to their Rates. And the Tender of the said Bills for Payment, or discharging any Debt or Debts, Bargains, Sales of Land, or other Things,

Bonds, Mortgages, Specialties and Contracts whatsoever already made, either for Sterling Money, Silver Money of *America,* Dollars, or any other Species of Gold or Silver, or any other Quantity of Plate or Gold, shall be as effectual in the Law, to all Intents and Purposes, as if the Species contracted for, or the current Coin passing in this Colony, had been offered and tendered for the same.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, Creditor or Creditors, Obligee or Obligees, any Party or Parties to any Contract, Covenant, Bargain or Agreement whatsoever already made, or hereafter to be made, at any Time during the Currency of the said Bills, shall, upon Tender made before two lawful Witnesses, of all or any their Debts, Dues and Demands whatsoever (provided the said Tender be made of the whole Debt or Demand that is due from any one Person, and not of a Part) in the Bills of Credit made current by this Act, refuse to accept or receive the said Bills of Credit in Discharge of the said Debts, Dues or Demands, according to their Value or Rates; he, she or they, so refusing to accept the said Bills of Credit in Discharge as aforesaid, shall lose the said Debt or Debts, Sum or Sums of Money so refused; and they, and every of them, their, and every of their Heirs, Executors and Administrators, shall for ever be barred from bringing his, her or their Actions, for recovering the said Debt or Debts, Sum or Sums of Money, so refused as aforesaid; and the Defendant may plead this Act in barr to any Action or Actions that shall be so commenced.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever within this Province, shall, during the Currency of the said Bills of Credit, offer to sell, or expose to Sale, any Goods or Chattels, Lands or Tenements whatsoever, and deny, and refuse to sell, or ask a greater Value for the same, unless Payment be made in current Silver Money, Gold, Plate, Dollars, or other Specie whatsoever, and not in said Bills of Credit, (whereby the Credit of the said Bills may be impaired) then and in such Case, the Person so exposing to Sale, and refusing as aforesaid, shall forfeit for every such Offence, the Sum of *Twenty-five Pounds,* to be recovered by Action of Debt, in any Court of Record within this Province, with Costs of Suit; the one Half to such Person as shall sue for and prosecute the same to Effect, the other Half to be paid into the Treasury, and to be applied for the Support of Government.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall presume to counterfeit, or be aiding and assisting in counterfeiting or altering any of the Bills of Credit made current by this Act, so as to make them pass or appear to be of greater Value than they were made current for; or alter or cause to be altered, any Bill or Bills, knowing the same to be counterfeit or altered as aforesaid, and be thereof legally convict; he, she or they, shall incur the Pains and Penalties of Felony without Benefit of Clergy, and shall suffer Death accordingly.

AND to the End the Intent of this Act may not be eluded; BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons shall at

any Time hereafter, be apprehended or taken into Custody, on Suspicion of having counterfeited any of the Bills of Credit now current in this Province, or which by this Act shall be hereafter made current, in such Case the Prosecutor on the Part of the Crown, in the Indictment exhibited against the said Person or Persons, shall alledge the Fact or Facts to be done where in Truth the same was done; and if upon the Trial thereof, sufficient Proof doth appear, that the same was done in the Place where it is alledged in such Indictment or Indictments, or in any other Place, the Party or Parties duly convict thereof shall suffer in such and in the same Manner, as if the same were alledged and proved to have been done in some County of this Province; and the Juries on the Trials of all such Foreign Issues, shall be returned from the Bodies of the County of *Burlington* or *Middlesex,* or one of them; any Law, Usage or Custom, to the contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *Robert Ogden* and *John Hoghland,* Esqrs, or *Thomas Scattergood* and *Abraham Hewlings,* or any two of them, are hereby authorized and directed, to agree with the Printer, for the Price to be paid him for printing the Bills according to the Directions of this Act; and shall be, and are hereby appointed Inspectors of the Press, to take Care that the Printer of the Bills of Credit doth duly perform the Duty hereby enjoined him.

AND BE IT ENACTED *by the Authority aforesaid,* That there shall be paid to the Printer of the said Bills of Credit, such Sum or Sums of Money for printing them, as the said Inspectors, or any two of them, shall certify under their Hands, they had agreed to pay him for that Service. And there shall be paid for inspecting the Press, according to this Act, the Sum of *Thirteen Pounds, Six Shillings* and *Eight Pence.* And there shall be paid to each of the Signers appointed by this Act, the Sum of *Twenty Pounds.* All which Sums of Money shall be paid by the Treasurers of this Colony, or either of them, out of the Money made current by Virtue of this Act, and they shall take proper Receipts for the same; which Receipts, when laid before the General Assembly, shall discharge the said Treasurers, their Heirs, Executors and Administrators, for so much.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the better Credit, and more effectual Sinking of the said Bills of Credit made current by Virtue of this Act, there shall be assessed, levied, and raised, on the several Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, the said Sum of *Ten Thousand Pounds,* in the Year of our Lord One Thousand Seven Hundred and Eighty-one, ensuing; to be paid in the Proportions and Manner following, *viz.*

By the County of *Middlesex,* the Sum of *Nine hundred and six pounds, seven shillings and one penny half-penny.*

By the County of *Monmouth,* the Sum of *Thirteen hundred and fourteen pounds, six shillings and nine pence.*

By the County of *Essex,* the Sum of *Seven hundred and seventy-eight pounds, eleven shillings and four pence.*

By the County of *Somerset,* the Sum of *Eleven hundred and sixteen pounds, ten shillings and ten pence.*

By the County of *Bergen,* the Sum of *Six hundred and fifty eight pounds, nineteen shillings and ten pence half-penny.*

By the County of *Burlington,* the Sum of *Twelve hundred and fifty pounds, three shillings and nine pence farthing.*

By the County of *Gloucester,* the Sum of *Seven hundred and eighty-one pounds, sixteen shillings and one penny.*

By the County of *Salem,* the Sum of *Six hundred and ninety-eight pounds, ten shillings and eleven pence.*

By the County of *Cape-May,* the Sum of *One hundred and sixty-seven pounds, one shilling and nine pence.*

By the County of *Hunterdon,* the Sum of *Fourteen hundred and seventeen pounds, fifteen shillings and two pence.*

By the Counties of *Morris* and *Sussex,* the Sum of *Five hundred and fifty-five pounds, twelve shillings and eight pence farthing.*

By the County of *Cumberland,* the Sum of *Three hundred and fifty-four pounds, three shillings and eight pence half-penny.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several Quotas so proportioned, as aforesaid, shall be assessed, raised, levied, collected, and paid into the Treasury, in the same Method, Manner, Proportion and Form, and under the same Penalties, Forfeitures and Restrictions, and the several Officers shall receive the same Fees for their Services, as is directed by an Act, entitled, *An* Act *for levying a Fund at different Periods by Provincial Taxes, for sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of Credit, made current for his Majesty's Service in the late War:* And that the said Sum of *Ten Thousand Pounds,* to be raised by Virtue of this Act, shall be well and truly applied for the sinking the Bills of Credit made current by this Act, and for no other Use; and when the same shall be received by the Treasurers of this Province, by Virtue of the said Tax, they shall sink the same agreeable to the Directions of the last mentioned Act. *Provided,* That the Legislature shall not in the mean Time, agree upon some other Expedient, for sinking the same in a more easy Method to the Inhabitants of this Colony.

AND for the greater Security, Safety and Defence of the Frontiers of this Province, and the Inhabitants thereof, bordering upon the River *Delaware,* in the County of *Sussex,* and Places adjacent; BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Block-Houses heretofore erected on the Frontiers, shall be repaired under the Inspection of *John Arison,* or in Case of his Death or Absence, under the Inspection of *Abraham Hunt.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That there shall be allowed and paid to every Artificer and Labourer, such Sum and Sums of Money, as he the said *John Arison* shall agree for, for so many and every Day and Days, as he or they may be employed in the said Service, to be paid by the Treasurers of this Colony, on Orders or Receipts from him the said *John Arison,* or his casual Successor; which Receipts, when produced by

the said Treasurers, shall be sufficient to discharge them, or either of them, their Heirs, Executors and Administrators, from so much as shall be paid as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioner is hereby authorized and impowered, from time to time, to hire and agree for so many Teams and Carriages, and to purchase so much Materials, as in his Discretion shall seem necessary, for carrying on and compleating the said Works; and also from time to time, to draw Orders upon the Treasurers aforesaid, for Satisfaction of all and every such Service and Services as aforesaid, who are hereby required to pay the same; and such Orders with Receipts thereon, shall be proper Vouchers for so much Money expended in the said Service.

AND BE IT ENACTED *by the Authority aforesaid,* That Two Hundred Men, Officers included, shall immediately be raised and supported for the Defence of the Frontiers, to be commanded by a Major, three Captains, three Lieutenants, and three Ensigns; which Major shall appoint nine Serjeants and nine Corporals, for the better Regulation of the said Companies.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every Person and Persons, which shall be employed in any of these Services, shall be free from all Arrests in civil Actions, not amounting to upwards of *Ten Pounds,* Proclamation Money, to any one Person, or upwards of *Fifty Pounds,* Proclamation Money, in the Whole. And the Goods and Effects of all and every such Person and Persons, shall be free from Attachments, Executions, and other legal Process, during the Continuance in the said Service. *Provided always,* That such Goods and Effects shall not be secreted or removed out of the City, Town or Precinct, where the said Person or Persons resided before such inlisting as aforesaid; and any Sale made of the same, is hereby declared to be void and of none Effect.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall not be lawful to inlist any young Man under the Age of Twenty-one Years, or any Slaves who are so for Term of Life, bought Servants, or Apprentices, without the express Leave in Writing of their Parents or Guardians, Masters or Mistresses, first had and obtained; and if any Officer or others shall inlist any such young Men, Slaves, bought Servants or Apprentices, as aforesaid, and upon Application and due Proof made thereof before any one Justice of the Peace in this Colony, shall refuse to discharge him or them so unlawfully inlisted; then the said Justice of the Peace, is hereby impowered and required to issue his Warrant to any Constable, commanding him to take the Body of such young Man, Slave, Servant or Apprentice, and deliver him to his Parent or Guardian, Master or Mistress; and if the Officer, or other Person with whom such Person is inlisted, shall notwithstanding secrete, detain or carry away such Person; then such Officer or other Person so offending, shall forfeit and pay, for every such young Man under the Age of Twenty-one Years inlisting contrary to the true Intent and Meaning of this Act, the Sum of *Five Hundred Pounds;* for every Slave so inlisted, the Sum of *Two Hundred Pounds,* and for every such bought Servant or Apprentice, the Sum of *Twenty*

Pounds; to be recovered in any Court of Record where the same is cognisable, in this Colony, with full Costs of Suit; and to be paid so much thereof to the Person complaining, as his or her Damages by the said Court shall be adjudged, and the Residue thereof to either of the Treasurers of this Colony, to be applied as by Act of General Assembly shall be hereafter directed: And in case the Body of such Officer or other Person offending, cannot be taken; then it shall and may be lawful for the Person aggrieved, to proceed against him by Attachment against the Offender's Goods and Chattels, Lands and Tenements, in Manner and Form as is directed by an Act, entitled, *An* Act *for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves;* saving that the Person so complaining shall not be obliged to make the Affidavit therein directed, and the Forfeitures recovered shall be paid as aforesaid. AND for a further Encouragement to the Officers and Soldiers chearfully to enter into the said Service, there shall be paid to each Officer and Soldier, furnished as hereafter directed, for their respective Services, the Sums following, during their Continuance on the Frontiers of this Colony, *viz.* To the Commanding Officer, *Six Shillings* per Day; to each Captain, *Four Shillings* per Day; to each Lieutenant, *Three Shillings* per Day; to each Serjeant and Corporal, *Two Shillings* per Day; to each private Soldier, *Two Pounds Ten Shillings* per Month: And that each and every Officer and Soldier, shall equip himself with a good and sufficient Powder Horn, Hatchet, Blanket, Knapsack and Wearing Apparel.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Men so inlisted as aforesaid should, on Examination, be found not provided with any of the said Accoutrements; that then it shall be lawful for the Paymaster to furnish every such Man so unprovided with the same, and to retain in his Hands to repay the same, so much of every such Man's Wages, as will fully pay for every such Article.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the commanding Officer of the said Companies, shall before he executes his Office, take the Oath following, *viz.*

I A.B. *do swear, that I will keep an exact Account or Roll, of the Time of the inlisting every Soldier under my Command, and of the Discharging, Desertion or Death of such Soldier; and that I will not suffer any Person to be entered on the Roll or mustered, but such as are either truly inlisted, or otherwise declared Soldiers by the Act, entitled,* An *Act* for making current *Ten Thousand Pounds* in Bills of Credit, to enable the Inhabitants of this Colony to protect and defend their Frontiers from any Invasions which may be made upon the same by the Enemy; and more particularly for making Provision for the Guard and Defence of the Frontiers of this Province, along the River *Delaware,* in the County of *Sussex,* and other Places adjacent, by fitting up and repairing Block-Houses, and supplying the same with such a Number of Forces as shall be thought necessary for that Purpose; and also for directing the Manner of Sinking the said Bills of Credit; *and are designed, or by the Act aforesaid, obliged to perform the Service under my Command; and will from Time to Time, render unto the Paymaster appointed by the said Act, (or to his Successor in Case of his ceasing to be Paymaster) all the Assistance*

in my Power, for the better enabling him the said Paymaster, or his Successor, to make a fair and honest Account, of all the Pay that shall from Time to Time become justly due to myself, and every Officer and Soldier that shall be hereafter under my Command; and will take all the Care in my Power, to prevent Waste of Ammunition supplied by the Colony; and will from Time to Time transmit a Copy of the Roll aforesaid, to the Governor or Commander in Chief of this Colony for the Time being, to be laid before the General Assembly for their Inspection.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the commanding Officer, together with the other Commission Officers of the said Forces, are hereby authorized and impowered to hold Courts Martial; and each Court Martial shall consist of Three Commission[ed] and Two Non-commission[ed] Officers, of which the said commanding Officer shall always be one; and it shall and may be lawful for every such Court Martial, by their Sentence or Judgment, to inflict corporal Punishment (not extending to Life or Limb) on any Soldier, for Immoralities, Misbehaviour, Disobedience to Command, or any other Neglect of Duty; and also with the Consent of the Inhabitants in each Fort or Block-House, to make such Orders or Articles, for the better Government of the Forces and others in the Garrisons, as shall by the Majority of them be thought convenient and necessary, and to lay Fines not exceeding *Five Shillings* for Disobedience to the same: And if it should so happen, that a Mulct or Fine shall be laid on any Soldier or others, instead of other Punishment; every such Mulct or Fine, shall be deposited in the Hands of the Paymaster; and the said commanding Officer, with the Advice and Consent of two commissioned Officers, shall order the same, or so much thereof as he shall think convenient, to be given as a Reward to every such Soldier or Soldiers, as shall perform any valiant Exploit in the said Service.

AND BE IT ENACTED *by the Authority aforesaid,* That the Power and Authority of the said Court-Martial, shall not extend to punish any Person with Death; but if any Soldier shall be accused with any Crime, which by the Laws of *England,* or by the present Act of Parliament for punishing Mutiny and Desertion, shall deserve a capital Punishment; then every such Soldier shall be put under a proper Guard, and safely kept until he shall be delivered into the Hands of the civil Power; and every such Offender so capitally accused as aforesaid, shall be tried in the usual Manner, by a Jury of the County of *Middlesex*.

AND for the Prevention of Disorders which may happen by the too great Use of strong Liquor among the Officers or Soldiers: BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatever, shall give, sell, or supply any of the non-commission[ed] Officers or Soldiers, with any strong Liquors whatever, without the Consent of a commissioned Officer, or in greater Quantities than directed by such Officer; every such Person shall forfeit the Sum of *Three Pounds,* for every such Offence; to be recovered by any Officer; which Fines, shall go to the Fund appropriated for the rewarding such Persons as shall behave valiantly in any Action with the

Enemy; nor shall the Consent of any Officer, be in Force longer than Twenty-four Hours for the Purpose aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That Colonel *Abraham Van Campen,* or *John Rosecrans,* Esq; or any other Magistrate, shall in the Presence of the commanding Officer of the Forces on the Frontiers, administer to each Soldier the following Oath, *viz.*

I swear to be true to our Sovereign Lord King GEORGE, *and to serve him honestly and faithfully in Defence of his Person, Crown and Dignity, against all his Enemies or Opposers whatsoever, and to observe and obey his Majesty's Orders, and the Orders of the Generals and Officers set over me by his Majesty.*

AND shall give a Certificate to such commanding Officer, expressing the Age, Height, Complection and Place or Residence of such Soldier, together with the Time that it shall appear such Soldier was inlisted; from which Certificate the Muster Roll shall be made up, and shall by the Paymaster be examined with the Certificates, and the Paymaster shall certify on the Back of the Muster-Roll, that he has examined the same with the Certificates, and found the Roll to be true.

AND for the punctual Payment, Subsistance, and purchasing Arms and Ammunition for the said Forces; BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers of this Colony, or either of them, out of the Bills of Credit to be made current for that Purpose, or out of any Money in their Hands made current for his Majesty's Service, shall pay unto *John Arison,* who is hereby appointed Paymaster and Victualler of all the said Officers and Soldiers, such Sum and Sums of Money, as the said *John Arison,* shall from time to time find necessary for the said Services: And the said Treasurers, or either of them, shall take a Receipt, signifying the Purpose the said Money so paid was designed for; and the said Receipts, when produced by the said respective Treasurers, shall be sufficient Vouchers to discharge the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND for avoiding Frauds, and the more regular Payment of the Forces; BE IT ENACTED *by the Authority aforesaid,* That the said Paymaster shall, in his own proper Person, once in every four Weeks, attend at some Time when he shall think proper, and out of the Monies so by him to be received, pay unto all and every of the Commissioned and Non-commissioned Officers and Soldiers aforesaid, the several Sums that shall be then due to them, according to the Account he is to receive from the commanding Officer, save only, that he shall retain in his Hands one fourth Part of such Sum due to every of the aforesaid Commissioned and Non-commissioned Officers and Soldiers aforesaid, to answer and pay such Mulcts and Fines as may be laid upon them, or any of them, for Neglect of Duty, or for destroying or embezzeling their Ammunition or Stores, or for any other Misdemeanors to which he or they shall be subjected; and the said Paymaster shall state exact and separate Accounts, with each particular Person, of the Money so retained in his Hands, together with the Reasons of such Retention. And as for and

respecting every Person against whom any Neglect of Duty, Disobedience, Crime or Misconduct shall appear; the said Paymaster shall retain in his Hands so much as shall be sufficient to answer the Fine or Charge that shall be levied upon such Person: And the said Paymaster shall purchase all such Arms and Powder, Ball and Lead, as shall be necessary for the Defence of the Frontiers, and deliver the same out to the commanding Officer at each Post, and their Receipts shall discharge him for so much of the said Ammunition as they shall express; and the said Paymaster shall also take Receipts for all and every Sum and Sums of Money by him disbursed; which together with his Accounts, he shall lay before the House of Assembly of this Colony for the Time being, to whom he is hereby made accountable; and such Receipts, when produced, shall be sufficient Vouchers to discharge the said Paymaster, his Heirs, Executors and Administrators, of and from all such Sums as shall be therein mentioned to be by him paid. And on the first Day of *May* next, if the said Forces shall not be sooner disbanded; the said Paymaster shall attend at some convenient Place, to be by him prefixed, adjacent to the Frontiers, or where they shall be then upon Duty, within this Colony, prepared to discharge two Third Parts of all the Arrearages so retained as aforesaid: And to every of the Officers and Soldiers aforesaid, against whom no Misconduct shall appear, and who shall present themselves before him in a Dress suitable to his Degree, according to the Season, he shall well and truly, in his own proper Person, pay unto such Officer and Soldier, the two Third Parts of such Arrearages as aforesaid; and he shall not, on any Pretence whatsoever, pay such Arrearages or any Part thereof, unto any Assignee or Assignees of such Soldier or Soldiers, nor to any Person or Persons in Trust, or for the Use of him the said Officer or Soldier, or Assignee or Asignees; but that the same shall be *bona fide,* paid to the proper Person to whom it first commenced due; save only, that in Case of Death, he shall pay the whole Arrearage to his Executors or Administrators, without any Manner of Deduction; except to answer Fines or make good Imbezzelments as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Officer or Soldier, shall by Word or Writing, sell, transfer, dispose of, or assign, to any Manner of Person whatsoever, his Share, or any Part thereof, of his Wages or Arrearages, either before or after the same shall become due, the said Sale and Assignment shall be utterly void to all Intents and Purposes; and if any of the Officers or Soldiers aforesaid, shall on the said first Day of *May,* appear before the said Paymaster in a Dress unsuitable to his Degree, or unfit for encountring the approaching Season, and Service in which he is to be employed, or his Cloaths shall be ragged; of all which Particulars, the said Paymaster is to make a careful Inspection; in such Case the said Paymaster (in the Lieu and Stead of paying the said Arrearages to the said Officer and Soldier) shall purchase all such Cloaths as he shall find necessary and fitting as aforesaid, and deliver them out with all convenient Dispatch to the Person whose Arrearage he shall so retain: *Provided,* That he shall not purchase more than the Amount of two Thirds of such Arrearage; and when the Cloaths are

so delivered as aforesaid, he shall then make a Re-settlement with every such Person; and at the Time of their final disbanding, they shall receive all and every of their Arrears, which shall be then found due to them. And the said Paymaster, when he shall be thereunto required by the House of Assembly for the Time being of this Colony, shall take his solemn Oath, on the Holy Evangelists of Almighty God, that the Account and Proceedings of his Conduct, which he shall so exhibit to the said Assembly, is just and true, to the best of his Knowledge.

AND *Whereas* it is unreasonable, that any Officer or Soldier in the Pay of this Colony, should receive Pay for such Time as he shall be absent from Duty; Therefore, BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, no Officer or Soldier in the Pay of this Colony, shall be intituled to Pay for such Time or Times they, or any of them, shall be absent from the Forces upon Furlow or otherwise upon their own private Occasions; any Law, Usage or Custom to the contrary hereof, in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *John Arison,* Victualler of the said Forces, or the Victualler for the Time being, shall provide for, and allow unto each Officer and Soldier, directed to be raised by this Act, the following Provisions every Week, *viz.* Seven Pounds of Bread; Seven Pounds of Beef, or in Lieu thereof, Four Pounds of Pork; Six Ounces of Butter; Three Pints of Peas, and Half a Pound of Rice, or the Value thereof in Roots and Vegetables; for which he the said *John Arison,* or the Victualler for the Time being, shall be allowed and receive *Seven Pence* per Day, for Victualling each Officer and Soldier on the Frontiers; and also *Five Pounds* per Month, as a Reward for performing the Duty of Paymaster, and other Duties enjoined him by this Act: And in Case of the Death or other Disability of the said *John Arison,* then *Abraham Hunt* is appointed casual Succesor to him; who is hereby declared in such Case, subject to the same Duties and Penalties, and intituled to the same Rewards.

AND BE IT FURTHER ENACTED, That in Case the said Paymaster shall imbezzel or misapply any of the Money committed to his Care, or shall give, sell or waste, or cause to be given, sold or wasted, or shall wilfully or negligently suffer any of the Articles aforesaid, to be sold, spoiled, damaged or lost as aforesaid; upon Conviction thereof, he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage thereby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof, be committed to Prison or the Common Gaol, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid; one Half of which said Penalty to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the other Half to the Person or Persons who shall prosecute the same to Effect, in any Court of Record where the same shall be cognizable within this Colony, with Costs of Suit. And the Damages or Value recovered on the Prosecution (exclusive of the said Penalty) shall be deposited in the publick Treasury, for the Use of this Colony: And the said

Paymaster, before entering into the Colony's Service, shall give Bond, with two good and sufficient Sureties, (being Residents and Freeholders in this Colony) to his Majesty, his Heirs and Successors, in the Penal Sum of *Six Thousand Pounds* Proclamation Money; Conditioned as followeth, (that is to say) That if the said doth faithfully discharge the Duty of Paymaster, to the Forces in the Pay of the Colony of *New-Jersey,* by Virtue of this Act, until the Disbandment thereof, (Death, Removal, or Bodily Disability excepted) and doth not imbezzel, misapply, wilfully or negligently waste, lose, damage or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony; nor suffer the same, or any Part thereof, to be so imbezzled, misapplied, wilfully or negligently wasted, lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offenders Wages, to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands, according to Law; and keep true Accounts of all Monies received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House of General Assembly when thereunto required; and in all Things appertaining to his Duty as Paymaster and Victualler to the said Forces, doth well and truly demean himself according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *for making current Ten Thousand Pounds in Bills of Credit, to enable the Inhabitants of this Colony to protect and defend their Frontiers from any Invasions which may be made upon the same by the Enemy; and more particularly for making Provision for the Guard and Defence of the Frontiers of this Province, along the River* Delaware, *in the County of* Sussex, *and other Places adjacent, by fitting up and repairing Block-Houses, and supplying the same with such a Number of Forces as shall be thought necessary for that Purpose; and also for directing the Manner of Sinking the said Bills of Credit;* then the above Obligation to be void and of none Effect, otherwise to be and remain in full Force and Virtue.

WHICH Bond the Secretary of this Colony is hereby authorized and required to take and retain for the Use thereof. And he the said Paymaster shall keep a Daily Journal of all Things by him advised, requested or transacted; and the same shall from time to time transmit to the General Assembly, for their Inspection.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Officer or Soldier in the Service of this Colony, raised by this Act, shall be disabled by the Enemy from getting his Living, and not having wherewithal to maintain himself, he shall be maintained and supported at the publick Expence of the Colony. And the Two Hundred Men shall be recruited as often as Death, Desertion or Discharge of any Officer or Soldier shall render it necessary, so that the said Complement of Two Hundred Men be kept compleat and effective.

AND *Whereas* there are at present on the Frontiers, a Number of the Militia of this Colony, for the Protection of the Inhabitants there, who are justly intituled to Satisfaction for their Services: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That the Militia which have marched by

Order of his Excellency the Governor, since the late Murders on the Frontiers, and were or shall be stationed there; shall, both Officers and Soldiers, be subsisted and paid such Pay as is allowed to be paid to the Officers and Soldiers directed to be raised by this Act, during the Time they have, or shall respectively continue there; and for such Time as shall be reasonably allowed for going up and returning to their respective Habitations, except those that live on the Frontiers over the Mountain, who are not to be paid at all.

AND *Whereas* it might not be expedient for any of the Soldiers directed to be raised by Virtue of this Act, to be taken from the Militia of the County of *Sussex,* as the Whole, in Case of any formidable Attack, might be needed for the Defence thereof; moreover when Soldiers are called to publick Service near their Habitations, they are often induced to neglect the same, by an Attention to private Affairs; and therefore, BE IT ENACTED *by the Authority aforesaid,* That it shall not be lawful for the said Major, or any of the Officers aforesaid, or others whatsoever, to inlist any Person or Persons whomsoever, in Quality of a Soldier, under the Degree of a Commission[ed] Officer (Guides excepted) that now doth, or that shall hereafter belong to the Militia of the said County of *Sussex,* during the Continuance of this Act; and in Case any Person shall be so inlisted, contrary to the true Intent and Meaning of this Act; the Person inlisting him shall forfeit and Pay the Sum of *Twenty Shillings,* and the Person inlisted shall be disabled from recovering or receiving any Wages for his Service; which said Penalty shall and may be recovered by any Person or Persons, who will prosecute the same to Effect, with Costs of Suit; one Half thereof to the Prosecutor or Prosecutors, and the other Half to be applied to the Fund for rewarding signal Services as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Forces shall be disbanded on the first Day of *August* next, unless continued by some future Law, and shall remain on the said Frontiers until the said first Day of *August; provided* They are not sooner disbanded by the Commander in Chief of this Colony.

AND *Whereas Jonathan Hampton,* Esq; is and hath been employed by his Excellency the Governor, in providing for the Militia on the Frontiers of this Colony; and hath been at considerable Expence and Trouble on that Account; which Expence and Trouble is likely to continue till the Forces provided by this Act, are sent up: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That *Robert Ogden* and *Cortland Skinner,* Esquires, be and they are hereby appointed Commissioners, to adjust and settle the said *Jonathan Hampton's* Accounts, as well for what is already done, as what may be done till the Forces aforesaid are sent up; and for the Payment of the same, the Treasurers of this Colony are hereby authorized and impowered to pay to the said *Robert Ogden* and *Cortland Skinner,* or to their Order, such Sum and Sums of Money, as they may think necessary for the Purpose aforesaid; and the Receipt of them, the said *Robert Ogden* and *Cortland Skinner,* or of any other Person appointed to any Service by this Act, or Order with a Receipt

thereon; shall, when laid before the General Assembly, indemnify the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from the same.

AND BE IT ENACTED *by the Authority aforesaid,* That over and above the said *Ten Thousand Pounds,* for the Uses aforesaid; there shall be printed at the same Time, the Sum of *Ten Thousand Pounds* more, in the Proportions following, *viz.*

Two Hundred and Fifty Bills, each of the Value of *Six Pounds,* or Seventeen Ounces Ten Penny-weight of Plate. Five Hundred Bills, each of the Value of *Three Pounds,* or Eight Ounces Fifteen Penny-weight of Plate. One Thousand Bills, each of the Value of *One Pound Ten Shillings,* or Four Ounces Seven Penny-weight and Twelve Grains of Plate. Two Thousand Bills, each of the Value of *Fifteen Shillings,* or Two Ounces Three Penny-weight Eighteen Grains of Plate. Three Thousand Bills, each of the Value of *Twelve Shillings,* or One Ounce Fifteen Penny-weight of Plate. Three Thousand Bills, each of the Value of *Six Shillings,* or Seventeen Penny-weight Twelve Grains of Plate. Four Thousand Bills, each of the Value of *Three Shillings,* or Eight Penny-weight and Eighteen Grains of Plate. Five Thousand Bills, each of the Value of *One Shilling* and *Six Pence,* or Four Penny-weight and Nine Grains of Plate. Six Thousand Five Hundred Bills, each of the Value of *One Shilling,* or Two Penny-weight and Twenty Two Grains of Plate. To be signed by the aforesaid Signers, or any Three of them, as aforesaid; and delivered to the said Treasurers, in equal Moieties, for exchanging of defaced, ragged and torn Bills, made current by the former Acts, or this present Act of General Assembly. And the said Treasurers, on Receipt thereof, are hereby commanded from time to time, to sign such Part of said Bills as shall be necessary for exchanging ragged and torn Bills; and as often as Application shall be made at any convenient Time, to issue the same to any Person or Persons so applying, in Exchange for any Bills of Credit made current by this, or former Acts of this Colony; and the said ragged Bills so by the said Treasurers received in Exchange, shall be laid before the same Justices and Freeholders, and be cancelled and disposed of in the same Manner and Form as is herein before directed, concerning the Bills of Credit hereby made current.

Parker (1764) 20:8, pp. 3-22.

An ACT *for the Relief of poor distressed Prisoners for Debt.*

WHEREAS the several Acts passed in this Province, for the Relief of insolvent Debtors, are by their own Limitations expired; since which sundry Persons, under the like unhappy Circumstances, by their Petitions, have set forth their Inability to discharge their Creditors Demands; praying the Relief of the Legislature: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That any Person or Persons, who was or were actually in Prison, and close confined in any common Goal, of any County, City or Borough within this Colony, on the first Day of *October,* One Thousand Seven Hundred and Sixty-three, and so continued in such Gaol until discharged by Virtue of this Act, unless when absent from it by *Habeas Corpus* or other due Process of Law, for Debt or Damages, or for or upon any civil Action or Actions, Process, or Processes whatsoever, issuing out of any Court of Law or Equity, who shall take the Oath or Affirmation herein after specified, and deliver a true and just Account of all his, her or their real and personal Estate whatsoever or wheresoever, shall and may be released and discharged from their Imprisonment, in Manner hereafter mentioned.

AND BE IT FURTHER ENACTED *by the Authority aforesaid, and it is hereby Declared and Enacted,* That the respective Courts of General Quarter Sessions of the Peace, in every County, City or Borough of this Colony, where any Insolvent Debtor may be confined, are hereby impowered and directed to give the Relief intended by this Act; altho' the Process by which the Prisoners may be confined, have issued out of the Supreme Court, or any other Court of Judicature, in the same Manner as they are directed to do in Cases where Process shall issue or belong to the County Courts; and a Certificate of such Discharge, under the Seal of the said Courts of General Quarter Sessions, shall be on all Occasions sufficient Evidence, that the Defendant or Prisoner was discharged by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Prisoner confined as aforesaid, to exhibit, or cause to be exhibited, a Petition to any of the said Courts of General Quarter Sessions of the Peace, or in the Vacation between said Courts to any two Justices *(Quorum Unus)* of any County, City or Borough within this Colony, where such Prisoner shall be confined on mean Process, or charged in Execution, certifying the Cause or Causes of his, her or their Imprisonment, and an Account of his, her or their whole real and personal Estate, with the Dates of their Deeds, Evidences, Vouchers and Securities; of all which a Schedule shall be made, and annexed to such Petition, and subscribed by the Prisoner in Presence of the said Court, or two Justices as aforesaid; which Schedule shall be immediately filed with the Clerk of the Court, to which

such Application is made; there to remain of Record, for the better Information of the Creditor or Creditors of such Debtor or Debtors: And that it shall and may be lawful for such Court, or in the Vacation for the two Justices *(Quorum Unus)* to examine such Debtor or Debtors, upon such Interrogatories, touching the Lands, Tenements, Goods, Chattels, Debts, Bills, Bonds, Judgments, Books of Account, and such other Things, as may tend to disclose his, her or their Estates, or secret Grants and Conveyances of his, her or their Lands, Tenements, Goods, Money and Debts, as the said Court or Justices shall think fit; and every Thing material discovered by such Examinations, shall cause immediately to be added to the Schedule, and to be signed by the Prisoner; and after such Examination, the Court or Courts, and in the Vacation the Justices as aforesaid, may and are hereby required, to administer or tender to the Prisoner, an Oath or Affirmation, to the following Effect.

I A.B. *do solemnly swear, in the Presence of Almighty God;* or, if of the People called *Quakers,* then, *I* A.B. *do solemnly, sincerely, and truly declare and affirm, That the Account by me delivered and examined upon, doth contain a full and true Account of all my real and personal Estate, Debts, Credits and Effects whatsoever and wheresoever, to the best of my Knowledge, which I or any in Trust for me, have, or at the Time of my Imprisonment, had, or am, or was, in any Respect intituled unto, in Possession, Remainder, Reversion, Contingency or Possibility, (except the wearing Apparel and Bedding for me and my Family, and the Tools or Instruments of my Trade or Calling, not exceeding* Ten Pounds, *of lawful Proclamation Money of this Province, in Value, in the Whole) And that I have not at any Time since my Imprisonment, or before, directly or indirectly, sold, leased, assigned or otherwise disposed of, or made over, in Trust for myself or otherwise, than is mentioned in such Account, any Part of my Lands, Estate, Goods, Stock, Money, Debts or other real or personal Estate, whereby to have or expect to have, any Benefit or Profit to myself, or to defraud any of my Creditors at whose Suit I am now confined, and to whom I am indebted.*

AND after the taking such Oath or Affirmation, and filing such Schedule aforesaid, the said Court, or Justices, shall remand the said Prisoner to Prison, and shall give a Certificate thereof in Writing, signed by the Clerk of such Court, to the same Prisoner, to be served upon the Creditor or Creditors of such Prisoner, or their Attornies, Executors or Administrators, or to be left at the Place of their usual Abode; thereby appointing as well the said Creditor or Creditors, or their Attornies, Executors or Administrators, as the said Debtor, to appear at the next Court of General or Quarter Sessions, to be holden for the same County, City or Borough; when, if it shall appear upon Oath or Affirmation, that the said Certificate was so served, or left at least ten Days before the said Court; then the said Court being satisfied that the Persons so applying as aforesaid, are, and at the Time of filing said Schedule, were proper Objects of Relief, and such as ought to have the Benefit of this Act, and being also satisfied with the said Schedule, on assigning of the Lands, Goods and Effects therein contained to the Creditors, as herein after mentioned, if the said Prisoner be then living, shall make an Order of Court, directed to the Sheriff or Gaoler, commanding the said

Sheriff or Gaoler to set at Liberty and discharge the said Prisoner.

PROVIDED ALWAYS, That if any of the real Estate in the Schedule mentioned, do lye out of this Province, or any of the personal Estate be in the Hands of Persons living out of this Province; that then the Prisoner shall, before his Discharge, convey and assign to the Assignees by the Court to be appointed, in due Form of Law, all such real and personal Estate.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall not extend to discharge any Person out of Prison who shall stand charged at the Suit of the Crown, or indebted to any one Person in the Sum of *Five Hundred Pounds* Sterling Money, besides Interest and Costs, if any such Creditor to whom the Sum of *Five Hundred Pounds* Sterling Money, or more, shall be owing, shall oppose the Discharge of such Prisoner, and shall insist that such Prisoner be continued in Gaol, unless a Majority of three Fourths of the Creditors agree to the contrary; that then and in such Case, such Creditor or Creditors opposing the said Prisoner's Discharge as aforesaid shall, at his, her and their proper Costs and Charge, allow and pay such a Weekly Maintenance to the said Prisoner, not exceeding *Three Shillings* and *Six Pence* per Week, in such Manner as the said Justices in their General Quarter Sessions shall order and appoint; and upon Non-payment of the same for the Space of six Weeks, the said Prisoner, upon Application to the said Justices, in their General or Quarter Sessions, shall be discharged pursuant to the Intent and Meaning of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Debtor, who now is, or hereafter shall be, between the first Day of *October,* One Thousand Seven Hundred and Sixty Three, and the first Day of *July,* One Thousand Seven Hundred and Sixty Four, in actual Confinement, in any common Gaol or Prison within this Colony, in Conjunction with so many of his or her Creditors, as have or shall have Debts owing to them by the said Debtor, amounting at least to three Fourths of all the Money justly owing by the said Debtor, whether the same be then due, or payable at some future Time or Times, may, in order to free his Body from such Imprisonment, present a Petition to any of the Courts aforesaid, signed by the Debtor and so many of his Creditors, whose Debts already due, or to become due, amount at least to three Fourths of all the Money owing by the said Debtor; praying, that the said Debtor's Estate may be assigned and delivered to one or more such Person or Persons as the said Petitioners, or a Majority of them, in respect to their Demands on the said Debtor, shall nominate and appoint, to receive and dispose of the same, for the Use of all his or her Creditors; which Debtor or Debtors shall take the like Oath or Affirmation, and be subject to the same Pains and Penalties as other Prisoners who are or shall be discharged by Virtue of this Act.

BE IT FURTHER ENACTED, That all Persons who have given Credit to such insolvent Debtors, on a valuable Consideration, for any Sum of Money, or other Matter or Thing, which is, or shall not be due or payable, at or before the Time of the Delivery of the Petition, shall and may be admitted and considered as Creditors whose Debts are then due, and shall

receive a Dividend of the Insolvent's Estate, in the same Proportion as the other Creditors, deducting thereout only a Rebate of Interest at the Rate of Seven *per Cent.* for what shall be received on such Debts, to be computed from the actual Payment thereof, to the Time they would have become due.

PROVIDED ALWAYS, That if any Person or Persons, for any of the Purposes herein mentioned, shall wilfully, falsely and corruptly swear or affirm any Matter or Thing, and be thereof duly convict, he, she or they shall be adjudged guilty of willful and corrupt Perjury, and shall suffer the Pains and Penalties thereof accordingly; and upon or after Conviction, the Court by which the said Person was convicted, shall forthwith, by Warrant, Order or Rule of the Court, cause the same Person to be committed to the Gaol from whence he, she or they were discharged by Virtue of this Act; and being so committed, he, she or they, shall by Virtue of this Act, be adjudged, deemed and esteemed charged with all and every of the Processes and Actions with which he, she or they stood charged, at the Time of his, her or their Discharge aforesaid, as fully, and to all Intents and Purposes whatsoever, as if he, she or they had never been discharged by Virtue of this Act; any Law, Usage or Custom to the contrary, or Thing in these Presents notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the next Court, subsequent to the taking such Oath or Affirmation, and filing of such Schedule as aforesaid, the Justices of the said Court of General or Quarter Sessions, shall have Power, by Rule or Order of Court made, be the said Prisoner alive or dead, to grant and assign, or otherwise to order and dispose of, all such Lands, Tenements, Bills, Bonds, Judgments, or any of the Debts due, or to be due, to and for the Benefit of the Debtor or Debtors, by any Person or Persons whatsoever, or in what Manner or Form soever, to the Use of the Creditor or Creditors of the said Debtor or Debtors, to such Person or Persons, Creditor or Creditors, as the Majority of the Creditors in Value, by themselves or their Attornies, then appearing, shall choose, and the same Court appoint Trustees for that Purpose; and in Case no Creditor appears, then to such as the Court shall appoint Trustees: And that the said Grant or Disposition of the said Lands and Debts, to be made by the said Justices, or the major Part of them, of the respective Courts aforesaid, shall vest the Property, Right and Interest of the Estate, real and personal in the said Schedule mentioned, in the Person or Persons of him, her or them, to whom it shall be granted, assigned or ordered by the said Court, as fully to all Intents and Purposes as the said Prisoner was vested with, or intituled unto the same, at or before the Time of his delivering in the Schedule as aforesaid.

AND IT IS ENACTED, That after such Grant, Assignment or Disposition made by the said Court, that neither he, nor any other, save the Assignee or Assignees aforesaid, or his, her or their Heirs, Executors, Administrators or Assigns, shall have Power to sue for, or recover any Part of the said Estate real or personal, so to him or them assigned by the Court as aforesaid, nor to make any Release, Grant or Discharge thereof; but such Assignee or Assignees, or his or their Heirs, Executors, Administrators or Assigns, shall

by Virtue of this Act, have full Power and Authority, in his or their own Names, to commence, sue and prosecute all and every such Action and Actions for and concerning the same, that the said Prisoner might or could have had, before his or her delivering in the Schedule aforesaid.

AND IT IS HEREBY ALSO FURTHER ENACTED, That immediately after such Grant, Assignment or Disposition, made by the said Court as aforesaid, the Assignee or Assignees by the said Court appointed, shall cause an Advertisement or Advertisements to be set up in the most publick Place or Places of the County or Counties, where the real Estate of the said Prisoner doth lie, or Debts are due, or any Part thereof, notifying, that at such Time and Place in the said Advertisement or Advertisements named, the real and personal Estate of the Prisoner in that County, will be exposed to Sale to the highest Bidder or Bidders; at which Time and Place advertised, the said Assignee or Assignees, shall sell as aforesaid, and by Deed or Deeds indented, or Assignments, convey such real and personal Estate of the said Prisoner, as lieth in that County, together with all Deeds, Writings and Evidences touching or concerning the same.

AND BE IT FURTHER ENACTED, That every such Grant, Bargain, Sale, Conveyance, Assignment and Disposition of the said Assignee or Assignees, of any Part of the real or personal Estate of the said Prisoner, shall be good and available in Law, to all Constructions and Purposes, against the said Prisoner or Prisoners, his, her or their Heirs, Executors, Administrators and Assigns, and against all and every other Person or Persons, claiming or to claim, by, from or under such Prisoner or Prisoners.

AND BE IT ENACTED *by the Authority aforesaid,* That the Assignees so by the said Court appointed as aforesaid, shall within Three Months after such their Appointment, make a Dividend amongst the Creditors of the said Prisoner, of the Produce and Net Proceeds made by the Sale of his real and personal Estate as aforesaid, first paying thereout the Debts due from the Insolvent to his Majesty, his Heirs and Successors, then those due to this Colony, then all Costs of Suit, Prison and Gaol Fees, and then deducting all such Costs, Charges and Expences, as shall be necessarily laid out and expended by the Assignees, for their Care and Trouble therein.

AND BE IT FURTHER ENACTED, That the said Assignee or Assignees aforesaid, shall, at the next Court after their Appointment as aforesaid, deliver into the same next Court, upon Oath or Affirmation, a full, true and just Account, signed, of the Sale or Sales of the real and personal Estate of the said Prisoner, expressing to whom every Part thereof was sold, and for how much, with the Charges and Expences of the Sale, and showing the net Proceeds of the same Sale; and in the same Account, shall set forth the Debts due by the Prisoner to his Creditors, ascertained as aforesaid, and how much such Assignee or Assignees have paid, or are ready to pay to each Creditor, in Proportion as aforesaid: And in Case the net Proceeds have been sufficient to pay all the Creditors of the Prisoner, the full of the Debts due to them, with an Overplus, then such Account shall set forth what that Overplus is, or wherein it consists, and shall have the same ready to pay or

deliver to the said Prisoner, his Heirs, Executors, Administrators or Assigns; which Account so delivered in, upon Oath or Affirmation, and signed, shall be filed, and remain of Record with the Clerk of the said Court, for the Use of the said Creditors and Prisoners; and which Duties on the said Assignee or Assignees by this Act enjoined, shall be performed, on the Pain of incurring a Contempt of a Rule of Court.

PROVIDED ALWAYS, That the Court, before permitting the Assignees to make Oath or Affirmation to the said Account, shall examine the several Articles of Charges and Expences of the Sale, and shall allow only so much thereof, as they shall conceive just and reasonable.

AND BE IT FURTHER ENACTED, That if upon the Sale aforesaid, it shall appear to the Assignees, that the real and personal Estate of the Prisoner, will yield more than the Sum of his Debts; that when so much as is sufficient to pay the said whole Debts is sold, the Sale shall then stop, and the Remainder or Overplus, shall by the Assignees be conveyed to the Prisoner, his, her or their Heirs, Executors, Administrators or Assigns, on Demand.

PROVIDED ALWAYS, AND BE IT ENACTED *by the Authority aforesaid,* That the Discharge of any Person or Persons by Virtue of this Act, shall not amount to free and discharge any other Person or Persons, jointly and severally bound for, or liable to answer or satisfy the said Debt, or any Part thereof, either as Principal or Surety; but that such other Person or Persons, shall be liable to answer the said Debt and Damages, in such Manner, to all Intents and Purposes, as they were before the Discharge of such Prisoner.

PROVIDED ALWAYS, That no single Person or Persons, able of Body, and under the Age of Forty Years, shall be intituled to the Benefit of this Act, unless he, she or they shall signify their Willingness to make Satisfaction by Servitude; in which Case, it shall and may be lawful for the Court or Courts aforesaid, to adjudge such Debtor or Debtors, to render Satisfaction by Servitude, for the Debt or Debts, or any Part thereof due to the said Creditor or Creditors, and cause such Prisoner or Prisoners to bind him or themselves to be Servants by Indenture accordingly, to serve for such Time, as the said Court or Courts shall adjudge to be reasonable, not exceeding Seven Years, to the Assignees to be appointed by the Court as aforesaid, and to be by them sold and assigned for the Use of such Creditor or Creditors; in which Case such Prisoner or Prisoners, shall and may be released and discharged from his, her or their Imprisonment, and the Body of such Person shall be free from Arrests in civil Actions, during the Time of such Service expressed in the Indenture.

AND *Whereas* it often happens, that married Men, through their own Sloth and Indolence, are confined in Gaol, though they have good Trades, and are otherwise capable of making Satisfaction by Servitude; Therefore; BE IT FURTHER ENACTED, That every such married Person or Persons under the Age of Thirty-five Years, shall be exempt and barred from any Benefit or Advantage under this Act, unless he shall consent to, or bind out

all his or their Children, as can be bound out without Money, agreeable to the Poor Act, and shew his Willingness to make Satisfaction by Servitude as aforesaid.

PROVIDED the Creditor or Creditors aforesaid, of such married Person or Persons, in Proportion to their Debts, will allow or pay out of his or their Wages or Labour, towards the Support and Maintenance of such Insolvent Debtor's Wife and Children as cannot be bound without Money to be given with them, such weekly Sum or Sums as the said Court or Courts shall adjudge necessary and reasonable for the Purposes aforesaid; on which Compliance of the Creditor or Creditors as aforesaid, the Debtor or Debtors being married, and under the Age of Thirty-five Years, shall be bound and assigned in the same Manner as is before directed by this Act, for the binding and assigning Insolvent Debtors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall be sued or impleaded, for any Matter or Thing done in Execution of this Act, and in Pursuance thereof; he or they may plead the General Issue, and give the special Matter in Evidence; and if the Plaintiff be Nonsuit, or Verdict do pass against him, such Defendant shall recover double Costs.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That notwithstanding the Discharge of the Person of such Prisoner or Prisoners as aforesaid, all and every Debt and Debts due or owing from the said Prisoner or Prisoners, and all and every Judgment or Judgments had and obtained, and Decree pronounced against him, her or them, shall stand, and be good and effectual in the Law, to all Intents and Purposes, against the Lands, Tenements, Hereditaments, Goods and Chattels, of the Prisoner or Prisoners so discharged as aforesaid, or which he, she or they, or any other Person or Persons in Trust for him, her or them, at the Time of such Discharge, hath or have, or at any Time hereafter shall or may be any Ways seized or possessed of, or intituled to, either in Law or Equity, except his, her or their wearing Apparel, Bedding for his, her or their Families, and working Tools and Implements necessary for his, her or their Trade, not exceeding the Value of *Ten Pounds* in the Whole; and that in every such Case it shall and may be lawful, for the Attorney of any Creditor or Creditors of such Prisoner and Prisoners so discharged as aforesaid, to file common Bail for such Persons, and to proceed to Execution and Sale of the Goods and Chattels, Lands and Tenements, of every such Prisoner and Prisoners: And all Sales made by them during their Confinement, and after the Publication of this Act, shall not alter the Property of such Goods and Chattels, Lands and Tenements; but the same shall then, and at all Times afterwards, be liable to the Debts of such Person and Persons so confined as aforesaid; except such Part of their Goods and Chattels, which were necessarily sold for the Support of every such Prisoner and his Family, during his Confinement as aforesaid; the Sum to be left to the Justices of the said Court.

PROVIDED NEVERTHELESS, And it is the true Intent and Meaning

of this Act, that the said Prisoners, upon complying with the Terms and Directions of this Act, shall be forever hereafter free and exempt from any Process and Arrest, on the same Actions upon which they were confined, or from any Action or Actions which may or shall be commenced for any Debt or Debts contracted by them before the first Day of *July,* One Thousand Seven Hundred and Sixty-four, whereby their Persons may be restrained or kept in Custody; any Act, Law or Custom, to the contrary in any wise notwithstanding.

AND BE IT FURTHER ENACTED, *by the Authority aforesaid,* That every Sheriff, Under-Sheriff, Gaoler, Keeper of any Prison or Gaol, or any other Person or Persons whatsoever, to whose Custody or Keeping, any Person or Persons arrested shall be committed, on any Account whatsoever, shall permit or suffer him, her or them so arrested, at his, her or their Will and Pleasure, to send for and have any Beer, Ale, Victuals or other necessary Food, from what Place they please, and also to have and use Bedding, Linnen and other Things, as he, she or they may think fit, without purloining or detaining the same, or any Part thereof, or enforcing or requiring him, her or them, to pay for the having or using thereof, or putting any Manner of Difficulty upon him, her or them, in using thereof, or relating thereto.

AND for preventing Extortion or Exaction by any Sheriff, Gaoler, Bailiff or other Officer, having the Care and Keeping of any Gaol or Prison in this Colony: BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Justices of the respective Courts of this Colony, on Complaint to them respectively made, of any exorbitant Demand made by any Officer or Officers as aforesaid, for Meat, Drink, or other Necessaries had, during the Confinement of any Prisoner or Prisoners, to hear and determine the same in a Summary Way, and to make such Order thereupon for redressing such Abuse, and punishing of such Officer or Officers complained of, and making Reparation to the Person or Persons injured, as they shall think fit, together with full Costs of such Complaints; and all Orders and Determinations, which shall be made by the said Courts in such Summary Way, shall have the same Force and Effect to all Intents and Purposes, as any other Orders of said Courts, and Obedience thereunto may be compelled by Attachments issued from the said Courts, in like Manner as in other Cases as usual.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall continue and be in Force until the first Day of *July,* One Thousand Seven Hundred and Sixty four, as to the Liberties of the Debtors and Creditors petitioning, and no longer; but shall continue and be in Force as to the Power of every Court, Person, Assignee or Assignees appointed by this Act, until a full and final Settlement and Division shall be by them made, according to the true Intent and Meaning of this Act.

Parker (1764) 20:8, pp. 23-33.

An ACT *for erecting a new and convenient Court-House and Gaol in the County of* Cape-May.

WHEREAS the major Part of the Freeholders of the County of *Cape-May,* by their humble Petition, have set forth, that the Court-House and Gaol at present erected in the said County, are not only out of Repair, much too small, but likewise not commodiously situated, and pray, for the Reasons above assigned, to be enabled to erect, in Lieu thereof, another Court-House and Gaol, upon the Plantation of *Daniel Hand,* of the Middle Precinct of the said County, near his Dwelling House there, as being more central than where the present decayed and incommodious Court-House and Gaol now stand:

THEREFORE, BE IT ENACTED *by the Governor, Council and General Assembly of the Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful, to and for the Freeholders that shall be hereafter chosen in the said County of *Cape-May,* (by Virtue of an Act, entitled, *An* Act *for raising of Money, for building and repairing of Gaols and Court-Houses within each respective County of this Province;*) or the major Part of them the said Freeholders, with the Concurrence of any three Justices of the Peace of the said County, (*Quorum Unus*) and they are hereby impowered, enjoined and required, to erect and build a new and convenient Court-House and Gaol, and thereafter to repair, uphold and rebuild the same, as Occasion may require, upon such Part of the Land of the said *Daniel Hand,* of the said Middle Precinct of the said County, near his Dwelling House there, as they the said Justices and Freeholders, or the major Part of them, shall esteem most proper for that Purpose, and not elsewhere; the Fee Simple whereof, the said Justices and Freeholders, shall be, and hereby are impowered and enjoined to purchase, when Convenience shall admit, of the said *Daniel Hand,* his Heirs or Assigns, and take a Deed of Conveyance for the same, in the Name of them the said Justices and Freeholders, and their Successors, but in Trust nevertheless, to and for the Inhabitants of the said County, for the Use of a Court-House and Gaol forever; and for that Purpose, they the said Justices and Freeholders, shall be, and hereby are constituted a Body Politick and Corporate in Succession, and shall and may have, prosecute and maintain, all and every such Action or Actions, as shall be found necessary for defending the Property of the said Land, and preserving the Buildings aforesaid, when thereon erected for the Use aforesaid; and the Deed requisite to be taken for the said Land, as soon after the Execution thereof as Convenience shall admit, shall be recorded in the Secretary's Office at *Burlington,* and afterwards lodged in the Clerk's Office at *Cape-May,* there to remain for the Use of the said County forever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the Justices and Freeholders aforesaid, and their Successors, and they are hereby authorised, enjoined and required,

to appoint a Manager in and for each respective Precinct of the said County, making three Managers in the Whole, not only to carry on and erect, but likewise thereafter to repair, uphold or rebuild the said Court-House and Gaol, or either of them, as the Nature of the case may happen to require: And in Case of the Death, Removal, Neglect or Refusal of either, any or all the said Managers, then and in such Case, from Time to Time, to appoint one or more Manager or Managers, in the Room of such Manager or Managers so dying, removing, neglecting or refusing as aforesaid; which said Managers so to be appointed as aforesaid, or any two of them, shall be, and hereby are impowered and required, to purchase and procure all such Materials as shall be necessary for the Purposes aforesaid, according to such Directions, and in such Manner as the said Justices and Freeholders, or their Successors, shall conclude and agree upon; and the said Managers, or any Two of them, shall be, and hereby are impowered and enjoined, to draw one or more Warrant or Warrants upon the Collector of the said County for the Time being, for Payment of all such Sum or Sums of Money as shall from time to time be needed for building, repairing, upholding, or rebuilding the Court House and Gaol aforesaid, or either of them: *Provided,* such Sum or Sums of Money do not exceed the Sum or Sums of Money, by the said Justices and Freeholders, or their Successors, directed to be raised and applied to the Purposes aforesaid; which Warrant or Warrants, the said Collector is hereby required to pay; and the Money which by the said Justices and Freeholders, and their Successors, shall be esteemed necessary for the Purposes aforesaid, shall from time to time be raised according to the Directions of an Act of General Assembly of this Colony, entitled, *An* Act *to impower the Justices and Freeholders chosen in each County, or the major Part of them, in Conjunction with Three Justices of the Peace, to direct the Method of assessing the Inhabitants of each County, and to restrain the unnecessary Meeting of the said Freeholders:* And every Person who by this Act is impowered or enjoined to do any Matter or Thing, shall be, and hereby is vested with the same Powers, intituled to the like Rewards, and subject to the same Penalties and Forfeitures, to be recovered and applied in the like Manner, as in and by the above-recited Acts are granted and directed. *Provided always,* and it is the true Intent and Meaning of this Act, that Nothing herein contained shall be so construed, as to enable the Justices and Freeholders aforesaid, to raise and apply any Sum or Sums of Money above *Three Hundred Pounds,* to the erecting and building the Court-House and Gaol aforesaid.

Parker (1764) 20:8, pp. 33-35.

An ACT *to continue an Act, entitled, An* Act for better settling and regulating the Militia of this Colony, of *New-Jersey,* for the repelling Invasions and suppressing Insurrections and Rebellions.

WHEREAS an Act passed in the Nineteenth Year of the Reign of our late Sovereign Lord King GEORGE the Second, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions and suppressing Insurrections and Rebellions,* will soon expire;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Act, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions, and suppressing Insurrections and Rebellions;* shall be, and hereby is continued, and every Article and Clause therein contained, shall be and remain in full Force, from the Publication hereof, to the first Day of *June,* in the Year of our Lord One Thousand Seven Hundred and Sixty Five, and no longer.

AND BE IT ENACTED, That the Fees of the Governor or Commander in Chief for the Time being, on granting the Commissions, in Pursuance of the Act hereby continued, shall be as follows: For a Colonel's Commission, *Twelve Shillings:* For a Lieutenant-Colonel's Commission, *Ten Shillings:* For a Major's Commission, *Eight Shillings:* For a Captain's Commission, *Six Shillings:* For an Adjutant's Commission, *Six Shillings:* For a Lieutenant's Commission, *Five Shillings:* For an Ensign's Commission, *Four Shillings.*

Parker (1764) 20:8, p. 36.

An ACT *for the better and more effectual Ascertaining the Boundaries between the Counties of* Salem *and* Cumberland.

WHEREAS the Lines of Partition between the Counties of *Salem* and *Cumberland,* being unsettled, the Board of Justices and Freeholders of each County, pursuant to a late Act of Assembly, did choose and appoint Commissioners for that Purpose; which said Commissioners did meet, and on running the said Lines, found them in no wise to answer the Expectation

of either County; and the said Commissioners conceiving it not in their Power to settle the said Lines in such a Manner as to be conclusive to both Counties: Therefore, to prevent any Inconvenience that may happen for the future;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Bounds between the Counties of *Salem* and *Cumberland,* shall be as followeth, *viz.* Beginning at the Middle of the Mouth of *Stow-Creek,* and running up the Middle of the same, opposite to the Mills that formerly belonged to *John Brick,* Esq; then continuing still up the Middle of *Stow-Creek* Branch, opposite to the House of *Hugh Dunn;* then on a direct Line, to said *Hugh Dunn's* House, leaving said *Dunn's* House in *Cumberland* County; and from said House, on a strait Line, North Fifty-one Degrees Fifteen Minutes East, Ninety-four Chains, to the House of *Azel Pierson,* formerly *Nathan Shaw's,* leaving said *Pierson's* House in *Cumberland* County; from thence North-East, until it intersects the Line of *Piles Grove* Township or Precinct, in Distance Three Hundred and Five Chains; and thence along *Piles Grove* Line, as was marked by the said Commissioners, South Forty-seven Degrees East, until it intersects the Middle of the Water-Course of Prince *Maurice's* River, below the Mouth of *Muddy-Run;* from thence up said River, bounding on the Middle of the Water-Course thereof, to the Foot of *Scotland Branch;* then up said Branch, bounding on the Middle of the Water-Course, to *Gloucester* Line; which said River, Lines and Creek as aforesaid, shall forever hereafter be taken, deemed and esteemed the Bounds of Partition between the aforesaid Counties of *Salem* and *Cumberland;* any Law or Usage to the contrary thereof notwithstanding.

Parker (1764) 20:8, p. 37.

An ACT *for regulating Constables and Vendues, and for better regulating Taverns.*

FOR regulating Taverns, so as to make them answer the End of their Institution, and more effectually to prevent their being perverted to Places of Gaming, Tippling, Drunkeness, Revellings, Extortions and other Vices;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That no Person whatsoever shall be

licenced by any Court in this Province, to keep a Publick House or Inn, but such as are of good Repute for Honesty and Temperance, and known, or well certified to the Court, to be provided with at least two good spare Feather Beds more than is necessary for the Family's Use, and is well accommodated with House-Room, Stabling and Pasture: And if any Person signing a Recommendation to the Court, shall be convicted of having attempted to impose on the Court, either by signing to an undeserved Character, or by describing a Situation not true, or in any other Manner; every such Person so attempting to impose, and being thereof legally convicted, shall be fined by the Court, in the Sum of *Three Pounds* Proclamation Money; to be paid to the Overseers of the Poor, where the said Tavern was proposed to be kept, to be applied to the Use of the Poor of said Township.

AND BE IT ENACTED, That no Court in this Province shall grant a Licence to any Shop-keeper, to keep Tavern, neither shall any Tavern and Shop for selling Goods, Wares and Merchandizes of any kind, be at any Time hereafter kept in one House; and if any Shop-keeper shall give or retail Strong Liquors, so as to encourage Drunkeness, Revelling or Frolicking in his or her House, he or she being legally convict, shall forfeit *Five Pounds*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices of the Peace, at every of their Spring and Fall Sessions hereafter, shall ascertain the several Prices of the several Liquors, Meat and Entertainment for Man; and shall also fix the several Sums to be taken for the Provender, Stabling and Pasturage of Horses, by every Person licenced to keep Tavern, and to sell and retail Spiritous Liquors by small Measure; and that every Person so licenced, shall obtain and affix up in the most publick Room in their House, in ten Days after the Sessions, a List of the several Prices and Sums so ascertained, under the Penalty of *Twenty Shillings* for every Day thereafter, that he shall refuse, neglect or omit the same; and in Case any such Tavern-keeper, shall demand, take or receive, more Money, or any greater Sum, for any Articles of Entertainment of Man or Horse, than the Sum or Sums so ascertained; and being legally convicted thereof, in any Court of Record in this Province, shall forfeit the Sum of *Five Pounds,* and be incapable of receiving another Licence, for at least three Years after such Conviction.

AND *Whereas* a pernicious Custom hath prevailed in many Places, of giving Rum and other strong Liquor, to excite such as bid at Vendues, to advance the Price; which oftentimes occasions great Intemperance and Disorders: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, after the Publication of this Act, making any Vendue within this Colony, (except Civil Officers, making Vendues at publick Houses) shall give or sell, or suffer to be given or sold, in order to be drank, on any Day or Days while such Vendue is held, any Rum, Cyder, or other Spiritous Liquors; he, she or they so offending, shall forfeit and pay the Sum of *Six Pounds:* Which several Fines and Forfeitures, the Recovery and Application of which is not herein before provided for, are to be recovered by Action of Debt, before any one Justice of the Peace, of the County where such

Offence shall be committed, upon the Oath or Affirmation of one credible Witness, by any Person who will sue for the same, with Costs of Suit; one Half to the Prosecutor, and the other Half to be paid to the Overseer of the Poor of the Township, to be applied in Manner aforesaid; and if any such Liquor as aforesaid, shall be given or sold in Manner aforesaid; it shall be deemed to be given or sold by the Maker or Makers of such Vendue, (unless he, she or they can prove the contrary) who shall suffer the Penalty aforesaid.

AND *Whereas* it is evident, the Want of sufficient Persons to put the Laws in Execution, is the principal Defect attending those heretofore provided for the above, and other salutary Purposes: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That in every County of this Colony, the Justices of the Peace, at the respective Quarter Sessions that shall happen on or after the first Day of *January* yearly, shall appoint such and so many Constables, as shall be necessary for each and every Township and Precinct of the County to which they belong; except in Patent Towns or Cities, where they shall be appointed according to their Charter.

AND BE IT FURTHER ENACTED, That the said Courts, Cities or Towns Corporate, shall not choose or appoint to that Office, any but substantial Freeholders in the County, City or Town Corporate, for which he shall serve, of good Character; which Constable when so appointed, shall be obliged to serve under the Penalty of *Five Pounds;* to be paid to the Collector of the said County, for the Use of the said County; and to be recovered by the said Collector, with Costs of Suit, by Action of Debt, in any Court where cognizable; and such Constable shall take the following Oath, or Affirmation if a *Quaker, viz.*

I. A.B. *as one of the Constables for the County of* C. *will well and truly execute that Office for one Year, next ensuing this Time, and until another is qualified in my Room; and in particular I will faithfully use my Endeavours to do my Duty as it is enjoined by an Act, entitled,* An *Act* for regulating Taverns, Ordinaries, Inn-keepers, and Retailers of strong Liquors, *without any Connivance at, or Favour whatsoever, to those who shall offend against it.* Which Oath or Affirmation a Justice shall read to him, and the Constable shall repeat.

AND BE IT ENACTED *by the Authority aforesaid,* That such Constable shall not be obliged to continue in the said Office, longer than till the first Day of *January* then next ensuing, and thereafter to the End of the first Court of General Quarter Sessions of the Peace, that shall be held in and for the said County after the said first Day of *January*; on or before which Time, the Court shall appoint his Successor; or if it be in Cities or Towns Corporate, then to the usual Time of appointing and qualifying the Constables of such Corporation: Nor shall any Constable be obliged to serve in the said Office again, within less than Fifteen Years after his being discharged from the said Office, unless there should happen not to be Freeholders enough to succeed regularly; in which Case they shall not serve oftner than once in Five Years.

AND BE IT ENACTED *by the Authority aforesaid,* That when any Person has served as Constable, in any County of this Colony for one Year as aforesaid; such Person shall not be permitted to serve as a Constable in the

said County, the Year immediately ensuing the End of such his Service; unless he shall enter into Recognizance to our Sovereign Lord the King, his Heirs and Successors, with one sufficient Surety; the Principal in the Sum of *Forty Pounds,* and the Surety in the Sum of *Twenty Pounds,* conditioned for the due Performance of his Office.

AND BE IT ENACTED *by the Authority aforesaid,* That in all Cases where Corporal Punishment shall be adjudged to be inflicted on any Criminal, by Virtue of any legal Process, that renders or shall make it the Duty of a Constable, to execute, or see the said Punishment executed; such Constable shall have full Power to employ an Executioner, and order him to perform that Service; and for the Payment thereof, any one Justice of the Peace of the said County, shall draw an Order on the Collector of the said County; who, out of any Monies in his Hands, the Property of the said County, and not raised for Provincial Service, shall discharge the same; which shall be allowed him in his Accounts: *Provided,* not more than *Ten Shillings* be allowed for one Corporal Punishment.

PROVIDED ALWAYS, That every such Constable, so appointed or chosen as aforesaid, shall, with the Consent of the Court of Quarter Sessions of the City, County or Town Corporate where he is chosen or appointed, have the Liberty of appointing a Deputy in his Room, on giving sufficient Surety to the Satisfaction of the said Court, that he will be answerable for his Conduct.

AND BE IT ENACTED, That every Constable's Fee for serving any Warrant, shall be *Two Shillings;* and for servcng every Execution, *Two Shillings* and *Six Pence;* any Thing in any former Law to the contrary in any wise notwithstanding.

Parker (1764) 20:8, pp. 38-41.

A Supplementary ACT *to the Act, entitled,* An *Act* to regulate the Size of Traps to be hereafter set in this Colony.

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That any Person or Persons who shall have Possession of, or in whose House shall be found, any Iron or Steel Trap or Traps, the Weight whereof shall be above Three Pounds and a Half Pound Weight; such Person or Persons shall be subjected to the Penalty inflicted by

the before recited Act, as tho' he, she or they were convicted of setting such Trap or Traps.

AND BE IT ENACTED, That if any Person or Persons shall kill any wild Doe, Buck or Fawn, at any other Time or Season, except only between the first Day of *September,* and the first Day of *January;* he or they so offending, shall forfeit and pay the Sum of *Forty Shillings,* for offending against this Act in the Month of *January;* and the Sum of *Ten Shillings,* over and above the *Thirty Shillings* forfeit, mentioned in the Act, entitled, *An* Act *to prevent the killing of Deer out of Season,* &c. for every other the said Months.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, (Native Indians excepted) at any Time after the Publication of this Act, shall presume to carry any Gun, or hunt or watch for Deer, or set in any Dog or Dogs to drive Deer, or any other Game, on any inclosed or uninclosed Lands not his own, and for which the Owner pays Taxes; unless he have Licence or Permission in Writing from the Owner or Owners of such Lands, or such Person or Persons who hath the Possession or Care of such Land; such Person or Persons so offending, and shall be thereof convicted, either upon the View of any Justice of the Peace within this Province, or by the Oath or Affirmation of one or more Witnesses, before any Justice of the Peace; he shall, for every such Offence, forfeit and pay the Sum of *Forty Shillings,* with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, whether the Accused or Accuser, Plaintiff or Defendant, shall, in any of the Cases aforesaid, think themselves aggrieved, by any of the Judgments given by the said Justices; then it shall and may be lawful for such Person or Persons, to appeal to the next Court of Quarter Sessions, held for such County, where such Judgment shall be given; which said Court, is hereby impowered to hear and determine all and every such Appeal or Appeals.

PROVIDED, That Nothing herein contained, shall be deemed or taken to disannul, alter or make void the said Acts, but that every Clause, Article and Sentence contained therein, except what is hereby altered or supplied, shall remain in full Force and Virtue.

PROVIDED ALWAYS, That Nothing in this Act shall be construed to affect any of the King's Troops, or any Officers or Soldiers on or going up to the Frontiers of this Province, or the Militia on Days of Training.

PROVIDED ALSO, That neither this Act, nor any Thing therein contained, shall continue in Force for a longer Term than Seven Years, and from thence to the End of the next Session of General Assembly; any Thing herein before contained to the contrary in any wise notwithstanding.

Parker (1764) 20:8, pp. 42-43.

An ACT *to prohibit the selling of Guns, Gun-powder, or other warlike Stores, to the Indians.*

WHEREAS several Tribes of Indians for some Time past, have perfidiously made Incursions within the Province of *Pennsylvania,* and perpetrated many cruel and barbarous Murders on the Inhabitants thereof, and have entered the Limits of this Province; and as it must be in the present Circumstance of Affairs, of dangerous Consequence, to supply such Enemies with Guns, Gun-powder, or other warlike Stores: For Prevention whereof;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Passing of this Act, if any Person or Persons whatsoever, shall directly or indirectly give to, sell, barter or exchange, with any Indian or Indians whatsoever, excepting such Indians whose Residence is now in this Province, any Gun, Gun-powder, Shot, Bullets, Lead or other warlike Stores, every such Person or Persons so offending, being thereof legally convicted, in any Court of Record within this Province, shall forfeit and pay the Sum of *Five Hundred Pounds;* one Moiety thereof to the Informer, and the other Moiety thereof to the Governor or Commander in Chief of this Province for the Time being, and shall be committed to the common Gaol of the County, there to remain Twelve Months, without Bail or Mainprize.

AND BE IT FURTHER ENACTED, That this Act shall continue in Force for the Term of Twelve Months, and from thence to the End of the next Session of Assembly, and no longer.

Parker (1764) 20:8, pp. 43-44.

An ACT *to enable the Corporation of the City of* New-Brunswick, *to build and repair the Court-House and Gaol in the said City, and to raise Money on the Inhabitants of the said City for that Purpose.*

WHEREAS the Mayor, Recorder, Aldermen and Common-Council Men of the said City of *New-Brunswick,* and sundry other Freeholders and Inhabitants of the said City, have, by their Petition set forth, That the Court-

House and Gaol in the said City of *New-Brunswick,* is in such Decay, as to render the said Gaol unfit for confining Prisoners, in Consequence whereof, the Courts of Justice and legal Proceedings have been obstructed and delayed; and praying a Law, to enable the said Mayor, Recorder, Aldermen and Common-Council Men, of the said City of *New-Brunswick,* from time to time, as Occasion shall require, to build and repair the said Court-House and Gaol, and to raise Money on the Inhabitants of the said City for that Purpose: Therefore, that a decent and convenient Room, for holding the Courts of Common Pleas, and General Quarter Sessions of the Peace, and strong, commodious and proper Gaols, may be built in the said City of *New-Brunswick:*

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That at any Time after the Publication of this Act, the Mayor, Recorder, Aldermen and Common-Council Men, of the said City of *New-Brunswick,* or any Ten or more of them, being Six of the North Ward or Precinct, and Four of the South Ward or Precinct, whereof the Mayor or Recorder is always to be one, in Conjunction with all the Four chosen Freeholders of the said City of *New-Brunswick,* being met and assembled at such Time and Place as the Mayor or Recorder shall notify and appoint; and Six at least of the Common-Council of the North Ward or Precinct, and Four at least of the South Ward or Precinct, agreeing with all the said Four chosen Freeholders as aforesaid, may make such Provision and Order, for the erecting and building a Court-House and Gaol in the said City of *New-Brunswick,* or fitting up and repairing the present Court-House and Gaol in the said City, as to them shall seem meet, and may agree and fix upon such Sum and Sums of Money, as may be necessary for the Purposes aforesaid, to be assessed and collected by the several Assessors and Collectors of the said City of *New-Brunswick,* for the Time being, upon the Inhabitants of the said City, in such Manner and Form as Money is assessed and collected, by an Act of this Province, entitled, *An* Act *for the Relief of the Poor,* by an Order from the said Mayor, Recorder, Aldermen and Common-Council Men, or any Three or more of them, whereof the said Mayor or Recorder is always to be one; which Money when so as aforesaid raised, shall be paid into the Hands of the Treasurer of the said Corporation; or to such other Person as the said Mayor, Recorder, Aldermen and Common-Council Men, or the major Part of them shall appoint; and by Order under the Hand and Seal of the said Mayor or Recorder, with the Advice and Consent of at least Three of the Commonalty of the said City, shall be drawn out, and applied from Time to Time for the Purposes aforesaid.

Parker (1764) 20:8, pp. 44-45.

An ACT *to suppress Fairs in the Town of* Salem.

WHEREAS the holding of Fairs in the Town of *Salem,* has by Experience been found inconvenient and unnecessary; Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That no Fair shall hereafter be held in the Town of *Salem;* any Law, Usage or Custom to the contrary in any wise notwithstanding.

Parker (1764) 20:8, pp. 45-46.

An ACT *for laying out a more direct Road from* Little Timber *Creek, over* Newton *Creek, near the Mouth thereof, to* Cooper's *Ferries, and for erecting a Bridge over the said Creek, at the Place aforesaid.*

WHEREAS a Number of People residing in the Counties of *Gloucester* and *Salem,* by their humble Petition, have set forth, that a more strait and direct Road from *Little Timber* Creek, in the County of *Gloucester,* over *Newton* Creek, near the Mouth thereof, to *Cooper's* Ferries, would be of publick Utility, not only by facilitating the Intercourse with the City of *Philadelphia,* but otherwise. Therefore;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Henry Paxson, William Foster, Isaac Evans, Anthony Sykes, Joshua Stokes, William Mickle, Abel Middleton, John Fenimore* and *Jonathan Hough,* or the Majority of such of them as shall meet for that Purpose, be and they are hereby appointed Commissioners for laying out a Road from the said *Little Timber* Creek to *Cooper's* Ferries as aforesaid; and the said Commissioners shall meet together, at *Little Timber* Creek aforesaid, and from thence lay out in a Manner they shall judge most convenient, a Road of Four Rods wide, (except on the Meadow Land, which shall be of the Width the Commissioners, or the Majority of them so meeting, shall judge necessary,) over said *Newton* Creek, near the Mouth thereof, to *Cooper's* Ferries aforesaid; a Survey whereof shall be made and certified, under the Hands of the Commissioners aforesaid; which Certificate and

Survey, shall be recorded in the Road Book, in the Clerk's Office for the County of *Gloucester*.

AND BE IT FURTHER ENACTED, That when the said Road shall be laid out as aforesaid, the Commissioners hereafter appointed, may clear, or cause the same to be cleared, and may erect and cast up one or more good and sufficient Causey or Causeys, in the said Road, and dig Mud, Earth or Gravel, within the Bounds of the Road, for that Purpose.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for *Isaac Cooper, John Buzby, James Whital, John Sparks, Joshua Lord* and *James Hinchman,* of the County of *Gloucester,* and the Survivors and Survivor of them, to hire Workmen, to erect and build a Bridge over the said *Newton* Creek, in the Road which shall be laid out in Manner aforesaid; and may also erect and cast up, or cause to be, any Causey or Causeys, as shall be necessary to accommodate the said Bridge and Road aforesaid; which said Bridge shall be so constructed, as not to prevent the Navigation of said Creek for Hay and Wood Boats without Masts; which Road, Bridge and Causeys, shall be erected, made, opened and cleared by Subscription, and thereafter maintained and kept in good Repair by a Toll.

AND BE IT FURTHER ENACTED, That the said Bridge, so to be erected as aforesaid, shall be and hereafter remain a Toll Bridge; and it shall and may be lawful for the said *Isaac Cooper, John Buzby, James Whital, John Sparks, Joshua Lord* and *James Hinchman,* or any Four of them, or the Survivors or Survivor, to Let the said Bridge and Causey or Causeys to farm, to be erected, cast up and made, and afterwards maintained and kept in good Repair by the Toll arising therefrom, and to erect a Gate upon or across the said Bridge or Causey, and to demand and receive of all and every Person or Persons, (not Subscriber or Subscribers to the Expence of said Bridge,) who shall pass over the same, the following Rates, *viz.* For every Waggon or Ox-Cart with Two Creatures and a Driver, *Three-pence;* with Four Creatures, *Four-pence:* For every Coach, *Four-pence:* For every other Carriage with Two Horses, *Three-pence:* For every Carriage with one Horse, *Two-pence:* For every Passenger and Horse, *Two-pence:* For every Passenger on Foot, *One Penny:* For all Cattle and Horses drove or led, *One Penny* per Head: For all Sheep or Swine, *Four-pence* per Dozen.

AND BE IT FURTHER ENACTED, That if any Person not being a Subscriber as aforesaid, shall refuse or neglect to pay the Rates as aforesaid; it shall and may be lawful for the Person farming, or having the Care of said Bridge, to refuse Passage to any such Person or Persons, until he, she or they shall have paid the Rates aforesaid; and if any Person or Persons not Subscribers as aforesaid, shall pass without paying such Rates, it shall be lawful for the Person tending the said Bridge, to stop such Passenger or Passengers any other Time, till said Rates be paid, or to prosecute his Action of Debt, against such Passenger or Passengers, before any Magistrate of the County of *Gloucester*.

AND BE IT ENACTED *by the Authority aforesaid,* That for defraying the Expence of building the said Bridge, making said Causey, and laying out and

clearing said Road as aforesaid, the said *Isaac Cooper, John Buzby, James Whital, John Sparks, Joshua Lord* and *James Hinchman,* or the Survivors or Survivor of them, may take in, and they, or any Three of them, may from time to time appoint other Persons also, to take in Contributions for the Purposes aforesaid, who shall be accountable to the said Commissioners, for all Monies by them so received; and all such Monies shall be applied by the said last mentioned Commissioners, towards erecting said Bridge, and making said Causey and Road as aforesaid, who shall keep a fair Account of all Monies received and paid away, in Consequence of this Act, and a List of the Contributors Names; and after the said Bridge shall be built, and Road perfected, upon Application made, by any Four of the Contributors towards the Expence of said Bridge and Road, to the Board of Justices and Freeholders of the County of *Gloucester,* it shall and may be lawful for the said Board, to order the said Commissioners, or the Survivors or Survivor of them, to lay their Accounts before them the said Board, to be examined and inspected; and if upon such Examination it shall appear, there is Money remaining in said Commissioners' Hands, the said Board (after allowing said Commissioners a reasonable Satisfaction for their Time and Trouble,) shall direct a Distribution of the Overplus among the Contributors, in Proportion to their several Contributions.

AND BE IT FURTHER ENACTED, That each and every Person or Persons, contributing and paying the Sum of *Five Pounds,* towards the Expence of said Bridge and Road, shall himself and Family, with their Goods, for the Space of Five Years, (and so in Proportion for a greater or lesser Sum,) from the Time of said Bridge and Road being built and compleated, be exempt and free from paying any Toll for his, her or their Families, with their Goods, passing and repassing as aforesaid; and if the Farmer or Person who shall have the Care of said Bridge, shall neglect or refuse to open his Gate, and let such Contributor or Contributors, their Families and Goods, pass and repass as aforesaid, upon his, her or their producing a Certificate, setting forth, who was the Contributor upon whose Account such Privilege is demanded, and the Sum by the said Person subscribed and paid, signed by one or more of the Commissioners aforesaid; every such Farmer or Person who shall have the Care of said Bridge, so offending, shall forfeit and pay the Sum of *Twenty Shillings,* to the Person aggrieved; to be recovered by Action of Debt, before any one Justice of the Peace of said County of *Gloucester,* with Costs of Suit.

AND BE IT FURTHER ENACTED, That if any of the said Contributors, shall by Virtue of such Certificate as aforesaid, cause any Person or Persons to pass said Bridge Toll-free, who was not intituled to that Privilege pursuant to this Act, and shall be thereof convicted by the Oath or Affirmation of one Witness, such Contributor or Contributors, shall be deprived of said Privilege, as though he, she or they had not contributed towards the Expence of said Bridge and Road; any Thing in this Act to the contrary notwithstanding.

AND BE IT FURTHER ENACTED, That it shall and may be lawful

for *Isaac Cooper, John Buzby, James Whital, John Sparks, Joshua Lord* and *James Hinchman,* or any Four of them, to Let out the same Bridge and Road, to be built, opened, made and compleated, to any Person or Persons as they shall judge necessary, and take such Security for the Performance thereof, as shall be sufficient for that Purpose; as also to oblige the Party or Parties, so taking or farming the said Bridge and Causey, to rebuild, amend, and hereafter to keep the same in good Repair; and upon Failure thereof, shall be proceeded against in the Manner the Law directs, in the Case of Overseers of the Roads neglecting their Duty.

AND BE IT FURTHER ENACTED, That the said Road, when laid out and compleated as aforesaid, shall be, and is hereby declared to be a publick Road, for all Persons to pass and repass, (upon paying the Toll as above) without any Let, Hindrance or Molestation whatsoever; and if the Person or Persons farming, or having the Care of said Bridge and Road, shall refuse or neglect to give due Attendance, or deny Passage to any Person or Persons, (having first paid the Rates as aforesaid,) he, she or they so offending, shall forfeit and pay the Sum of *Twenty Shillings,* to each and every of the Parties so aggrieved, to be recovered in Manner aforesaid.

AND *Whereas* it is represented, that the laying a Road over *Newton* Creek, at the Place aforesaid, will be of extraordinary and uncommon Damage to *Samuel Harrison* and *Joseph Ellis,* by passing through their Meadows. Therefore: BE IT ENACTED *by the Authority aforesaid,* That if any such extraordinary and uncommon Damage, shall appear to the Commissioners aforesaid, appointed for laying out said Road; they shall have Power, and are hereby required, to enquire into, and assess such Damages as the said *Samuel Harrison* and *Joseph Ellis* shall or may sustain, by Reason of laying out the Road aforesaid; which Sum or Sums of Money, when assessed and fixed upon by the Commissioners first named in this Act, or a Majority of such of them as shall meet as aforesaid, under their Hands, shall be paid and discharged by the Commissioners, or the Survivors of them, appointed by this Act for building and maintaining the Bridge and Causey aforesaid, out of the Monies by them to be collected for the Purposes aforesaid. And in Case of Failure or Refusal, for the Space of Six Months, after said Road is cleared and compleated to *Newton* Creek aforesaid, it shall and may be lawful, to and for the said *Samuel Harrison* and *Joseph Ellis,* to prosecute his or their Action or Actions of Debt, for the Recovery of the same, against the Commissioners, the Survivors or Survivor of them, appointed by this Act, for building and maintaining said Bridge and Causey, in any Court of Record in this Province, where the same shall be cognizable, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That each of the Commissioners appointed by this Act, for laying out the Road aforesaid, shall have and receive *Ten Shillings per Day,* for every Day they shall attend the Service, to be paid by the Commissioners aforesaid, appointed to take in Contributions.

Parker (1764) 20:8, pp. 46-50.

An ACT *for building and maintaining a Draw-Bridge over* Crosswicks *Creek, on the Road leading from* Bordentown *to* Trenton.

WHEREAS it hath been found by long Experience, that the facilitating the Intercourse and Communication between Towns and different Parts of a Province, is of publick Utility; and as the erecting a Bridge over *Crosswicks* Creek, will be of great Advantage and Ease to the Inhabitants of the upper Parts of this Province, and Travellers passing and repassing to and from *New-York* to *Philadelphia,* by the Way of *Princetown:* Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for *Joseph Borden,* Esq; *William Imlay,* Esq; *Isaac Pearson* and *Robert Pearson,* or any two of them, to erect and build a Bridge over said *Crosswicks* Creek, from the fast Land at *Watson's* Ferry, on the South Side, to the End of the Causey on the North Side, and to raise said Causey; the said Bridge shall be a draw or swinging Bridge, and so constructed, that Shallops or Boats may pass and repass; which Bridge is to be built, repaired and maintained by voluntary Contribution; and the said *Joseph Borden, William Imlay, Isaac Pearson* and *Robert Pearson,* or either of them, are hereby impowered to take in and receive the same, for the Purpose aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the Publication hereof, the Bridge and Causey aforesaid, may be erected and built at the Place aforesaid, in such Manner and Form as the said *Joseph Borden, William Imlay, Isaac Pearson* and *Robert Pearson,* or any Two of them, shall direct and think proper, without the Hindrance or Molestation of any Person or Persons whatsoever; provided the said Bridge shall be made a draw or swinging Bridge, and convenient for the passing and repassing of Horses and Carriages over the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Shallop-Man, Boatman, or other Person or Persons, shall leave said Bridge drawn or raised up, so that Travellers may be endangered thereby, or liable to fall through, or obstructed in passing over the same, or shall at any Time after the Erecting thereof, wilfully or negligently destroy, injure or damage said Bridge; every Person or Persons so offending, shall forfeit and pay the Sum of *Five Pounds,* to be recovered by any Person who will sue for the same, before any Magistrate within the County of *Burlington,* over and above the Damage done to said Bridge; which the Managers herein before mentioned for erecting said Bridge, or either of them, shall recover in any Court, where the same is or shall be cognizable, to be applied towards repairing said Bridge, first deducting thereout, the reasonable Expences attending such Prosecution and Recovery.

Parker (1764) 20:8, pp. 51-52.

An ACT *for defraying incidental Charges, and other Purposes therein mentioned.*

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, and they are hereby ordered and directed, to pay to the several Persons hereafter named, such Sum and Sums of Money, as may be necessary for the Purposes following, *viz.*

To *John Johnston,* Esq; for paying such of the Officers and Soldiers of the *New-Jersey* Regiment, who were detained on Duty at *Niagara,* after the first Day of *November* last, their usual Pay for one Month's Service; which the said *John Johnston* is hereby impowered to pay, and charge the same in his Accounts against this Colony: And the said *John Johnston,* out of the Money so to be drawn out of the Treasury as aforesaid, shall pay to *John Fox,* an Indian, in full of his Pay, as a Soldier taken Captive at Fort *William Henry,* in the Year One Thousand Seven Hundred and Fifty-Seven, and lately returned, the Sum of *Fifty Pounds.*

To the Honourable *Samuel Nevill,* Esq; his Executors or Administrators, the Sum of *Twenty Pounds,* in full for his Services, in composing and publishing the Index to, and all other Charges relative to the compiling and publishing the Second Volume of *New-Jersey* Acts of Assembly; also *Ten Pounds,* for holding an extraordinary Court of Oyer and Terminer, in the County of *Essex,* in *October* and *November,* One Thousand Seven Hundred and Sixty-two.

AND *Whereas* from the late frequent Instances of Highway and other Robberies in the neighbouring Governments, and some Attempts in this, it is high Time that some Measures are fallen upon, for the more speedy Detection of such Villainies: BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, to pay to his Excellency the Governor, or his Order, or to the Commander in Chief for the Time being, or his Order, such Sum or Sums of Money, as he shall think necessary to offer, as a Reward for apprehending and securing any Person guilty of robbing on the Highway, or of Burglary. *Provided always,* That not above *Fifty Pounds* shall be paid for a Robbery on the Highway, or Burglary, nor above *One Hundred Pounds* for such Robbery or Burglary, where dangerous Wounds or Murder is committed.

AND the said Treasurers, or either of them, shall also pay to the several Persons following, or either of their Orders, as followeth, *viz.*

To *Samuel Smith,* Esq; any Sum not exceeding *Thirty Pounds,* for purchasing Conveniences, to make the Assembly Room convenient to sit in, and to discharge sundry Expences of this Session, and for paying the Expence of putting the Law for prohibiting the selling warlike Stores to the Indians, in the *New-York* and *Pennsylvania* Gazettes.

To the present Members of the House of Representatives, or either of them, such Sum or Sums, as he or they may find necessary, to pay for the Transportation of the Province Arms to the respective Counties.

AND BE IT ENACTED *by the Authority aforesaid,* That the Receipts of any Person appointed to receive any Money as aforesaid, or Order, with a Receipt, shall, when laid before the House of General Assembly, indemnify the said Treasurers, or either of them, their Heirs, Executors or Administrators, of and from any Money so paid as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the Managers of the three publick Lotteries, lately drawn by Virtue of an Act of Assembly in this Government, be, and they are hereby made accountable to the Council, and House of General Assembly of this Province; and shall lay their Accounts in order for Settlement, before the said Council and House, on the third Day of the next Sessions of General Assembly.

Parker (1764) 20:8, pp. 52-53.

An ACT *to enable the Owners and Possessors of certain Meadows, lying in the Township of* New-Windsor, *and adjoining to* Maidenhead, *to keep open a certain Ditch or Water-Course, which passeth through the Land now claimed by* James Clark.

WHEREAS *James Clark,* of the Township of *New-Windsor,* in the County of *Middlesex,* is the present Owner or Claimer of certain Meadows, Part of the Meadows called the *Stony-Brook* Meadows: And *whereas Edmund Bainbridge* and *Edmund Bainbridge,* jun. *John Philips* and *William Philips,* jun. of *Maidenhead,* in the County of *Hunterdon,* are the present Owners or Claimers of a certain Tract or Tracts of Meadow Ground, lying in *New-Windsor* aforesaid, Part of the Meadows called the *Great Meadows:* And *whereas* the said Persons, or those under whom they claim, judging it would be beneficial to all of them, by mutual Contract, made in or about the Year One Thousand Seven Hundred and Thirty-Seven, did agree to turn the Water-Course which came through the said Meadows, from its natural Channel, through the Land of the said *James Clark,* by Means of a Ditch now there remaining; which Ditch extends through said *Clark's* Lands, from the Mouth of *Mirery Run,* where it

falls into *Stony-Brook,* to the old Division Line called *Keith's* Line. And *whereas* since turning the Water-Course as aforesaid, Disputes and Differences have arisen, among the Owners and Claimers of the Meadows benefited by turning the Water as aforesaid, in Regard to the Charge of cleaning and keeping open the said Ditch, to the general Damage of the said Owners; which Disputes and Differences, after a full Hearing in the House of General Assembly, were, by their Advice, left to the Arbitrament of Arbitrators, indifferently chosen by the Parties above-named; who having met for that Purpose, did make an Award, in or near the following Words, *viz.*

WHEREAS James Clark, John Clark, Edmund Bainbridge, Edmund Bainbridge, *jun.* John Philips *and* William Philips, *jun. have mutually agreed to refer the Matter to Us the Subscribers, relating to the draining the* Great Meadows *in* Maidenhead, *or that Part of the aforesaid Meadow, into* Stony-Brook, *which is within the said* Clark's *Inclosures: We having viewed the Premises, and heard the Allegations of the Parties concerned, do hereby unanimously agree, the Parties aforesaid respectively, or their respective Heirs or Assigns, at all Times hereafter, shall keep clear a certain old Ditch, eight Feet wide, and four Feet deep; which said Ditch, beginning at the Mouth of Mirery-Run, where it falls into* Stony-Brook, *extendeth along an old Ditch, formerly dug for a Water-Course, to the old Division Line of the Province; and divided, and to be kept open and clear, by and between the Gentlemen abovesaid, as follows,* viz.

The said James Clark's *Part, beginning at the Mouth of said Ditch at* Stony-Brook, *and running up said Ditch Seven Chains and Three Links; from thence* John Clark's *Part shall begin, and extend up said Ditch Three Chains and Forty-one Links; thence* John *and* William Philips, *their Part shall begin, and extend up said Ditch Fourteen Chains and Seventy-nine Links; thence* Edmund *and* Edmund Bainbridge, *jun. their Part shall begin, and extend up said Ditch Sixteen Chains and Seventy-five Links, to the said old Province Line. Subscribed,* John Berrien, John Lawrence, John Anderson.

Now for the finally settling the above Matter for ever hereafter.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Ditch or Water-Course above-mentioned, extending from the Mouth of *Mirery-Run,* through the Land of the said *James Clark,* to the old Division Line, called *Keith's* Line, shall and may for ever hereafter, be kept clear and open, at least eight Feet wide, and four Feet deep, at the Expence of the Owners and Possessors of the Meadows, hereafter particularized in the following Proportions, *that is to say,*

The Distance of Seven Chains and Three Links thereof, beginning at the Mouth of *Mirery-Run,* where it falls into *Stony-Brook,* and extending upwards the said Distance, shall be kept clear and open, as the full Proportion of that Part of the said Meadows which *James Clark* held, before his late Purchase from his Brother *John Clark.* The further Distance of Three Chains and Forty-one Links thereof, beginning where the last-mentioned Distance ended, and so extending upwards, shall be kept clear and open, as the full Proportion of that Part of the said Meadows which the said *James* purchased from his Brother the said *John Clark;* both which Parcels of Meadow, now belonging

to the said *James Clark*. The further Distance of Fourteen Chains and Seventy-nine Links thereof, beginning where the last-mentioned Distance ended, and thence extending upwards, shall be kept clear and open, as the full Proportion of that Part of the said Meadows which belonged to *John Bainbridge,* now claimed by the said *John Philips* and *William Philips,* jun. And to prevent Differences hereafter, between the said *John Philips* and *William Philips,* and their respective Heirs and Assigns, concerning the ascertaining the particular Parts of the Fourteen Chains and Seventy-nine Links of the said Ditch, which they are respectively to maintain; the same Distance shall be further proportioned, between the said *John Philips* and *William Philips,* their Heirs and Assigns, as they shall hereafter agree; the said *John Philips* however taking his Part thereof, next to the Part to be maintained as aforesaid, by *James Clark*. Lastly, the further Distance of Sixteen Chains and Seventy-five Links thereof, beginning where the last-mentioned Distance ended, and thence extending to the Province Line aforesaid, shall be kept clear and open, as the full Proportion of that Part of the said Meadows which formerly belonged to *Edmund Bainbridge,* now to the said *Edmund Bainbridge* and *Edmund Bainbridge,* jun. And to prevent Differences hereafter, the said Distance of Sixteen Chains and Seventy-five Links, shall be proportioned between the said *Edmund Bainbridge* and *Edmund Bainbridge,* jun. their Heirs and Assigns, as they may hereafter agree; the said *Edmund Bainbridge* the Elder, taking his Part thereof, next the Part to be maintained by *William Philips*.

AND BE IT ENACTED *by the Authority aforesaid,* That if either or any of the Owners of the Meadows above particularized, and charged with the cleaning and opening of the said Water-Course, or the Possessor or Possessors of either or any of the said Meadows, doth or shall hereafter refuse or neglect to keep his, her or their Part and Proportion of the Ditch or Water-Course aforesaid, clear and open at least eight Feet wide, and four Feet deep; it shall and may be lawful, for any one or more of the said Owners or Possessors of the said Meadows, after giving before Evidence the Party or Parties so refusing or neglecting, Three Months Notice, to proceed to get what is necessary to be done, compleated, and then bring his, her or their Action of Debt, against the said Party or Parties so refusing or neglecting, for the Charge of doing the same; if *Six Pounds* or under, before any one Justice of the Peace, in either of the Counties of *Hunterdon* or *Middlesex;* if above *Six Pounds,* in any Court of Record, where it may be cognizable; and the said Court or Justice of the Peace, upon Proof being made, by the Testimony of two credible Neighbours, that the Charge such Plaintiff or Plaintiffs hath been or were at, is to the best of their Judgment just and reasonable; and that the Services done were necessary, and that the Notice aforesaid was duly given; shall give Judgment for the Plaintiff or Plaintiffs, with Costs of Suit, both for the Charge of opening the said Ditch or Water-Course, and also for the Damage sustained, after the said three Months Notice was given; which said Damage shall be first ascertained by two indifferent Neighbours, to be chosen indifferently by the Parties in Contest; but on Neglect of either, after

Notice and a reasonable Time are given, it shall and may be lawful for the other to chuse both; and they not agreeing, may chuse a Third; and the Judgment of two of them shall be conclusive.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants that now is or hereafter may be, in Possession of any Part of the Meadows benefited by the Water-Course aforesaid, to bring their respective Charge of Money recovered from them, in any Action brought by Virtue of this Act, against their respective Landlords; and the same shall be allowed out of the Rent.

Parker (1764) 20:8, pp. 54-57.

An ACT *to enable the Owners and Proprietors of the Meadows lying on the two Runs called and known by the Names of* Sandy-Run *and* Shippataukin-Run, *or the Eight Mile Run, in* Maidenhead, *in the County of* Hunterdon, *to clear, widen and enlarge the said Runs, or such Parts thereof, and cut such Ditches, as may be necessary effectually to drain and carry the Waters off the same.*

WHEREAS there is a considerable Quantity of cleared Meadow lying and being in *Maidenhead,* in the County of *Hunterdon,* in this Province, adjoining upon or near to two Runs, the one known by the Name of *Shippataukin,* or the Eight Mile Run, and the other called *Sandy Run,* which at present suffer considerable Damage for the Want of a Law to enable the Owners and Proprietors thereof, to clear, widen and enlarge the Runs aforesaid, and to cut such Ditches as may be necessary to drain and carry the Water off the same: To the End that these Purposes may be effected;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Thomas Tindal* and *James Clark* the younger, shall be, and hereby are appointed Managers or Commissioners for the said Purposes, and shall continue Commissioners and Managers until the First Day of *November,* which will be in the Year of our Lord, One Thousand Seven Hundred and Sixty-four: And, that it shall and may be lawful for the said *Thomas Tindal* and *James Clark,* or either of them, and they, or either of them, are hereby authorized, during the Time they shall continue

Managers, to enter into and upon the Meadows and Swamps of all Person or Persons whatsoever, lying upon or near to the Runs called *Shippataukin* and *Sandy Run* aforesaid, and shall and may clear, widen and enlarge the said Runs, or either of them, and cut such Ditches, as they shall now judge, or hereafter may think necessary, for the effectual draining and carrying the Waters off the said Meadows into *Assinpink* Creek.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the aforesaid *Thomas Tindal* and *James Clark,* shall and may, and they are hereby authorized and impowered, to assess such Sum or Sums of Money, as may be necessary to defray the Expences of draining the Meadows aforesaid, equally in Proportion to their respective Quantities, on all the Proprietors and Owners of the cleared Meadow lying on or near to the Runs aforesaid, which may be benefited by the clearing, enlarging, and widening the Runs, and cutting the Ditches aforesaid; and shall and may demand and receive of all and every of the Proprietors aforesaid, such proportionable Sums so by them assessed; and on Neglect or Refusal of the Payment thereof, it shall and may be lawful for the said Managers, or either of them, and they are hereby enjoined, to sue for, and recover the same, with Costs of Suit, in such Manner, and in such Courts, as Debts of such Natures and Values are recoverable by the Laws and Customs of this Province; all which Sums so assessed, received and recovered, shall be applied by the Managers to the Purposes in this Act before mentioned.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Proprietors or Owners, or as many of them as shall choose to attend, yearly, and every Year, for ever hereafter, to meet at the *Presbyterian* Meeting-House in *Maidenhead,* on the said First Day of *November,* or at such other Times and Places as the Managers may and shall hereafter appoint; who, or the major Part so met, shall have Power to choose two Managers to succeed the aforesaid *Thomas Tindal* and *James Clark;* which said Managers shall continue as such for One whole Year next ensuing such Choice, and shall be, during the Continuation of that Year, for which they are so chosen, vested with all the Powers and Authorities herein before given to *Thomas Tindal* and *James Clark,* or either of them.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons that now are, or hereafter shall or may be, appointed or chosen a Manager as aforesaid, and shall neglect or refuse to take upon him or them the Execution of the Powers herein before given to the Managers; he or they so neglecting or refusing, shall forfeit the Sum of *Ten Pounds;* to be recovered by Action of Debt in Manner aforesaid; which shall be applied to the cleansing, widening and enlarging the Runs, and cutting the necessary Drains aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any of the Persons now appointed, or that hereafter may be chosen Managers by Virtue of this Act, shall or may die, before the Expiration of the Time for which he or they are so chosen Managers, or shall refuse to take on himself the Management thereof; then and in such Case, it shall and may be

lawful for the Owners, or the Majority of such of them as shall choose to attend, to meet and assemble together, and choose a Person or Persons, to supply the Place or Places of such Person so refusing or dying; and the Person or Persons so chosen, shall have all the Power and Authority herein before given to the Managers in this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owner or Owners, on each Side of every Partition Ditch or Drain, shall be obliged forever hereafter, to cleanse, scour and keep open, all such Partition Ditches against his or their Meadows; and on Neglect thereof, it shall be lawful for the said Managers, to enter into and upon the Lands of the Person so neglecting, to cleanse, open and scour the same, and recover the Cost and Charges thereof, in Manner as before is appointed for the Recovery of any Sums mentioned in this Act.

AND BE IT ENACTED, That the Managers shall have, for each Day they shall be employed in Overseeing and Management of the Powers and Duties given them by this Act, the Sum of *Six Shillings* Proclamation per Day, and the Sum of *One Shilling* and *Six-pence* per Pound, for the Trouble of assessing and collecting the same.

Parker (1764) 20:8, pp. 57-59.

An ACT *to enable the Owners and Possessors of the Bog Meadows, lying on each Side of* Black River, *in the Township of* Roxbury, *in the County of* Morris, *to drain the same.*

WHEREAS the Owners and Possessors of the Bog Meadows, lying on each Side of *Black River,* in the Township of *Roxbury,* and County of *Morris,* have found, by Experience, that for Want of a Water-Way sufficient to carry off the Water in great Freshes, that the Meadows are often overflowed, and remain so long under Water, as to prevent the Owners from making such Improvements on the same, as would tend much to the Advantage of the Inhabitants in general, and Owners in particular: For Remedy whereof, they pray that it may be Enacted;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of said Meadows, to open, widen,

deepen, and straiten the natural Course of the River, by cutting off the Points of the Banks on each Side the River, as equal as may be, according to the Course of the River, from the Head of *Isaiah Younglove,* Esq;'s, Mill-Pond to the Head of the Meadows, so as to make the River in Width, Depth and Fall, sufficient and effectual to vent and carry off the Water in great Freshes, to prevent the Meadows from overflowing to the Prejudice of the Owners.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Cost and Expence that may rise in widening, deepening, straitening and clearing the said River for the Purpose aforesaid, shall, at all Times hereafter, be made and done at the equal Expence of the Owners and Possessors of said Meadows, in Proportion to the Quantity of Meadow that each of the Owners or Possessors now or hereafter may hold within the said Meadows. And it shall be lawful for the Managers appointed by this Act, or their Successors, if they find it necessary, to measure said Meadows; the Cost and Expence of which shall be paid by the Owners and Possessors thereof in Proportion as aforesaid; provided always, that no Meadow shall be measured or subjected to any Part of the Expence, but what is or has been affected by being overflowed as aforesaid; provided also, that the small Piece of Meadow now belonging to said *Isaiah Younglove,* shall not be subjected to any Part of the Expence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in order to have the Work carried on, and the Water-Course compleated, and at all Times hereafter kept open and clear, all the Owners and Possessors of the aforesaid Meadows, shall and may, at all Times (after the ensuing Year) on the First Tuesday in *May,* yearly, and every Year, meet and assemble, at the now Dwelling-House of *Nathaniel Drake,* in *Roxbury,* or such other House as they the said Owners and Possessors shall judge most convenient; and then and there, by Plurality of Voices of them so met, elect and choose Three Persons, to be Managers after the ensuing Year (until which Time *Samuel Hopkins, John Turner* and *Daniel Budd* are hereby appointed Managers) which said Managers, during the ensuing Year, shall have full Power, and are hereby required, to assess the Owners and Possessors, pursuant to the Directions of this Act, in such Sum or Sums of Money as shall be by them thought necessary for compleating the aforesaid Works, during the ensuing Year; not exceeding in the Whole more than *Two Hundred Pounds,* for paying for the Work already done since the First of *September* last, and what may be done in the Term aforesaid: And if any of the said Owners or Possessors shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded; it shall and may be lawful for the said Managers, to sue all and every such Person or Persons, in their own Names, for the respective Sum or Sums of Money, he, she or they were assessed at, in an Action of Debt; if *Six Pounds* or under, before any one Justice of the Peace within said County; if above, in any Court of Record, where the same may be cognizable, and give the said Assessment in Evidence: And the said Court or Justice are hereby impowered to give

Judgment and grant Execution for the same, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That if the Owners or Possessors as aforesaid, shall neglect to meet on the First Tuesday in *May,* yearly, as aforesaid, to choose Managers; that then and in such Case, the Managers appointed or chosen for the preceding Year shall be continued in said Office the ensuing Year; and so to continue from Year to Year, until the said Owners or Possessors shall meet and elect others in their Room, and shall have the same Power and Authority, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accompts and Receipts for all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance of the Monies remaining in their Hands to the succeeding Managers, first deducting thereout *One Shilling* and *Six-pence* in the Pound by them, or either of them, received and expended for the Purposes aforesaid: And if the said Managers, or either of them, shall neglect or refuse so to account and pay the Ballance remaining in his or their Hands to the succeeding Managers; it shall and may be lawful for the succeeding Managers to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants that now are, or hereafter may be, in the Possession of any Part of the aforesaid Meadows, to bring in his or their Accompts of Monies paid or Services performed, pursuant to the Directions of this Act, against his or their Landlord or Landlords; which shall be allowed out of his or their Rent or Rents: And when it shall happen at any Time hereafter, that the Owners or Possessors of any of the aforesaid Meadows shall not reside on the same, or any other Place within the said County, or any other Person to represent him or them, to pay the several Sum or Sums of Money assessed thereon as aforesaid; that then it shall and may be lawful for the said Managers, for the Time being, to rent out Part of the said Meadows, or the Whole if necessary, for such a Time or Term as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT ENACTED *by the Authority aforesaid,* That if one of more of the said Managers should be removed by Death, or otherwise disabled to perform the Duty of a Manager; that in such Case, it shall and may be lawful for the Survivor, or any other Person interested in this Act, to warn the Owners and Possessors of said Meadows, to meet at the Place aforesaid, on a Day by him appointed, giving them, and each of them, at least Ten Days Notice, to choose a Manager or Managers in the Stead of him or them so dead, or otherwise disabled as aforesaid; and the said Managers so chosen, shall be invested with the same Power and Authority as tho' they had been chosen on the First Tuesday in *May*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Account or Monies paid or Work done by any of the Owners or Possessors

of said Meadows (since the First Day of *September* last, and before the passing of this Act) towards widening, deepening, and straitening the River as aforesaid, that the said Managers appointed by this Act, shall call in to their Assistance the said *Isaiah Younglove* and Capt. *Nathaniel Drake,* to audit and settle the respective Accounts of the Monies paid or Work done, by any of the Owners or Possessors of the Meadows aforesaid; which Accounts so settled, shall be paid by the Managers, out of the first Monies assessed, levied, and received by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons neglecting or refusing to do and perform any Duty or Thing required by this Act, shall forfeit the Sum of *Six Pounds* Proclamation Money; to be recovered by any of the said Owners or Possessors of said Meadows, before any one Justice of the Peace of said County, and applied towards the Clearing of the River as aforesaid, together with Costs of Suit.

Parker (1764) 20:8, pp. 60-63.

An ACT *to enable the Owners and Possessors of the Meadows, on the Head of* Woodbury *Creek, to clear out the same.*

WHEREAS by Reason of several Dams and other Water-Works made across *Woodbury* Creek, in the County of *Gloucester,* the natural Water-Course thereof is filled up and greatly obstructed, so that the Meadows on or near the Head of the said Creek are frequently laid under Water, and thereby rendered of little or no Value to the Owners and Possessors thereof; and the said Owners and Possessors, having by their humble Petition, prayed Relief in the Premises;

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That the natural Water-Course of said Creek, or where it may have been turned by the Consent of the Owners, from a Dam, called and distinguished by the Name of *Moses Ward's Dam,* up as far as the Tide used to flow, shall be, always hereafter, kept open and clear, so as to give the Water a sufficient Fall from the Meadows aforesaid; and the Rubbish, Mud, and Grass, to be drawn out of the said Creek, shall be laid equally on each Side thereof, as near as may be.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the Owners and Possessors of the Meadows lying on the said Creek, above the said *Moses Ward's* Dam, to meet and assemble yearly, and every Year hereafter, on the First Monday in *September;* for the first Time, at the House of *John Sparks,* Inn-keeper, in *Woodbury,* and afterwards at any House by them affixed; and shall then and there, by a Majority of Voices present, choose two Persons interested in the said Meadows for Managers; and until the said First Monday in *September, John Sparks* and *James Ward* are hereby appointed Managers; which said Managers now appointed, or hereafter chosen as aforesaid, shall, as often as it is necessary, give Notice to all the Owners and Possessors of said Meadows, that they clear out of the said Creek, all the Rubbish, Mud, and Grass, that shall obstruct the Descent of the Water from the Meadows aforesaid: And if the said Owners or Possessors of said Meadows, or any of them, shall neglect or refuse to cleanse out the said Creek, as aforesaid, against their own Land, for the Space of Three Months after said Notice given, in such Manner as the Managers shall judge will effectually answer the Purposes intended by this Act; that then, and in such Case, it shall and may be lawful, to and for the said Managers, to enter upon the Premises of the Party or Parties so neglecting or refusing to do his, her or their Part, in clearing and opening said Creek; and to hire Labourers, and cause the same to be effectually done; and to demand and receive of such Party or Parties, the Sums of Money expended in doing the same: And if such Person or Persons shall refuse to pay the Sum or Sums of Money, necessarily expended in clearing out the said Creek, after Ten Days Notice given them; it shall and may be lawful for the Managers, or either of them, to sue every such Person, and recover the Sums by him or them so necessarily expended; if *Six Pounds* or under, before any one Justice of the Peace of said County; and if above *Six Pounds,* in any Court of Record where the same shall be cognizable, and give this Act in Evidence: And the said Court, or Justice of the Peace, is hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners and Possessors aforesaid, shall neglect to meet on the First Monday in *September,* to choose Managers as aforesaid; that then the Managers chosen for the preceding Year, shall be continued in said Office the ensuing Year; and so from Year to Year, until the said Owners and Possessors shall meet and choose others in their Room; and shall have the same Powers and Authorities, to all Intents and Purposes, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Managers, chosen by Virtue of this Act, shall happen to die or remove out of the said County; that then it shall and may be lawful, for any one of the Owners or Possessors of said Meadows, to warn in the other Owners and Possessors, to meet at a Time and Place by him to be appointed, at least Ten Days after said Notice given, to choose a Manager or Managers in the Room of him or them so dead or removed as aforesaid; and the

Manager or Managers so chosen as aforesaid, shall be invested with the same Powers and Authority, as if he or they had been chosen on the Day appointed by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Managers now appointed, or hereafter chosen by Virtue of this Act, or either of them, shall neglect or refuse to perform the Duties required of them by this Act; such Manager or Managers, so neglecting or refusing, shall forfeit the Sum of *Six Pounds,* Proclamation Money; to be recovered by Action of Debt, by any of the Owners or Possessors of said Meadows, or by the succeeding Managers, with Costs of Suit, and applied to the Uses aforesaid.

AND WHEREAS the good Purposes intended by this Act will be entirely prevented, unless the said Creek below the said *Ward's* Dam is properly cleansed and kept open; Therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers, or other Persons whose Duty it is or may be, to cleanse and keep open the said Creek, in Consequence of an Act of Assembly of this Colony, entitled, AN ACT *to continue a Dam across* Woodbury *Creek, in the County of* Gloucester, shall refuse or neglect to do and perform the same (till after it is cleansed and opened above said Dam, in Pursuance of this Act) so as to give the Water a sufficient Fall, off said Meadows above; that then, and in such Case, it shall and may be lawful for the Managers now appointed, or hereafter chosen, by Virtue of this Act, to choose Two disinterested Freeholders of the County, to view the said Creek below the said Dam (having first given the Managers below, Notice of the Time of the View, in order that they may attend the same if they see Cause) which said Freeholders, if on viewing the Premises, shall find that the said Creek is not kept open, so as to give the Water a sufficient Fall as aforesaid, they shall certify the same under their Hands, setting forth what is necessary to be done to answer said End; which Instrument shall be a sufficient Warrant, to justify the Managers appointed, or hereafter chosen by Virtue of this Act, in entering upon the Premises so neglected, and hiring Workmen to do and perform what shall be necessary as aforesaid; and shall recover the Cost of compleating the same, of the Party or Parties refusing or neglecting as aforesaid, with reasonable Allowance for their Time and Trouble.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, which are or shall be in Possession of any Part of said Meadows on the said Creek, to bring his, her, or their Charges of Monies paid and Services done, pursuant to the Directions of this Act, against his, her, or their Landlord or Landlords, which shall be allowed out of the Rent.

Parker (1764) 20:8, pp. 63-66.

An ACT *appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of* Bergen; *and for making a Partition thereof, in just and equitable Proportions, among those who shall be adjudged by the said Commissioners to be intitled to the same.*

WHEREAS sundry Persons claiming to be Inhabitants and Freeholders within the Township of *Bergen* aforesaid, by their Petition, presented to the General Assembly of this Colony, do set forth, that *Philip Carteret,* Esq; Governor of this Colony of *Nova-Caesarea,* or *New-Jersey,* under the Right Honourable *John* Lord *Berkley* and Sir *George Carteret,* the former Proprietors thereof, by a certain Deed or Instrument in Writing, purporting to be a Charter, granted to the Town and Freeholders of *Bergen,* and to the Villages and Plantations thereunto belonging, bearing Date the Twenty-second Day of *September,* in the Year of our Lord, One Thousand Six Hundred and Sixty-eight; did therein and thereby, with the Consent of his Council, grant and declare, among other Things therein contained, that the Bounds and Limits of the aforesaid Town and Corporation of *Bergen,* was and is, to begin at the North End of *Mordanis Meadow,* lying upon the West Side of *Hudson's* River; from thence to run upon a Northwest Line, by a Three Rail Fence that was then standing, to a Place called *Espoten;* and from thence to a little Creek, surrounding North Northwest till it comes into *Hackinsack* River; containing in Breadth from the Top of the Hill One Mile and an Half, or One Hundred and Twenty Chains; from thence it runs alongst the said *Hackinsack* River, upon a South Southwest Line till it comes to the Point or Neck of Land that is over against *Staten Island,* and *Shooters Island,* in *Arthur Cull* Bay, containing in Length about Twelve Miles; from thence to run Eastward along the River called *Kill van Cull,* that parts *Staten Island* and the *Main,* to a Point or Neck of Land called *Constable's Point,* or *Constable's Hook;* and from thence to run up Northward all along the Bay up into *Hudson's* River till it comes to *Mordanis Meadow* aforesaid: So that the whole Tract of Upland and Meadow, properly belonging to the Jurisdiction of the said Town and Corporation of *Bergen,* is bounded at the North End by a Tract of Land belonging to Capt. *Nicholas Verlet* and Mr. *Samuel Edsall;* on the East Side by *Hudson's* River; on the South End by the *Kill van Cull* that parts *Staten Island* and the *Main,* and on the West Side by *Arthur Cull* Bay and *Hackinsack* River: And did also, among other Things therein mentioned, grant and declare, that the Freeholders aforesaid, or the major Part of them, should have Power to choose their own Magistrates, to be Assistants to the President or Judge of the Court, and for the ordering all publick Affairs within the said Jurisdiction; and that the Freeholders aforesaid, or the major Part of them, should have Power to admit of their own Inhabitants, and to divide all Proportions of Lands as are within their Bounds and Limits aforesaid, that were not then already appropriated

and patented by particular Persons before the Day of the Date thereof, according to their Allotments and Estates, as the Justices and Magistrates should in their Wisdoms think fit; which Land being so divided, every Man's Proportion should be surveyed, butted and bounded by the Surveyor, and recorded by the Secretary and Recorder General of this Colony; and after Two Years in Possession, should not be subject to any Re-survey or Alteration, but should remain according to the first Survey forever; as by the said Charter more fully and at large may appear. And the said Petitioners further set forth, That altho' certain Letters Patent of her late Majesty Queen ANNE, issued under the great Seal of this Colony, bearing Date the Fourteenth Day of *January,* in the Twelfth Year of her Reign, confirming the aforesaid Incorporation of the said Township of *Bergen;* and altho' the said Letters Patent were confirmed by an Act of the Governor, Council, and General Assembly of this Colony, passed the Twenty-ninth Day of *January,* in the Year of our Lord, One Thousand Seven Hundred and Thirteen, entitled, AN ACT *for Confirmation of a Patent or Charter granted by his Excellency* Robert Hunter, *Esq; Captain General and Governor in Chief, in and over the Provinces of* New-Jersey *and* New-York, *and all the Territories and Tracts of Land depending thereon in* America, *and Vice-Admiral of the same, for the Incorporation of the Town of* Bergen, *in the Eastern Division of the Province of* Nova-Caesarea *or* New-Jersey; yet neither the said Letters Patent, nor the said Act, do prescribe any Method for the Division of the Common Lands of the said Township of *Bergen;* but leave the same subject to such Method as is above mentioned, to be prescribed by the aforesaid Charter of Governor *Philip Carteret;* and that altho' the Partition of the said Common Lands is, by the aforesaid Charter of Governor *Philip Carteret,* directed to be made by the said Freeholders, in such Manner as the Justices and Magistrates shall think fit; yet that elective Magistrates having been a Provision in the Infancy of this Colony, and having long since been disused, except in some particular Incorporations, among which the said Township of *Bergen* is not to be ranked; a Partition of the aforesaid Common Lands in the Manner directed by the said Charter, is for that Reason become absolutely impossible; that, besides the Petitioners are not only at some Variance among themselves, as well concerning what particular Tracts of Land patented before the Grant of the said Charter are included within the above recited Bounds of the said Township of *Bergen,* and consequently concerning the Persons who may properly be deemed Freeholders of the said Township, and who, tho' Freeholders within the said Township, are, or are not intitled to Shares of the said Common Lands; but it is also disputed among them, in what Proportions the said Common Lands ought, by Virtue of the said Charter, to be divided among those who undoubtedly are Freeholders within the Bounds of the said Township, and are intitled to Shares of the said Common Lands; which Reasons, together with the great Number of the Persons interested, and the Infancy, Coverture, and Absence beyond Seas, of many of them, render a Partition of the said Common Lands impracticable by the Course of the common Law, and feasible only by Commissioners to be appointed by Act of Legislature, as well

for settling the several Claims to the Commons, as the respective Proportions in which the same ought to be divided; and that by Reason of the present undivided State of the said Commons, great and unnecessary Waste is daily committed, by destroying the Timber growing on the same; by which Means, if the same be not prevented by a speedy Partition of the said Commons, they will be rendered of little Value, and the Township of *Bergen* be reduced to great Distress for Want of Timber and Fuel; the Petitioners therefore, pray Relief in the Premises, as by the said Petition may appear.

BE IT THEREFORE ENACTED *by his Excellency the Governor, the Council, and the General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That *Jacob Spicer* of *Cape-May, Charles Clinton* of *Ulster* County, *William Donaldson* and *Azariah Dunham* of *New-Brunswick, John Berrien* of *Rocky-Hill, Samuel Willis* of *Long-Island,* and *Abraham Clark,* jun. of *Elizabeth-Town,* be, and hereby are, appointed Commissioners for making Partition of the Common Lands of the Township of *Bergen* aforesaid; and are hereby authorized and required to divide the same, in the Manner herein after directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners be, and hereby are impowered and required, previous to any Partition of the said Common Lands, to give at least Four Weeks publick Notice in the *New-York Gazette* and *Mercury,* of the Time when, and the Place where, they will meet, to survey, run out and ascertain, as well the Bounds and Limits of the said Township of *Bergen,* as the Bounds of each and every Patent and Grant contained within the Bounds and Limits of the said Township. And the said Commissioners are hereby impowered, to go, with their necessary Attendants and Implements, upon and across any Lands or Meadows contained within the Bounds of the Township of *Bergen* aforesaid, or adjacent thereto, in order to make the said Survey or Surveys, and the Partitions herein after mentioned, doing as little Damage as may be to the Owners thereof, without being liable to any Action for the same; which said Survey of the said Township of *Bergen,* of the several Patents or Grants contained within the Bounds and Limits thereof, when made, shall conclude all Persons whomsoever, claiming under the said Township of *Bergen,* or any Patent or Patents, Grant or Grants, contained within the Bounds and Limits thereof.

AND BE IT ENACTED *by the Authority aforesaid,* That as soon as the said several Patents or Grants shall be surveyed, and the Bounds and Limits of the same ascertained, as aforesaid; the said Commissioners shall set apart so much of the said Common Lands, as they think will be sufficient to defray the Charges of making a general Partition of the said Common Lands; and shall then proceed to make a general Partition of all the Residue of the said Common Lands, and lay out and allot to such of the several Patents or Grants contained within the Bounds and Limits of the Township of *Bergen* aforesaid, as they shall judge to be intitled to the same, such Proportions of the said Common Lands as they shall judge right; having Regard to the

Right and Allotments due to the Church and Free School, as in said Charter specified.

AND WHEREAS the Freeholders, Inhabitants of the Town of *Bergen,* claim a large Part of the said Common Lands, by Virtue of a Purchase from the *Indians,* bearing Date the Thirtieth Day of *January,* in the Year of our Lord One Thousand Six Hundred and Fifty eight, and a Patent or Grant from Governor *Stuyvesant,* in the Year of our Lord One Thousand Six Hundred and Sixty one; and divers other Disputes and Controversies have arisen, and may arise, as well between the Freeholders, Inhabitants of the said Township of *Bergen,* relating to their several Rights to the said Common Lands, in Virtue of their several Patents or Grants, as between the Freeholders of some of the Patents or Grants contained within the Bounds and Limits of the Township of *Bergen* aforesaid: For the settling and determining whereof, BE IT ENACTED *by the Authority aforesaid,* That the said Commissioners shall, and hereby are authorized and required, in a summary Way, to hear and finally determine, according to their Discretion, the said Claim of the said Freeholders, Inhabitants of the Town of *Bergen,* founded on the said *Indian* Purchase, and Governor *Stuyvesant's* Patent or Grant aforesaid; and all other Disputes and Controversies arisen, or which may arise, as well between the Freeholders, Inhabitants of the Township of *Bergen* aforesaid, relating to their several Rights to the said Common Lands, in Virtue of their several Patents or Grants, as between the Freeholders of each particular Patent or Grant contained within the Bounds and Limits of the Township of *Bergen* aforesaid: Which Determination of the said Commissioners shall be final, and conclude all Persons whomsoever claiming under the said Township of *Bergen,* or under any Patents or Grants contained within the Bounds and Limits of the said Township.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners shall, within Three Months next after the said general Partition shall be compleated, proceed to sell the said Lands so set apart, to defray the Charges of the said general Partition as aforesaid, at publick Vendue, to the highest Bidder; giving at least Six Weeks Notice of such Sale by Advertisement, to be affixed on the Court-House in *Hackinsack,* and the Church in *Bergen;* and the Deed of the said Commissioners, to the Purchaser or Purchasers, shall pass a good Title both in Law and Equity, to such Purchaser or Purchasers, for the separate Enjoyment of the said Lands in Fee-simple, against all Persons whomsoever claiming under the said Township of *Bergen,* or any Patent or Grant contained within the Bounds and Limits of the said Township. And the said Commissioners shall keep and state a particular Account of the whole Charge attending the said general Partition, and lay the same before the Justices of the Sessions for the County of *Bergen;* who are hereby authorized and required to appoint, by a Rule to be entered in the Minutes of the said Court of Sessions, Persons to audit the said Account; and the said Persons so appointed, shall, after Fourteen Days Notice given by the said Commissioners, or any one or more of them, in Writing, to any three Persons interested in the said general Partition, of the

Time and Place of auditing the same Account, that all Persons interested may be heard in objecting to the same, proceed to the auditing of the said Account; and out of the Monies arising from such Sale, the said Commissioners shall detain in their Hands, so much as the said Auditors shall report to be due for their Services and Disbursements, in compleating the said general Partition; and the Surplus, if any be, shall be paid to the Trustees of the Freeholders, Inhabitants of the Township of *Bergen,* for the Use of the said Corporation, and their Receipt for the same shall be a sufficient Discharge to the said Commissioners.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the said general Partition shall be made, the said Commissioners shall proceed to make a Partition and Division of the said Common Lands allotted to each respective Patent or Grant within the Bounds and Limits of the said Township of *Bergen,* to which a Share of the Common Lands shall have been allotted as aforesaid; and for that Purpose, they are hereby authorized and required, to give at least Twelve Weeks Notice by Advertisements, to be published in one or more of the *New-York* News Papers, of their meeting to proceed upon the Partition or Division of each and every of the said Tracts of Common Lands, allotted to each of the said Patents or Grants respectively; by which said Advertisements, all Persons interested in the said particular Tracts respectively, shall be required to produce their Titles, and make out their Claims to the same; Copies of which Advertisements shall be affixed on the Court-House in *Hackinsack,* and the Church in *Bergen.* And when the said Commissioners shall have informed themselves in Manner aforesaid, of the Rights of the respective Persons claiming Interests in the said Common Lands, allotted to such particular Patents or Grants respectively, they shall proceed to make a fair and equitable Partition and Division thereof, among all the Persons whom they may adjudge to be interested, in such Proportions as they may think just and reasonable: And in like Manner the said Commissioners shall proceed to make a Partition and Sub-division of each and every of the said Tracts of Common Lands, allotted to each and every of the said Patents or Grants within the Bounds and Limits of the Township of *Bergen* aforesaid respectively, to which a Share of the said Common Lands shall have been allotted as aforesaid; and the Charges of every of such Partition and Sub-division shall be defrayed, and the Accounts of the same respectively kept, stated and audited, in the same Manner as herein before directed upon the general Partition aforesaid. *Provided always,* That the Overplus of the Monies arising from the Sale of the respective Lands set apart to defray the Charges of each of the said particular Partitions and Sub-divisions respectively, if any be, shall upon Demand, be paid to the respective Persons interested in such particular Tracts, in Proportion to their several Rights.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners shall cause Two several Field Books and Maps to be made, both of the general and of each particular Partition and Division of the said Common Lands, specifying the Bounds of the general Partition, and of

each and every Lot, of each particular Partition and Division respectively, and to whom allotted particularly: Which said Maps and Field Books, shall be signed by the said Commissioners and their Surveyor or Surveyors; and One of the said Maps and Field Books shall be filed in the Secretary's Office in *Perth-Amboy,* and the other in the Office of the Clerk of the County of *Bergen,* to remain and be kept as Evidence, and shall be, and hereby are, made conclusive Evidence of such Partition; which said Partitions and Divisions, and each and every of them, shall be, and hereby is and are, declared good and valid in Law, to divide and separate the said Lands.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners, and their Surveyor, shall be allowed each *Twenty Shillings* a Day, while actually employed in the said Service; and to each of the Chain Bearers *Six Shillings* a Day; and to the Persons who audit the Accounts of the said Commissioners, *Ten Shillings,* for auditing the Accounts of each of the said Partitions and Divisions; and for such other Charges as may accrue on the Service aforesaid, the said Auditors may allow a reasonable Sum: And all Persons who shall be employed in the Service aforesaid, shall also, be provided with all Necessaries usually provided on such Occasions, out of the Monies to arise by the Sale of the Land set apart for defraying the Charges of the said Partitions respectively.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no Person whomsoever, who shall be employed upon the Service aforesaid, or any other in Trust for him or them, shall become Purchasers of the Lands to be sold by Virtue of this Act, or any Part thereof.

PROVIDED ALSO, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That such of the said Commissioners as may take upon them the Execution of this Act, and their Surveyor or Surveyors, whom they are hereby authorized to appoint, shall severally be sworn before One of the Justices of the Supreme Court, or before One of the Judges of the Court of Common Pleas for the County of *Bergen,* to execute and perform the Trust and Services required of them severally by this Act, fairly and impartially, according to the Directions thereof, and the best of their Skill and Judgment; and a Certificate of their being so sworn, from the Person administering the Oath, be filed in the Office of the Clerk of the County of *Bergen.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That, as well all and singular, as any or either of the Powers hereby vested in the said Commissioners, shall and may be executed by the Majority of them, and the Survivors and Survivor of them, and the Majority of such Survivors.

PROVIDED ALWAYS, That Nothing contained in this Act, shall be deemed, construed or understood, to affect or destroy any Claim, Right, or Title of the general Proprietors of the Eastern Division of this Province, to the Premises, or to any Part thereof; and saving also to His Majesty, his Heirs and Successors, all his Rights therein, as if this Bill had not passed.

Parker (1764) 20:8, pp. 66-73.

An ACT *to naturalize* Johannes Kank, John Dellar, George Kesler, *and* George Himns.

WHEREAS *Johannes Kank, John Dellar, George Kesler,* and *George Himns,* by their humble Petitions, have set forth, that they were born under the Dominion of foreign Powers in Amity with *Great-Britain,* but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of His Majesty's natural freeborn Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection, to His Majesty King GEORGE the *Third,* and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves, in all dutiful Manner, to the Laws and Customs of this Colony,

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Johannes Kank, John Dellar, George Kesler,* and *George Himns,* shall be from henceforth, deemed, taken, and esteemed to be, as His Majesty's natural freeborn Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are entitled, unto the same Laws, Liberties, Rights and Privileges, as any of His Majesty's natural freeborn Subjects can or ought to enjoy within the same, any Act, Ordinance, Usage, or Custom to the Contrary, in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken, to enable the said *Johannes Kank, John Dellar, George Kesler,* and *George Himns,* or either of them, to be of His Majesty's Council, or of the General Assembly; or to hold and enjoy any Post, or Office of Trust or Profit, within this Province, any Thing herein contained to the Contrary notwithstanding.

Parker (1764) 20:8, p. 74.

An ACT *to set aside a Partition of Lands in the County of* Hunterdon *in the Province of* New-Jersey, *lately made by virtue of a Writ of Partition, between the Sons of* George Leslie *late of the City of* Perth-Amboy *deceased, and to vacate the Judgment entered thereupon, and also to confirm another Partition or Division of the said Lands lately made among the sons of the said* George Leslie, *as hereinafter mentioned.*

WHEREAS George Willocks late of Perth Amboy in the Eastern Division of the Province of New Jersey deceased, by his last Will and Testament, bearing date the third day of January in the Year of our Lord one Thousand seven Hundred and twenty eight, did among other things therein contained, give and devise unto his Nephew George Lesley, the Male Issue of his Body lawfully begotten, or to be begotten, in equal shares and proportions, according to the Number of the Issue, all his Lands in Amwell, and that Tract of Land adjoining thereto, and between the Land of Lord Neil Campbell deceased, and Michael Hawden deceased, as by the said last Will and Testament, remaining in the Prerogative Office of the said Province of New Jersey, reference being thereunto had may appear. AND WHEREAS the said George Lesley afterwards in his life time, by his last Will and Testament, bearing Date the twentyeth day of May, in the year of our Lord one Thousand seven Hundred and forty eight, did among other things therein contained, give and devise, the Lands aforesaid as aforesaid devised by the said George Willocks, to his five Sons, to wit, George Willocks Lesley, John Leslie, Edmund Leslie, James Leslie, and William Leslie, their Heirs and assigns forever, and as by the said last Will and Testament, recorded in the prerogative Office at Perth Amboy more fully may and will appear.

AND WHEREAS after the Death of the said George Leslie, one of his Sons to wit John Leslie sued out of the supream Court of Judicature, for the said Province, his Majesties Writ *de partitione facienda,* by virtue whereof More Forman Esqr. then Sheriff of the County of Hunterdon aforesaid, did proceed in due form of Law, to make Partition of the said Lands so as aforesaid devised among the Sons of the Said George Leslie to wit George Willocks Leslie, John Leslie, Edmund Leslie, James Leslie and William Leslie, and the same Partition being so made and compleated, Judgment was thereupon had, and entered in the said Supream Court, in the Term of November in the thirty second year of the reign of his late Majesty George the Second.

AND WHEREAS since the said Judgment was entered as aforesaid it hath been discovered upon a resurvey of the said Lands, that by some Mistake in the Jurors, and Sheriff or the Surveyor who attended them on the said Partition, diverse small parcels of Land in the said Tract, which were intended to be divided were left out, in the Survey and Partition aforesaid, and not divided, in and by the said Partition, and the several Lots, or Parcels

of Land in the said Tract, which on the said Partition were allotted and assigned to the said William Leslie who is within the Age of twenty one years, doth amount only to about five Hundred Acres, when his Proportion thereof, should have been upwards of one Thousand Acres, and Whereas it is further manifest that there are diverse other Errors, and Mistakes, in the Survey and Partition aforesaid, contrary to the true Intent and meaning thereof, which must tend as well to the great damage of the other above named Sons of the said George Leslie, as to the Prejudice of the said William Leslie the Younger son, and Whereas in order to remedy the said Mistakes, and to make the Partition of the said Lands conformable to the true design and Intent of the said Jurors, who made the same as aforesaid several of the same Jurors, to wit, Baltis Pickle, Jacob Vanderbelt, Michael Demott, John Wicoff, David Vandine, Martin Wicoff, Andries Emory, and Winant Van Deventer, together with Cornelius Wicoff, Matthew Ten Eick, John Davis and Jacob Ten Eick at the request of the aforesaid Sons of the said George Leslie, have by a certain Map or survey and Instrument under their Hands, dated the eleventh day of June, in the Year of our Lord, one Thousand seven Hundred and Sixty three, and affixed in the secretarys Office at Burlington in Liber T in the Beginning more fully may appear, made a new Partition of the said Lands so devised as aforesaid, lying in the County of Hunterdon aforesaid, in which said last Division, the mistakes of the first abovementioned partition are rectifyed, and the whole Tract, is thereby divided into five equal parts, among the said five above named Sons of the said George Leslie deceased, regard being had in the said last mentioned partition both to the Quantity and Quality of the said Lands so divided. AND WHEREAS by the said last mentioned Division and Partition so as aforesaid made, the said Tract so divided into five equal Parts is located to the said Sons of the said George Leslie respectively as follows, to wit, the Tract or Lot Number one, thereby located to the said George Willocks Leslie, begins at an Ash Tree formerly marked, standing on the South westerly side of Lameton River, where a small Brook vents itself into said River, the uppermost bounds of Land formerly Lord Neile Campbells, from thence running first South thirty one degrees West, forty one Chains and eighty one Links as the Compass now points to a pepperidge Tree antiently marked for a Corner, thence North thirty six degrees and thirty minutes West, twelve Chains and thirty Seven Links, to a white Oak Tree, formerly marked, thence South thirty six degrees and fifteen Minutes West, forty eight Chains, to a white Oak Tree, marked, thence South thirty two degrees and thirty minutes West, forty three Chains and Sixty Links, along a Line of old mark'd Trees, to a white Oak Saplin[g] marked, thence South fifty one degrees East fourteen Chains, and Seventy Links, to a Stake, thence South thirty four degrees and thirty minutes West, forty three Chains, thence South forty nine degrees and forty five minutes West eighteen Chains and eighty Links, to a white Oak tree, formerly mark'd and with the Letters PA and P marked for a Corner of Peter Van Ests Land, thence North fifty three degrees and fifty Minutes West, Six Chains and eighty Six Links, to a white Oak Sapling marked, thence South fifty seven

degrees and forty minutes West, five Chains and Sixteen Links to a maple Sapling, marked, thence North forty one degrees and thirty Minutes West, twenty five Chains, thence North fifty five degrees West, twenty three Chains and eighty Links, thence North thirty six degrees East, one hundred and seventy eight Chains, to Rockaway River, and down the same to Lameton River, including a small Island, then down Lameton River as it Runs, to the place of beginning containing One Thousand and twenty four Acres, and the Tract or Lott Number two, thereby located to the said John Leslie, begins at the uppermost Corner of the said George Willock[s] Leslie's Lot aforesaid on Rockaway River, and runs along the said George Willock Leslie's Lot aforesaid South thirty six degrees West, sixty eight Chains to the middle of the great Road, that leads from the North branch of Rariton to Potters Town, and along the same first North seventy eight degrees and fifteen Minutes West, nine Chains and thirty eight Links, Thence North sixty four degrees and fifteen Minutes West, four Chains and eighty Links to a peach Tree mark'd on the North side of said Road, Thence North seventy four degrees West eleven Chains to a Sasafrage [sassafras] marked on the South Side of Said Road, thence South thirty six degrees west, one hundred and two Chains and thirty Links, thence North fifty five degrees west eighty three Chains, thence North thirty four degrees and thirty minutes East ninety four Chains and thirteen links to the aforesaid Road, and along the same, thence South eighty three degrees and thirty Minutes East four Chains, thence South seventy two degrees and thirty minutes East, ten Chains, thence South Sixty eight degrees and thirty minutes East, eleven Chains and fifty seven Links, thence South thirty four degrees and six minutes west, nine Chains and twenty Links, thence South Seventy five degrees and forty five Minutes East, forty eight Chains and thirty six Links, thence North thirty Six degrees East, six Chains and thirty three Links, to the middle of the aforesaid Road and along the Same, thence South fifty seven degrees and thirty minutes East, eight Chains and twenty eight Links, thence North thirty six degrees East, seventy two Chains and forty Links, to a hard Beem Sapling marked on the Southerly side of Rockaway River, thence down Rockaway River as it Runs to the place of Beginning, containing one thousand and seven Acres. And the Tract or Lot Number three, thereby located to the said Edmund Leslie, begins at a Wallnut Sapling now marked on three sides, standing on the Bank and westerly side of Lameton River, and from thence running South, thirty six degrees West, forty one Chains to another Wallnut Sapling, marked on three Sides, which bears North twenty eight degrees west twenty six Links, from a white Oak tree marked WL facing the Sapling about two Chains from Rockaway River, thence South Sixty five degrees East, thirty Chains, to a Beach Tree marked on four Sides, and with the Letters EL and WL on the Southerly Side of Rockaway River, thence South thirty Six degrees, West Seventy seven Chains and fifty five Links, to a Corner of the Said John Leslie's Lot, aforesaid, and by the same North Seventy five degrees and forty five Minutes West, forty eight Chains and thirty Six Links, thence North thirty four degrees and Six Minutes East Nine Chains and twenty

Links, to the middle of the great Road, and by it North, Sixty eight degrees thirty minutes West Eleven Chains and fifty seven Links, Thence North Seventy two degrees and thirty Minutes West, ten Chains, thence North eighty three degrees and thirty Minutes West, four Chains, thence North thirty four degrees and thirty minutes East one Hundred and ninety four Chains and eighteen Links to a Hickery Tree marked, and with the Letters EL and JL, thence South fifty four degrees East twenty one Chains, to Lameton River, where is marked a Chest Nut Sapling, on three Sides, and with the Letters EL and JL, thence down Lameton River as it runs to the place of Beginning, containing one Thousand and fifteen Acres. And the Tract or Lott Number four hereby located to the Said James Leslie, begins at the Chest Nut Sapling marked on the uppermost corner of the Lott aforesaid, of the Said Edmund Leslie, on Lameton River, and running by the Line of the said Edmund Leslie's Lott North fifty four degrees West, twenty one Chains to the aforesaid Hickery marked, thence South thirty four degrees and thirty minutes West, one Hundred and Twenty Six Chains, Thence North fifty Six degrees West Sixty three Chains and eighty five Links to a small Wallnutt Sapling marked, thence north thirty four degrees and fifteen Minutes East, one hundred and ninety Seven Chains and Sixty Links to Cold Brook, thence down Cold Brook to Lameton River, thence down Lameton River to the place of beginning, containing twelve Hundred and eighteen Acres including within the said Tract last above described, two Hundred Acres, claimed by Stephen Crane, and the Tracts or Lotts, Number five six and seven thereby located to the said William Leslie, are bounded as follows, to witt, the said Lott Number five, Begins at the hard Beem Sapling marked, standing on the Southerly Side of Rockaway River at the upper Corner of the aforesaid Lott, of the said John Leslie, thence by the said John Leslie's Lines South thirty six degrees West, Seventy two Chains and forty Links, to the middle of the great Road, thence by the Same North fifty Seven degrees and thirty Minutes West, eight Chains and twenty eight Links to a Line of the said Edmund Leslies Lott, and where the same Crosses the aforesaid Road, thence by the said Edmund Leslie's Lines North thirty Six degrees East, seventy one Chains and twenty two Links to a Beach Tree marked on four Sides, and with the Letters EL and WL, from thence North Sixty five degrees West thirty Chains, to a Wallnutt Sapling marked, thence North thirty Six degrees East forty one Chains to a Wallnutt Sapling at Lameton marked, thence down Lameton River including a small Island to the mouth of Rockaway River, thence up Rockaway River to the place of Beginning, containing three Hundred and forty nine Acres, and the said Lot Number Six Begins in the most northwesterly Line of the said George Willocks Leslies Lott aforesaid, where the same crosses the great Road, and is also at the determination of the first Course of the said John Leslie's Lott aforesaid from thence running along said Road, and the Lines of the Said John Leslie's Lott, North seventy eight degrees and fifteen Minutes West nine Chains and thirty eight Links, thence North sixty four degrees and fifteen Minutes West four Chains and eighty Links, thence North seventy four degrees West Eleven

Chains to a Sassafrage [sassafras] marked, thence South thirty Six degrees West one hundred and two Chains and thirty Links, thence South fifty five degrees East twenty four Chains, to a Corner of the said George Willocks Leslies Lott, above described, and by the same North thirty six degrees East one hundred and ten Chains to the place of Beginning, containing two Hundred and fifty five Acres, and the said Lott Number Seven, begins at the most Southerly Corner of the said George Willocks Leslie's, above described Lott at a white Oak Tree formerly marked with the Letters PA and P from thence running first, South fifty eight degrees and seven Minutes East sixty Six Chains and fifty five Links, thence South thirty two degrees West fifty three Chains and fourteen Links to a white Oak Sapling marked on four sides Standing on the North easterly Side of Leslie's Brook, thence running up the Said Brook, on the several Courses thereof, to a stake on the North side of Said Brook, thence North thirty four degrees East thirty seven Chains and Seventy Links, to a maple Sapling marked, at another Corner of the Said George Willocks Leslie's Lott, and thence by his Lines North fifty Seven degrees and forty Minutes East, five Chains and sixteen Links, to a white Oak Sapling marked, thence South fifty three degrees and fifty Minutes East, Six Chains and eighty six Links, to the place of Beginning containing four Hundred and seven Acres, the Said three last described Lotts Number five, Six and Seven containing in the whole, one thousand and Eleven Acres, as by the said Map of the aforesaid last mentioned partition, or division, and the Instrument aforesaid, Signed as aforesaid by those who made the Same, and sworn to by them before Richard Porter Esqr. one of his Majesties Justices of the Peace for Hunterdon County aforesaid, and signed also by Benjamin Morgan Surveyor, and by him sworn to before Benjamin Thompson Esqr. one of the Judges of the County of Somerset, in the Said Province, Reference being thereunto had may appear.

NOW THEREFORE BE IT ENACTED by the Governor, Council and general Assembly and it is hereby enacted by the Authority of the Same that the aforesaid first above mentioned Partition made in Virtue of the said Will *de partitione facienda,* and the Judgment thereupon had, and entered as aforesaid, in the said Supream Court of the Province of New Jersey, be and the same hereby is, set aside, vacated and made null and void, to all intents and purposes, as if the same first abovementioned Partition, and Judgment thereon had never been made and entered as aforesaid, any Law to the Contrary thereof in any wise Notwithstanding.

AND for preventing all disputes that may hereafter happen or arise among the Sons of the Said George Leslie concerning the Legal Validity of the said last mentioned second Partition or division of the said Lands, as aforesaid made, and to confirm the Same, for such Estate in the said Lands so divided by the Said last mentioned second Division, as the Sons of the said George Leslie, respectively have or are or may be entituled unto in the Said Lands, by Virtue of the said last Wills and Testaments above mentioned.

BE IT FURTHER ENACTED by the authority aforesaid that the said George Willocks Leslie, John Leslie, Edmund Leslie, James Leslie and

William Leslie, shall and may each respectively, hold, possess, and enjoy in severalty the respective Tracts and parcels of Land, to them respectively located, in and by the last mentioned second Partition, and Division aforesaid, according to the respective Boundaries of the said respective Tracts, herein before set forth, and that the said last mentioned second Partition, and Division of the Said Lands, so made as aforesaid, shall be and remain good, valid and effectual in the Law, to them the aforesaid Sons of the said George Leslie Severally for the respective Tracts of Land, to them respectively as aforesaid, thereby located in severalty, for such Estate and Title therein, as doth or may legally pass to them respectively by virtue of the said last Wills, and Testaments, of the aforesaid George Willocks and George Leslie deceased.

PROVIDED NEVERTHELESS that this Act nor anything herein contained shall be taken deemed or intended in anything whatever to Affect or defeat the right or Title that any Person or Persons whatsoever, had hath might or shou'd have to the Lands herein before mentioned, or any part thereof, and that nothing in this Act contained shall be of any force or Effect, until his Majesty's pleasure in the Same shall be known.

Nj-Ms; Parker (1764) 20:8, p. 74, title only. Because this act was passed with a suspending clause, Parker chose to print only the title of the act.

Twentieth Assembly, Ninth Session

14-23 Feb. 1764

Perth Amboy

All acts passed 23 Feb. 1764.

The acts of the ninth and tenth sessions of the twentieth assembly were printed together and were all passed on the same day, 23 February 1764. But because Governor William Franklin prorogued the assembly for one hour on that date, in order to facilitate the revision of a bill, the two sessions were technically separate. The assembly had passed a military supply measure which Franklin judged to be "of too uncertain a nature, and too inadequate to the purpose." To avoid possibly antagonizing the legislators by vetoing the bill, he simply prorogued the assembly to allow it "the opportunity of bringing a new Bill, not liable to the same Objections as the present." When the House reconvened, it passed the following "Act for raising a Number of Men . . . for the ensuing Campaign . . .," to which Franklin gave his assent. See "Votes of the General Assembly of the Province of New Jersey, 1761-1766," pp. 233-36, New Jersey State Library, Trenton, N.J.

An ACT *for the Support of Government of his Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-four, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-five; and to discharge the publick Debts and contingent Charges thereof;*

WHEREAS the Act for the Supporting the Government of his Majesty's Colony of *New-Jersey,* is nearly expired: We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given unto his Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for his Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To his Excellency WILLIAM FRANKLIN, Esq; Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of *May* next.

To *Charles Read,* Esq; Chief Justice of this Colony, *One Hundred and Fifty Pounds per Annum,* to commence from the Date of his Commission.

To *Samuel Nevill,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid, to commence from the Date of his Commission.

To *Cortland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty Pounds per Annum,* Money aforesaid.

To *Joseph Sherwood,* Esq; Agent of this Colony at the Court of *Great Britain,* or to the Agent for the Time being, appointed by the House of Representatives, *Eighty Pounds per Annum,* Money aforesaid.

To *John Smyth,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Endorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein beforementioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-five; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorized and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent for said Year, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time in the respective Counties of this Colony, either at the Time appointed, or that hereafter shall be appointed for holding the said Courts, provided there shall be a real Occasion for holding the same. *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the

abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington*. *Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Gaol Delivery, held in any one County during the said one Year, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Gaol Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any three Justices of the Peace (*Quorum unus*) of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they shall respectively attend, at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Abraham Clark,* jun. one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said one Year; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, copying the Laws and Minutes for the Printer; and to said *Abraham Clark,* the Sum of *Ten Pounds,* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session: And to *Richard Smith,* for the said Services in the last Session, *Fifteen Pounds.*

To the Secretary, for copying publick Laws to send home to *England,* during the Continuance of this Act, *Four pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony; and to each of the said Treasurers, *Fifteen Pounds,* for their extraordinary Services.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, or any other printing, such Sums as *John Johnston, Hendrick Fisher, John Wetherill, John Hoghland* and *John Ogden,* Esqrs, or any two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem:* And to the Serjeant at Arms who shall attend the House of Representatives, the Sum of *Three shillings per Diem.*

To the Door-keeper of the House of Representatives for the Time being,

who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem.*

To *John Johnston,* Esq; to pay for a Room for the Assembly, *Twenty shillings* per Week: And also *Fifteen shillings* per Week, to pay for a Room, Fire-wood and Candles, for the Council, during any Sitting within the said Term.

To *Samuel Smith,* Esq; to pay *Joseph Sherwood,* Esq; Agent of this Colony, *Thirty Pounds* per Year, for petty Expences, for each of the Years One Thousand Seven Hundred and Sixty-one, One Thousand Seven Hundred and Sixty-two, One Thousand Seven Hundred and Sixty-three, and One Thousand Seven Hundred and Sixty-four.

ALL which said several Sums abovementioned, shall be and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief, for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers, to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Robert Ogden, Hendrick Fisher, Jacob Spicer, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers, to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Parker (1764) 20:9 & 10, pp. 3-8.

An ACT *for submitting the Property of Lands which are held or claimed by any of his Majesty's Subjects as lying within this Colony, and are affected by the Controversy about the Boundary or Partition Line between this Colony and the Colony of* New-York, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint.*

WHEREAS the Boundary or Partition Line between this Colony and the neighbouring Colony of *New-York,* has not hitherto been duly ascertained, and by Reason of the unsettled State of the Limits of the two Colonies, not only the Extent of their respective Jurisdictions remain uncertain, and the due and regular Administration of Government in both Colonies is by that Means greatly impeded, but also frequent and dangerous Riots have been occasioned, and are still likely to arise, between the Borders, as well concerning the Extent of the respective Jurisdictions as the Property of the Soil, to the great Disturbance of the publick Peace, and the manifest Discouragement of his Majesty's good Subjects in the Settlement and Improvement of that Part of the Country:

AND *Whereas* the Governor, the Council, and General Assembly, of the Province of *New-York,* did, at their Session held in *December,* in the Year of our Lord One Thousand Seven Hundred and Sixty-two, pass a Law, entitled, *An* Act *for submitting the Property of the Lands which are held or claimed by Grant under the Great Seal of this Colony, and are affected by the Controversy about the Boundary or Partition Line between this Colony and the Colony of* New-Jersey, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint; and for defraying the Expences to accrue on the Part of this Colony, on the final Settlement of the said Line:* Wherein full and adequate Provisions are made on the Part of that Province, for the Purpose of settling and adjusting the said Partition Line, and putting an End to a Controversy dangerous to the Peace of both Colonies.

AND *Whereas* the Property of all the Lands within this Colony are held or claimed by some or other of his Majesty's Subjects, in Consequence of divers Grants and mean Conveyances from and under his Royal Highness *James* Duke of *York,* (afterwards King *James* the Second) the original Proprietor thereof.

TO the Intent, therefore, that the salutary Work so well begun on the Part of the Colony of *New-York,* might have a happy Issue; the Legislature of this Colony, did, at their Session in *June* last, pass a Law, entitled, *An* Act *for submitting the Property of Lands which are held or claimed by any of his Majesty's Subjects as lying within this Colony, and are affected by the Controversy about the Boundary or Partition Line between this Colony and the Colony of* New-York, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal*

Commission, or otherwise to appoint; but there arising some Difficulties at the Plantation Office, about one of the Agents therein appointed, and another of them being since deceased, it is thought most expedient to annul the said Law, and by a new one appoint other Agents; which said Law, and every Part thereof, is hereby declared null and void to all Intents and Purposes: But that the said Controversy, as far as it concerns the Property of the Lands, held and claimed by any of his Majesty's Subjects, as lying and being within this Colony, may, together with the Boundary or Partition Line between the two Colonies, be finally settled and determined;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all and singular the Messuages, Lands, Tenements and Hereditaments, and all Right, Title, Interest and Property, in and to the same, which are held or claimed by any of his Majesty's Subjects, as lying and being within this Colony, and are, can, shall or may be in any wise affected by the said Controversy, concerning the Boundary or Partition Line between this Colony and Colony of *New-York,* are hereby fully and absolutely, to all Intents, Constructions and Purposes in the Law whatsoever, submitted and made subject to the same Method of Decision as his most gracious Majesty shall think proper, by his Royal Commission, or otherwise, to institute and appoint, for the final Settlement and Determination of the Boundary or Partition Line between the said two Colonies: And that all and every Determination and Determinations, to be made by any Person or Persons whatsoever, by Authority derived from his most gracious Majesty, by his Royal Commission, or otherwise, that shall in any wise concern the said Line, or the Controversy that has hitherto subsisted relating to the same, and whereby the Right, Title, Interest and Property of the said Messuages, Lands, Tenements and Hereditaments, so held or claimed as aforesaid, as lying and being within this Colony, or any Part or Parcel thereof, shall be intended to be bound and determined, shall fully, compleatly, and absolutely bind, and forever determine, the Right, Title, Interest and Property of the said Messuages, Lands, Tenements and Hereditaments, to all Intents, Constructions and Purposes in the Law whatsoever; any Law, Usage or Custom to the Contrary thereof in any wise notwithstanding.

AND to the End that sufficient Provision may be made on the Part of this Colony, for Payment of the one equal Half-Part of the joint Expence to accrue on the final Settlement of the said Controversy and the Boundary Line between the said Colonies; and also for paying of the particular Expences that shall or may accrue on the Part of this Colony, in prosecuting the said Controversy to a final Settlement; BE IT ENACTED *by the Authority aforesaid,* That *John Stevens, James Parker, Henry Cuyler, jun. William Donaldson* and *Walter Rutherford,* Esquires, or the Majority of them, or the Majority of the Survivors of them, are hereby nominated and appointed Agents, to manage the said Controversy, on the Part and Behalf of this Colony; and also, that the said Agents, or the major Part of them, and the major Part of the Survivors of them, shall, and are hereby authorized to pay, lay out and expend, from

Time to Time, from and out of the publick Monies in the Treasury of this Colony, all such Sum and Sums of Money as shall from Time to Time be necessary, to defray, as well the one Half of the said joint Expence as the particular Expences aforesaid; which Sum and Sums of Money, shall, from time to time, upon Application of the said Agents, or the major Part of them, or the major Part of the Survivors of them, as Occasion shall require, be drawn out of the said Treasury, by Warrant or Warrants of his said Excellency, or the Commander in Chief of this Colony for the Time being, by and with the Advice of his Majesty's Council, in Favour of the said Agents, or the major Part of them, and the major Part of the Survivors of them; and also, that the said Agents, and the Survivors of them, shall, from Time to Time, account upon Oath, for and concerning the Execution of the Trust hereby reposed in them, to his said Excellency, or the Commander in Chief for the Time being, his Majesty's Council, or the General Assembly of this Colony, when by them, or any of them, they shall be thereunto required.

Parker (1764) 20:9 & 10, pp. 8-11.

An ACT *for subjecting the Estates of the General Proprietors of the Eastern Division of this Colony, to the Indemnification of this Province, from any Expence in running the Line between* New-Jersey *and* New-York.

WHEREAS by an Act of the General Assembly of the Province of *New-Jersey,* passed in the fourth Year of his present Majesty King GEORGE the Third, entitled, *An* Act *for submitting the Property of Lands which are held or claimed by any of his Majesty's Subjects, within this Colony, and are affected by the Controversy about the Boundary or Partition Line between this Colony and the Colony of* New-York, *to such a Method of Decision as his most Gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint;* wherein, among other Things, it is Enacted, That *John Stevens, James Parker, Henry Cuyler,* jun. *William Donaldson* and *Walter Rutherford,* Esquires, or the Majority of them, or the Majority of the Survivors of them, are nominated and appointed Agents, to manage the said Controversy, on the Part and Behalf of this Colony; and also, that the said Agents, or the Majority of them, and the major Part of the Survivors of them, are thereby authorized to pay, lay out and expend, from Time to Time,

from and out of the publick Monies in the Treasury of this Colony all such Sum and Sums of Money as shall from Time to Time be necessary, to defray, as well the one Half of the said joint Expence, as the particular Expences thereof; which Sum and Sums of Money, shall, from Time to Time, upon Application of the said Agents, or the major Part of them, as Occasion shall require, be drawn out of the said Treasury, by Warrant or Warrants of his Excellency or the Commander in Chief of this Colony for the Time being. But the Legislature having received Assurances from the General Proprietors of the Eastern Division, that the Province should be indemnified of all Demands for the Purposes aforesaid; BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all and singular the Lands, Tenements, Hereditaments, and other Estates of the said *John Stevens, James Parker, Henry Cuyler,* jun. *William Donaldson* and *Walter Rutherford,* Esquires, and all others who are of the General Proprietors of the Eastern Division of *New-Jersey,* and of each and every of them, jointly and severally, be subjected and made liable to indemnify and save harmless this Colony of *New-Jersey,* of and from any Money being demanded or drawn out of the Treasury of this Province, by Virtue of any Power granted in the before recited Act of General Assembly.

Parker (1764) 20:9 & 10, pp. 11-12.

An ACT *to enable the Owners and Possessors of certain Salt Meadows and Marsh, lying in the Townships of* Woodbridge *and* Piscataway, *to make and keep open the necessary Drains, build and repair Bridges and Gates, for the Uses therein mentioned.*

WHEREAS the Owners and Possessors of the Salt Meadow and Marsh, lying on the North Side of *Rariton* River, from the Mouth of *Walker's* Mill Creek in *Piscataway,* to the Mouth of the Great Creek in *Woodbridge,* in the County of *Middlesex,* have set forth, that they have been at great Expence in digging large Ditches from the aforesaid *Walker's* Creek, along the Side of the Meadows and Marsh near the Upland, till it comes to the East Side of *James Walker's* Lot of Meadow, lying before *John Dove's* Door; then Southerly along the Line between said *Walker's* Meadow and said *Dove's* Meadow or Marsh,

to the Head of a Ditch called the Town Ditch; then Easterly to a Ditch called *Martin's* Ditch, and so into a Creek called *Martin's* Creek, that empties into the said great Creek, to secure said Meadow and Marsh inclosed as aforesaid, from the frequent Damages done thereon by Cattle, Horses and Sheep.

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly of the Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the aforesaid Meadows and Marsh, to make four Bridges over said Creeks and Ditches, *(to wit)* one over said *Walker's* Mill Creek, one over the said Ditch before *John Dove's* House, one over the said *Martin's* Creek, and one over the said Great Creek, and to affix and set up a good swinging Gate at one End of each Bridge, with a good Latch to each Gate; which said Creeks and Ditches, with Gates fixed as aforesaid, shall from Time to Time, and at all Times forever hereafter, be deemed and esteemed a lawful Fence, while the same are kept up and maintained; and all Cattle, Horses and Sheep, breaking down, or forcing their Way over or through the same, shall be deemed and esteemed Trespassers; and the respective Owner or Owners, or Possessor of all such Cattle, Horses or Sheep, trespassing as aforesaid, shall pay the Sum of *One shilling* the Head, for all such Cattle and Horses, and *Three-pence* the Head for all such Sheep trespassing as aforesaid; to be recovered by any one or more Owners of the said Meadows who shall prosecute the same to Effect, upon the Oath or Affirmation of one or more Witnesses, before any one Justice of the Peace in said County, if *Six Pounds* or under; if above that Sum, in any Court of Record where the same may be cognizable, with Costs of Suit; and to be applied when received, one Half to the Person prosecuting the same to Effect, and the other Half to the Managers for the Time being, or Survivor of them, for maintaining and repairing the said Ditches, Bridges and Gates.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, after the Publication of this Act, shall break down, prop, or otherwise set either of the said Gates open, and so leave them, he, she or they so offending, shall forfeit and pay for each and every Offence so committed, the Sum of *Forty shillings;* to be recovered by Action of Debt, by either of the Managers named or elected, according to the Directions of this Act, with Costs of Suit; and when received, the same to be applied for and towards maintaining and repairing the said Ditches, Bridges and Gates.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall at any Time hereafter, make any other or more Bridge or Bridges, over said Creeks or Ditches, than is already allowed by this Act, or any Ways fill up or stop any Part of the said Creeks or Ditches, the same shall be liable to be demolished or removed, and the Person or Persons so offending, shall forfeit and pay for each Offence, the Sum of *Forty shillings,* to be recovered and applied in Manner last above-mentioned.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Expence the said Managers, or Survivor of them, shall from Time to

Time be at, in making and repairing said Bridges and Gates, and keeping said Creeks and Ditches open, (the Fines and Forfeitures that may be recovered as aforesaid, being first applied,) shall be equally assessed upon the said Owners and Possessors of the said Meadow and Marsh, in Proportion to the Quantity or Meadow or Marsh each of the said Owners or Possessors now doth, or hereafter may hold within the aforesaid Boundaries.

AND to the End the said Bridges and Gates, may be at all Times hereafter well and sufficiently made, supported and maintained, and the said Creeks and Ditches kept open and clear; BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of said Meadow and Marsh, shall and may, at all Times hereafter, on the second *Tuesday* in *April,* yearly, and every Year, meet and assemble at the House where *Malachiah Fitzrandolph* now dwells, in the Town of *Piscataway,* and then and there, by Plurality of Voices of them so met, elect and chuse two Persons, to be Managers the ensuing Year, (until which Time *Jeremiah Dunn* and *David Compton* are hereby appointed Managers,) which said Managers, shall be elected out of the Possessors aforesaid; and they, or the Survivor of them, shall have full Power to assess the said Owners and Possessors, pursuant to the Directions of this Act, in such Sum or Sums of Money, as shall be by them, or the Survivor of them, found necessary, for making, supporting, repairing and maintaining the said Bridges and Gates, and keeping the said Creeks and Ditches open as aforesaid, and other necessary Expences relating thereto, during said Year; but if any of the Owners or Possessors of the said Meadow or Marsh, shall neglect or refuse to give a true Account of the Quantity of Meadow or Marsh, he, she or they possess, to the Managers, or either of them, in Ten Days after publick Notice given by Advertisement, set up at five publick Places, most likely for the Owners or Possessors to have Notice; that then it shall and may be lawful for the said Managers, or the Survivor of them, to assess him, her or them, so neglecting or refusing as aforesaid, at his or their Discretion; and if any of the said Owners or Possessors, shall neglect or refuse to pay the Sum or Sums of Money, that shall or may from Time to Time be assessed on him, her or them, for the Space of Twenty Days, after Notice given, by Advertisements set up as aforesaid, it shall and may be lawful for the said Managers, or Survivor of them, to sue all and every such Delinquents, in his or their own Name or Names, for the respective Sum or Sums of Money, he, she or they were assessed at, by Action of Debt, in the same Manner as herein before is directed, and give the Assessment in Evidence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to elect and chuse Managers at their Meeting as aforesaid; that then and in such Case, the Managers chosen for the preceeding Year, or the Survivor of them, shall be continued in the Office the ensuing Year, and so to continue from Year to Year, until the said Owners and Possessors shall elect and chuse others in their Room and Stead, and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had elected them at their yearly Meetings as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account at their said Meetings, to the said Owners and Possessors of said Meadow and Marsh, and produce fair Accounts and Receipts, for all Monies by them received and expended, in Pursuance of this Act, and shall deliver the Ballance of the Monies remaining in their Hands, to the succeeding Managers, first deducting thereout *Two shillings* in the Pound, for all such Monies by them, or either of them expended, for the Purposes aforesaid; and if the said Managers, or either of them, shall neglect or refuse to pay the Ballance remaining in his or their Hands, to the succeeding Managers, it shall and may be lawful for the succeeding Managers to sue for and recover the same, with Costs of Suit, in Manner aforesaid; and if any of the said Managers, that shall at any Time be elected, pursuant to this Act, shall neglect or refuse to do the Duties enjoined them or him by this Act, he or they shall forfeit and pay, for each and every such Offence, the Sum of *Forty shillings;* to be recovered by Action of Debt, with Costs of Suit, by any Owner or Owners of said Meadows, who will prosecute the same to Effect, and to be applied, the one Half thereof to the Prosecutor, the other Half to the succeeding Managers, to be by them applied to the Uses aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if it should so happen at any Time hereafter, that any of the said Owners or Possessors of any of the aforesaid Meadows or Marsh, shall not reside in the aforesaid County, and shall neglect or refuse to pay the Sum or Sums of Money, as shall from Time to Time be assessed on him, her or them, for the Purposes aforesaid, within Ten Days after Notice to him, her or them given; that then it shall and may be lawful for the said Managers, or the Survivor of them for the Time being, to rent so much of the said Meadow or Marsh, to such Delinquent or Delinquents belonging, for such a Term, as that the Rent of said Meadow and Marsh amount to a Sum sufficient to pay the said Assessment or Assessments, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Owner or Owners of any Cattle, Horses or Sheep, that shall at any Time be found trespassing on said Meadow or Marsh, should dispute the Sufficiency of the said Creeks, Ditches or Gates; that then the said Parties shall chuse three indifferent neighbouring Freeholders, to view the said Creeks, Ditches and Gates; but if the Owner or Owners of such Creatures, shall neglect or refuse to join said Managers in the Choice, then the said Managers shall chuse said three Men themselves; and if the three Men so chosen, or any two of them, upon View as aforesaid, shall judge the said Creeks, Ditches and Gates, sufficient for the Purposes aforesaid, it shall be conclusive to said Parties; but if the said three Men, or any two of them, upon View as aforesaid, shall judge the said Creeks, Ditches or Gates, not sufficient for the Purposes aforesaid, then the said Managers, or Survivor of them, shall make all such Amendments, as the said three Men, or any two of them, shall order and direct, before they shall be intituled to recover any Damage for Cattle, Horses or Sheep, trespassing on said Meadow or Marsh.

And the said three Men, shall have *Six shillings* a Day, for the Time they shall be viewing said Creeks, Ditches and Gates, to be paid by the said Managers, or Survivor of them, if said Creeks, Ditches or Gates should be judged insufficient; but if the said Creeks, Ditches and Gates, shall be judged sufficient for the Purposes aforesaid, that then the said Owner or Owners of such Cattle, Horses or Sheep, as shall be found trespassing as aforesaid, shall pay the same; to be recovered before any Justice of the Peace in said County, by Action of Debt, with Costs of Suit.

Parker (1764) 20:9 & 10, pp. 12-16.

An ACT *to naturalize* Joseph Behringer, John Snoffer, George Windemude, Gasper Shepperd, Walton Vokes, John Henry Snoffer, Martin Swort Welder, Adam Cuncle, Andrew Wagener, John Philip Weiker *and* John Morkel.

WHEREAS *Joseph Behringer, John Snoffer, George Windemude, Gasper Shepperd, Walton Vokes, John Henry Snoffer, Martin Swort Welder, Adam Cuncle, Andrew Wagener, John Philip Weiker* and *John Morkel,* by their humble Petitions, have set forth, that they were born under the Dominion of foreign Powers in Amity with *Great Britain,* but are now settled within this Province of *New-Jersey,* and are desirous of enjoying the Privileges of his Majesty's natural freeborn Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection, to His Majesty King GEORGE the *Third,* and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves, in all dutiful Manner, to the Laws and Customs of this Colony,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Joseph Behringer, John Snoffer, George Windemude, Gasper Shepperd, Walton Vokes, John Henry Snoffer, Martin Swort Welder, Adam Cuncle, Andrew Wagener, John Philip Weiker* and *John Morkel,* shall be from henceforth, deemed, taken and esteemed to be, as His Majesty's natural freeborn Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are intituled, unto the same Laws, Liberties, Rights and Privileges, as any of His Majesty's natural freeborn Subjects can or ought to enjoy within the same, any Act, Ordinance, Usage, or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken, to enable the said *Joseph Behringer, John Snoffer, George Windemude, Gasper Shepperd, Walton Vokes, John Henry Snoffer, Martin Swort Welder, Adam Cuncle, Andrew Wagener, John Philip Weiker* and *John Morkel,* or either of them, to be of His Majesty's Council, or of the General Assembly; or to hold and enjoy any Post, or Office of Trust or Profit, within this Province, any Thing herein contained to the Contrary notwithstanding.

Parker (1764) 20:9 & 10, p. 17.

Twentieth Assembly, Tenth Session

23 Feb. 1764

Perth Amboy

All acts passed 23 Feb. 1764.

For explanation of why there was a tenth session, see note on p. 271.

An ACT *for raising a Number of Men, in the usual Proportion, not exceeding Six Hundred, Officers included, for the ensuing Campaign, and making Provision for the same.*

WHEREAS by Letter from the Right Honourable the Earl of HALIFAX, one of his Majesty's Principal Secretaries of State, it appears a Number of Men is necessary for his Majesty's Service, to act the ensuing Summer against the Indians. *And whereas* the Number of Men required of this Colony, is left in the Discretion of the General Assembly; therefore, in Order that this Colony may contribute an equitable Proportion for that Purpose, and that offensive Measures, when undertaken against the Indians, may be early and vigorously carried on;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That so many able-bodied Freemen, shall be raised by this Colony, not exceeding *Six Hundred* Men, Officers included, to act in Conjunction with the Colony Troops, under the Command of his Majesty's General or Commander in Chief in *America,* until the first Day of *November* next, in the Defence and Security of his Majesty's Colonies in *North-America,* as is herein after directed; and which said Number of Men, when levied, shall be divided into Companies of Sixty Men, or of any greater Number not exceeding One Hundred, the Whole to be commanded by a Major, and each Company by a Captain, Lieutenant and Ensign; which said Officers shall be appointed by Commission from the Governor, or Commander in Chief for the Time being; and that four Serjeants, and four Corporals, shall be appointed by each Captain, out of each of the said respective Companies, for the Service of the said Company.

AND for the Encouragement of a sufficient Number of able-bodied Freemen, voluntarily to inlist themselves as Soldiers for the said Service, BE IT ENACTED, That there shall be paid to every able-bodied Freeman, who shall inlist as a Serjeant, Corporal, or private Soldier, the Sum of *Six Pounds,* Proclamation Money, over and above the Pay herein after fixed and ordered to be paid him.

AND as a further Encouragement to Volunteers, being Freemen, or well-affected *Indians,* to inlist in the Service, IT IS HEREBY FURTHER ENACTED, That if any Person inlisted, doth not owe upwards of *Seventeen Pounds,* Proclamation Money, to any Creditor, or upwards of *Fifty Pounds,* Money aforesaid, in the Whole, to all his Creditors, then the Person of the Inlisted shall be free from all Arrests in civil Actions, during the Time of his Service as aforesaid, and for Six Months afterwards: And those that are in Custody, either on mean Process or Execution, and do not owe as aforesaid, shall be discharged, under the Hands and Seals of any of the Judges of the County where any such Person or Persons shall be so imprisoned; and the Goods and Effects of all such Debtors, shall be free from any Attachments, Executions, and other legal Process, during the aforesaid Service, and Six

Months afterwards: *Provided always,* that such Goods and Effects shall not be removed out of the City, County or Town-corporate where the Persons inlisted resided when they did inlist, during the Time limited as aforesaid; and upon full Proof of any Attempt to remove the said Goods and Effects out of the City, County or Town-corporate, as aforesaid, then the said Goods and Effects shall be liable to the same Process as the Laws have already provided. And in case the said Person or Persons so inlisted, shall, or do, after the Publication of this Act, or after the Time of such Inlisting, by any Deed or Deeds, Power or Powers of Attorney, make Sale of, or impower others in his or their Absence, or during the Time so limited as aforesaid, to make Sale of his or their Goods and Chattels, Lands and Tenements, to any Person or Persons whatsoever, whereby the Creditor or Creditors of such Person or Persons so inlisting as aforesaid, shall or may be defrauded, or deprived of their just Debts; all and every such Deed or Deeds, and Sales, made by any such Person or Persons, or by Virtue of his or their Power or Powers of Attorney as aforesaid, shall be void and of none Effect: And such Goods and Chattels, Lands and Tenements, shall, nevertheless, be liable to be proceeded against by Attachment, or any other legal Process, at the Suit of any Creditor or Creditors of such Person or Persons; any Thing in this Act to the contrary thereof, in any wise notwithstanding.

AND as a further Encouragement to Volunteers to inlist themselves in the said Service, his Excellency the Governor hath signified to the Council and General Assembly, vhat he shall be well pleased that it be Enacted; AND BE IT FURTHER ENACTED, That all able-bodied Freemen, who shall inlist in the said Service, and perform their Duty therein, and at the End thereof, obtain a Certificate from their Captains, of their having so inlisted, and performed their Duty in the said Service, shall thereby be acquitted and pardoned of all Crimes whatsoever by them committed before the Publication of this Act, that are under the Degree of Felony without Benefit of Clergy: Which Certificate so obtained, shall, by Virtue of this Act, be pleadable as a Pardon under the Great Seal of this Colony, of any of the Crimes aforesaid, under the Degree of Felony without Benefit of Clergy, to any Indictment or Information for such Crimes, found or filed, or to be found or filed, and to any Record of Conviction already made, or to be made, for such Crimes; and every able-bodied Freeman in Custody for any Crime or Crimes, under the Degree of Felony without Benefit of Clergy, inlisting as aforesaid, shall be thereon immediately discharged out of Custody, to go upon the said Service; and obtaining a Certificate as aforesaid, shall be thereby pardoned as aforesaid.

AND BE IT FURTHER ENACTED, That it shall not be lawful to inlist any young Man under the Age of Twenty-one Years, or any Slaves who are so for Term of Life, or Apprentices, without the express Leave in Writing, of their Parents or Guardians, Masters or Mistresses, if any such he hath, first had and obtained. And if any Officer or other Person, shall inlist any such young Men, Slaves, or Apprentices as aforesaid, and upon Application and due Proof made before any one Justice of the Peace in this Colony, shall

refuse to discharge him or them so unlawfully inlisted; then he the said Justice of the Peace, is hereby impowered and required, to issue his Warrant to any Constable, commanding him to take the Body of such young Man, Slave or Apprentice, and deliver him to his Parents or Guardian, Master or Mistress; and if the Officer or other Person, with whom such Person is inlisted, shall notwithstanding, secrete, detain, or carry away such Person, then such Officer, or other Person so offending, shall forfeit and pay, for every such young Man under the Age of Twenty-one Years, so inlisting, contrary to the true Intent and Meaning of this Act, the Sum of *Five Hundred Pounds;* for every Slave so inlisted, the Sum of *One Hundred Pounds,* and for every such Apprentice, the Sum of *Twenty Pounds;* to be recovered in any Court of Record where the same is cognizable in this Colony, with full Costs of Suit; and to be paid so much thereof to the Person complaining, as his or her Damages by the said Court shall be adjudged; and the Residue thereof to either of the Treasurers of this Colony, to be applied as by Act of General Assembly shall be hereafter directed. And in case the Body of such Officer, or other Person so offending, cannot be taken, then it shall and may be lawful for the Person aggrieved, to proceed against him, by Attachments against the Offender's Goods and Chattels, Lands and Tenements, in Manner and Form as is directed by an Act, entitled, *An* Act *for the better enabling of Creditors to recover their just Debts from Persons who abscond themselves;* saving, that the Person complaining, shall not be obliged to make the Affidavit therein directed, and the Forfeitures recovered, shall be paid as aforesaid.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Bills of Credit made current by this Act, shall pay or cause to be paid, unto *Timothy Edwards,* for the Eastern Division, and *Joseph Borden, jun.* Esq; for the Western Division, who are hereby appointed Commissioners for the Colony of *New-Jersey,* such Sum and Sums of Money, as the said Commissioners, or either of them, from time to time, find necessary to be expended, agreeable to the Directions, true Intent and Meaning of this Act: And the said Treasurers, or either of them, shall take a Receipt, signifying the Services the Money so paid was designed for, and signed by the Person or Persons receiving the same: And the said several Receipts, when produced by the said respective Treasurers, and signed as aforesaid, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors, or Administrators, on Account of the several Payments so made, and paid out of the Treasury aforesaid; and in case of the Refusal or Disability of the said *Timothy Edwards* and *Joseph Borden, jun.* or either of them, then *John Blanchard* and *Joseph Imlay,* are hereby appointed to succeed, according to the Division they belong to, as Commissioners; who, in case of succeeding as aforesaid, are hereby invested with the same Powers, and authorized to receive the same Rewards, as to the said *Timothy Edwards* and *Joseph Borden, jun.* are appointed by this Act; and the Receipt of them, or either of them, shall be sufficient to discharge the respective Treasurers, their Heirs, Executors and Administrators, from such Money as they may pay in Pursuance of this Act.

AND BE IT FURTHER ENACTED, That there shall be allowed to every of the said Freemen, recruited as aforesaid, (and to be paid by the Commissioners for the Use of such Men, in Manner and Form hereafter provided) *One shilling* per Day, Money aforesaid, for his Subsistence, from the Time of his being inlisted, before any one of his Majesty's Justices of the Peace of the said Colony, until the Time herein after directed.

AND in order for the more secure Payment of the Bounty and Subsistence Money aforesaid, IT IS FURTHER ENACTED, That each of the said Captains recruiting within this Colony, as soon as his Company be compleat, shall cause a Muster to be made of the same, in the Presence of *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* Esqrs, or either of them, and shall then produce to the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, a fair written Muster Roll, containing the Names and Stations of the Men inlisted; under which Muster Roll, the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, shall certify, that they have seen the Men on the preceeding Roll, and have inspected and approved them, and seen the Certificate of their being duly inlisted, and the Day on which each Soldier was inlisted, signed by the respective Justice of the Peace before whom such Soldiers were qualified; and thereupon, the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, in the Presence of the Captain, shall pay to each effective Man then present, and who shall be so approved of, and entered on the Muster Roll as aforesaid, (of the Degree of Serjeant, Corporal or private Soldier) the Sum of *Six Pounds,* Money aforesaid: And the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, shall take a Certificate, signed by the said Captain, signifying the Number of Men, and the Sum of Money paid by the said Commissioners, or either of them, and shall also take a Receipt from the Captain for the same upon the Muster Roll; which said Certificate, and the Receipt, shall be sufficient Vouchers to the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, for the Payment of so much of the said Money as aforesaid. And the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, shall also pay, in the Presence of the Captains, (for the Use of the Men so mustering) the Subsistance Money of *One shilling* per Day, to each Soldier so entered upon the Muster Roll as aforesaid, from the Day of the inlisting such Soldier, until he shall receive Subsistance from the Crown: And the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, shall examine and settle the said Account, and shall take a Receipt from the said Captain upon the Back thereof, for the Subsistance Money then paid; which Receipt shall be a sufficient Voucher to the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* (who are hereby appointed Commissioners for that Service) for the Payment of so much of the said Money as aforesaid.

FOR all which Purposes, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of this Colony, to pay to

the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, out of the Money aforesaid, all such Sum and Sums of Money as they may want: And the Receipt of the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, or Order from either of them, with a Receipt thereon, shall discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from all such Money as may be paid in Virtue hereof.

AND BE IT FURTHER ENACTED, That the Major of the said Regiment, shall, at the Time of obtaining his Commission, take the Oath of Allegiance and Supremacy required by Law, and have a Certificate thereof endorsed on his Commission; and shall also take an Oath in the Words following; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll, of every Officer and Soldier that now is or hereafter shall be under my Command, in the Pay of the Colony of* New-Jersey, *and of the Time of the Continuance in Service, Inlistment, Discharge, Death, or Desertion of every such Officer and Soldier; and that I will not suffer the Name of any Officer or Soldier to be continued or entered on the Roll, but such as now are on Duty, and do hereafter inlist, and perform the Service under my Command, to the End the Publick, or any private Person, through my Neglect, may not be defrauded.* So help me God.

AND the said Major, during the Time of his Command, shall keep a daily Journal of the Situation and Posture of Affairs, and of all his Orders, Proceedings, and Detachments; and a Copy thereof, together with a Duplicate of the Account or Roll aforesaid, once in Three Months, (or oftner if required) shall transmit to the Governor, or Commander in Chief for the Time being, to be laid before the House of General Assembly for their Inspection. And in case of the said Major's Death or Removal, his Successor shall observe and perform the Duty by this Act enjoined him, as near as the Nature of the Case will admit.

AND BE IT FURTHER ENACTED, That each of the said Captains to be appointed for recruiting the said Regiment, at the Time of obtaining their Commissions, shall also take the said Oath of Allegiance and Supremacy, and have a Certificate thereof endorsed on such Commissions as aforesaid; and also take an Oath in the following Words; *(that is to say,)*

I A.B. *do swear, that I will keep an exact Account or Roll of the Time of the Inlisting every Soldier by me inlisted, or caused so to be inlisted, and of the Time of Discharge, Death, Desertion, or Delivery over, of every such Soldier so inlisted, either retain'd under my more immediate Command, or delivered over to any other Officer belonging to the* New-Jersey *Regiment; that I will not suffer any Person to be entered on the Roll, or mustered, but such as are truly inlisted, and to the best of my Knowledge, designed for the Service; and that I will make up the Account of their Pay, Cloathing, and Military Stores, truly and honestly, and deliver exact Duplicates of such Account to my Major, or his Successor, and to the Paymaster, in order to enable him to perform the respective Duties by Law enjoined:* So help me GOD.

AND the said Captains respectively, shall severally keep a daily Journal of their Transactions; and a Copy thereof, together with a Duplicate of the

Account or Roll aforesaid, once in Three Months, or oftner if required, shall transmit to the Governor or Commander in Chief of this Colony, to be laid before the General Assembly, for their Inspection as aforesaid; and in case of either of the said Captain's Death or Removal, his Successor shall perform the Duty by this Act enjoined him.

AND BE IT FURTHER ENACTED, That every Person inlisted as aforesaid, and entered on the Muster Roll, shall, before the aforesaid *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, before he receives the aforesaid Bounty, take an Oath in the Words following, *viz.*

I A.B. *do solemnly swear, that I will in all Things be faithful, and bear true Allegiance to his Majesty King* GEORGE *the Third; that I will not directly or indirectly, hold any Manner of Correspondence with the* Indians, *their Allies, Agents or Spies, nor desert his Majesty's Service, to go over to the* Indians, *nor any Person in Alliance with them; that I will not betray the Designs or Secrets of his Majesty's Officers to the Enemy; that I am duly inlisted in* C.D*'s Company, and intend to go on the present Expedition in his Majesty's Service, without any Design or Expectation of being discharged from going on the same; and that I will not absent myself from or desert the said Service before the first Day of* November *next, unless sooner discharged by a Certificate in Writing under the Hand of the Major of the* New-Jersey *Regiment, or his Successor in Command:* So help me GOD.

WHICH several Oaths before-mentioned, the said Commissioners, or either of them, or any other Person legally authorized, are impowered and directed to administer.

AND BE IT FURTHER ENACTED, That *Jonathan Hampton,* is hereby appointed Paymaster of the Forces; and in case of his Refusal, Death or Disability, then *Hendrick Fisher, jun.* is hereby appointed to succeed as Paymaster; and in case of the Refusal, Death or Disability of the said *Hendrick Fisher, jun.* then *William M'Daniel* is hereby appointed to succeed as Paymaster of the Forces. And it shall be lawful for the Treasurers of this Colony, to pay to the said Paymaster, or to his Successor in Office, any Sum or Sums of Money that he may find necessary for paying the Forces; and the Receipt of the Paymaster, or Orders drawn by him, with a Receipt thereon, shall, when produced to the General Assembly, discharge the said Treasurers, or either of them, their Heirs, Executors and Administrators, of and from any Money paid as aforesaid.

AND BE IT FURTHER ENACTED, That if any Officer or Soldier belonging to the said Regiment, shall sell, imbezzel, or misapply, or cause to be sold, imbezzled, or misapplied, any of the Articles furnished by this Colony; or shall wilfully, or through Negligence, suffer any such Articles to be spoiled, damaged or lost; every Person so offending, shall make good the Damage out of his Wages: For which End, the Paymaster shall retain in his Hands, *Three shillings and Six-pence* per Month, of every such Officer and Soldier's Pay, until the Time of his Disbandment or Discharge, when his full Arrearages shall be paid him, provided no Complaint in the Premises shall then appear; but in Case thereof, the Damage shall first be made good out of

such Arrearages; and if insufficient, the Delinquent to remain liable to be further proceeded against according to Law: Of all which Articles sold, imbezzled, misapplied, or wilfully or negligently spoiled, damaged or lost, as aforesaid, the said Paymaster shall keep a just Account, and therein shall also truly enter all Arrearages retained in Satisfaction thereof; and shall lay such Accounts before the House of General Assembly, when thereunto required, to whom he is hereby made accountable.

AND BE IT FURTHER ENACTED That it shall not be lawful for the Paymaster, on any Pretence whatsoever, to pay the said Arrearages, or any Part thereof, to any of the said Officers or Soldiers Assignee or Assignees, or to any other Person or Persons whomsoever, other than the Person to whom the same at first became due; save only in case of Death, such Arrearages shall be paid to the Deceased's Executors or Administrators; deducting thence all his Delinquencies, if any such there be. And if any of the said Officers or Soldiers, shall, by Word or Writing, sell, transfer, assign, or otherwise dispose of his Wages or Arrearages, or any Part thereof, to any Person or Persons whomsoever, either before or after the same shall become due, such Sale, Transfer, Assignment, or Disposal, shall be, and hereby is, declared null and void, and the Property not altered.

AND BE IT FURTHER ENACTED, that in case the said Paymaster shall imbezzel or misapply any of the Money committed to his Care, or shall give, sell, or waste, or cause to be given, sold, or wasted; or shall wilfully or negligently, suffer any of the Articles aforesaid, to be sold, spoiled, damaged or lost as aforesaid; upon Conviction thereof, he shall be dismissed, and forfeit the Sum of *One Hundred Pounds,* and make good the Loss and Damage thereby sustained, out of his Goods and Chattels, Lands and Tenements; and for Want thereof, be committed to Prison or the Common Gaol, there to remain without Bail or Mainprize, until he shall make good the Loss, Damage and Penalty aforesaid: One Half of which said Penalty, to go to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony; and the one Half to the Person or Persons who shall prosecute the same to Effect, in any Court of Record where the same shall be cognizable within this Colony, with Costs of Suit; and the Damages or Value recovered on the Prosecution, (exclusive of the said Penalty) shall be deposited in the publick Treasury, for the Use of this Colony. And the said Paymaster, before entering into the Colony's Service, shall give Bond, with two good and sufficient Sureties, (being Residents and Freeholders in this Colony) to his Majesty, his Heirs and Successors, in the penal Sum of *Six Thousand Pounds,* Proclamation Money: CONDITIONED as followeth, (*that is to say*) That if he the said doth faithfully discharge the Duty of Paymaster to the Forces in the Pay of the Colony of *New-Jersey,* by Virtue of this Act, until the Disbandment thereof, (Death, Removal, or Bodily Disability excepted) and doth not imbezzel, misapply, wilfully or negligently waste, lose, damage, or spoil any of the said Colony's Money, or any such Articles as shall be furnished by the said Colony; nor suffer the same, or any Part thereof, to be so imbezzled, misapplied, wilfully or negligently wasted,

lost, damaged or spoiled, without retaining Stoppages out of the Offender or Offender's Wages, to make good the same; and doth well and truly pay the Officers and Soldiers their just Demands, according to Law; and keep true Accounts of all Monies received and disbursed; as also of all Damages accruing, and Stoppages retained in Satisfaction thereof; and shall render such Accounts to the House of General Assembly, when thereunto required: And in all Things appertaining to his Duty as Paymaster to the said Forces, doth well and truly demean himself, according to the Directions, true Intent and Meaning of the Act of General Assembly, entitled, *An* Act *for raising a Number of Men, in the usual Proportion, not exceeding Six Hundred, Officers included, for the ensuing Campaign, and making Provision for the same:* Then the above Obligation to be void and of none Effect, otherwise to be and remain in full Force and Virtue. Which Bond, the Secretary of this Colony, is hereby authorized and required to take and retain for the Use thereof. And he the said Paymaster, shall keep a daily Journal of all Things by him advised, requested or transacted; and the same shall, from Time to Time, transmit to the General Assembly, for their Inspection.

AND BE IT FURTHER ENACTED, That the Major of the said Regiment, as soon as he enters on the Service, shall acquaint his Majesty's Agent Victualer, or other Person in Trust for him, that he is about to inlist Men for the *Jersey* Regiment, and pray that he would furnish them with Subsistance Money for the same.

AND BE IT FURTHER ENACTED, That the said Commissioners aforesaid, or either of them, or their Successors, Commissioners for the Time being, shall purchase or procure for each Volunteer, the folowing Cloathing, or other Articles, to be delivered unto them respectively, at the Time of Muster or Embarkation; (*to wit*) A blue Coat, after the Highland Manner, lappelled and cuffed with the same; one Flannel Jacket, without Sleeves; two Pair of Ticking Breeches, and one Pair of blue stroud Indian Leggings; two Check Shirts; one Pair of Yarn Stockings; two Pair of Shoes, one Hat, one Blanket, and one Knapsack.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, to pay unto each of the said Captains respectively, as Levy Money for every Soldier he shall inlist, the Sum of *Twenty Shillings,* Money aforesaid; or so much thereof as the said Captain shall prove to the Satisfaction of the said *Hendrick Fisher, Matthias Williamson, Daniel Hart* and *Thomas Rodman,* or either of them, he hath been necessarily put unto in inlisting such Soldier; and such Captain shall give a Receipt for the same, which shall be a sufficient Voucher.

AND *Whereas* sundry small Articles and contingent Charges unforeseen, and not at present provided for, may happen to be needed for the Use of the said Regiment, during the Term aforesaid; and it being necessary the same should be procured and defrayed; therefore, BE IT FURTHER ENACTED, That in case the said *Timothy Edwards* and *Joseph Borden, jun.* in their Discretion, shall at any Time during the said Term, esteem it absolutely

necessary for the present Service, to purchase for the Use of the said Regiment, any such small Articles, or defray any such contingent Charges, as are not at present provided for; then it shall be lawful for the said Commissioners, or either of them, to purchase or defray the same, having a strict Regard to good Oeconomy and Prudence therein; taking Receipts for the Monies advanced in Discharge thereof, and retaining the Letters of Advice relative thereto; which Receipts and Letters shall be sufficient Vouchers.

AND BE IT FURTHER ENACTED, That once in every Month at farthest, during the present Campaign, the several Captains of the said Regiment, shall cause the same to be mustered, in the Presence of the said Major and Paymaster, and produce their respective Accounts or Rolls, and otherwise render the said Major and Paymaster, all farther Assistance in their Power, not only the better to enable the said Major and Paymaster, to settle the Wages then due unto the Officers and Soldiers belonging to, and doing Duty in the said Regiment, but also to discover and adjust the Deficiencies with which their said Wages respectively shall then stand charged; and after the same shall be equitably settled and adjusted as aforesaid, the said Paymaster, in a public Manner, shall proceed to pay, or cause to be paid, unto each and every Officer and Soldier then present, and not deficient, such Part of the Wages then due to him: And in case any of them shall be deficient to the Value of the Whole, or any Part of the same, then otherwise payable; the same, or so much thereof, as the Nature of the Case may require, shall then be retained in the Hands of the said Paymaster, to make good such Deficiency; any Thing in this Act to the contrary, in any wise notwithstanding.

AND BE IT FURTHER ENACTED, That the Property of all the Necessaries, which at present do belong to, or hereafter shall be purchased for the said Regiment, is hereby declared to be vested in the Colony of *New-Jersey;* and, with the Cloathing Articles that shall be provided the said Regiment during the present Campaign, shall be under the Care of the Paymaster, when by him received, who is hereby made accountable for the same: And at the End of the said Campaign, after deducting the said Cloathing Articles, or so much thereof as shall be otherwise applied to the Use of the Soldiers, if not needed for further Services, shall be delivered by the said Paymaster, to one of the Treasurers of this Colony, to be safely kept for the Use thereof, until some further Provision shall be made for disposing of the same; and during the said Campaign, the said Paymaster shall deliver unto the Soldiers respectively, such and so many of the said Cloathing Articles, at such Times, and in such Proportions, as their Wants shall severally require; with this Provision, That each Soldier belonging to the said Regiment, and by this Act directed to be raised, shall have the several Cloathing or other Articles herein before allowed him, at the Time of his being mustered or embarked as aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Regiment shall be in Need of other Articles, not provided for by this Act, (Provisions,

Arms, Tents and Ammunition excepted) it shall be lawful for the Major, or Commanding Officer of said Regiment, to draw on the Commissioners appointed for cloathing and supplying said Regiment with other Necessaries, who are hereby, in their Discretion, impowered to supply the same as aforesaid.

AND BE IT FURTHER ENACTED, That if any Person or Persons within this Colony, shall purchase any of the Cloathing, or other Necessaries, furnished for the Use of the *New-Jersey* Regiment, from any Person or Persons whomsoever; he, she or they so purchasing the same, shall forfeit the Sum of *Five Pounds;* to be recovered by Action, at the Suit, and in the Name of any Person or Persons who shall sue for the said Articles so purchased, and Penalty, in any Court of Record where the same shall be cognizable; and on the Delivery of the said Articles to the said Treasurers, the Person so suing, shall be intituled to the said Penalty.

AND BE IT FURTHER ENACTED, That the Treasurers of this Colony, or either of them, out of the Money aforesaid, shall pay unto the Paymaster aforesaid, or his Order, such Sum and Sums of Money, as shall be sufficient for paying the said Officers and Soldiers, in the Manner following; *(to wit)* To the Major, the Sum of *Fifteen Pounds* per Month; To each Captain, the Sum of *Ten Pounds One Shilling* per Month; To each Lieutenant, the Sum of *Seven Pounds Ten Shillings and Nine-pence* per Month; To each Ensign, the Sum of *Six Pounds Fourteen Shillings* per Month; To the Surgeon, the Sum of *Fifteen Pounds* per Month; To each Serjeant, the Sum of *Two Pounds Fifteen Shillings* per Month; To each Corporal, the Sum of *Two Pounds Five Shillings* per Month; and, To each private Soldier, the Sum of *One Pound Thirteen Shillings and Six-pence* per Month.

AND BE IT FURTHER ENACTED, That the said Paymaster shall keep regular and just Accounts of all Monies by him received and disbursed, in Pursuance of this Act, and shall take Receipts from the respective Persons receiving the same, for all such Money as he shall so disburse; and shall keep the like Accounts, of all such Cloathing and other Necessaries, which upon his entering in the Service, and during the said Campaign, shall be by him received, or, to the best of his Knowledge, in any wise belong to the said Regiment; and also of all Cloathing delivered out, (for which Receipts shall likewise be taken) Imbezzlements, Damages, or Losses happening to accrue; and of all Wages, or Arrearages of Wages, by him retained in Satisfaction thereof; which Accounts and Receipts above-mentioned, he the said Paymaster, shall lay before the House of General Assembly, (when there-unto required) to whom he is to be accountable as aforesaid; and appearing satisfactory, and he also producing a Receipt from the said Treasury, of his having paid the Ballance of the said Accounts, (if any such there be) and deliver the other Articles therein specified to the said Treasurer, shall be sufficient to discharge him the said Paymaster, and his Sureties, of and from the Bond aforesaid, and for every other Branch of Duty enjoined him by this Act; in which case, it shall be lawful for the said House of General Assembly, by Writing from under the Hand of their Speaker, to order the Secretary

aforesaid, to cancel, and deliver the said Bond to the said Paymaster.

AND BE IT FURTHER ENACTED, That it shall be lawful for the said Paymaster, to retain in his Hands, out of the Money aforesaid, as a Compensation for his Service during the said Campaign, *Two per Cent.* on all such Money as shall be by him disbursed in Manner aforesaid.

AND BE IT FURTHER ENACTED, That in case the said Commissioners, or either of them, shall imbezzel or misapply any of the Money by this Act with them entrusted, or after the same, or any Part thereof, shall be converted into Cloathing, or other Stores necessary for the said Regiment, shall give, sell, or imbezzel the same, or any Part thereof, or permit any other Person or Persons so to do, contrary to the true Intent and Meaning of this Act; then the said Commissioner or Commissioners so offending, shall be liable to be prosecuted in any Court of Record in this Colony, where the same shall be cognizable, by the Attorney General; who is hereby authorized, impowered and required, to prosecute such Commissioner or Commissioners, for all such Money, Cloathing, or necessary Stores, so given, sold, or imbezzled as aforesaid; and upon Recovery and Receipt, to pay the same unto one of the Treasurers aforesaid.

AND BE IT FURTHER ENACTED, That each of the said Commissioners, shall procure a Book of clean Paper, for a Journal, fit for entering therein Memorandums daily, of all Things transacted by him, or advised, or requested, concerning his said Office, which he is truly to enter there, and to form regular Accounts of all Monies received and disbursed in Pursuance of this Act; and they shall also take Receipts for all Sums of Money disbursed by them; which Books and Receipts, they are to lay before the House of General Assembly of this Colony for the Time being, to be inspected; which said Books and Receipts, when examined by the General Assembly, to whom they are hereby made accountable, and found just, shall discharge the said Commissioners, from all and every such Sum and Sums of Money as they shall have laid out by Virtue of this Act. And it shall and may be lawful for the said Six Commissioners before named, jointly, to retain in their Hands, out of the Money aforesaid, *Two per Cent.* on all Monies by them advanced for Cloathing and other Necessaries; and *One per Cent.* for mustering and paying the Bounty Money, Levy Money, and Subsistance Money, and divide the Commissions on the Whole equally amongst them, Share and Share alike.

And *Whereas* it is necessary, that the Expence of raising the said Regiment should be provided for, and punctually paid; and it being impracticable to provide for, or discharge the same, otherwise than by issuing Bills of Credit for those Purposes; therefore, BE IT ENACTED, *and it is hereby further Enacted by the Authority aforesaid,* That Bills of Credit, to the Value of *Twenty-five Thousand Pounds,* Money of *America,* according to an Act of Parliament made in the Sixth Year of the Reign of the late Queen ANNE, entitled, *An* Act *for ascertaining the Rates of Foreign Coin in her Majesty's Plantations in* America, shall be immediately printed, made and prepared, as followeth, *viz.*

Nine Hundred and Seventeen Bills, each of the Value of *Six Pounds,* or

Seventeen Ounces Ten Penny-weight of Plate. Two Thousand Eight Hundred and Fifty Bills, each of the Value of *Three Pounds,* or Eight Ounces Fifteen Penny-weight of Plate. Five Thousand Bills, each of the Value of *One Pound Ten Shillings,* or Four Ounces Seven Penny-weight and Twelve Grains of Plate. Three Thousand Five Hundred Bills, each of the Value of *Fifteen Shillings,* or Two Ounces Three Penny-weight and Eighteen Grains of Plate. One Thousand Three Hundred and Seventy-two Bills, each of the Value of *Twelve Shillings,* or One Ounce Fifteen Penny-weight of Plate.

Which Bills shall be indented, and impressed with the Arms of *Great Britain* on the left Side of the said Bills; and there shall be printed near the Top and Botton thereof, the Value of each Bill so made current; and the said Bills shall be in the Form following, *viz.*

THIS Bill by Law shall pass current in *New-Jersey,* for
Ounces Penny-weight, and Grains of Plate.
1764.

Which Bills, when printed, shall be delivered to *John Johnston,* Esq; of the Eastern Division, and *Richard Smith,* Esq; of the Western Division, two of the Signers thereof; who shall, and are hereby directed and impowered, upon the Delivery of the said Bills to them by the Printer thereof, to administer to him, and he is hereby directed and required, to take an Oath to the Purpose following:

I A.B. *do declare, that from the Time the Letters were set, and fit to put in the Press for printing the Bills of Credit now by me delivered to you, until the same Bills were printed, and the Letters unset and put into the Boxes again, I went at no Time out of the Room in which the said Letters were, without locking them up, so as they could not be come at without Violence, a false Key, or other Art unknown to me; and therefore to the best of my Knowledge, no Copies were printed off but in my Presence; and that all the Blotters and other Papers whatsoever, printed by the said Letters, while set for printing the said Bills, to the best of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Arms. And that I have not at any Time been privy or consenting to any other or more Bills being struck, than I now deliver unto you. And that in all Things relating to this Affair, I have demeaned myself according to the true Intent and Meaning of the said Act, to the best of my Knowledge and Understanding.*

Which Printer, at the Time he has Orders to print the said Bills, shall have a Copy of this Oath, that he may govern himself accordingly. *Provided always,* That if any unforseen Accident has happened, he may have the Liberty of making an Exception thereof in his Oath, declaring fully how it was.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills made current by this Act, shall be nearly of the Bigness and Likeness of the Bills of Credit now current in this Colony, and shall be all signed and numbered by the said *John Johnston* and *Richard Smith;* and in case of their or either of their Deaths, or other Disability, by *John Smyth,* Esq; for the Eastern Division, and *Daniel Smith, jun.* Esq; for the Western Division, or one or both of them; and one Half of them shall be delivered to the Treasurer of the Eastern Division of this Colony, to be by him signed, and the other Half to

the Treasurer of the Western Division, to be by him signed: And in case of Refusal or Disability of either of the said Treasurers, then any Three of the Persons nominated in this Act, are to sign the same.

AND in order that the said Bills may be numbered and signed with the less Charge and Risque, and with the more Convenience and Expedition, said Signers are to observe the Directions following, *viz.* First, before the said Signers do receive any of the said Bills, they shall, each of them, take an Oath, or Affirmation if *Quakers,* before a Justice of the Peace, *for the true Signing of the said Bills of Credit, and that they will sign no more than by this Act is directed; and that, to the best of their Skill, they will perform what by this Act they are enjoined as their Duty.* A Certificate of which Oath or Affirmation is to be signed by the Justice, and by the Deponent or Affirmant to be delivered to the Treasurers, with the Bills, when signed by them. Secondly, on receiving the Bills from the Printer, the said Signers shall burn and destroy the Blotters; and they shall divide the fair Bills so received into two equal Parts; and to avoid Confusion, shall agree betwixt themselves, how the Part of each shall be numbered; and the one shall take the Stamps for the Indents, and the other shall take the Stamps for the Arms. Thirdly, each of the said Signers may then carry his Part to his own House, there to be numbered and signed by him with all possible Expedition; which (or such Part as is then absolutely necessary) being done, they shall meet at a Day and Place before by them to be appointed and agreed on, and each deliver the Part numbered and signed by him to the other, in order for him to sign the same; and they shall then, together, burn and destroy the Bills (if any be) over and above the Number hereby appointed to be issued; and in like Manner, shall do, from Time to Time, till all are signed and exchanged. Fourthly, each of the Signers may then carry the Part of the Bills aforesaid, so delivered to him by the other, to their respective Houses, to be signed with all possible Expedition; and when signed, in any Sums, from Time to Time, to be delivered to the Treasurer of the Division where the Signer lives, together with the said Certificate of his having taken an Oath or Affirmation as aforesaid, and the Stamps for the Indents and Arms; taking the Receipts of the respective Treasurers for the Sums so delivered; which, when produced, shall be sufficient to discharge the said Signers respectively, their Heirs, Executors and Administrators, for such Part of the said Bills as the Receipts do express.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers shall, respectively, sign the Bills to them delivered (excepting as aforesaid) and under the Obligation of their Oaths or Affirmation, for the due Execution of their Offices respectively, pay them out according to the Direction of this Act, and no otherwise.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills of Credit to be made and issued by Virtue of this Act, or such Parts thereof as shall remain unsunk, shall be, continue and pass current, until the Year of our Lord One Thousand Seven Hundred and Eighty-three, but shall be received by the Treasurers either in Exchange for other Money, or in any publick Payment, until the End of said Year; and shall be paid and received for the

same Value expressed in and upon each Bill, for Goods and Lands, or any other Things bought and sold, by all Persons whatsoever, being in this Colony, according to their Rates.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, Creditor or Creditors, Obligee or Obligees, any Party or Parties to any Contract, Covenant, Bargain or Agreement whatsoever already made, or hereafter to be made, at any Time during the Currency of the said Bills, shall, upon Tender made before two lawful Witnesses, of all or any their Debts, Dues and Demands whatsoever (provided the said Tender be made of the whole Debt or Demand that is due from any one Person, and not of a Part) in the Bills of Credit made current by this Act, refuse to accept or receive the said Bills of Credit in Discharge of the said Debts, Dues and Demands, according to their Value or Rates, he, she or they, so refusing to accept the said Bills of Credit in Discharge as aforesaid, shall lose the said Debt or Debts, Sum or Sums of Money so refused; and they, and every of them, their, and every of their Heirs, Executors and Administrators, shall for ever be barred from bringing his, her or their Actions, for recovering the said Debt or Debts, Sum or Sums of Money, so refused as aforesaid; and the Defendant may plead this Act in barr to any Action or Actions that shall be so commenced.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever within this Province, shall, during the Currency of the said Bills of Credit, offer to sell, or expose to Sale, any Goods or Chattels, Lands or Tenements whatsoever, and deny, or refuse to sell, or ask a greater Value for the same, unless Payment be made in current Silver Money, Gold, Plate, Dollars, or other Species whatsoever, and not in the said Bills of Credit, (whereby the Credit of the said Bills may be impaired) then and in such Case, the Person so exposing to Sale, and refusing as aforesaid, shall forfeit for every such Offence, the Sum of *Twenty-five Pounds,* to be recovered by Action of Debt, in any Court of Record within this Province, with Costs of Suit; the one Half to such Person as shall sue for and prosecute the same to Effect, the other Half to be paid into the Treasury, and to be applied for the Support of Government.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall presume to counterfeit, or be aiding and assisting in counterfeiting or altering any of the Bills of Credit made current by this Act, so as to make them pass or appear to be of greater Value than they were made current for; or utter or cause to be uttered, any Bill or Bills, knowing the same to be counterfeit or altered as aforesaid, and be thereof legally convicted; he, she or they, shall incur the Pains and Penalties of Felony without Benefit of Clergy, and shall suffer Death accordingly.

AND to the End the Intent of this Act may not be eluded; BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons shall at any Time hereafter, be apprehended or taken into Custody, on Suspicion of having counterfeited any of the Bills of Credit now current in this Province, or which by this Act shall be hereafter made current, in such Case the

Prosecutor on the Part of the Crown, in the Indictment exhibited against the said Person or Persons, shall alledge the Fact or Facts to be done where in Truth the same was done; and if upon the Trial thereof, sufficient Proof doth appear, that the same was done in the Place where it is alledged in such Indictment or Indictments, or in any other Place, the Party or Parties duly convict thereof, shall suffer in such and in the same Manner, as if the same were alledged and proved to have been done in some County of this Province; and the Juries on the Trials of all such Foreign Issues, shall be returned from the Bodies of the County of *Burlington* or *Middlesex,* or one of them; any Law, Usage or Custom, to the contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *Robert Ogden* and *John Hoghland,* Esqrs, or *Thomas Scattergood* and *Abraham Hewlings,* Esqrs, are hereby authorized and directed, to agree with the Printer, for the Price to be paid him for printing the Bills according to the Directions of this Act; and shall be, and are hereby appointed Inspectors of the Press, to take Care that the Printer of the Bills of Credit doth duly perform the Duty hereby enjoined him.

AND BE IT ENACTED *by the Authority aforesaid,* That there shall be paid to the Printer of the said Bills of Credit, such Sum or Sums of Money for printing them, as the said Inspectors, or any two of them, shall certify under their Hands, they had agreed to pay him for that Service. And there shall be paid for inspecting the Press, according to this Act, the Sum of *Ten Pounds.* And there shall be paid to each of the said Signers appointed by this Act, the Sum of *Twenty-five Pounds.* All which Sums of Money shall be paid by the Treasurers of this Colony, or either of them, out of the Money made current by Virtue of this Act, and they shall take proper Receipts for the same; which Receipts, when laid before the General Assembly, shall discharge the said Treasurers, their Heirs, Executors and Administrators, for so much.

AND BE IT ENACTED *by the Authority aforesaid,* That for the better Credit, and effectual Sinking the said Bills of Credit, there shall be assessed, levied, and raised, on the several Inhabitants of this Colony, their Goods and Chattels, Lands and Tenements, the Sum of *Five Thousand Pounds,* in the Year One Thousand Seven Hundred and Eighty-one; and the Sum of *Fifteen Thousand Pounds,* in the Year One Thousand Seven Hundred and Eighty-two; and the Sum of *Five Thousand Pounds,* in the Year One Thousand Seven Hundred and Eighty-three; to be paid in the Proportions following, *(to wit)*

By the County of *Middlesex,* in each of the Years SeventeenHundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Four hundred and fifty-three Pounds, three shillings and six pence three farthings;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Thirteen Hundred and fifty-nine pounds, ten shillings and eight pence farthing.*

By the County of *Monmouth,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Six hundred and fifty-seven pounds, three shillings and four pence half-penny;* and in the Year

Seventeen Hundred and Eighty-two, the Sum of *Nineteen hundred and seventy-one pounds, ten shillings and one penny half-penny.*

By the County of *Essex,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Three hundred and eighty-nine pounds, five shillings and eight pence;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Eleven hundred and sixty-seven pounds, seventeen shillings.*

By the County of *Somerset,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Five hundred and fifty-eight pounds, five shillings and five pence;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Sixteen hundred and seventy-four pounds, sixteen shillings and three pence.*

By the County of *Bergen,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Three hundred and twenty-nine pounds, nine shillings and eleven pence farthing;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Nine hundred and eighty-eight pounds, nine shillings and nine pence three farthings.*

By the County of *Burlington,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Six hundred and twenty-five pounds, one shilling and ten pence three farthings;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Eighteen hundred and seventy-five pounds, five shillings and eight pence one farthing.*

By the County of *Gloucester,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Three hundred and ninety pounds, eighteen shillings half-penny;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Eleven hundred and seventy-two pounds, fourteen shillings and one penny half-penny.*

By the County of *Salem,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Three hundred and forty-nine pounds, five shillings and five pence half-penny;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Ten hundred and forty-seven pounds, sixteen shillings and four pence half-penny.*

By the County of *Cape-May,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Eighty-three pounds, ten shillings and ten pence half-penny;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Two hundred and fifty pounds, twelve shillings and seven pence half-penny.*

By the County of *Hunterdon,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Seven hundred and eight pounds, seventeen shillings and seven pence;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Two thousand one hundred and twenty-six pounds, twelve shillings and nine pence.*

By the Counties of *Morris* and *Sussex,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *Two hundred and seventy-seven pounds, sixteen shillings and four pence;* and in

the Year Seventeen Hundred and Eighty-two, the Sum of *Eight hundred and thirty-three pounds, nine shillings and one farthing.*

By the County of *Cumberland,* in each of the Years Seventeen Hundred and Eighty-one, and Seventeen Hundred and Eighty-three, the Sum of *One hundred and seventy-seven pounds, one shilling and ten pence one farthing;* and in the Year Seventeen Hundred and Eighty-two, the Sum of *Five hundred and thirty-one pounds, five shillings and six pence three farthings.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several Quotas so proportioned, as aforesaid, shall be assessed, raised, levied, collected and paid into the Treasury, in the same Method, Manner, Proportion and Form, and under the same Penalties, Forfeitures and Restrictions, and the several Officers shall receive the same Fees for their Services, as is directed by an Act, entitled, *An* Act *for levying a Fund at different Periods by Provincial Taxes, for sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of Credit, made current for his Majesty's Service in the late War:* And that the said Sums of Money raised yearly, by Virtue of this Act, for three Years, shall be well and truly applied for the sinking the Bills of Credit made current by this Act, and for no other Use; and when the same shall be received by the Treasurers of this Colony, by Virtue of the said Tax, for the said three Years, they shall sink the same agreeable to the Directions of the last mentioned Act.

PROVIDED ALWAYS, *and it is hereby further Enacted and Declared,* That Nothing in this Act shall be carried into Execution, until his Excellency the present Governor, or the Commander in Chief of this Colony for the Time being, the Honourable *Peter Kemble* and *John Stevens,* Esqrs, and *Robert Ogden, John Wetherill, John Hart* and *John Lawrence,* Esqrs; shall be informed, under the Hand of his Majesty's Commander in Chief of *North-America,* or the Commander in Chief of the Colony of *New-York,* for the Time being, that the said Colony of *New-York,* has actually by Law provided for the Raising a Number of Men for the Service intended by this Act, for carrying on an offensive and defensive War against the Indian Enemy, agreeable to his Majesty's Requisition: And when the same shall be to them so certified, they, or any five of them, of which his said Excellency, or the Commander in Chief of this Colony for the Time being, always to be one, shall direct a Number of Men not exceeding Six Hundred, in Proportion to what may be, or is provided by Law, to be raised in the Colony of *New-York,* to be immediately raised in Pursuance to this Act, the Proportion to be the same, as Six Hundred for *New-Jersey* bears to Sixteen Hundred and Twenty for *New-York;* and when they shall have so agreed upon the Number to be raised, they shall order their Agreement to be registered in the Secretary's Office, after which, this Law, and every Article, Matter and Thing therein contained, shall be in full Force and Virtue.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case the Men aforesaid, or any of them, are ordered to be raised as aforesaid, it shall and may be lawful for the Governor, or the Commander in Chief for the Time being, to order such of the Forces of this Colony already on the

Frontiers, as are willing to inlist in the new Regiment, to be disbanded from the said Frontiers; and if the Whole are thought necessary, and his said Excellency, or the Commander in Chief for the Time being, shall think they can be safely spared, it shall be lawful to disband them; and what Number of Men may remain on the Frontiers, if any such are thought necessary, to be always accounted a Part of the Proportion of this Colony, to the common Cause as aforesaid.

Parker (1764) 20:9 & 10, pp. 18-40.

Twentieth Assembly, Eleventh Session

21 May-20 June 1765

Burlington

All acts passed 20 June 1765.

An ACT *for the Support of Government of his Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-five, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-six; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for Supporting the Government of his Majesty's Colony of *New-Jersey,* is expired: We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given, unto his Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for his Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To his Excellency WILLIAM FRANKLIN, Esq; Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of *May* last.

To the Honourable *Frederick Smyth,* Esq; Chief Justice of this Colony, *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To the Honourable *Charles Read,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To the Honourable *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty Pounds per Annum,* Money aforesaid.

To *Joseph Sherwood,* Esq; Agent of this Colony, or to the Agent for the Time being, appointed by the House of Representatives, *One Hundred Pounds per Annum,* Money aforesaid.

To *Joseph Warrell,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Indorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein before-mentioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-six; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorized and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor, as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED, *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent for said Year, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time, in the respective Counties of this Colony, either at the Time appointed, or that hereafter shall be appointed for holding the said Courts, provided there shall be a real Occasion for holding the same, *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the

abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy,* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Goal Delivery, held in any one County during the said one Year, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Goal Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any three Justices of the Peace *(Quorum unus)* of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they shall respectively attend, at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To the Honourable *Frederick Smyth,* Esq; Chief Justice, the Sum of *Eighty Nine Pounds Six Shillings,* in full of his Salary from the Date of his Commission, till the Twenty-first of *May* last.

To the Honourable *Charles Read,* Second Justice of the Supreme Court of this Colony, *Twenty Seven Pounds One Shilling* and *Eight Pence,* in full of his Salary from the Sixth Day of *November* last, to the Twenty-first Day of *May* last.

To *Richard Smith,* one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said one Year; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Journal, copying the Laws and Minutes for the Printer; and to the said *Smith,* the Sum of *Fifteen Pounds* for Pen, Ink, and Paper, and hiring Clerks to forward the Business of this Session.

To the Secretary, for Expresses to this Time, in full of his Account, *Thirty-seven Pounds, Fifteen Shillings and Two-pence.*

To the Secretary, for copying publick Laws to send home to *England,* during the Continuance of this Act, *Four Pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony; and to each of the said Treasurers, *Fifteen Pounds,* for their extraordinary Services.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the

Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, or any other printing, such Sums as *John Johnston, Hendrick Fisher, John Wetherill, John Hoghland, John Ogden, Daniel Doughty* and *John Lawrence,* Esquires, or any Two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem:* And to the Serjeant at Arms who shall attend the House of Representatives, the Sum of *Three shillings per Diem.*

To the Door-keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem.*

To *Samuel Smith,* Esq; to pay *Joseph Sherwood,* Esq; Agent of this Colony, *Thirty Pounds* Sterling per Year, for petty Expences, for each of the Years One Thousand Seven Hundred and Sixty-one, One Thousand Seven Hundred and Sixty-two, One Thousand Seven Hundred and Sixty-three, One Thousand Seven Hundred and Sixty-four, and One Thousand Seven Hundred and Sixty-five; according to the Rate of Exchange at the Time he may remit it; what he has already received thereof, to be reckoned in Part of the same.

ALL which several Sums above-mentioned, shall be and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief, for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers, to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Robert Ogden, Hendrick Fisher, Jacob Spicer, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers, to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Parker (1765), pp. 3-8.

An ACT *to provide for the Pay of the* New-Jersey *Regiment, from the First Day of* November, *One Thousand Seven Hundred and Sixty-four, to the Twentieth Day of* December *following; and for other Purposes therein mentioned.*

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That the Treasurers of this Colony, or either of them, out of the Money in their Hands, made current for his Majesty's Service in the late War, shall pay or cause to be paid unto *Hendrick Fisher,* Esq; who is hereby appointed Commissioner, to pay the Officers and Soldiers of the said Regiment, from the first Day of *November* to the Twentieth Day of *December* following, any and all such Sum and Sums of Money as the said Commissioner shall find necessary for the same, and other Services herein-after mentioned.

AND BE IT ENACTED *by the Authority aforesaid,* That Lieutenant Colonel *William Mac Donald,* shall, and he is hereby required, to make out fair Muster Rolls of the said Regiment under his Command (Officers and Soldiers included) as the same stood on the First Day of *November* aforesaid, with a Note of such as he shall know to be dead, and the Time of their decease, and deliver the said Rolls to the said *Hendrick Fisher;* who shall, on certain Days to be by him prefixed, and which shall be previously advertised in the *New-York* and *Pennsylvania* Gazettes, attend one Day at each of the Places hereafter mentioned; *that is to say,* At *Elizabeth-Town, Bound-Brook,* and *Trenton;* and at each of the said Times and Places, shall proceed to pay to all and singular the said Officers and Soldiers contained in the said Rolls, and who shall attend, the like Sums as by the Act of General Assembly of this Colony, by which the said Regiment was raised, was allowed them for one Month and Twenty Days: And it shall and may be lawful for the said Commissioner, to pay any Order of such Soldier, or any other Person or Persons; provided his or their Order is attested before a Magistrate; or his legal Representative, if dead: And in Case either of said Officers and Soldiers of said Regiment, should by any Means whatsoever, fail of receiving his or their Wages at any of the Times or Places aforesaid; then the said Commissioner shall and may pay them at any other Time he shall see proper or convenient.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the said Commissioner, to pay to *Adam Shaw,* such Sum or Sums as *John Wetherill, Hendrick Fisher, Cortland Skinner* and *John Johnston,* Esquires, or any three of them, shall find to be justly due to him, his Heirs, Executors or Administrators, upon a Settlement of his Account, after deducting what is properly payable by the Administrators of *Thomas Johnson* deceased.

And to *Aaron Mattison,* a Soldier, who fell sick at *Oswego* last Fall, and

was detained on the Road till the Sixteenth Day of *April* last, the Sum of *Nine Pounds Five Shillings*.

And to *John Williams,* a Soldier in the *New-Jersey* Regiment, the Sum of *Five Pounds,* being for Damage he sustained last Fall on Lake *Ontario,* by having his Thumb and Hand crushed between two Battoes.

And to the Reverend *William Tennant,* the Sum of *Three Pounds,* for Trouble and Service in assisting to remove the *Indians* to *Brotherton.*

And to *Lambert Barnes,* the Sum of *Two Pounds seventeen shillings and two-pence,* being for the Use of two Rooms for the Council and Assembly, in the Year One Thousand Seven Hundred and Sixty-two, and Fire-wood and Candles.

And for all such Sums of Money, so paid by him the said Commissioner, it shall and may be lawful for him to retain in his Hands, the Sum of *two per Cent.* for his Trouble and Expence.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Commissioner shall keep a fair Book of Accounts, in which he shall regularly enter all Sums by him received and paid by Virtue hereof, and the same shall lay before the General Assembly of this Colony for the Time being, when thereunto required by him, to whom he is hereby made accountable: And the Receipt or Order of the said *Hendrick Fisher,* or of *John Wetherill,* Esq; shall indemnify the respective Treasurers, their Executors and Administrators. And in Case of the Refusal, Disability or Death of the said *Hendrick Fisher,* then the said *John Wetherill,* Esq; is hereby appointed his Successor as Paymaster of the said Forces, who shall (in Case he succeeds) have all the Powers, and be intituled to the same Rewards, as the said *Hendrick Fisher* is intituled to by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for either of the Treasurers, to pay to the Honourable *John Stevens,* Esq; the Sum of *Sixty Pounds,* for the Use of *William Mac Cracken,* a Soldier late belonging to the *New-Jersey* Regiment, who was taken Prisoner in the late War at Fort *William Henry,* and from thence carried to *France,* who has lately returned to this Province; and the Receipt of the said *John Stevens,* or Order with a Receipt, shall be a sufficient Discharge for either of the Treasurers, for so much Money, when laid before the Assembly of this Province.

PROVIDED ALWAYS, That the Money so to be paid by the Treasurers to the Commissioners aforesaid, for the Pay of the Regiment aforesaid, does not amount to more than the Pay due on the Muster Roll of said Regiment, and Commissions thereon, which is to be produced to the Treasurers, duly signed by the Commanding Officer; and the Treasurer paying the said Money, shall endorse on the said Muster Roll the Sum advanced thereon, with the Time it was paid, and sign the said Endorsement.

Parker (1765), pp. 8-10.

An ACT *to enable the Treasurers of this Colony, or either of them, to receive and pay certain Sums of Money therein mentioned, and give a proper Discharge for the Sum received.*

WHEREAS in apportioning the Quotas of the Parliamentary Donation to the Colonies assisting in the late War, for the Year One Thousand Seven Hundred and Sixty, the Agents of the Province of *Pennsylvania* received the Sum of *One Thousand Seven Hundred and fifty-seven Pounds three shillings* Sterling, which should have been paid to this Province. AND *Whereas,* on being represented to the Legislature of that Province, an Act passed to reimburse the same, amongst others, pursuant to the Agreement of the Agents of the Northern Colonies, in Consequence of General *Amherst's* Return. In order therefore, for receiving and applying it according to the Original Intention of former Acts of this Province, respecting what should have been received of the Parliamentary Donation aforesaid;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Treasurers of this Colony, or either of them, shall be, and hereby is and are authorized and impowered to apply to the Treasurer of the Province of *Pennsylvania,* or any other Person by Law entrusted with the Payment of the said Sum of *One Thousand seven hundred and fifty-seven pounds three shillings* Sterling, and to receive and give a full Discharge for the same, on behalf of this Province, according to the Rate of Exchange between the Cities of *London* and *Philadelphia,* at the Time the Payment may be demanded; and a Receipt, or Order with a Receipt, under the said Treasurers, or either of their Hands, shall at all Times indemnify the Province of *Pennsylvania,* or any Person whatsoever, of and from the same; and when so received, it shall be applied as in and by former Acts of this Province, respecting the Sinking Funds, and his Majesty's Allowance of the Parliamentary Donation, was intended and directed; and the Risque of the Money, and Rewards for receiving and sinking, shall in each Respect be the same as the said former Acts direct, in regard to the Monies in each of them mentioned.

AND *Whereas* it appears by Letter from *Andrew Drummond* and Company, that they have by Mistake, remitted an Overplus, being Interest on Exchequer Tallies, received on Account of the Parliamentary Donation: In order to enable the said Treasurers, or either of them, to reimburse the same: BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurers, and they or either of them, are hereby authorized and directed, out of any Part of the said Parliamentary Donation Money received or to be received, to remit to the said *Andrew Drummond* and Company, their Heirs, Executors, Administrators, or Assigns, the Sum of *Sixty Seven Pounds Sixteen Shillings and Four pence* Sterling, at the common Rate of Exchange, at

the Time when the same shall be so remitted, and charge it in their or either of their Accounts; any Law to the contrary in either Case notwithstanding.

Parker (1765), pp. 11-12.

An ACT *for collecting and securing the Books of Mortgages, formerly kept by the Loan Offices in the several Counties of this Province.*

WHEREAS the several Loan Office Books in this Colony, are not deposited in Places so proper, as their Importance to many Titles in this Province requires.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Clerks of the Inferior Courts of Common Pleas, of each County, shall forthwith collect the Loan Office Books of the County, for which they respectively are Clerks, and them safely keep among the Records of the County in their Hands, for the Use of any Person or Persons who may have Occasion to examine the same; and for searching and giving Exemplifications or Copies thereof, to take such Fees as are allowed to other Clerks or Keepers of Records for like Services; and the Person or Persons in whose Custody the said Loan Office Books now are, are hereby required and enjoined on demand and tender of a Receipt therefor, to deliver the same to the Clerk of the County to which they respectively belong.

Parker (1765), p. 12.

An ACT *for the Relief of Insolvent Debtors.*

WHEREAS Insolvent Debtors, who are willing to deliver up all their Effects to their Creditors, are often prevented from so doing by some of them, to the great Prejudice of the rest, and to the Injury of the Publick:

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That every Debtor who now is, or hereafter shall be in such Circumstances, in Conjunction with the major Part in Value of his or her Creditors, whether the Money be then due, or payable at some future Time or Times, shall, in order to Discharge, present a Petition to the Supreme Court, or to the Judges of the Inferior Court of Common Pleas of the County in which the Debtor shall reside; or in the Vacation to two or more of the Judges of the said Courts, praying, that the said Debtor's Estate may be delivered to one or more such Persons as the said Petitioners, or the Majority of them, shall nominate, to receive and dispose of the same for the Use of all his or her Creditors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, within two Days after the presenting such Petition, shall deliver in Writing, a full and true Account of all his or her Creditors, and the Monies owing to them by the said Debtor; and also a full and true Inventory and Account of all such Debtor's Estate, both real and personal, in Law and Equity; and all Books, Vouchers, and Securities, relating to the same; except the necessary Apparel and Bedding of such Debtor, and of his Wife, and his or her Children, and Tools and Implements of his Trade or Calling; on which the said Judges are hereby required to administer or tender an Oath or Affirmation, to the following Effect:

I A.B. *do solemnly swear, in the Presence of Almighty God* (or being of the People called *Quakers, do solemnly, sincerely and truly declare and affirm) that the Account by me delivered, is a just and true Account of all my Creditors, and the Monies owing, to the best of my Knowledge or Remembrance, by me: And that the Inventory and Account delivered by me, is a just and true Account of all my Estate, real and personal, both in Law and Equity, either in Possession, Reversion, or Remainder; the necessary wearing Apparel of myself and Wife and Children, and the Tools and Implements of my Trade or Calling, excepted: And that I have not, directly or indirectly sold, leased, assigned, or otherwise disposed of or made over, either in Trust for myself or otherwise, except as set forth in the same Account, any Part of my Estate real or personal, for my future Benefit, or in order to defraud my Creditors.* So help me God.

Which Oath or Affirmation being taken by such Debtor, Notice shall be given by the Petitioner or Petitioners, to all the Creditors of such Debtor, by fixing Advertisements in five of the most publick Places of that County where such Debtor lives; and also by advertising the same in one or more of the publick News Papers of *New-York,* if the Debtor lives in *East-Jersey;* but if the Debtor lives in *West-Jersey,* then in one or more of the News Papers in *Pennsylvania,* to be continued at least three Weeks in such Paper, to shew Cause, if any they have, on a Day to be appointed by the Court or Judges, and mentioned in the Advertisement, why an Assignment of the Debtor's Estate should not be made, and the Debtor discharged: At which Day, if no sufficient Cause to the contrary appears, the Court, or any two of the Judges,

shall direct a legal Grant or Assignment of all such Debtor's Estate, both in Law and Equity, to be made by such Debtor, to the Person or Persons nominated by the aforesaid Petitioners; and upon such Debtor's producing a Certificate, under the Hands and Seals of the Assignee or Assignees, executed in the Presence of two Witnesses, that he or she has legally granted, conveyed, assigned, and delivered up, for the Use of the Creditors, all his or her Estate, real and personal, both in Law and Equity, and all the Books, Vouchers, and Securities relating to the same, they shall discharge such Debtor if in Prison, from his Imprisonment; which Discharge, or the Record thereof, in the Minutes of the Court from whence the Process issued, shall be a sufficient Warrant to the Sheriff or Goaler, for setting such Prisoner at large.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, who shall, before the Delivery of the Petition before directed, have become Bail in any Cause, on Account of which he has Reason to think Judgment may be had against him, and shall make Oath or Affirmation as aforesaid, that at the Time he so became Bail, he had a clear Estate, sufficient to answer any Demand that could with any Probability be made upon him as Bail; may add to the Account of the Creditors, and the Monies owing by him, before directed to be given, Account of the Manner of his becoming Bail, and annex such a Sum as he imagines he will be liable to pay on that Account; and then the Assignees shall reserve in their Hands, for the Space of One Year and a Half, such a Dividend as a Creditor for the like Sum would have a Right to receive; and after Judgment obtained against any such Debtor, the Person obtaining the same, shall be considered in every Respect as another Creditor whose Debt was due before the Delivery of the Petition; but if in the Space of One Year and a Half after the Petition is delivered, no Judgment shall be obtained against the Insolvent, the Monies so reserved, shall be divided among the other Creditors, in the same Manner as the rest of the Insolvent's Estate; and the Insolvent shall be discharged from all Obligations as Bail, in the same Manner as if the Sum so annexed to the Account of his Creditors was paid. If Judgment shall be obtained against such Debtor, as Bail for any Sum, within One Year and a Half after the Petition is delivered, and after the Division of his or her Effects, among his or her Creditors, and the said Debtor should have omitted either wholly or in Part, to annex the said Sum to the Account delivered; the Person obtaining such Judgment, shall recover against the said Debtor, either for the Whole, or the Part omitted, as the Case shall happen to be, so much as the other Creditors of the said Debtor ought to have received for a like just Debt, and no more.

AND BE IT FURTHER ENACTED, That all other Persons, who have given Credit to such an Insolvent Debtor on a valuable Consideration, for any Sum of Money, or other Matter or Thing, which is or shall not be due or payable at or before the Time of the Delivery of the Petition, shall and may be admitted and considered as Creditors whose Debts are then due, and shall receive a Dividend of the Insolvent's Estate, in the same Proportion as the

other Creditors, deducting thereout only a Rebate of Interest, at the Rate of *Seven per Cent.* for what shall be received on such Debts; to be computed from the actual Payment thereof, to the Time they would have become due.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That such Assignee or Assignees, shall have full Power and Authority to dispose of all Estates, which shall be assigned to him or them, or which ought by Virtue of this Act to be assigned to him or them, to execute good and sufficient Deeds for the same; to redeem all Mortgages and conditional Contracts, and to recover in his or their own Names, every Thing belonging or appertaining to the Estates real and personal of such Debtor; and shall have full Power and Authority, by and with the Consent of the Petitioners, to refer to Arbitration, settle, compound or agree with any Person indebted to such Debtor, in such a Manner as shall from Time to Time be agreed upon between them; and shall proceed to convert the Estate or Estates of every such Debtor into Money, as soon as conveniently may be, and upon such Credit as the major Part in Value of the Creditors shall direct, and shall within the Space of One Year and a Half, proceed to make a Division of all the Money, which shall come to his or their Hands, of the Estates aforesaid; first giving Three Months Notice of the Time and Place of making such Dividend, by advertising the same in one or more of the publick News-Papers, in Manner as aforesaid: And if the Whole be not then distributed, shall within the Space of One Year thereafter, make a second Division of what Monies may come to his or their Hands after the first Division; and so from Year to Year, till a final Settlement thereof, and a just and equal Distribution of the whole Estate be made.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignees shall at least one Month before a Division be made, appoint a Day by publick Notice, as herein before is directed, for a general Meeting of all such Creditors as shall choose to attend, to examine and ascertain the Debts due to each Creditor; and in Case of any Controversy relating to such Debts, it shall be determined in the following Manner; the Assignees shall nominate two Referrees, not being Creditors of the Insolvent; and the Creditor whose Debt is in Controversy, shall nominate two others; and their Names shall be separately written on Four Pieces of Paper, as nearly of the same Size as possible; which shall be rolled up in the same Manner, and put into a covered Box, and from thence one of the Assignees shall draw out three of the said Pieces of Paper; and the Persons whose Names are so drawn, shall finally settle such Controversy: And if any Referree so appointed, shall refuse, or be incapable of acting in a reasonable Time, a new Choice shall be made in the same Manner; and in Case any such Creditor shall refuse to nominate Referrees on his Part, the Assignees are hereby impowered to nominate them for him.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any such Debtor is or shall be seized of any real Estate in Fee-Tail, in Possession, Reversion, or Remainder, (except the said Estate be so entailed by the King's Majesty, his Predecessors or Successors, and the Reversion

remaining in his Majesty or his Heirs or Successors) that the Assignee or Assignees shall have Power, in order to save the Trouble and Expence of a Common Recovery, to grant, sell and dispose of all such Estates, and make a good Title for the same in Fee Simple, to any Purchaser of the same; and all Persons who do, or shall claim any Right, Title or Interest in and to the said Estate or Estates, by Virtue of such Entail, shall be, and are hereby effectually barred from claiming or recovering the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignee or Assignees shall, immediately after the Assignment, take an Oath or Affirmation as aforesaid, to be administered by the Court, or any one of the Judges, well and faithfully to manage the Insolvent's Estate, and keep and render a true Account of all that shall come to his or their Hands, of the same; and for that Purpose shall keep regular Books of Accounts, to which every Creditor at all reasonable Times, may have Recourse; and for the Care and Trouble incumbent on the Assignees, they shall be allowed out of the Insolvent's Estate, five *per Cent.* on all Sums they shall distribute by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the more full Discovery of the Estate and Effects of such Debtors, the Court or any one of the Judges, at the Request of the Assignees, shall have full Power, and are hereby required, to summon and examine on Oath or Affirmation as aforesaid, the Wife of such Debtor, and every other Person whatsoever, known or suspected to detain any Part of the said Debtor's Estate and Effects, or to be indebted to it; and in Case any Person on such Summons, shall refuse to attend, having no reasonable Excuse, or shall refuse to be sworn, or if a Quaker to affirm; then it shall and may be lawful for the said Court, or any of the Judges, to commit the Person refusing to Goal, till he or she shall submit to be examined concerning what they know relating to such Insolvent's Estate or Effects; and if any such Person shall wilfully or knowingly affirm or swear falsely, the Person so offending, shall be liable to the same Pains and Penalties as those are who are convicted of wilfull and corrupt Perjury.

AND BE IT FURTHER ENACTED, That no Suit in Equity, shall be commenced by any Assignee, without the Consent of the major Part in Value of the Petitioners, at a Meeting held for that Purpose; and if any Creditor shall neglect or refuse to give Notice of, and prove his or her Debt, within one Year and a Half after the Assignment, and a Division of the whole Estate be made; such Creditor shall not be entituled to a Dividend, and the whole Money shall be divided by the Assignees, among the other Creditors; but in Case the Whole of such Debtor's Estate shall not be divided and settled by the Time hereby appointed for the first Division, and such Creditor shall prove his Debt before the Time appointed for a second Division; then such Creditor shall, before a second Division be made among the other Creditors, have his first Dividend, or so much Money as he would have been intituled to on the first Division, had his Debt then been proved; but no Creditor shall be admitted to prove his Debt, in order to intitle himself to a Share in the

Insolvent's Estate, after the second Division; but shall by this Act be debarred from any Share thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Insolvent Debtor, having given up all his or her Estate, and conformed in all Things to the Directions of this Act, shall forever thereafter be discharged from all Debts due at the Time of the Assignment, or contracted for before that Time, tho' payable afterwards, so far as regards the Arresting, Imprisonment or Detention of his or her Person; nor shall any Part of his or her future Estate, Acquirements or Inheritance, be subject or liable to be taken in Execution, or answerable for any of the Debt or Debts aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any such Debtor shall be guilty of Perjury, by concealing any Part of his or her Estate or Effects, or shall, after the Assignment of their Estates by Virtue of this Act, receive any Debt or Debts due to him or her, before, or he or she shall secrete any Part of his or her Estate, or any Book or Writings relating thereto, with an Intent to defraud his or her Creditors; and being thereof legally convicted on Indictment, shall be adjudged guilty of wilful and corrupt Perjury, and suffer accordingly; and shall be totally precluded from all Benefit and Advantage whatever, which he, she or they might otherwise be entituled to by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Debtor is arrested by Process, out of the Supreme Court, and also by Process out of the Inferior Courts; the Petition shall be made to the Justices of the Supreme Court, in Manner aforesaid.

PROVIDED ALWAYS, AND BE IT ENACTED *by the Authority aforesaid,* That Debts due from the Insolvent to his Majesty, his Heirs and Successors, shall be first paid; then those due to this Colony; then Diet whilst in Prison, then all Costs of Suit, Prison and Gaol Fees, and then deducting all such Costs, Charges and Expences, as shall be necessarily laid out and expended by the Assignee or Assignees, together with their Commissions for their Care and Trouble therein, the Residue shall be proportionably divided among the Creditors; in which Division no Preference shall be given to Debts due by Specialty, or on a Judgment; but if there should be an Overplus, after all the Creditors are fully satisfied for all their Demands, it shall be paid by the Assignees to the Debtor, his or her Executors or Administrators.

PROVIDED, That Nothing in this Act contained, shall be construed to deprive Landlords of the Right of distraining or securing their Rents, which by Law they had before the making this Act.

AND BE IT FURTHER ENACTED, That if any Person be sued for any Matter or Thing done by this Act, it shall be lawful for him to plead the General Issue, and give the special Matter in Evidence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for the Justices of the Supreme Court, the Judges of the Inferior Courts of Common Pleas, and the Mayor, or other chief Officer of the Boroughs and Corporations in this Colony, either in their

several Courts, or in the Vacation, upon the Petition of any or either of the Debtors now in actual Gaol in this Colony, to admit such Debtor or Debtors, to the full Benefit of this Act, upon his, her or their taking the Oath or Affirmation herein before prescribed, and giving Notice to his, her or their Creditor or Creditors, of such Petition and Application, as before is directed, and granting and assigning his, her or their Estate to such Assignee or Assignees, as the said Judges, or the major Part in Value of the Creditor or Creditors of such Petitioner, shall choose and appoint; which said Assignee or Assignees, shall take the like Qualification, be intituled to the same Allowance in the same Manner, and be vested with the same Power, and in all Things shall govern and demean him or themselves, as in and by this Act before is declared and directed; and such Petitioner or Petitioners, shall be intituled to the like Discharge, and subject to the Pains and Penalties, as other Insolvent Debtors in and by this Act are intituled and subjected to.

AND to prevent the Fugitives of the neighbouring Colonies from taking undue Advantage of this Act; BE IT FURTHER ENACTED, That no Debtor, coming out of any of the neighbouring Colonies into this Colony, shall be intituled to the Advantages of this Act, unless or until such Debtor shall have resided publickly and openly in this Colony one full Year, free from Arrest, or upon being arrested within the said Year by Plaintiffs not resident in this Colony, such Plaintiff or Plaintiffs shall refuse to pay such Allowance to such Defendant or Defendants, as the Court shall adjudge; in either of which Cases, he or she shall be intituled to the Advantage of this Law; yet nevertheless, if such Debtor was born in this Province, or at any Time before the passing this Act, hath been a Resident in this Colony, such returning Person, shall have the same Advantage of it, as if they had never been removed out of the Colony.

AND BE IT ENACTED *by the Authority aforesaid,* That no Person or Persons whatsoever, who upon being arrested, hath made, or hereafter shall make, his, her or their Escape from any Sheriff or Gaoler in this Colony, (for which Escape the said Sheriff or Gaoler shall be liable) shall have, or be intituled unto any Advantage or Benefit of this Act, until the Creditor or Creditors, at whose Suit or Suits he, she or they were so arrested, shall under his, her or their Hands, release to such Sheriff or Gaoler all Cause of Action therefor.

PROVIDED ALWAYS, That no single Person or Persons, able of Body, and under the Age of Thirty-five Years, shall be intituled to the Benefit of this Act; unless he, she or they shall signify their Willingness to make Satisfaction by Servitude; in which Case it shall and may be lawful for the Court or Courts aforesaid, to adjudge such Debtor or Debtors, to render Satisfaction by Servitude, for the Debt or Debts, or any Part thereof, due to the said Creditor or Creditors, and cause such Prisoner or Prisoners to bind him or themselves to be Servants, by Indenture accordingly, to serve for such Time as the said Court or Courts shall adjudge to be reasonable, not exceeding Seven Years, to the Assignees to be appointed by the Court as aforesaid, and to be by them sold and assigned for the Use of such Creditor

or Creditors; in which Case such Prisoner or Prisoners shall and may be released and discharged from his, her or their Imprisonment; and the Body of such Person shall be free from Arrests in Civil Actions, during the Time of such Service expressed in the Indenture.

PROVIDED ALWAYS, That this Act shall be and continue in Force for the Term of Ten Years; and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1765), pp. 13-21.

An ACT *to revive and amend an Act,* entitled, *An Act to raise a Fund for defraying Damages done by Dogs in the Province of* New-Jersey.

WHEREAS many of the Inhabitants within the Province of *New-Jersey,* have sustained great Losses, occasioned by Dogs killing Sheep, without being able to obtain Redress: AND *Whereas* the said Act, passed in the Third Year of his present Majesty's Reign, is expired by it's own Limitation: To revive which, and to remedy the Evil complained of, and to make a more equitable Distribution of the Monies raised by said Act;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Town Collectors, chosen in each respective City, Town or Precinct, within this Province, once in every Year, between the first of *April* and the first of *December,* during the Continuance of this Act, to demand and receive of and from all Persons having the Property in, or keeping any Dog, above the Age of three Months, of what Size or Kind soever, the Sum of *One Shilling* for each Dog; and if there should be more than one Dog kept by any one Person or Family, then the Sum of *Two Shillings* for every other Dog kept as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, having Property in, or keeping any Dog, above the Age aforesaid, of what Size or Kind soever, shall neglect or refuse to pay unto the Collector or Collectors of the respective Cities, Towns or Precincts, the Sum or Sums as above-fixed, Ten Days after the same is demanded; it shall and may be lawful for the Collector or Collectors aforesaid, to apply to any one Justice of the Peace of the County; who is hereby required to grant a Warrant, directed to the Constable of the City, Town or Precinct where the

Offender dwells, and to make Distress and Sale of said Offender's Goods and Chattels, at a publick Vendue, returning the Overplus, after Payment of the said Sum due and Charges accrued, to the Owner; and if any Person or Persons shall deny, that he, she or they, have Property in, or keep any Dog, and the Collector hath Reason to believe the contrary; it shall and may be lawful for him, and he is hereby commanded, to make a List of the Names of the Persons so offending, or supposed to have offended, and deliver the same to some one Justice of the Peace of the respective County; who is hereby authorized and impowered, directed and required to summon such Person or Persons so delinquent, or supposed so to be, at a Day and Place by him prefixed, and there to examine such Person or Persons touching the said Complaint, and if on such Examination, it shall appear to be true, the said Justice shall give Judgment, and grant Execution, for the Sum of *Twenty Shillings* for every Dog so concealed or denied, belonging to, or continuing at the House of the said Party or Parties ten Days next before the Demand of said Tax, with Costs; which Money shall be applied to the same Uses as the Tax raised by Virtue of this Act; but in Case the Collector of the Tax aforesaid, shall fail in proving his Complaint aforesaid, no Costs or Charges shall be awarded against him.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Person or Persons within this Province, shall have sustained Damages by Dogs of any Kind, Age or Size, (except their own) killing his, her or their Sheep, it shall and may be lawful for him, her or them, to call in two adjacent Freeholders of Credit, who are hereby impowered to view the Sheep so killed or hurt; and if it shall appear, upon positive or circumstantial Proof to their Satisfaction, that they were killed by Dogs only; then the said Freeholders shall certify the same, with the true and real Value of the Sheep or Damages sustained, and the Number killed or hurt, under their Hands.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever Sheep within this Colony shall hereafter be killed or hurt by any Dog, and it can be proved whose Dog it was that did the Mischief, if the Owner or Possessor of such Dog shall neglect or refuse to kill the same, one Day after such Proof being made, or make Satisfaction to the Person or Persons injured, after Demand made; it shall and may be lawful for the Person or Persons so injured, to get the Value of the Sheep, or the Damages, certified by two credible Freeholders as aforesaid, and commence his, her or their Action or Actions against the Owner or Possessor of such Dog, before any Magistrate, if under *Six Pounds,* and if above *Six Pounds,* in any Court of Record within this Colony, and recover the same, with Costs of Suit; but if the said Owner shall kill his Dog, then the Party aggrieved shall be intituled to Pay as in other Cases.

AND BE IT FURTHER ENACTED, That if any Person or Persons shall find any Dog killing or worrying his, her or their Sheep, or other Creatures, within their own Inclosures, it shall and may be lawful for them immediately to kill the same on their own Premises; and if it can be prov'd by any disinterested Evidence, that such Dog was ever before concern'd in

killing of Sheep, or other Creatures, as aforesaid, and the same came to the Knowledge of the Owner or Possessor thereof; then, and in such Case, it shall and may be lawful for the Person or Persons injured, to get the Value of the Sheep or Damages certified as above, and commence his, her or their Action, for the Recovery thereof, as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Collector or Collectors of each respective City, Town or Precinct within this Colony, shall keep a Book, and therein enter the Names of every Person in his or their several Districts keeping Dogs, and the Number, with the Tax or Sums collected by Virtue of this Act; which Money the said Collectors shall retain in their Hands, until the Town Meeting, held on the second *Tuesday* in *March*, in each Year; at which Time and Place, each and every Person having Certificates as aforesaid, shall produce them, in order to be paid off by the several Collectors, who are hereby commanded to attend for the Purpose; but they or any of them, should not have Money sufficient to pay the Whole, on such Case they shall be paid in Proportion to the several Sums specified; all which Certificates shall be endorsed, expressing the Sums received thereon, and signed by the Person receiving the same; which Certificates and Books aforesaid, shall be laid before the said Town Meeting, in order to be settled and adjusted by said Meeting; and if there shall appear to be a Ballance, or Overplus Money, in the Hands of said Collector or Collectors, the same, with the Book and Certificates, shall be delivered into the Hands of his or their Successor in Office; and Overplus Money applied towards repairing the publick Roads and such Bridges as may be repaired by Day Labour, in the respective Cities and Townships wherein the same is raised, or so much as may be necessary for the Purposes aforesaid; to be drawn out of the said Collector's Hands by any one or more of the Overseers of the Highways of said City, Township or Precinct in which the Money is to be applied; for which Monies so received, the Overseer or Overseers shall give a Receipt, apply the same for the Uses and Purposes aforesaid, and render a just and true Account of his or their Disbursements to the next Town Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Collector or Collectors of each respective City, Town, or Precinct, within this Colony, shall retain and keep in his or their Hands, *Two Shillings* in the Pound, for all Sums by them collected and paid, in Pursuance of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Collectors of any of the Cities, Towns or Precincts within this Colony, shall neglect or refuse to collect the Taxes aforesaid, and do what is further enjoined them by this Act, he or they so offending shall forfeit and pay the Sum of *Six Pounds,* and be subject to all Damages; to be recovered by Action of Debt, before any Magistrate of this Province, with Costs of Suit, by any Person or Persons who will prosecute the same to Effect; one Half to the Prosecutor, and the other Half to be applied to the Uses aforesaid.

AND BE IT ENACTED, That this Act shall continue in Force for the

Space of Five Years, from the Publication thereof, and from thence to the End of the next Session of General Assembly.

Parker (1765), pp. 21-24.

An ACT *to explain and amend an Act, entitled,* A Supplementary *Act* to the Act, *entitled,* An *Act* to regulate the Size of Traps, *&c. and to prohibit the Watching with a Gun in the Night Time, and other Purposes therein mentioned.*

WHEREAS in and by the Act of the General Assembly of this Province, passed in the Fourth Year of his present Majesty's Reign, entitled, *A Supplementary* Act *to the Act,* entitled, *An* Act *for regulating the Size of Traps to be hereafter set in this Colony;* it is not expressed in what Manner the Fines and Penalties thereby inflicted, shall be applied; and no proper Restraint being laid on Persons residing in the Neighbouring Governments, from carrying Guns, hunting and killing Deer, and other Game, in this Colony, to the great Damage of the Freeholders and other Inhabitants thereof. AND *Whereas* the Practice of watching for Deer in the Night, is highly dangerous, and Accidents are frequently occasioned thereby; for remedying whereof,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That if any Person or Persons shall presume to carry a Gun, or hunt for Deer, or any other Game, contrary to the true Intent and Meaning of the Fourth Section of an Act, entitled, *An* Act *to prevent the killing Deer out of Season,* &c. passed in the Eighth Year of the Reign of his late Majesty King GEORGE the First; he or they so offending, if Residents in this Colony, shall forfeit and pay the Sum of *Thirty Shillings,* over and above the Penalties in the said Section expressed; and if not Residents as aforesaid, the Sum of *Five Pounds* for every such Offence, with the Forfeiture of his or their Gun or Guns, to any Person or Persons, who shall inform and prosecute the same to Effect.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, within this Colony, shall, after the Publication of this Act, watch with a Gun on any uninclosed Land, within Two Hundred Yards of any Road or Path, in the Night Time; he or they so offending, shall forfeit

and pay the Sum of *Five Pounds* for every such Offence, with double Damage to any Person or Persons aggrieved thereby.

AND BE IT ENACTED *by the Authority aforesaid,* That the Fines and Forfeitures imposed by an Act, entitled, *A Supplementary* Act *to the Act, entitled, An Act* for regulating the Size of Traps to be hereafter set in this Colony, shall be recovered and applied as is directed and provided in and by the aforesaid Act, entitled, *An* Act *to prevent the killing of Deer out of Season,* &c. passed in the Eighth Year of the Reign [of] his late Majesty King GEORGE the First.

PROVIDED ALWAYS, That it shall and may be lawful for the Owner or Proprietor of the Land, whereon the above Penalty in the second Section of this Act is incurred, or mentioned to be incurred, to remit the same if he shall think proper, and that this Act shall not continue in Force longer than the said Supplementary Act.

AND BE IT ENACTED, That the several Courts of General Quarter Sessions of the Peace within this Colony, shall order this Act to be read in the said Courts, twice in every Year during the Continuance of this Act.

AND *Whereas* the Reward for killing Wolves in the County of *Sussex* is too high; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That hereafter there shall not be paid in the said County of *Sussex,* but *Twenty Shillings* for killing a grown Wolf or Panther, and *Ten Shillings* for killing a Whelp of either Species that cannot prey; any Law, Custom or Usage to the contrary hereof, in any wise notwithstanding.

Parker (1765), pp. 25-26.

An ACT *to alter so much of the Road leading from* Elizabeth-Town, *to the Point commonly called* Elizabeth-Town Point, *as goes through the Tract called the Point Tract, and laying out a strait Road through the same.*

WHEREAS *John Stevens,* Esq; in Behalf of himself and others, the Proprietors of the Tract of Land commonly called the Point Tract, hath by his Petition set forth, that the Six Rod Road through this Colony to *Elizabeth-Town Point,* passes through the Tract aforesaid; that a considerable Bend or Elbow is made in the said Road, from its Entrance into the Tract aforesaid, whereby the Length of the said Road is unnecessarily increased and inconvenient, as well to the Inhabitants of this Colony, as the Proprietors of

the said Tract; that the said Proprietors of said Tract, are desirous to make the said Road strait, and have erected a good and substantial Bridge on the proposed strait Road; and therefore praying a Law for altering so much of the said Six Rod Road, as passes through the Tract aforesaid, and laying a strait Road of Six Rods wide, from the North Side of the Point House over the Bridge aforesaid, to the Place where the Road from *Elizabeth-Town* enters the Tract aforesaid which being conceived reasonable and of Advantage; as well to the Inhabitants who are bound to repair and amend the same, as to those who use and travel upon the said Road.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the said *John Stevens,* and the Proprietors of the said Tract, and they are hereby impowered to shut up the Road as it now goes through the Tract aforesaid, which said Road is hereby vacated, and to open and lay out a strait and direct Road of Six Rods wide, from the North Side of the Point House, over the Bridge aforesaid, to the Place where the Road from *Elizabeth-Town* enters the Tract aforesaid; which Road so laid out, is hereby declared to be a publick Highway, to all Constructions and Purposes whatsoever, and shall be repaired and amended from Time to Time, in the same Manner and Form, as that Part of the Road hereby vacated has heretofore been, and other publick Roads now are, by the Laws of this Province repaired and amended.

Parker (1765), pp. 26-27.

An ACT *to repair the publick Roads in the Township of* Chesterfield, *in the County of* Burlington, *by a Tax on the Inhabitants of the same.*

WHEREAS sundry of the Freeholders in the Township of *Chesterfield,* have by their Petition set forth, that they apprehended the present Mode of repairing the publick Highways is very unequal, and more expensive than it would be if repaired by a Tax: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all publick Roads or Highways now laid out, or hereafter to be laid out, within the said Township, shall be repaired, amended, cleared out, and kept in good Order,

by a Rate and Assessment to be made from Time to Time, as Occasion may require, upon the Goods and Chattels, Lands and Tenements of the Inhabitants of the said Township of *Chesterfield;* and the said Inhabitants at their annual Town Meetings, shall choose a Supervisor, in the usual Manner, who shall be under Oath or Affirmation for the faithful Performance of his Office; and shall be allowed the Sum of *Four Shillings* per Day, and have full power to hire Labourers as often as the said publick Roads may necessarily require; and the said Supervisor shall settle his Accounts, either before one Justice of the Peace for the County of *Burlington,* or on the Day of the said annual Town Meeting, before a Committee of the same; and shall pay the Money remaining in his Hands, if any be, to his Successor in Office; and the Assessor and Collector, which are to be chosen at their annual Town Meeting, by Virtue of former Laws, shall assess and collect all such Money as may be wanted for the Purposes abovesaid; and the said Collector within Thirty Days after he hath received the Duplicate or Assessment, shall pay the Money so raised, to the said Supervisor, for the Purposes aforesaid, and take his Receipt for the same; and in Case the said Assessor shall at any Time within the Space of Thirty Days after his taking the Rateables, have Reason to believe or suspect, that any Person or Persons have concealed, or not given in a full Account of their Estates real and personal, or shall neglect or refuse to pay his, her or their Tax; then and in such Case, it shall be lawful for the said Assessor, and he is hereby commanded, to proceed against such Person or Persons, as is directed in the Sinking Fund Acts; and in Case the said Supervisor shall neglect or refuse to do his Duty herein enjoined, or shall remove or refuse to take upon him the said Office, then he shall suffer the same Pains and Penalties, and another chosen in his Room, as is directed by an Act, entitled, *An* Act *for regulating Roads and Bridges;* and if the said Assessor or Collector shall neglect or refuse to take upon him or them, the Office or Offices herein required, they shall be subject to the same Pains and Penalties, and be intituled to the same Rewards, as is directed in the said Sinking Fund Acts.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when and as often as the said Supervisor, shall want Money for the Purposes aforesaid, he shall lay his Accounts before one or more Justice or Justices for the County aforesaid; and if it appears such Money should be wanted, the said Justice or Justices are hereby commanded to issue his or their Order in Writing, to the said Assessor, who shall assess the said Money as is directed by this Law, within Thirty Days after receiving said Order.

This Act to take Effect the second *Tuesday* in *March* next, and shall continue and be in Force for Two Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1765), pp. 27-29.

An ACT *appointing Commissioners to take Care of, and Let the Barracks erected in this Colony of* New-Jersey, *at such Times as the same shall not be needed for the Use of Soldiers; and to sell such Articles therein contained as are perishable, and have been purchased at the Expence of the said Colony.*

WHEREAS the Barracks erected in this Colony during the late War, with the Articles therein contained, cease to be constantly needed for the Use of Soldiers; hence it is expedient, that the said Barracks should not only be kept in repair, and let to Rent, but that the perishable Articles therein contained should be sold, and the neat Proceeds of the Money ariing by such Rents and Sales, deposited in the Treasury for publick Use, and that Commissioners be appointed for the Purposes aforesaid; Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That *John Hoskins, Daniel Ellis, William Cleayton, Abraham Hunt, Hendrick Fisher, Reuben Runnion, Samuel Sarjeant, Thomas Skinner, junior, Robert Ogden* and *John Blanchard,* be, and they are hereby appointed Commissioners for the Barracks erected within this Colony, that is to say, *John Hoskins* and *Daniel Ellis,* for the Barracks at *Burlington; William Cleayton* and *Abraham Hunt,* for the Barracks at *Trenton; Hendrick Fisher* and *Reuben Runnion,* for the Barracks at *New-Brunswick; Samuel Sarjeant* and *Thomas Skinner, junior,* for the Barracks at *Perth-Amboy,* and *Robert Ogden* and *John Blanchard,* for the Barracks at *Elizabeth-Town.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place aforesaid, for which they are appointed Commissioners as aforesaid, and they and the Survivors of them, are hereby impowered and required, to sell at publick Vendue, after Ten Days Notice by Advertisements fixed up in Three noted Places at least in the County, all such Furniture (Ladders and Buckets excepted) as is perishable, and hath been purchased at the Expence of this Colony, for the Use of the said Barracks; as also to take Care of and keep the same, with the Inclosure thereunto appertaining, in good Repair; always first laying before the Governor or Commander in Chief, an Account of what Repairs are necessary, with an Estimate of the Cost thereof, and having his Approbation before any such Repairs are made; and to lease out and let to Rent the said Barracks, with the Lands thereto appertaining, (at such Times when the same shall not be needed for the Use of Soldiers) for the most the said Barracks and Lands will yield, and to receive the Rents, Issues and Profits thereof; and in Case the same or any Part of such Rents, Issues and Profits shall remain in Arrear, and not paid, to distrain for the same in the same Manner, and take such other Methods for Recovery of the same, as Landlords and Owners of Tenements legally may do; and on Receipt

thereof, to grant sufficient Discharges for the same, observing always in the Leases they shall give for the Premises, to reserve a Rent at the Rate of a Yearly or Quarterly Sum, without fixing any Time certain for the Lessee to occupy the said Premises, other than until the same shall be needed for the Use of Soldiers; and to the End they shall not be deprived of such Use, a Covenant shall be inserted in each respective Lease, purporting, that the Lessee or Lessees shall depart the said Premises immediately, on Notice given by the Govenor or Commander in Chief of this Colony, or by either or any of the said Commissioners, of such Departure.

AND *Whereas* the Barracks aforesaid, with the Inclosures thereunto appertaining, do at present need some Repairs; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That such of the said Barracks, and the Inclosures thereunto appertaining, as may at present need any Repair, shall (in a convenient Time after the Publication of this Act) be sufficiently repaired, with the Approbation of the Governor or Commander in Chief, and the Charges accruing thereby shall be defrayed out of the Money arising by the Sale of the Barrack Furniture herein before ordered to be sold, and out of the said Money also, the said Commissioners shall and may retain *Five per Cent.* as Commissions for their Trouble of selling the said Furniture, and making the Repairs aforesaid; and the Residue of the said Money then remaining, shall pay to the Treasurers of this Colony, or either of them, for publick Use, to be disposed of as the Legislature shall hereafter direct; and the Commissioners are hereby made accountable in like Manner as the Commissioners heretofore appointed.

AND *Whereas* the said Barracks and Inclosures thereunto appertaining, after repaired in the Manner aforesaid, will not only require Care and Oversight, but may likewise need further Repairs; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at the several and respective Places aforesaid, for which they are appointed Commissioners; and they and such Survivors, are hereby authorized and required, out of the Money arising by the Rents, Issues and Profits of the said Barracks and Lands thereunto appertaining, to repair the said Barracks and Inclosures belonging to the same, from Time to Time as Occasion shall require, the Governor or Commander in Chief approving as aforesaid; and out of the said Money shall and may also retain in the Hands of each of them the said Commissioners, the Sum of *Ten Pounds* per Anum, as a yearly Compensation for their Trouble, in performing the Service required by this Act; and if then any of the said Money shall remain in their Hands, the same shall be paid and accounted for in Manner aforesaid; but in Case no such Money should so remain in their Hands, they shall notwithstanding lay just and true Accounts of all Receipts and Distributions before the House of General Assembly, that Provision may be made accordingly.

AND *Whereas* by two former Laws of this Colony, the Barracks and Inclosures aforesaid, were in one Instance placed under the Care of the two principal Magistrates and the two chosen Freeholders of the Places where the

said Barracks and Inclosures are erected, and in the other Instance, they were placed under the Care of certain Persons named and appointed in Quality of Barrack Masters, for the Care and Oversight thereof; therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Persons in and by this Act appointed, shall in all Cases take upon them the Care and Oversight of the said Barracks and Inclosures, and perform all the Trusts and Services required by this Act; any Thing in either of the above recited Acts to the Contrary thereof, in any wise notwithstanding.

AND if it hereafter appears, that any Damage should be done to the neighbouring Grounds of the said Barracks, for Want of the Part of the Fences belonging to them being kept in Repair; BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners for the Barracks respectively to which they are named, shall be liable to pay any Damages their or either of their Neglect may occasion as aforesaid, if it can be proved that they had sufficient Money in their Hands arising from the said Barracks to have prevented the same.

Parker (1765), pp. 29-32.

A Supplement to an Act passed in the First Year of King GEORGE *the Third, intitled, An* Act *for building and maintaining a Bridge over* Cooper*'s Creek, and rebuilding and maintaining other Bridges on the great Roads from* Burlington *County to* Coopers *Ferries; and for keeping the new Road from* Burlington *to the said Ferries in Repair.*

WHEREAS the Commissioners in the above Act named, have not laid out that Part of the new Road from *Burlington* County to *Cooper*'s Ferries, which begins at the End of the Causeway adjoining the Bridge over *Cooper*'s Creek, and from thence leads to the said Ferries; for enabling them to compleat the same and keep it in Repair,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Commissioners in the above Act named, or any three of them, shall be impowered, at their Discretion, to lay out that Part of the Road from the End of the Causeway adjoining the Bridge over *Cooper*'s Creek, unto *Cooper*'s Ferries, in two different Branches, so

as to accommodate them both in the best Manner the Nature of the Ground and their Situation will permit, of the same Width as the other Part of the new Road from *Burlington* to the said Ferries is already laid out by Law. And the said Commissioners, or any One of them, or any One of their Successors in Office, shall and may from time to time, and at all Times hereafter, notify to the Overseers of the Highways in the Township of *Newtown,* any Obstruction or Defect in the Road or Roads to be laid out by Virtue of this Act; and the said Overseers are hereby required forthwith to summon the Inhabitants of the said Township, to amend and perfect the said Road; and on Failure of their or any of their performing the same, according to the true Intent and Meaning of this Act, they shall be subject to the Penalties for not repairing Roads by other Acts of this Colony in such Cases provided.

AND *Whereas* by the Act first mentioned, the Commissioners aforesaid were to put up painted Hands with Inscriptions at convenient Places, for the Direction of Passengers, in Consequence of which they have prepared several such: In order to enable them to prepare sufficient for the whole Roads by this and former Acts under their Care, BE IT ENACTED *by the Authority aforesaid,* That the said Commissioners or any of them, shall prepare and set up Directions as aforesaid, and keep them up and in Repair, and retain the Expence at first and from time to time accruing, out of the Funds raised on Account of the Bridges in the said Act mentioned.

AND *Whereas* the Road from *Cooper's* Ferries to *Mount-Holly,* needs the Care and Oversight of some Body to keep it in due Order; BE IT ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, and their Successors aforesaid, shall from time to time, and at all Times hereafter, have the Care of the said Road, and are hereby impowered to have it kept in complete Repair, by the Overseers of the Highways of the Townships through which it passes; and upon their or any of their Neglect, after Notice given them by any one of the said Commissioners or their Successors, they shall be liable to the same Penalties, as in and by other Acts of this Colony is provided in Cases of such Neglects: And the said Commissioners shall particularly see, that all the Bridges on all the Roads under their Care, have Rails fixed and constantly kept up, (except *Pensawken* Bridge, *Cooper's* Creek Bridge, the new Bridge over *Ancocas,* and the Bridge at *Mount-Holly,* the same being already provided for by Law in another Manner) at the Expence of the Townships in which they lie, or by the Owners of Mills for whose Use any Bridge or Bridges may be erected.

Parker (1765), pp. 32-33.

An ACT *for preventing Frauds by Mortgages which shall be made and executed after the First Day of* January, *One Thousand Seven Hundred and Sixty-six.*

WHEREAS Frauds and Abuses have been, and more may be committed, as well by Persons mortgaging their Lands, Tenements and real Estate, and afterwards selling the same to other Persons who were ignorant of such Mortgages, as by Persons mortgaging the same Lands or Tenements several Times, without giving Notice to the latter Mortgagees of the former Mortgage or Mortgages, whereby Persons have been and may be defrauded of great Sums of Money: For preventing those Evils for the future,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That immediately from and after the Publication hereof, each and of every the Clerks of the several Counties within this Province, shall provide a fit and proper Book, bound and lettered, for the registring of all Mortgages of Lands, Tenements and real Estate, lying within their respective Counties, which shall be hereafter made and executed; in which Register shall be entered an Abstract by them taken from the Mortgage Deed, containing the Description and Boundaries of the Lands mortgaged, the Names of the Mortgagors and Mortgagees, and the Dates of the respective Mortgages, the Principal Money expressed in the Mortgage Deed, and the Time and Times when payable; and the said Clerk shall also enter and endorse on the Mortgage, the Time when the same was brought to him to register and record, and when he recorded it; to which Register, all Persons whatsoever, at proper Seasons may have Recourse and Search; and for which the said Clerks shall have and receive the Sum of *Three Shillings* for each Abstract of the Mortgage or Mortgages so entered, and *Nine Pence* for every Search.

PROVIDED ALWAYS, That before any such Mortgage or Mortgages shall be so entered in any such Register, the same shall be either acknowledged by the Party or Parties that executed the same, or proved by One or more of the Witnesses thereto, upon Oath or Affirmation, either before One of his Majesty's Council of this Province, or One of the Justices of the Supreme Court, or One of the Judges of the Court of Common Pleas.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall, after the First Day of *January,* One Thousand Seven Hundred and Sixty-six, mortgage any Lands, Tenements or real Estate whatsoever, within this Colony, to Two or more Persons at different Times, and any Doubt or Dispute shall arise about the Priority of such Mortgages; that then and in such Case, the Mortgage as aforesaid first brought to the Clerk's Office, and entered on the Register in Manner before directed, shall be deemed and taken, and is hereby declared and shall be adjudged by all Courts of Law and Equity within this Province, to intitle the Mortgage Deed from which the said Abstract is made to all the Advantages

of Priority, and the Money thereby secured, shall be esteemed the First in Order of Payment; any Law, Usage or Custom to the contrary notwithstanding. And every Clerk, or his Deputy, upon receiving any such Mortgage Deed, shall immediately enter the Abstract of the same in the Register, or indorse the Time of his receiving it, in Presence of the Person bringing it, and if desired give him or her a Receipt, expressing the same, for which the Person requesting it shall pay *Six Pence*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if two Mortgages as aforesaid, executed by the same Mortgagor or Mortgagors, shall come to the Hands, or be tendered to any of the Clerks or their Deputies, at one and the same Time, the said Clerks or their Deputies shall first record and enter the Abstract of such Mortgage Deed, whose true Date and Execution appears to be prior: And if two such Mortgage Deeds as aforesaid, executed by the same Mortgagor or Mortgagors, shall in One and the same Day come to the Hands of any of the Clerks, or their Deputies, in order to be recorded, the Mortgage Deed whose true Date and Execution is prior, shall have the Preference, and the Money thereby secured, shall be esteemed the First in Order of Payment, notwithstanding the same may be last recorded or registered.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever any Mortgage or Mortgages, so entered as aforesaid, shall be redeemed, paid off and discharged, the Clerks of the respective Counties, or their Deputies, on Application to them made, by the Mortgagor or Persons redeeming, paying off and discharging such Mortgages, or by the Mortgagors producing a Receipt upon the Mortgage, or the said Mortgage cancelled, to the respective Clerks of the respective Counties, signed by the Mortgagee or Mortgagees, his, her or their Executors, Administrators or Assigns, shall, and they are hereby required to enter in a Margin to be left for that Purpose, opposite to the said Abstract, in the aforesaid Register of Mortgages, a Minute of the said Discharge or Discharges; which Minute so entered as aforesaid, shall be deemed and taken to be, and is hereby declared to be a full, perfect and absolute Bar and Discharge of the said Entry and Mortgage, to all Intents, Constructions and Purposes whatsoever; for which Entry the respective Clerks shall have and receive the Sum of *One Shilling,* and no more. All which Charges and Expences accruing by this Act, shall be paid by the Mortgagor or Mortgagors. And in Case any Clerk of the Peace in this Colony, shall give an unlawful Preference, or not duly perform his Part of the Trust enjoined him by this Act, he shall be liable to all Damages accrued thereby; to be recovered in any Court of Record where the same may be cognizable, with Costs of Suit, by the Person or Persons aggrieved.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Clerks of the Peace, for the respective Cities and Counties of this Province, shall publickly read this Act, in the respective Courts of Sessions of the Peace, in open Court, at three succeeding Sessions of the Peace, after the Publication of this Act, in each respective City and County in this Colony.

PROVIDED ALWAYS, That this Act shall be and continue in Force

for the Space of Five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1765), pp. 34-36.

An ACT *for granting a Bounty upon the raising of Flax and Hemp, and planting of Mulberry Trees in this Colony for raising of Raw Silk.*

WHEREAS the Parliament of *Great-Britain* hath thought it necessary to grant a Bounty on the Importation of Hemp, and rough or undressed Flax, into *Great-Britain* from the Colonies. AND *Whereas* the cultivating Mulberry Trees, will not only enable the Inhabitants of this Colony to go into the making of Raw Silk, for which the Climate and Situation of the Colony are naturally adapted; which in Time it is expected may become a very valuable Article of Remittance to *Great-Britain;* but also great Advantages will arise to the Inhabitants from the Value of Mulberry Timber, which is found by Experience to be not only durable, but very fit for Ship and Boat building: AND *Whereas* the said Parliamentary Bounties are to be paid only to the Importers of Flax and Hemp into *Great-Britain:* Therefore, to give all due Encouragement for the raising the said useful Articles of Hemp and Flax, and for the greater Encouragement to plant Mulberry Trees for the Intentions aforesaid,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the First Day of *March,* One Thousand Seven Hundred and Sixty-six, every Person or Persons in this Province, who shall, upon his, her or their own, or hired Lands, cultivate and raise any Hemp or Flax, fit for Exportation to *Great-Britain,* or shall plant Mulberry Trees upon his, her or their Estates and Possessions, shall have and enjoy as a Reward or Premium for such Hemp and Flax, so by him, her or them raised in one Year, during the Continuance of this Act; and for the Mulberry Trees by them or either of them planted, the following Sums, *that is to say;* For every Ton of good clean bright Hemp, raised on any Farm or Plantation in this Colony, in one Year, the Sum of *Four Pounds.* For Five Hundred weight of good bright Flax, well dressed from the Swingle, raised on any Farm or Plantation within this Colony, in one Year, the Sum of *Twenty Shillings;* and the further Sum of *Seven Shillings* and *Six Pence,* for

every Hundred Weight over and above the said Five Hundred Weight raised as aforesaid. For every Hundred Mulberry Trees set out at not less than Fifteen Feet Distance, and properly secured, by any Person or Persons, on his, her or their Farms or Plantations, in any County of this Colony, the Sum of *Forty Shillings;* to be paid upon Demand, to the Person or Persons who shall raise and cultivate such Hemp and Flax, and set out, plant, and properly secure such Mulberry Trees, in any County in this Colony, by the Treasurers of this Colony, or either of them, out of the Current Monies in his or their Hands.

AND in order to intitle the Person or Persons raising and cultivating such Hemp and Flax, and setting, planting and properly securing such Mulberry Trees, to the Premiums hereby given, BE IT ENACTED *by the Authority aforesaid,* That all and every Person raising and cultivating such Hemp or Flax, and planting and securing such Mulberry Trees, shall produce to either of the Treasurers of this Colony, a Certificate or Certificates, under the Hands and Seals of any Two Justices of the Peace of the County (indorsed by One of the Judges of the Court of Common Pleas of the County) in which the said Hemp and Flax shall be raised, or within which the said Mulberry Trees shall be planted and properly secured; that the said Person raising such Hemp and Flax, or planting or securing such Mulberry Trees, is an Inhabitant of the said County, and that he or she have made Oath (or Affirmation if a *Quaker*) that the said Hemp or Flax by him or her produced to the said Justices, was, in one Year, by him or her, or by his or her Order and Direction, truly raised and cultivated on the Lands in his or her Possession; and that no other Person hath Property or Claim therein or thereto, or is to receive any Equivalent therefor by any previous Agreement; and that the Mulberry Trees by them, or either of them, shown to the said Justices, were by them, or by their Order and Direction, set, planted and secured, and have been so set, planted and secured for the Space of three Years; and the Receipt of any such Person applying to either of the Treasurers, with an Order certified with the names of the said Justices, and indorsed with the Name of one of the Judges of the County; which said Order with a Receipt, when produced to the General Assembly, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors, and Administrators, of and from any Money paid in Virtue of this Act.

AND that the said Justices may be the better able to discover any Frauds intended for receiving the said Premiums: BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Justices, and they are hereby required, before they make out any Certificate, to examine the said Hemp and Flax, by opening each Package, and shifting the same, in such Manner as to see the whole Contents, and by such other Means as they shall think proper, to find out and discover whether the said Hemp and Flax is properly rotted, bright and clean, and the said Hemp and Flax is good and merchantable, and free from any false Mixture; and shall view and examine the Mulberry Trees set, planted and secured,

with the Time of their Planting, and that they are free from any Danger of being destroyed by Cattle.

PROVIDED ALWAYS, That in Case any Doubt or Dispute shall arise between the Justices of the Peace and Raiser of such Hemp, Flax and Mulberry Trees, as to the Quality of the said Hemp and Flax, and the setting, planting and securing the said Mulberry Trees, or in any other Thing relating thereto; it shall and may be lawful for the said Justices to call two or more Farmers, or others well skilled in Hemp and Flax, and setting, planting and securing Trees, who shall declare (upon Oath or Affirmation if required) their Opinion, as to the Quality of the said Hemp and Flax, and the setting, planting and securing said Mulberry Trees, and according to the best of their Judgment determine whether the Owner of the said Hemp, Flax, or Mulberry Trees so set, planted and secured, is intituled to the Premiums hereby granted or not. For which said Oath or Affirmation, or any other Service required by this Act, no Fee, Gratuity or Reward shall be demanded by the said Magistrates or Farmers, or others they shall call to their Assistance as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several Bounties and Directions in this Act, which relate to Hemp and Flax, shall commence and take Effect from and after the First Day of *March,* One Thousand Seven Hundred and Sixty-six, and continue and be in Force from the said First Day of *March* for the Term of Two Years and Three Months, and no longer; and that the several Bounties and Directions in this Act, which relate to the setting, planting and securing Mulberry Trees, shall commence and take Effect from and after the First Day of *October,* One Thousand Seven Hundred and Sixty-five, and shall continue and be in Force from the said First Day of *October* for the Term of Seven Years, and no longer.

Parker (1765), pp. 37-39.

A Supplementary Act to the Act, entitled, An ACT *for preventing the Waste of Timber, Pine and Cedar Trees and Poles within this Province of* New-Jersey, *and to lay a Duty upon all Pipe and Hogshead Staves exported out of the same, to any of the neighbouring Colonies.*

WHEREAS an Act of the General Assembly of this Colony, made and published in the Twelfth and Thirteenth Years of the Reign of her late Majesty Queen *ANNE,* entitled, *An* Act *for preventing the Waste of Timber, Pine and Cedar Trees and Poles within this Province of* New-Jersey, *and to lay a Duty upon all Pipe and Hogshead Staves exported out of the same, to any of the neighbouring Colonies;* has, on Experience, been found beneficial to the Owners of Land within this Colony, though not fully sufficient to answer all the good Purposes intended by it, because the Penalty thereof in some Instances is not adequate to such Trespass as may be committed; besides, as the Time for a Recovery thereof is limited to Six Months only, that short Period may expire before the Owner upon whose Land the Trespass may have been committed shall come to a Knowledge thereof, whereby such Owner may be precluded from the Benefit of the Act, which in many Instances hath been otherwise evaded and defeated, by the Claims put in by Persons cutting and destroying of Timber on Land to which they had no Right, and thereby preventing the Justices of the Peace within this Colony, from proceeding in the Tryal of such Offences: For Remedy of all which for the future;

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That if any Person or Persons whomsoever, shall at any Time hereafter cut, fall, work up, carry away, box, bore or destroy any Tree, Saplin[g] or Pole, standing or lying upon any Land within this Colony, to which such Person or Persons hath not or have not any Right and Title, without Leave first had and obtained of the Owner or Owners of the said Land for that Purpose; every such Person or Persons so offending, shall forfeit and pay for each Tree, Saplin[g] or Pole so cut, fell, worked up, carried away, boxed, bored or destroyed as aforesaid, the Sum of *Twenty Shillings* Proclamation Money, over and above the Penalty inflicted for the said Offences, by the before recited Act; one Half to the Owner or Owners of the Land, and the other Half to the Person or Persons who shall sue for and prosecute the same to Effect, at any Time within Eighteen Months from the cutting, falling, working up, carrying away, boxing, boring, or destroying of any such Tree, Saplin[g], or Pole; and that whenever any Person or Persons within this Colony, shall be sued or prosecuted before any Justice of the Peace in this Colony, agreeable to the Directions of the before recited Act, that it shall and may be lawful for such Justice of the Peace to proceed, whenever the Penalty demanded shall be under *Six Pounds* Proclamation Money, notwithstanding any Claim the Defendant or Defendants may offer or make to the Land whereon and from which the said Tree, Saplin[g] or Pole may be cut, fell, worked up, boxed, bored, destroyed, or carried thence, and to issue Execution for the same, with Costs of Suit, unless the Defendant or Defendants shall immediately enter into Bond to the Plaintiff or Plaintiffs, with one or more sufficient Surety or Sureties, being Freeholders, in the Sum of *Thirty Pounds,* conditioned for his, her or their Appearance in an Action of Trespass, and to pay Damages found against him, her or them, with Costs of Suit; any Law, Usage or Custom to the contrary notwithstanding.

PROVIDED ALWAYS, That neither this Act, [n]or any Thing therein contained, shall in any Manner affect the Persons settled within the supposed Boundaries of the *Elizabeth-Town* Purchase, or *Newark* Purchase, and are at present Plaintiffs or Defendants in any Bill or Answer now filed in the high Court of Chancery of this Colony, in Respect to any Timber to be by them, or either of them, cut down or manufactured, within any of the fenced or improved Lands of the said Plaintiffs or Defendants, their Issue or Tenants, or to such Trees as are used for fencing, building or repairing any Edifices thereon.

PROVIDED ALWAYS, That this Act shall remain in Force for the Space of Seven Years, from the End of this Session; and from thence to the End of the next Session of General Assembly thereafter.

Parker (1765), pp. 40-41.

A Supplementary ACT *to the Act,* entitled, *An Act for restraining the burning of the Woods, Marshes and Meadows.*

WHEREAS the above recited Act hath not fully answered the good Purposes thereby intended.

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That if any Person or Persons whomsoever, from and after the First Day of *February* next, on Presentment or Indictment, shall be found guilty of offending against the above recited Act, he, she or they shall be fined *Twenty Pounds;* or if unable to pay the said Fine and Costs incurred thereby, shall be liable to Imprisonment at the Discretion of the Court held for that County where the Offence shall be commited. And for the better Discovery of such Offenders, the Justices of the several Courts of Quarter Sessions of the Peace within this Colony, shall, and they are hereby required to give the Offences committed against this and the above recited Act, in Charge to their Grand Juries at the several Sessions of the Peace, which shall be held in the said Counties; at which Time this and the above recited Act, shall be publickly read, and every of the said Grand Juries shall, and they are hereby required, diligently to inquire, and true Presentment make, of all Offences committed against this and the above recited Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the

above Fine shall be applied one Half thereof to the Informer, and the other Half to the Overseers of the Highways, in the Township where the Offence was committed, to be by them applied to the Repairs of the Highways in the said Township, and to be accounted for by them to their Successors in Office, to whom any Ballance remaining in their Hands is to be paid.

PROVIDED ALWAYS, AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That Nothing in this Act contained, shall be construed to prohibit the Owners of Salt and Fresh Marshes and Meadows, and their Tenants, from burning such Marshes and Meadows in the usual Manner the same has been heretofore burnt in the several Counties of this Colony.

Parker (1765), p. 42.

An ACT *to amend and revive an Act, entitled, An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions, and suppressing Insurrections and Rebellions.*

WHEREAS an Act passed in the Nineteenth Year of the Reign of our late Sovereign Lord King *GEORGE* the Second, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions and suppressing Insurrections and Rebellions,* is expired:

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Act, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions and suppressing Insurrections and Rebellions,* shall be, and hereby is continued, and every Article and Clause therein contained, shall be and remain in full Force, from the Publication hereof to the First Day of *June,* in the Year One Thousand Seven Hundred and Sixty-six, and from thence to the End of the next Session of General Assembly, and no longer.

AND *Whereas* by Virtue of an Act made in the Thirtieth Year of the Reign of our late Sovereign Lord King *GEORGE* the Second, entitled, *A Supplementary* Act *to an Act, entitled, An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions and suppressing Insurrections and Rebellions;* as also for continuing such Parts and Clauses of said Law, as are not altered and amended by this Act, there was several Fines and Penalties recovered and collected by the Militia Officers then in

Commission, for which they have not as yet accounted to any Person or Persons; therefore, BE IT ENACTED *by the Authority aforesaid,* That all or any Person or Persons, as Officers, who have heretofore by Virtue of either of the above recited Acts, received or collected any Sum or Sums of Money, as Fines or Forfeitures from any Officer or Soldier, and who have not as yet accounted therefor; they shall be accountable to, and the Money applied as is directed by the Twenty-fourth Section of the first recited Law.

Parker (1765), p. 43.

An ACT *to regulate the Method of taking Fish in the River* Delaware, *and to prevent Obstructions in the Navigation thereof, and for other Purposes therein mentioned.*

WHEREAS the Legislature of the Province of *Pennsylvania,* have passed an Act for the Preservation of Fish in the River *Delaware,* with a Clause therein suspending the Force thereof, until a Bill for remedying the same Mischiefs and Inconveniences thereby intended to be remedied in the said River, shall be passed and enacted into a Law by the Legislature of this Province; and it appearing of very great Consequence and Use to the Inhabitants of this Colony, that the Navigation of the River *Delaware* should be clear and open, and the Destruction of the small Fish prevented; Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That if any Person or Persons whatsoever, from and after the Publication of this Act, shall erect, build, set up, repair or maintain, or shall be aiding, assisting or abetting in directing, building, setting up, repairing or maintaining any Wear, Rack, Basket, Fishing Dam, Pound or other Device whatsoever, for the taking of Fish within the said River, or that shall fix or fasten any Net or Nets across or in the said River, or any Part thereof, by which the Fish may be obstructed in going up the said River; or that shall take, destroy or spoil any Spawn, Fry or Brood of Fish, or any Kind of Fish whatsoever, in any such Wear, Rack, Basket, Fishing Dam, Pound or other Device aforesaid; every such Person or Persons so offending, contrary to the true Intent and Meaning of this Act, being legally convicted thereof by the Oath or Affirmation of one or more credible Witnesses, or by his own Confession, before any Three Justices of

the Peace, One whereof to be of the *Quorum,* shall forfeit and pay the Sum of *Twenty Pounds* Proclamation Money, for every such Offence, or suffer Six Months Imprisonment without Bail or Mainprize; One Moiety of which Forfeiture shall be paid to the Informer or Prosecutor, the other Moiety to the Overseers of the Highway of the Township or City where such Offender shall reside, for the Use of the Highways in such Township, City or Borough, if resident within this Province, if otherwise where he shall be apprehended; and every such Wear, Rack, Basket, Fishing Dam, Pound, Net or other Device, fastened across or in the said River, are hereby declared publick Nuisances.

AND BE IT ENACTED *by the Authority aforesaid,* That all and every of the Offences which shall be committed against the true Intent and Meaning of this Act, within the said River *Delaware,* shall be laid to be committed within the said River, in the County next adjoining to that Part of the said River where the Offence shall be committed; and the Courts of Oyer and Terminer and General Gaol Delivery, or the General Quarter Sessions of the Peace, for the County which shall so adjoin the Part of said River, where the Offence is committed, are hereby authorized, impowered and required to hear, try and determine the same, in the same Manner as other Criminal Offences are usually heard, tried and determined before them.

AND for the more speedy Removal of such Wears, Racks, Baskets, Fishing Dams, Pounds and other Devices aforesaid, as are already or hereafter shall be made in the said River; BE IT ENACTED *by the Authority aforesaid,* That any One Justice of the Peace, of the several Counties, bounding on and adjoining to the said River, immediately after the Publication of this Act, and as often after as there shall be Occasion, shall issue, and they are hereby enjoined and required, to issue their Warrant to the Overseers of the Highways, of each and every Township next adjacent to the Wear, Rack, Fishing Dam, Pound or other Device so erected, enjoining and requiring them the said Overseers respectively, forthwith to remove, or cause to be removed, every such Wear, Rack, Basket, Fishing Dam, Pound or other Device; and for that Purpose, they the said Overseers are hereby impowered and required to summon the Inhabitants of their respective Townships, or so many as shall be sufficient, giving them Three Days Notice to repair to throw down, remove and destroy such Wear, Rack, Basket, Fishing Dam, Pound or other Device so erected, built or set up, and to make Return of such their Proceedings, to the next Court of General Quarter Sessions of the Peace, to be holden for their respective Counties: And if any such Overseer or Overseers of the Highways, to whom such Warrant shall be directed, shall refuse or neglect to perform the Duty thereby enjoined and required, he or they so offending, and being thereof legally convicted, shall for every such Offence forfeit and pay the Sum of *Ten Pounds* lawful Proclamation Money, for the Use of the Highways of the Township where such Offender or Offenders shall reside: And if any Inhabitants so summoned by the Overseer or Overseers of the Highways as abovesaid, shall refuse or neglect to attend in Person, or to send another able Person in his

Stead, to assist in throwing down, removing and destroying such Wear, Rack, Fishing Dam, Basket, Pound or other Device so erected, built or set up, in such Manner as the said Overseer or Overseers shall order or direct, he shall forfeit and pay the Sum of *Ten Shillings,* Money aforesaid, for every such Offence, to the Overseers of the Highways of the Township whose Inhabitants are so summoned, for the Use of the Highways; to be recovered before any One Justice of the Peace, by the Overseers of the Highways, or any One of them, with Costs of Suit.

AND to prevent any Delay that may happen thro' Default of any of the Justices, Overseers of the Highways, or any other Person or Persons; BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful to and for any Person or Persons whatsoever, to break, throw down, remove and destroy, all or any Wear or Wears, Fishing Dams, Racks, Baskets, Pounds, or other Dewice, built, set up or laid, or to be built, set up, or laid in the said River, for catching of Fish or Obstructing the Navigation, as aforesaid: And every Person or Persons who shall assault, hinder, or obstruct any Person in pulling down, breaking, removing or destroying, any of the said Devices or Obstructions in the said River, and being thereof legally convicted, shall forfeit and pay for every such Offence the Sum of *Five Pounds,* Money aforesaid; one Moiety thereof to the Overseers of the Highways, or any one of them, to the Use of the Highways as aforesaid, and the other Moiety to the Person so assaulted, hindered and obstructed; to be recovered before any one Justice of the Peace.

AND for the more effectual detecting and punishing Offenders against this Act: BE IT ENACTED *by the Authority aforesaid,* That the Constables of each respective Township, bounded by, or adjoining to any Part of the said River, shall, and they are hereby required and enjoined, under the Penalty of *Five Pounds,* to be recovered before any one Justice of the Peace, by the Overseers of the Highways of the Township for the Use of the Highways, carefully and diligently to inspect and view, once at least in every Fourteen Days, from the First Day of *March* to the First Day of *December,* in every Year, such Parts of the said River as shall be adjoining their respective Townships; and having any Knowledge of any Offences against this Act, he shall forthwith give Information thereof, to some Justice of the Peace, who shall immediately issue his Warrant to the Overseers of the Highways aforesaid, for the Purposes aforesaid; and shall also give Information to the said Justice of the Peace, of the Name or Names of the Offender or Offenders; and the said Justice of Peace is hereby required to issue his Warrant, directed to the Constables, to apprehend the said Offender or Offenders, and when apprehended, to bind over or commit the said Offender or Offenders, in order that he or they may be legally tried for the said Offences against this Act.

AND *Whereas,* under the Pretence of Fishing for Pearch in the River *Delaware,* Seins and Netts are used, the Meshes of which are so small, that great Numbers of small Fish are thereby taken and destroyed: BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, it shall not be lawful for any Person or Persons to fish in the River

Delaware, after the First Day of *March,* which shall happen in the Year of our Lord One Thousand Seven Hundred and Sixty-seven, with any Sein or Nett, the Meshes of which shall be less than two Inches and a Half, when extended; and that if any Person or Persons shall fish in the said River, with any Sein or Nett, the Meshes of which shall be found to be less than two Inches and a Half as aforesaid, such Person or Persons so offending, shall forfeit the Sum of *Five Pounds;* to be sued for and recovered by Action of Debt before any one of the Justices of the Peace of this Colony, by any Person or Persons who will sue for the same, to be applied one Half to the Person or Persons suing for the same, the other Half to be applied as herein before is directed.

PROVIDED NEVERTHELESS, That Nothing in this Act contained, shall be construed to hinder or prevent any Person or Persons from catching or taking of Shad and other Fish in the Spring of the Year, above the Gap of the *Pequala* Mountain, in such Manner and with such Devices as heretofore they have used, or Fishing in the said River in the usual Manner with Lines and Seins. *Provided also,* That the Navigation of said River be not obstructed thereby.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall be and remain in Force for the Term of Five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1765), pp. 44-47.

An ACT *to suppress Fairs in the Town of* Greenwich.

WHEREAS the holding of Fairs in the Town of *Greenwich,* has been found inconvenient and unnecessary; Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That no Fair shall hereafter be held in the Town of *Greenwich,* in the County of *Cumberland,* any Law, Usage or Custom to the contrary in any wise notwithstanding.

Parker (1765), p. 48.

An ACT *for appointing Commissioners to view the Ground, and report to the next Session of General Assembly, of the Practicability of laying out strait Roads through certain Parts of the Province of* New-Jersey, *and for establishing a Fund to defray the Expence of the same.*

WHEREAS the shortning and Improvement of Roads, will greatly facilitate the Conveyance of Letters by the Post, be of great Importance to his Majesty's Service, and to the commercial Interest and general Convenience of the Inhabitants of this Province: AND *whereas* it hath been made appear to us the House of Representatives, from Surveys and other Evidences, that the high Roads leading through this Province from *Burlington* to *Amboy-Ferry,* from *Trenton* to *Elizabeth Town,* from *Brunswick* to *Amboy,* and from *Amboy* to *Elizabeth-Town* aforesaid, may be considerably shortned;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That *John Stevens, James Parker, John Wetherill, Daniel Ellis* and *John Edwards,* Esquires, be, and they are hereby appointed Commissioners to view the Grounds, make a strait and perfect Survey thereof (as near as may be) from the City of *Burlington* to the Ferry House opposite to the City of *Perth-Amboy,* through the Towns of *Borden-Town* and *Cranbury;* for which Purpose, and more effectually to enable the said Commissioners, or any Three of them, to execute the Service and Trust in them reposed by this Act, it shall and may be lawful for the said Commissioners, or any Three of them, to call to their Assistance, if they shall think necessary, One Surveyor and Two Chain Carriers, who are hereby impowered and directed to enter upon and pass any Lands through which the strait Lines from and to the Places aforesaid may run, or they may have Occasion to travel over.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *John Berrien, Daniel Coxe, Azariah Dunham, Abraham Clark, Junior,* and *Ephraim Terrill,* Esquires, be, and are hereby appointed Commissioners, to view the Grounds, make a strait and perfect Survey, from *Bordentown* to *Kingston,* and from *Trenton* as near as may be through *Princeton, Kingstown, New-Brunswick, Elizabeth-Town* and *Newark,* to *Second-River;* also from *New-Brunswick* to *Perth-Amboy,* and from *Perth-Amboy* to *Elizabeth-Town;* for which Purpose, and more effectually to enable the said Commissioners, or any Three of them, to execute the Service and Trust in them reposed by this Act, it shall and may be lawful for the said last mentioned Commissioners, or any Three of them, to call to their Assistance (if they shall think it necessary) One Surveyor and Two Chain Carriers, who are hereby impowered and directed to enter upon and pass any Lands through which the strait Lines from and to the Places last aforesaid may run, or they may have Occasion to travel over.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the acting Commissioners shall carefully view the Nature of the Country thro'

which they pass, the Fitness of the Soil for Roads, and the Streams over which Bridges may be erected to make the Roads commodious; and that the said Commissioners shall, at the next Sessions of the General Assembly, return under their Hands, true and perfect Maps and Surveys of the Lines to and from the Places aforesaid, or with such Alterations of the strait Lines as they may judge will make the Roads more practicable, with an Estimate of the Expence of the Whole and several Parts thereof, and also of the Damage it may occasion to any Person through whose Lands they may pass.

AND *Whereas* it is necessary, that a Fund should be established for defraying the Expence of running and making the said intended Roads: BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, it shall and may be lawful to and for the said Commissioners, or the major Part of them, as soon as conveniently may be, to draw a Lottery for raising such Sum or Sums of Money, as they or the major Part of them shall judge necessary for the Purpose aforesaid, not exceeding the Sum of *Five Hundred Pounds* Proclamation Money of this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That to enable the Commissioners or the major Part of them, to carry this Law more immediately into Execution, and to defray the Expences attending the same, it shall and may be lawful to and for the said Commissioners, or any of them, to ask and receive from any Person or Persons, Gifts or Donations, of which they are to keep particular Accounts, and apply the same accordingly: And the Managers and Commissioners shall be under Oath, for the due and impartial Performance of their Duties, and at the next Session of General Assembly, after drawing the said Lottery is finished, shall render and lay before the House of Assembly (to whom they are hereby made accountable) a just and particular State of the Lottery, with all Expences attending the Drawing of the same; and also an Account of the Donations received, and the several Disbursements and Sums of Money laid out and expended, for the Uses and Purposes in this Act mentioned.

Parker (1765), pp. 48-50.

An ACT *to indemnify the Treasurers of this Province, or either of them, for the Sum of* Two Hundred Pounds, *to be lent for the Relief of the Inhabitants of the County of* Sussex.

WHEREAS it is represented to the General Assembly, by the Board of Justices and Freeholders of the County of *Sussex,* that the Inhabitants of said

County are reduced to great Distress, for Want of Bread-Corn, and that the said Justices and Freeholders were incapable of administring to the Relief of the Sufferers, for Want of Money to enable them to purchase Grain for their present Exigencies.

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Treasurers of this Colony, or either of them, to pay to *Abraham Van Campen, John Hacket, Jacob Starn, Richard Shackleton, Samuel Lundy, Richard Bowlby, Hendrick Kuykendahl,* and *Henry Winter,* or any three of them, any Sum not exceeding *Two Hundred Pounds,* out of the publick Monies now in the Hands of the said Treasurers unappropriated; and the Receipt of them the said *Abraham Van Campen, John Hacket, Jacob Starn, Richard Shackleton, Samuel Lundy, Richard Bowlby, Hendrick Kuykendahl,* and *Henry Winter,* or of any three of them, or Order from them or any three of them, with a Receipt, when laid before the General Assembly, shall be sufficient Vouchers for the said Treasurers, or either of them, their or either of their Heirs, Executors or Administrators, or any of them, for paying the Sum aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said *Abraham Van Campen, John Hacket, Jacob Starn, Richard Shackleton, Samuel Lundy, Richard Bowlby, Hendrick Kuykendahl,* and *Henry Winter,* upon the Receipt of said Money; shall dispose of the same to the best Advantage, in purchasing Bread-Corn for the Inhabitants of said County, or distribute the said Money to such Persons and in such Proportions as they or the Majority of them shall think fit.

AND BE IT ENACTED *by the Authority aforesaid,* That if the said *Abraham Van Campen, John Hacket, Jacob Starn, Richard Shackleton, Samuel Lundy, Richard Bowlby, Hendrick Kuykendahl,* and *Henry Winter,* or either of them, should by any unforeseen Accident, meet with any Losses or Damages by any Person or Persons proving deficient or insolvent for any Grain or Money, so had by them; that then and in such Case, it shall and may be lawful for them, or any three of them, to apply to the Board of Justices and Freeholders of the said County, for the Time being, who are hereby authorized and enjoined to levy the same on the Inhabitants of said County, by Tax, to be assessed and collected in the same Proportions, Method and Form as is prescribed and directed by the Sinking Fund Acts; and the Assessors, Collectors, and other Officers, shall be subject to the same Pains and Penalties as is prescribed in the above recited Acts.

AND BE IT ENACTED *by the Authority aforesaid,* That if the said *Abraham Van Campen, John Hacket, Jacob Starn, Richard Shackleton, Samuel Lundy, Richard Bowlby, Hendrick Kuykendahl,* and *Henry Winter,* shall neglect or refuse to repay the said Sum of *Two Hundred Pounds,* to either of the Treasurers of this Colony, within two Years after the Publication of this Act, or upon any Loss sustained as aforesaid, and by them or either of them, the Board of Justices and Freeholders of the said County, for the Time being, shall neglect

or refuse to order the same to be assessed and levied as aforesaid; then and in such Case, it shall and may be lawful for, and the said Treasurers or either of them, are hereby required, authorized and impowered to deliver a Copy of such Order and Receipt as aforesaid, to the Attorney General of this Colony for the Time being; who is hereby authorized, impowered and directed to sue for and recover the same from the Parties aforesaid, any or either of them, for the Use of this Colony.

Parker (1765), pp. 50-52.

A Supplementary ACT *to an Act,* entitled, *An Act for regulating Constables and Vendues, and for better regulating Taverns.*

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by and with the Authority of the same,* That upon the Death of any Constable, or Refusal of any Person to take on him the said Office, in any Township or Precinct within this Colony, it shall and may be lawful for any two Magistrates of the County (one being of the *Quorum*) to meet together as often as Occasion may require, and appoint others qualified according to the Directions of the before recited Act; which Person or Persons so appointed, shall take upon him or them the said Office, and be subject to the like Pains and Penalties as the Person or Persons refusing as aforesaid, by the said Act are subject and liable to, any Law to the contrary notwithstanding.

PROVIDED ALWAYS, That Nothing herein before contained, shall be construed to extend to or affect Cities and patented Towns.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Inhabitants of the North-Ward of the City of *Perth-Amboy,* and other Cities, shall and may from and after the Publication of this Act, elect and choose such Persons Constables, and in such Manner as heretofore they have usually done, or by their Charter have been or now are impowered to do; any Thing in the said recited Act to the contrary notwithstanding.

Parker (1765), pp. 52-53.

An ACT *for building a Stone Bridge over* Assanpink, *near* Robert Lettis Hooper's *Mills.*

WHEREAS the Inhabitants of the County of *Hunterdon,* and the Inhabitants of the Township of *Nottingham,* in the County of *Burlington,* do by their Petitions, set forth, That the Bridge commonly called *Trenton* Bridge, is much out of repair, and dangerous to pass over, and that they are desirous of building a Stone Bridge at the same Place: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That a Stone Bridge over *Assanpink* Creek, adjoining *Robert Lettis Hooper's* Mills, shall be forthwith erected; and *Thomas Barnes* and *Abraham Hunt* are hereby appointed Managers for the County of *Hunterdon,* and *Isaac Pearson* for the Township of *Nottingham;* who are hereby impowered to agree with Workmen, and purchase Materials at their Discretion, for the Purposes aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That such Sum or Sums of Money as may be wanted for the Purposes aforesaid, shall be assessed and raised agreeable to the Twenty Fifth and Twenty-Sixth Sections of an Act, entitled, *An* Act *for regulating Roads and Bridges;* and shall be proportioned agreable to the Thirty-Seventh Section of the said Act.

AND *Whereas* the Inhabitants of the Township of *Nottingham* aforesaid, have represented, that they have already done a considerable Part of their Proportion, by building so much of the Arches and Abutment as concerns the Road or Highway on the *Nottingham* Side of the said Creek; and as the same cannot at this Time be well ascertained: Therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That *William Montgomery, Abraham Hendrickson, Elisha Lawrence, John Clark,* and *Zebulon Stout,* are hereby appointed Commissioners, who shall meet together as soon as may be, at the said *Assanpink* Bridge, view the same, and hear such Evidence as shall be brought before them concerning the building the said Arches and Abutment; which Evidences they may hear upon Oath, or upon Affirmation if *Quakers,* or without either if they think proper; and the said *William Montgomery, Abraham Hendrickson, Elisha Lawrence, John Clark* and *Zebulon Stout,* or any three of them, are hereby required, to make out their Award in Writing, and sign the same; which Award shall be recorded in the Town Book for the Township of *Trenton,* and in the Town Book for the Township of *Nottingham,* and shall be conclusive between the said Parties, to all Intents and Purposes, and they are hereby enjoined to govern themselves accordingly. And the said Commissioners respectively shall have *Ten Shillings* per Day, for each Day they shall be employed in the above Service, to be paid Two Thirds by the County of *Hunterdon,* and One Third by the Township of *Nottingham,* and the Managers for building said Bridge are hereby enjoined to pay the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, the said Arches and Abutment shall be

hereafter kept up, repaired and amended, by the Owner or Owners of said Mills; and the Managers in the Settlement of their Accounts, shall be allowed Three *per Cent.* for their Time and Trouble.

Parker (1765), pp. 53-54.

An ACT *for laying out a Road from* Newark, *in the County of* Essex, *to the publick Road leading from* Bergen *Point to* Paulus *Hook, on* Hudson's *River, in the County of* Bergen; *and for the erecting and establishing Ferries across the Rivers* Passaick *and* Hackinsack.

WHEREAS sundry of the Inhabitants of the Counties of *Essex* and *Morris,* by their Petition, presented to the Governor, Council and General Assembly of this Colony, do set forth, that the laying out of a publick Road from the Town of *Newark* to the publick Road leading from *Bergen* Point to *Paulus* Hook, on *Hudson's* River, opposite to the City of *New-York,* and erecting Ferries over the Rivers *Passaick* and *Hackinsack,* would be greatly beneficial to the Publick in general; and that the long Causeways to be made in said Road, and other Matters to be done to make the Road passable, and to accommodate Travellers, will be very expensive, and cannot well be effected unless assisted by the voluntary Contribution of others;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That a Road of Four Rods wide, from the lower End of the Great Neck belonging to the Town of *Newark,* beginning at the Upland of *Abner Ward,* on the Road by the Meadow Edge, at the Southwest Corner of the Meadow of *Joseph Rogers,* and from thence running along the Line of said *Joseph Rogers* South Sixty-eight Degrees and Thirty Minutes East Thirty-five Chains, to *Passaick* River, at low Water Mark, extending Four Rods North-easterly in Breadth from said Line; then beginning on the East Side of *Passaick* River at low Water Mark, at and to the South Side of a small Creek opposite to said Road, on the West Side of said River, and from thence to run and continue Four Rods in Breadth from the Southerly Side of the Mouth of said small Creek, on a Course South Sixty-three Degrees and Fifteen Minutes East Sixty-six Chains to *Hackinsack* River, at low Water Mark; then beginning on the East Side of *Hackinsack* River at

low Water Mark, on a Course South Sixty-three Degrees and Thirty Minutes East from the said Road on the West Side of *Hackinsack* River, near a Creek called *Post's* Creek; and from thence continuing the Breadth of Four Rods on a South Forty-six Degrees East Course Thirty-six Chains to the Upland of *Jacobus* and *Peter Vanderhoof;* and from thence the same Breadth of Four Rods South Seventy Degrees East Four and a Half Chains, until it comes within Two Rods of a Partition Fence of said *Vanderhoofs,* and from thence the same Breadth of Four Rods, extending Two Rods to the Northward of said Partition Fence, so as the Partition Fence as it now stands be in the Middle of said Road South Fifty three Degrees East Three Chains; thence continuing the same Breadth South Forty-eight Degrees East, keeping the same Breadth on each Side of the Partition Fence Twenty-three Chains and Fifty Links, to the publick Road leading from *Bergen* Point to *Paulus* Hook.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That *David Ogden, Daniel Pierson, Joseph Riggs, junior, Nehemiah Baldwin,* Esquires, *Joseph Hedden, junior, Caleb Camp, Uzal Ward, Joseph Rogers, junior,* and *Thomas Brown,* of *Bergen,* be, and hereby are appointed Trustees of the said Road, and of the Ferries to be erected over *Passaick* and *Hackinsack* Rivers, at the Places where the said Road comes to said Rivers; and they and their Successors are hereby constituted and appointed a Body Politick and Corporate in Fact and in Name, to all Intents and Purposes forever, by the Name of, the Trustees of the Road and Ferries from *Newark* to the Road leading from *Bergen* Point to *Paulus* Hook; and by that Name to sue and be sued in all Courts of Law and Equity, and shall and may forever hereafter have a Common Seal, to serve and use for all Matters, Causes and Things whatsoever of them and their Successors, relating to said Corporation or Body Politick, and the same to alter or make new at their Will and Pleasure.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Trustees and their Successors, elected and chosen as is herein after directed, or the major Part of them, be, and are hereby authorized and impowered, the better to enable them to defray the Expence of the making said Road, erecting said Ferries and necessary Buildings, and procuring all other Matters and Things necessary, and convenient for the Accommodating of Travellers, to receive such Sum and Sums of Money, and other Donations, as any Person or Persons shall and may from Time to Time voluntarily contribute and give towards making and erecting said Causeways and Ferries, for the Advantage of Travellers; provided the said Sums of Money or other Donations for the Purposes aforesaid, do not exceed the Sum of *Five Thousand Pounds* in the Whole.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon the Death, Absence or Refusal of any or either of the said Trustees, that it shall and may be lawful for the others of the said Trustees, or the Majority of them, to elect and choose other Person and Persons in the Room and Stead of him or them so dying, absenting or refusing to act in Conformity to this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the

said Trustees for the Time being, be and hereby are impowered, enjoined and required, out of Monies and other Donations to them given or granted, agreeable to this Act, to build Ferry Houses, make sufficient Causeways, and from time to time keep in good and sufficient Repairs said Road, and keep good proper Boats, fit for the safely Transporting Travellers, Horses, Carriages and Cattle, and able and sufficient Attendants for said Ferries, and shall and may, from time to time, and forever hereafter, hold and enjoy said Houses and Ferries, and receive the Rents of said Houses and Rates of said Ferries, to be from Time to Time by them applied for the Purposes aforesaid; and shall and may appoint under them a Clerk, Treasurer, Managers, and such other Person or Persons as they shall think proper and convenient, for the better Management and carrying on the several Matters and Things to be done and performed in Virtue of this Act, and remove such Person or Persons from their several and respective Offices at Pleasure, and appoint others in their Room and Stead; all which several Officers shall, when and as often as called thereunto by said Trustees, or the major Part of them, render a true and just Account of all their Transactions to said Trustees and Body Politick, and be accountable to them for all Monies by them received for the Use of said Corporation; and said Clerk for the Time being, shall keep a Book or Books for said Corporation, wherein shall be entered the several Acts, Matters or Things done and performed, pursuant to the Directions of this Act, and shall take an Oath before one of the Magistrates of said County of *Essex* or *Bergen,* for the true and faithful Discharge of his said Office of Clerkship, for said Corporation or Body Politick.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Trustees and their Successors, shall on every second *Wednesday* in *May,* yearly and every Year, or oftner if summoned thereunto by any Three of the Justices of the Peace for said County of *Essex,* render a true and just Account of all the Monies by them received and paid for the several Purposes aforesaid, in Virtue of this Act, producing proper Vouchers for their several Payments to the Justices of the Peace for the County of *Essex,* or any three of them, in Conjunction with the Majority of the Freeholders elected and chosen for said County, pursuant to an Act of the Legislature of this Colony, entitled, *An* Act *for raising of Money for building and repairing of Gaols and Court Houses within each respective County of this Province;* who are hereby authorized to settle and adjust said Accounts, and use all legal Methods and Process to compel the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That notwithstanding any Thing contained in this Act, it shall be lawful for the Proprietor or Proprietors of the Soil, at any and each of the Places where Ferries are to be erected on this Road, their Heirs or Assigns, to have and enjoy the Privilege of erecting and providing such Buildings and Necessaries, as are requisite for the Accommodation of Travellers at and in their Passage over the same, and receive the Rents, Issues and Profits arising therefrom; provided they give sufficient Security to said Trustees, that they will erect and provide, in a reasonable Time as abovesaid, and at all Times hereafter

will attend, ply and keep said Ferries in such Manner as is usual, or as they ought to be kept, plied and attended, and repair and maintain the Causeways over their respective Lands next to and adjoining said Ferries; or if at any Time hereafter, the said Proprietors or Proprietor, or either of them, their Heirs or Assigns, shall request or demand in Writing, the sole Management and Keeping said Ferry or Ferries, then they shall enter into Bond as abovesaid, and repay the Trustees the full Amount of all such Costs and Charges, as they shall then have been at on the said Proprietor's Land, in erecting such respective Ferry or Ferries, and maintaining said Causeways, after deducting the Monies, Rents and Profits arisen out of, from, or by Means of said Ferry or Ferries: And for the ascertaining such Charge and Profit, the said Trustees shall cause separate and exact Accounts to be kept of the Costs in erecting each respective Ferry, and maintaining the said Causeways, and of the Profits arising therefrom, until such Demand be made; and the Money so received, together with the Interest that may arise thereon, shall from Time to Time be applied by the said Trustees, for the repairing and amending the said Road, and be accounted for by the said Trustees in like Manner as is herein before directed. *Provided nevertheless,* That no Ferriage be taken from his Excellency the Governor of this Colony for the Time being, for himself, his Retinue, Horses or Carriages, on passing the Ferries hereby established.

Parker (1765), pp. 54-58.

An ACT *to constitute and make* Crosswicks *Creek a good and lawful Fence, from the Place known by the Name of* Watson's *Ferry, down to the Mouth of the same.*

WHEREAS that valuable Neck of Marsh and Meadow situate between *Crosswicks* Creek and *Delaware* River, is so low, and much exposed to the Ice and high Freshes, that it is not practicable to make a Fence stand upon the same: AND *whereas* sundry People who have no Right, do make it a common Practice to drive their Horses and Cattle over *Crosswicks* Creek, into the said Marsh and Meadow, whereby the same is rendered almost useless to the said Owners and Proprietors: For Remedy whereof;

BE IT ENACTED *by the Governor, Council and General Assembly of this*

Colony, and it is hereby Enacted by the Authority of the same, That from and after the First Day of *March* next, the said *Crosswicks* Creek is hereby declared, constituted and made, a good and lawful Fence, from the Place commonly known by the Name of *Watson's* Ferry, down to the Mouth of the same; and all Cattle or Horses that shall be drove or stray over the said Creek, from the said First Day of *March,* are hereby declared Trespassers; and all Damage accrued thereby, shall be recovered in the same Manner and Form as is directed by an Act, entitled, *An* Act *for regulating Fences.*

NEVERTHELESS any Owner or Owners of the said Marsh and Meadow, or Person or Persons leasing or renting under him or them, shall have full Liberty to turn on their Horses and Cattle, any Time between the First Day of *September* and the First Day of *March,* not exceeding Two Cattle or Horses to each Acre of cleared or improved Marsh or Meadow they own or possess; and any Person or Persons renting or leasing any Part of the said Marsh or Meadow, is hereby declared, to have the same Power and Authority to recover Damages in the Manner and Form aforesaid, as if he was actually an Owner or Proprietor of the same.

Parker (1765), pp. 58-59.

An ACT *to enable the Owners and Possessors of the Marsh and Swamp lying on a small Creek called* Newport, *between the Townships of* Stow-Creek *and* Greenwich, *in the County of* Cumberland, *to erect and maintain a Bank, Dam, and other Water Works across the said Creek, in order to prevent the Tide from overflowing the same.*

WHEREAS Stopping the Tide out from overflowing the Marsh and Swamp lying on *Newport* Creek, would be of great Benefit to the Owners and Possessors: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Marsh and Swamp, to make or cause to be made and kept up, a good and sufficient Bank, Dam, and other Water Works, necessary for keeping out the Tide from overflowing the said Marsh and Swamp.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bank, Dam, and other Water Works, that may be found necessary to be erected for the effectual preventing the Tide from overflowing the Marsh and Swamp inclosed within the same, shall be erected, supported and maintained at the equal Expence of the Owners and Possessors thereof, in Proportion to the Quantity and Quality of Marsh and Swamp that each of the Owners or Possessors now do, or hereafter may hold within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Natural Water Course of the said Creek, so far up as the Meadow may extend, shall at all Times hereafter be kept open and clear, so as to give the Water a sufficient Fall from off the Meadows or Swamp, in the same Manner and Proportion aforesaid; and all Rubbish, Mud or Grass, that shall be dragged from out of the same, shall be equally divided, as near as may be, to each Side of the said Creek.

AND to the End that the said Bank, Dam, and other Water Works, may be immediately erected, and at all Times hereafter, well and sufficiently supported and maintained, and the said Water Course kept open and clear; BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Marsh and Swamp, shall and may, at all Times (after the ensuing Year) on the First *Tuesday* in *April,* yearly, and every Year, meet at the now Dwelling House of *Constant Smith,* and then and there, by Plurality of Voices of them so met, elect and choose one of the Owners or Possessors thereof to be a Manager the ensuing Year, (until which Time *Leonard Gibbon* is hereby appointed Manager) which Manager during the said Year, shall have full Power to assess the Owners and Possessors aforesaid, pursuant to the Directions of this Act, in such Sum or Sums of Money as shall be by him thought necessary, for erecting, repairing and maintaining the said Bank, Dam and other Water Works, and for keeping the said Water Course open and clear as aforesaid during the said Year; and if the said Owners and Possessors, any or either of them, shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from time to time be assessed on them, any or either of them, for the Space of Twenty Days next after the same shall have been demanded, it shall and may be lawful for the said Manager to sue all and every such Person or Persons, in his own Name, for the respective Sum or Sums of Money he, she or they, were assessed at, in an Action of Debt, if *Six Pounds* or under, before any one Justice of the Peace within the said County, if above in any Court of Record where the same may be cognizable, and give the said Assignment in Evidence; and the said Court and Justice of the Peace, is and are hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit; and it shall and may be lawful for the said Manager at all Times hereafter, to dig Mud the most convenient and least detrimental to the Owner of the Soil, as also Sand, Gravel or Lume, out of the Bank or Fast Land adjoining to either End of the said Bank or Dam, for the erecting, raising and repairing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners and Possessors aforesaid, shall neglect to meet on the said First

Tuesday in *April* yearly as aforesaid, to choose a Manager, then and in such Case the Manager chosen for the preceding Year, shall be continued in said Office the ensuing Year, and so continued from Year to Year, until said Owners and Possessors, or the major Part of them, shall meet and elect another in his Place, and shall have the same Power and Authority to all Intents and Purposes, as if the said Owners and Possessors had met and elected him agreeable to the Directions of this Act.

AND in order to find and fix the Proportion aforesaid, it shall and may be lawful for the Manager, at any Time, to cause the said Marsh and Swamp then cleared or improved, to be measured, the Costs and Expence of which shall be paid by the Owners and Possessors thereof in Proportion as aforesaid.

AND further it shall and may be lawful for the Owners and Possessors of the said Marsh and Swamp, by Plurality of Voices, to choose Two or more neighbouring Freeholders, to inspect into the Quality thereof, and value the same, in order that the said Manager may assess it in Proportion according to the Judgment of the said Freeholders chosen as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Manager shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts for all Monies by him received and expended by Virtue of this Act, and shall deliver the Balance of the Monies remaining in his Hands to the succeeding Manager, first deducting thereout *Two Shillings* in the Pound, for all Monies by him expended for the Purposes aforesaid; and if the said Manager shall refuse or neglect so to account and pay the Ballance remaining in his Hands, to the succeeding Manager, it shall and may be lawful for the said succeeding Manager, to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Manager should happen to die, or remove out of the said County, that then and in such Case, it shall and may be lawful for any Owner or Possessor, to warn in the other Owners and Possessors of said Meadow, to meet at the Place aforesaid, on a Day by him to be appointed, giving them and each of them at least Ten Days Notice, to choose a Manager in the Stead of him so dead or removed as aforesaid; and the said Manager so chosen, in Consequence of said Meeting, by a Majority of the Owners and Possessors then attending, shall be invested with the same Power and Authority, as though he had been chosen on the First *Tuesday* in *April.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall neglect or refuse to do and perform any Duty or Thing required by this Act, such Person or Persons so neglecting or refusing, shall forfeit the Sum of *Six Pounds* Proclamation Money; to be recovered by any of the said Owners or Possessors, before any One Justice of the Peace of said County, and applied towards the supporting the said Dam, Bank and other Water Works as aforesaid, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of any Part of the said Marsh or Swamp, after

they have cleared or improved any Part thereof as aforesaid, shall be and are hereby made liable to the same Pains and Penalties, to all Intents and Purposes, as those who petitioned for this Act, any Thing herein contained to the contrary notwithstanding.

Parker (1765), pp. 59-62.

An ACT *to enable the Owners and Possessors of the Meadow and Swamp, lying on* Little Mantua *Creek, in the County of* Gloucester, *to keep up and maintain the Dam, Bank and other Water Works across the said Creek, and to keep the Water Course thereof open and clear.*

WHEREAS the Owners and Possessors of the Meadow and Swamp lying on *Little Mantua* Creek, in the County of *Gloucester,* have, by their humble Petition, prayed a Law might be passed to oblige all the Parties concerned, to contribute their equal Proportions towards repairing and upholding a Dam, Bank and other Water Works heretofore erected across the said Creek, so as effectually to prevent the Tide from overflowing the said Meadows and Swamp, and to keep the Water Course thereof open and clear; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of said Meadow and Swamp, to meet on the First *Monday* in *March,* yearly and every Year, at the now Dwelling House of *Isaac Andrews,* and there by a Plurality of Voices of them so met, to choose two Persons interested in said Meadows, and living in said County, to be Managers for the ensuing Year; (until which Time *Isaac Andrews* and *Moses Cox* are hereby appointed Managers) which Managers now appointed, or hereafter chosen as aforesaid, shall at all Times hereafter keep the said Dam, Bank and other necessary Water Works in good Repair, so as effectually to prevent the Tide from overflowing the Meadows and Swamp included within the same; and may dig Mud, Lume or Sand, the most convenient and least detrimental to the Owner or Owners of the Soil, for that Purpose; and also build a Stone Wall, or otherways defend said Dam and Bank from the Wash of the Tide, in such Manner as they shall think necessary, and to erect a

Fence or Fences to prevent Horses and Cattle from treading the said Bank and Dam; the Cost and Expence whereof to be paid by the Owners and Possessors, in Proportion to the Quantity of Meadow they severally hold, that is benefited thereby; and the said Managers shall assess the said Owners and Possessors, in Proportion as aforesaid, in such Sum or Sums of Money, as shall be by them thought necessary for the Purposes aforesaid.

AND if any of the said Owners, Proprietors or Possessors, shall neglect or refuse to pay the Sum or Sums of Money so assessed by Virtue of this Act, for the Space of Twenty Days after a Demand made by the said Managers, or either of them, it shall and may be lawful for the said Managers, or either of them, to commence an Action of Debt in any Court of Record in this Province, where the same may be cognizable, and upon Oath (or Affirmation if a Quaker) of the said Managers, or one of them, or of any other Person, of such Demand being made as aforesaid, and that the Process in such Action was duly served at least Ten Days before the Time of Appearance or Return thereof, with Notice that at such Appearance, Day, or Return of the Process, Judgment would be insisted on, the Court in which, or the Justice before whom, the said Action may be commenced, shall immediately give Judgment, and award Execution for the Sum due, with Costs of Suit according to Law, unless the Debtor shall appear and plead, and try the same, at such Time and Place as shall then be appointed by the Court, in which, or by the Justice before whom, the Cause may depend.

AND BE IT FURTHER ENACTED, That for the Security of the Monies which shall be assessed and levied, or become due by Virtue of this Act, all and singular the Meadow and Swamp of every Owner, Proprietor and Possessor, and of every Manager chosen by this Act, shall be subject and liable to the Payment of all Sums of Money, as shall be assessed or become due from them, or which shall be collected and received by them severally and respectively, in Virtue of this Act, from the Time of the said Assessment, Debt accrued, or Monies received; and the same Meadow and Swamp shall be esteemed a Pledge for the Payment of the said Monies, into whose Hands soever they may come, in like Manner as if the said Meadow and Swamp had been mortgaged therefor by the Owner, and the Managers may enter upon and take the Rents, Issues and Profits thereof, for Satisfaction of the said Debt or Monies, after Judgment obtained as aforesaid, or sell the same by Virtue of the said Judgment, which they shall think most expedient.

PROVIDED ALWAYS, That the Meadow and Swamp of no Infant, Feme Covert, or Person beyond Sea, shall be sold by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers now appointed, or hereafter chosen as aforesaid, shall, as often as it is necessary, give Notice in Writing to the said Owners and Possessors, to open and clear out of the said Creek adjoining their own Land, so as to give the Water a sufficient Fall off said Meadows; and if they or any of them, shall neglect or refuse to open and cleanse said Creek as aforesaid, for the Space of Three Months after said Notice in Writing is given, and in such Manner as the Managers shall judge sufficient to answer the Purposes aforesaid; that

then the said Managers, shall within One Month, enter upon the Premises so neglected, and hire Labourers, and cause the same to be done, (so as the Rubbish, Mud or Grass dragged or thrown out, be equally divided as near as may be to each Side) and to demand and receive of the Party or Parties so neglecting or refusing, the whole Expence and Cost thereof; and if he or she shall neglect or refuse to discharge the same, within Ten Days after demanded, it shall and may be lawful for said Managers, or either of them, to sue for and recover the same, by Action of Debt, in any Court of Record of this Colony, having Cognizance of the Sum.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners and Possessors, shall at any Time hereafter neglect to meet on the First *Monday* in *March,* to choose Managers as aforesaid, the Managers chosen for the preceeding Year, shall be continued in said Office from Year to Year, until said Owners and Possessors shall meet and elect others in their Room; and if the said Managers, or any of them, shall die or remove out of the said County, then it shall and may be lawful for any One of the said Owners and Possessors, to warn in the others (giving each of them Ten Days Notice) to meet at the Place aforesaid, to choose a Manager or Managers in the Stead of him or them so dead or removed, who shall be vested with the same Power and Authority, as though he or they had been chosen on the First *Monday* in *March.*

AND in order to ascertain the said Proportions, it shall and may be lawful for said Managers, at any Time hereafter, when they find it necessary, to cause all the said Meadow and Swamp to be measured, the Expence whereof to be paid in Proportion as aforesaid, but if only a Part thereof is measured, the Expence shall be paid by the Party or Parties applying for the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners and Posesssors of the Meadows on the lower Part of the said Creek, that may at any Time need watering, may, when they find it necessary, let in the Tide to overflow the same; provided they make, maintain and keep up a Dam, Bank and Flood Gates, or other Conveniences, in the most suitable Place up the said Creek, sufficient to prevent the Tide from flowing higher up than is necessary as aforesaid; and for that Purpose may dig Mud, Lume or Sand the most convenient, and least detrimental to the Owner or Owners of the Soil, the Cost and Expence whereof shall be paid by the Owners and Possessors of Meadows lying below the said Dam, and in Proportion thereto to be assessed, recovered and laid out by the Managers in Manner aforesaid; of which said Monies so assessed, recovered and laid out the said Managers shall keep a separate Book or Account.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly on the first *Monday* in *March,* account to the said Owners and Possessors, if thereunto required, and produce fair Accounts and Receipts, of all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance remaining in their Hands to their Successors, first deducting *One Shilling* in the Pound, for all Monies so

assessed and expended; and if they or either of them, shall neglect or refuse to account and pay the Ballance as aforesaid, it shall and may be lawful for the succeeding Managers, to sue for and recover the same, by Action of Debt, in any Court of Record in this Colony, where the same may be cognizable, and the said Court shall give Judgment, and grant Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, which are or shall be in Possession of any Part of the said Swamp and Meadow, to bring his, her or their Charge or Charges, of Money paid, or Services done, in Pursuance of this Act, against his, her or their Landlord or Landlords, which Charge of Money, or Service done, shall be allowed by his, her or their Landlord or Landlords, out of the Rent due, owing or payable from such Tenant or Tenants.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall neglect or refuse to do and perform any Matter or Thing enjoined him, her or them by this Act, he, she or they, shall forfeit and pay the Sum of *Six Pounds,* for every such Default, to be sued for and recovered by any Proprietor of the said Swamp and Meadows, in like Manner as is directed by this Act, and applied towards repairing and maintaining the aforesaid Dam and Bank.

Parker (1765), pp. 63-67.

An ACT *for building and maintaining a Draw Bridge over* Raccoon *Creek, in the County of* Gloucester, *near the Mouth of said Creek.*

WHEREAS it hath been found by Experience, that the facilitating the Intercourse and Communication between different Parts of this Province, is of publick Utility; and as the erecting a Bridge over *Raccoon* Creek, near the Mouth thereof, will be of great Advantage to many Inhabitants of the County of *Gloucester,* and others, particularly to those who live on and near the lower Parts of the said Creek, by affording them a ready Intercourse, and a convenient Passage to Market: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for *Constantine Wilkins, William Key, William Brown* and *John Kille,* or any Two of them, to erect and build a Bridge over said *Raccoon* Creek, near the Mouth thereof, and Causeway adjoining, at or near the Land of *Constantine Wilkins* aforesaid; the said Bridge shall be a Draw or Swinging Bridge, and so constructed, that Shallops or Boats may pass and repass; which Bridge and Causeway is to be built, repaired and maintained by voluntary Contribution, and the said *Constantine Wilkins, William Key, William Brown* and *John Kille,* or either of them, are hereby impowered to take in and receive the same for the Purpose aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the Publication hereof, the Bridge and Causeway aforesaid, may be erected and built at the Place aforesaid, in such Manner and Form as the said *Constantine Wilkins, William Key, William Brown* and *John Kille,* or any two of them, shall direct and think proper, without the Hindrance or Molestation of any Person or Persons whatsoever, provided the said Bridge shall be made a Draw or Swinging Bridge, and convenient for passing and repassing of Horses and Carriages over the same.

AND BE IT FUTHER ENACTED *by the Authority aforesaid,* That if any Shallop-Man, Boatman, or other Person or Persons, shall or do leave said Bridge drawn or hoisted up, so that Travellers may be endangered thereby, or liable to fall through, or the Passage over the same be thereby obstructed; or shall at any Time after the erecting thereof, wilfully or negligently destroy, injure or damage said Bridge or Causeway; every such Person or Persons shall forfeit and pay the Sum of *Five Pounds,* to be recovered by any Person or Persons, who will sue for and prosecute the same to Effect, before any Magistrate of the said County of *Gloucester,* over and above any Damage done to said Bridge or Causeway; one Moiety to the Prosecutor, and the other Moiety towards repairing said Bridge and Causeway; and the Damage so done, the Managers herein before named for erecting said Bridge, or any other Person or Persons who shall hereafter be chosen as hereafter mentioned, shall sue for and recover in any Court, where the same is or may be cognizable, to be applied towards repairing said Bridge and Causeway, first deducting thereout the reasonable Expences attending the Prosecution and Recovery of the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon the Death or Refusal of any of the aforesaid Commissioners, appointed by this Act, for erecting said Bridge, that it shall and may be lawful to and for the Persons who have already subscribed, or shall hereafter become Subscribers, or the Majority of them, to meet at some convenient Place, and there, by Plurality of Votes, elect or choose any other Person or Persons in their Place or Stead, who shall have the same Power and Authority to make Use and dispose of all or any of such Sum or Sums of Money, as shall be so raised,

for the amending and repairing of said Bridge and Causeway, to all Intents and Purposes as the above appointed Commissioners.

Parker (1765), pp. 67-68.

An ACT *to enable the Owners and Possessors of the Meadows lying on* Newtown *Creek, near the Head thereof, in the County of* Gloucester, *to repair and maintain a Bank and other Water Works, heretofore erected and made across the said Creek, and to keep the former Water Course of the said Creek open and clear.*

WHEREAS the Owners and Possessors of the Meadows lying on *Newtown* Creek, near the Head thereof, did many Years past, erect a Dam, Bank, and other Water Works, beginning at the Fast-Land now *James Graisbury's,* and crossing said Creek to the Fast-Land now *Richard Collins's;* by which Means they have enjoyed great Advantage from the Meadows above said Dam. AND *Whereas* the Sluice has lately blown, and the Dam broke, whereby said Meadows are rendered useless, and likely so to remain, unless remedied by a Law, as the Parties cannot agree to make up and repair the same: AND *Whereas* the Parties concerned, have all been served with Notice, and a Hearing had before the House of Assembly, and no reasonable Objections appearing: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful to and for the Owners and Possessors of the Meadows lying between a Dam called *Graisbury's* Dam, and one other called *Atmore's* Dam, to repair and amend, or Cause to be repaired, amended, and kept up, the said Bank, Dam and other Water Works, necessary for the effectual preventing the Tide from overflowing the said Meadows; which Dam and Bank shall be erected, supported and maintained at the equal Expence of the Owners and Possessors, in Proportion to the Quantity of Meadow that each of the Owners or Possessors now or hereafter may hold, within the said Bank and Dam; *Thomas Atmore* and his Successors always excepted.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the natural Water Course of the said Creek called *Atmore's,* down to that of *Graisbury's,* shall at all Times be kept open and clear, so that the Water may have a sufficient Fall from off the Meadows between the two aforesaid Dams; and all Mud, Grass or other Rubbish, that shall be thrown or dragged from

out thereof, shall be equally divided as near as may be to each Side of the said Creek.

AND to the End that the said Bank, Dam and other Water Works, may be immediatedly repaired, and at all Times hereafter, be well and sufficiently supported and maintained, and the said Water Courses kept open and clear: BE IT ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Meadows, shall and may at all Times after this present Year, on the first *Tuesday* in *April,* yearly and every Year, meet and assemble at the Court House in the Town of *Gloucester,* or at such oher Place as the Majority of them at any of their Meetings may adjourn to, and then and there, by Plurality of Voices of them so met, elect and choose two Persons to be Managers the ensuing Year, until which Time *Joseph Graisbury* and *Jacob Stokes,* are hereby appointed Managers; which said Managers during said Year, shall have full Power to assess the said Owners and Possessors, pursuant to the Directions of the Act, in such Sum or Sums of Money, as shall be by them thought necessary, for the repairing and maintaining said Bank, Dam and other Water Works, and for keeping said Water Courses open and clear as aforesaid; and if any of the said Owners or Possessors, shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from time to time be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers, to sue all and every such Person and Persons in their own Names, for the respective Sum or Sums of Money, he, she or they were assessed at, in any Action of Debt, in any Court of Record where the same may be cognizable, and give the Assessment in Evidence; and the said Court is hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit; and it shall and may be lawful for the said Managers at all Times hereafter, to dig Mud the most convenient and least detrimental to the Owners of the Soil, and also Lume or Sand out of the Bank or Fast-Land adjoining to either End of the aforesaid Bank, for the erecting, raising and repairing the same.

PROVIDED ALWAYS, That no Person or Persons shall be chosen a Manager or Managers, but what shall at the Time of said Choice, own at least Four Acres of the said Meadow mentioned in this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to meet on the First *Tuesday* in *April* yearly, to choose Managers as aforesaid; that then and in such Case, the Managers chosen for the preceding Year, shall be continued in their Office the ensuing Year, and so continue from Year to Year, until the said Owners and Possessors shall meet and elect others in their Room; and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act.

AND in order to find and fix the said Proportion, it shall and may be lawful for the Managers appointed by this Act, or their Successors, if they find it necessary, to measure the said Meadows; the Cost and Expence of

such Measurement shall be paid by the Owners and Possessors thereof, in the Proportion aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts for all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance of the Monies remaining in their Hands, to the succeeding Managers, first deducting thereout *Two Shillings* in the Pound, for all Monies by them, or either of them, expended for the Purposes aforesaid; and if the said Managers, or either of them, shall neglect or refuse so to account and pay the Ballance remaining in his or their Hands, to the succeeding Managers, it shall and may be lawful for the said succeeding Managers to sue for and recover the same, in Manner and Form aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That when it shall happen at any Time hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside on the same, or in any other Place within the said County, or any other Person to represent him, her or them, to pay the several Sum or Sums of Money assessed thereon as aforesaid; that then it shall and may be lawful, for the said Managers for the Time being, to rent out Part of the said Meadows, or the Whole if necessary, for such a Time or Term, as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if one or both the said Managers should die, that then and in such Case, it shall and may be lawful for the Survivor, or any other Person entrusted in this Act, to give Notice to the Owners and Possessors of said Meadows, to meet as aforesaid, on a Day by him appointed, (giving them and each of them Ten Days Notice at the least) to choose a Manager or Managers, in the Place and Stead of him or them so deceased as aforesaid; and the said Manager or Managers so chosen, shall be invested with the same Power and Authority, as though they had been chosen on the first *Tuesday* in *April.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons, neglecting or refusing to do and perform any Duty or Thing required by this Act, shall forfeit the Sum of *Four Pounds* Proclamation Money, to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace for said County, to be applied towards the supporting the said Bank, Dam and Water Works, as aforesaid, together with Costs of Suit.

Parker (1765), pp. 69-72.

An ACT *to prevent Waste from being committed upon the Common Land allotted to the Patent of* Seacaucus, *in the Corporation of* Bergen.

WHEREAS Six of the Commissioners appointed by an Act of General Assembly of this Colony of *New-Jersey*, entitled, *An* Act *appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of* Bergen, *and for making a Partition thereof in just and equitable Proportions, among those who shall be adjudged by the said Commissioners to be intituled to the same,* took upon them the Execution of the said Act, and in Virtue thereof, laid out and allotted to the Patent of *Seacaucus,* situate in the Township of *Bergen,* a certain Tract of Common Land, to which divers Persons claimed Title; but as the Commissioners aforesaid were equally divided in Opinion about the same, did not adjudge the Property of the said Tract of Common Land, to any of the said Claimants; whereby it remains greatly controverted between them, who under Pretence or Colour of Right, are daily committing Waste thereon, insomuch that the said Tract of Common Land will be greatly lessened in Value (before the Controversies relative thereto can be determined) if such Waste be not prevented; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That from and after the tenth Day of *July* next, it shall and may be lawful to and for any Person or Persons, to commence and prosecute to Effect, his, her or their Action or Actions of Debt, against any Person or Persons whatsoever, as well Claimants as other Persons, who shall cut down, take or carry away any Timber, Wood or Underwood whatsoever, belonging to the said Tract of Common Land, before the Property thereof shall be finally settled and determined; and every such Person or Persons, so commencing and prosecuting such Action or Actions, shall recover such Penalties and Costs, as by the Laws of this Colony are awarded for the Waste or Destruction of Timber, Saplin[g]s or Poles, notwithstanding any Right or Pretence of Right, which such Person or Persons so committing such Waste may claim to the said Tract of Common Land, or any Part thereof; one Half of which said Penalties, shall be the Property of such Person or Persons so commencing and prosecuting to Effect, any Action or Actions as aforesaid, and the other Half of the said Penalties shall remain in his, her or their Hands, ready to be delivered to such Person or Persons to whom the Property of the said Tract of Common Land shall be hereafter adjudged, who shall be, and hereby is and are authorized, to recover the said other Half of the said Penalties, after such Adjudication, provided such Penalties be then withheld from him or them.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act on or before the First Day of *July* next, shall be published at large in the *New-York* Weekly Gazette and Mercury, and the Substance thereof also

published, by Advertisements affixed at the Church in *Bergen,* and the Court House in *Hackinsack;* and the Costs attending such Publication, shall be defrayed out of the Surplus Money belonging to the said Patent of *Seacaucus,* and now remaining in the Hands of the late Trustees of the Township of *Bergen;* and the Receipt or Receipts of the Person or Persons receiving the said Costs, shall be a sufficient Discharge to them, and either of them the said Trustees, their and either of their Heirs, Executors and Administrators, for so much of the said Surplus Money as such Receipt or Receipts, shall express to have been paid on Account of the Publication aforesaid.

PROVIDED ALWAYS, That Nothing contained in this Act, shall be deemed, construed or understood, to affect or destroy any Claim, Right or Title of the General Proprietors of the Eastern Division of this Province, or their Assigns, to the Premises, or to any Part thereof, and saving also to his Majesty, his Heirs and Successors, all his Rights therein, as if this Act had not passed; and that this Act be in force until the End of the next Session of the General Assembly, and no longer.

Parker (1765), pp. 72-74.

An ACT *to enable the Proprietors and Owners of the Meadows on* Assisconck *or* Birch *Creek, to deepen and widen the said Creek, from an old Mill Dam formerly owned by* Job Lippincott, *to the Forks, and from thence up the South or* Matacopenny *Branch, as far as the upper Part of* Barker's *Land, and up the North or* Petticoat *Branch, as far as the Head of* Black's *Place, occupied by* Benjamin Gibbs.

WHEREAS divers of the Owners and Proprietors of the Meadows lying on *Assisconck* or *Birch* Creek, in the County of *Burlington,* have, by their Petition, set forth, that there is a large Quantity of Meadow lying on the said Creek, between the upper and lower Parts thereof, which from Obstructions in the said Creek, are subject to be too long overflowed, and thereby rendered of less Value to the Proprietors thereof; and therefore praying a Law, to enable the Owners and Proprietors of the said Creek to open and clear the said Creek to the Breadth of Twelve Feet, and of such Depth as is requisite for the Purposes aforesaid, to begin on the lower Side of an old Mill Dam

formerly owned by *Job Lippincott,* and to extend the Breadth of Twelve Feet to the Forks, from thence of the Breadth of Eight Feet up the South or *Matacopenny* Branch, as far as the upper Bounds of the Land called *Barker's* Land, and up the North or *Petticoat* Branch Eight Feet, as far as the Head of *Black's* Place, occupied by *Benjamin Gibbs,* AND *whereas* the clearning and opening the said Creek will be of great Benefit and Advantage, as well to the said Proprietors of the said Meadows, as to the County in general:

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That *Edward Tonkin* and *Joseph Ridgway,* shall be and hereby are appointed Managers or Commissioners for widening, deepening and cleansing the said Creek and Branches, and shall continue Managers and Commissioners until the First *Monday* in *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty Six; and that it shall and may be lawful for the said *Edward Tonkin* and *Joseph Ridgway,* or either of them, and they or either of them, are hereby authorized, during the Time they shall continue Managers, to enter into and upon the Meadows of all Persons whatsoever, lying upon the said Creek and the Branches aforesaid, as far up the South or *Matacopenny* Branch, as the lower Bounds of the Tract of Land formerly *Barker's;* and up the North or *Petticoat* Branch, as far as the Head or upper Part of *Black's* Place, to be of the respective Widths above-mentioned, and shall and may, from time to time, and as often as it shall be necessary, widen, clear out and enlarge the same, from the lower Side of the Mill Dam aforesaid, up the said Creek, and the aforesaid Branches thereof, of the Width and Depth aforesaid, for the effectual draining and carrying the Waters off the said Meadows; and the Mud and other Obstructions taken out of the said Creek, and the Branches aforesaid, equally to throw out upon the Meadows next adjacent.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said *Edward Tonkin* and *Joseph Ridgway,* shall and may, and they are hereby authorized and impowered to assess such Sum or Sums of Money, as may be necessary to defray the Expences of widening and deepening the said Creek and Branches aforesaid, equally in Proportion to their respective Quantities, on all the Proprietors and Owners of the Meadow lying on the said Creek and Branches, and shall and may demand and receive, of all and every of the Proprietors aforesaid, such proportionable Sums so by them assessed; and on Neglect or Refusal of the Payment thereof, it shall and may be lawful for the said Managers, or either of them, and they are hereby enjoined, by Action of Debt, to sue for and recover the same, with Costs of Suit, in such Manner and in such Courts, as Debts of such Value are recoverable by the Laws of this Colony. All which Sums so assessed, received and recovered, shall be applied by the Managers, to the Purposes in this Act before-mentioned.

AND BE IT FURTHER ENACTED *by the Authority* That it shall and may be lawful for the said Proprietors and Owners, or as many of them as shall choose to attend, yearly and every Year forever hereafter, to meet at the House of *John Ridgway,* in *Springfield,* on the first *Monday* in *May,* or such other Place as the Managers shall appoint, who, or the major Part so met, shall

have Power to continue the said Managers, or choose two others, being Proprietors and Freeholders of the said Meadows, to be Managers; which said Managers shall continue as such for one whole Year next ensuing such Choice, and shall be, during the Continuance of that Year for which they are so chosen, vested with all the Powers and Authorities herein before given to *Edward Tonkin* and *Joseph Ridgway,* or either of them.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, that now or hereafter shall or may be appointed or chosen a Manager as aforesaid, and shall neglect or refuse to take upon him or them, the Execution of the Powers herein before given to the Managers, he or they so neglecting or refusing, shall forfeit the Sum of *Five Pounds;* to be sued for and recovered as herein before is directed, by any one of the Proprietors and Owners of the said Meadows, and applied to the cleansing and widening the said Creek and Branches; and that in Case any of the Persons now appointed, or that hereafter may be chosen Managers by Virtue of this Act, shall or may die before the Expiration of the Time for which he or they are so chosen, or shall refuse to take on himself the Management thereof; then and in such Case, it shall and may be lawful for the Owners and Proprietors of the said Meadows, or the major Part of them, as shall choose to attend, to meet and assemble together, and choose a Person or Persons to supply the Place or Places of such Person so refusing or dying; and the Person or Persons so chosen, shall have all the Power and Authority herein before given to the Managers in this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the Managers shall have each Day they shall be employed in the overseeing and discharging the Duties given them by this Act, the Sum of *Five Shillings.*

PROVIDED ALWAYS, That Nothing in this Act contained, shall be construed to extend to compel the Proprietors of the Meadows below the said Fork, to contribute to the Expence of cleansing and widening the said Branches above the Forks, or to compel any or either of the Proprietors of the Meadows on the said Creek or Branches, to pay any Assessment or Assesssments on him, her or them laid and assessed by the Managers, in Pursuance of this Act, who shall at his, her or their own Expence and Charge, cleanse, scour and keep open, his, her or their Proportion of the Creek or Branches aforesaid, adjacent and opposite to his, her or their own Meadows; any Thing herein before to the contrary notwithstanding.

Parker (1765), pp. 74-77.

An ACT *to enable the Reverend Mr.* Colin Campbell, *the present Rector of Saint* Mary's *Church in* Burlington, *with the Church-Wardens and Vestry-Men of said Church, or the major Part of them, to sell Two Hundred and Six Acres of Land in* Somerset *County, devised to the Ministry of said Church; and to enable Trustees to put the same to Interest, until a convenient Glebe can be purchased near the said Church; and other Purposes therein mentioned.*

WHEREAS Thomas Leciter, late of *Piscataway,* in the Eastern Division of this Province of *New-Jersey,* did, in and by his last Will and Testament, give and bequeath unto the Church of Saint *Ann,* in *Burlington,* now Saint *Mary*'s, for the Use of the Ministry of said Church, Two Hundred and Six Acres of Land, lying and being upon *Stony-Brook,* in the said Eastern Division of this Colony. AND *Whereas* the Reverend *Colin Campbell,* the present Minister of said Saint *Ann*'s, now Saint *Mary*'s Church, hath presented a Petition to the Governor, Council and General Assembly of this Province, setting forth, that great Inconveniencies have and do daily arise to the Minister and Church, from the distant Situation of said Lands from the said Church, and that Waste may be committed, and the Estate lessened in Value, and the good Intentions of the Donor, for the Maintainance of the Minister of said Church, be in a great Measure frustrated; and therefore praying Leave to bring in a Bill, to impower the Minister, Church-Wardens and Vestry-Men of said Church, or the major Part of them, to sell and dispose of the said Lands in Fee Simple, and to purchase for the Purposes in the said Will, other Lands nearer and more convenient to the said Church, and until the Produce of the said Two Hundred and Six Acres can be so laid out, that the same shall be put to Interest, and the Interest thereof applied yearly to the Use of the Minister: And it seeming reasonable and highly convenient, that the said Lands, for the Reasons above set forth, should be sold, and the Monies therefrom arising, should be applied in purchasing other Lands more convenient and better situate for the Uses in the said Will mentioned;

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful, and the said *Colin Campbell,* together with the Church-Wardens and Vestry of said Church, or the major Part of them, (of whom the said *Colin Campbell,* or the Minister of said Church for the Time being, always to be one) are hereby authorized and impowered, to sell and convey the said Two Hundred and Six Acres, situate, lying and being at *Stony-Brook,* in the County of *Somerset* aforesaid, as aforesaid devised and bequeathed by the said *Thomas Leciter,* to any Person or Persons whatsoever; and that the Deed or Deeds, Conveyance or Conveyances, given and executed by the said Minister, Church-Wardens and Vestry-Men, or the major Part of them, in Conjunction with the

Minister of said Church for the Time being, shall be good, valid and effectual, to convey all the Estate, Right and Title, the said *Thomas Leciter* had at the Time of his Death, of, in or to the said Two Hundred and Six Acres of Land. *Provided,* That neither the said *Colin Campbell,* nor the Minister of the said Church of Saint *Mary*'s, nor the Church Wardens or Vestry-Men for the Time being, nor the Trustees in this Act named, nor any Person in Trust for them, or any of them, become the Purchaser of the said Two Hundred and Six Acres of Land, or any Part thereof.

AND BE IT ENACTED *by the Authority aforesaid,* That the Monies arising from the Sale of the said Lands, shall, by the Purchaser or Purchasers thereof, be paid into the Hands of the said *Colin Campbell, John Lawrence,* Esq; and *Edward Tonkin,* or any two of them, who are hereby impowered to receive the same; and upon Receipt thereof, the same to pay and lay out in the Purchase of such Lands adjacent to the said Church, as will best answer the Intentions of the said *Thomas Leciter,* and shall be approved of by the said Minister, Church-Wardens and Vestry of said Church for the Time being, or the major Part of them, of whom the Minister for the Time being always to be One; and the Deed or Deeds, Conveyance or Conveyances, for the same Lands so purchased, shall be given and executed to the said Minister, Church-Wardens and Vestry-Men of said Church forever, for the Use and Support of the Minister of said Church for the Time being, agreeable to the Bequest of the said *Thomas Leciter,* and to and for no other Use or Purpose whatsoever; and until such convenient Lands can be purchased, it shall and may be lawful for the said *Colin Campbell,* and the said *John Lawrence* and *Edward Tonkin,* to put the said Monies out to Interest, upon good real and personal Security, and the Interest yearly and every Year to receive, and the same to pay to the said *Colin Campbell,* or to the Minister of said Church for the Time being, whose Receipt or Receipts shall be a sufficient Discharge or Discharges to them, or either of them, for the Interest so paid.

AND *Whereas* Money at Interest is subject to Casualties and Losses; therefore, that the Monies arising from the Sale of said Lands, may be subject to as little Risque as may be, BE IT ENACTED *by the Authority aforesaid,* That the said *Colin Campbell, John Lawrence* and *Edward Tonkin,* shall give Bond, with good and sufficient Security, to the Church-Wardens and Vestry of said Church, the Majority of them, or to such Persons as the Majority of them shall appoint, that they shall and will account for the said Monies from time to time, as in and by this Act is required; and within Three Years after the Sale of said Lands, invest the Monies arising therefrom, in other Lands as aforesaid, for the Use of said Church as aforesaid; and that in the mean Time, the Money aforesaid shall not be put to Interest, but on good real and personal Security or Securities.

AND that the Conduct of the said *Colin Campbell, John Lawrence* and *Edward Tonkin,* in executing the Trust hereby reposed in them, may be inspected; and as it is highly necessary, that they should be under the Controul, and subject to be called to Account by some proper Authority; BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for his

Excellency the Governor of this Colony for the Time being, together with any three or more of his Majesty's Council for the Time being, from time to time, to call the said *Colin Campbell, John Lawrence* and *Edward Tonkin* before them, at such time and times as the said Governor and Council shall think proper, and their Accounts, Bonds and other Securities to inspect, and to give such Order or Orders for the due Execution of this Act, as shall by them be thought necessary; which Orders and Directions, the said *Colin Campbell, John Lawrence* and *Edward Tonkin,* are hereby required and enjoined from time to time to observe and obey: And the said Governor of this Colony for the Time being, together with any three or more of the said Council, are hereby impowered, upon any Neglect or Refusal of the said *Colin Campbell, John Lawrence* and *Edward Tonkin,* to account before them, as is before directed, or on their or any of their Misapplication of the said Money, to put their said Bond in Suit (which the said Church-Wardens and Vestrymen are hereby required to deliver for that Purpose) and upon Recovery of the Monies due thereon, the same to apply pursuant to the Directions of this Act; any Thing before to the Contrary notwithstanding.

Parker (1765), pp. 77-80.

An ACT *to enable the Honourable* Charles Read, *Esq; to erect a Dam over* Batstow *Creek, and also to enable* John Estell *to erect a Dam over* Atsion *River.*

WHEREAS by two several Acts of the General Assembly of this Colony, the one entitled, *An* Act *to preserve the Navigation of the Rivers and Creeks within the Colony of* New-Jersey, and the other entitled, *A Supplementary* Act *to the Act, entitled,* An *Act* to preserve the Navigation of the Rivers and Creeks within the Colony of *New-Jersey,* all the said Rivers and Creeks within the said Colony are directed to be kept open and free from Obstructions, and consequently no Dams, tho' of ever so great public and private Utility, can be erected across any of the said Rivers and Creeks, without the Aid of the Legislature. And whereas the Honourable Charles Read, Esq; by his humble Petition, sets forth, that he hath proved to Demonstration, good merchantable Bar-Iron may be drawn from such Ore as may be found in plenty in the Bogs and Savannahs in such Parts of this Province which are too poor for Cultivation, which he conceives will be of publick Emolument; and that in order to erect

the necessary Works, he has lately purchased a considerable Tract of Land, lying on both Sides of *Batstow* Creek, near *Little Egg-Harbour,* in the County of *Burlington;* praying the Aid of the Legislature, to enable him to erect a Dam across the said Creek, for the Use of an Iron-Work; and in order to remove every Objection against the Prayer of his Petition, hath produced a Certificate from *Joseph Burr,* jun. purporting, that he the said *Joseph Burr* is, and for several Years past hath been in Possession of a Saw-Mill at the Head of *Batstow* Creek aforesaid, from whence Boards only have been floated down, but attended with such Expence, as to afford a Probability that the said Creek will not be hereafter used for the like Purpose; hence the said *Burr* alledges, that the Dam over the said Creek as petitioned for by the said *Charles Read,* cannot be of any publick or private Detriment, but on the Contrary greatly advantageous; therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful to and for the said *Charles Read,* his Heirs and Assigns, and he, they and either of them, is and are hereby authorized and impowered, to cast up and erect a good and sufficient Dam over the said *Batstow* Creek, at such Place where the said *Charles Read,* his Heirs and Assigns, or either of them, shall think proper to cast up and erect the said Dam; which Dam so cast up and erected, it shall and may be lawful to and for the said *Charles Read,* his Heirs and Assigns, and either of them, from time to time, and at all times hereafter, to continue, repair, keep up and maintain in good and sufficient Order, so as to answer the Purpose intended by the same; any Thing in either of the above recited Acts to the Contrary thereof notwithstanding.

AND *Whereas John Estell,* by his humble Petition, sets forth, that he is possessed of a Tract of Land, situate on each Side of *Atsion* River, in the County of *Burlington,* where he is inclined to erect a Saw-Mill, and hath already been at considerable Expence thereabout; that the Water Course above where he is inclined to erect the said Mill, hath never been used for any other Purpose, except the floating down small Bundles of Shingles, and that but seldom; and that the Lands adjoining to the said Creek, above the intended Dam, to the Dam of *James Inskeep's* Mill at *Goshen-Neck,* do belong to the said *Charles Read,* Esq; and *James Inskeep,* who are willing the Dam prayed for should be erected, and in Coroboration thereof, have certified their Willingness under their Hands, alledging the Dam aforesaid will not be detrimental to any Person or Persons, but on the Contrary advantageous, provided Ways be made through the said Dam: Therefore,

BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may [be] lawful to and for the said *John Estell,* his Heirs and Assigns, and either of them, and he the said *John Estell,* his Heirs and Assigns, and either of them, is and are hereby authorized and impowered, to cast up and erect a good and sufficient Dam over the said *Atsion* River, below the uppermost Fast Landing thereon, known by the Name of the Shingle-Landing, and at such Place where the said *John Estell,* his Heirs and Assigns, and either of them,

shall think proper, to cast up and erect the said Dam; which Dam, so cast up and erected, it shall and may be lawful to and for the said *John Estell,* his Heirs and Assigns, and either of them, from time to time, and at all times hereafter, to continue, repair, keep up and maintain, in good and sufficient Order, so as to answer the Purposes thereby intended; provided Ways be made through the said Dam, to admit Rafts to pass; any Thing in either of the above recited Acts to the Contrary hereof notwithstanding.

Parker (1765), pp. 80-82.

A Supplementary ACT *to several former Acts of this Province, for enabling the Owners, Proprietors and Possessors of the Meadows on* Burlington *Creek, including* Christopher Wetherill's, Joseph Noble's, *and such Part of* Daniel Smith's, *as formerly belonged to his Father* Daniel Smith, *deceased, and extending from thence to the Lower-Sluice Bank, called and known by the Name of the Lower-Sluice Company, to support and maintain the Banks, Sluices and Flood-Gates already made, erect and make such new Ones as may be necessary for draining the said Meadows.*

WHEREAS the Proprietors, Owners and Possessors of the Meadows, on both Sides of the Creek that surrounds the Island of *Burlington,* have been enabled, by several Acts of Assembly, to keep the Tide from overflowing the same Meadows, to erect Banks, set Sluices and Flood-Gates, and make Ditches and Drains to carry the Water from the same; which have been found to be of considerable Advantage to the same Owners, but may be rendered more beneficial by the additional Provision of this Act;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and by the Authority of the same,* That it shall and may be lawful for the Owners, Proprietors and Possessors of the Meadows aforesaid, to support, keep up and sustain, all and every of the Banks, Dams, Sluices and Flood-Gates heretofore erected set or placed, to keep the Tide from overflowing and carrying the Water off the same Meadows.

BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and

every the respective Owners and Possessors of the Meadows on each Side of the Creek, shall be obliged at all Times hereafter, to keep the Creek and the Branches thereof open, within and against his, her or their respective Meadows, and shall cleanse the same, so that the Water may pass freely by and thro' the same; and that where the Meadows bounded on each Side of the Creek, are owned or possessed by different Persons, the same Creek shall be kept open, cleansed and cleared, by the Owners or Possessors equally, or at their equal Expence; and in Case any of the Owners or Possessors thereof, shall neglect or refuse to do and perform the same, or the Share thereof to him, her or them belonging, for the Space of one Month after Notice given by the adjacent, or other Owners, Possessors or Managers, or one of them, to such Delinquents, for that Purpose; it shall and may be lawful to and for the Managers hereafter directed to be chosen, or either of them, and they are hereby commanded and authorized, to enter into and upon the Meadows of such Persons so neglecting or refusing, and clear and cleanse the Creek and Branches thereof, in such Manner as they may judge proper, to answer the Purposes aforesaid, and bring his or their Action of Debt, or on the Case, for the Costs and Charges of such clearing; for which Service such Managers shall be allowed *Seven Shillings and Six pence* each, for every Day they, or either of them, shall be employed in directing or overseeing the Labourers in such Work; to be paid by the Party so refusing or neglecting as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Owners or Possessors of the Meadows, on both Sides of all Partition Ditches already made, or that may hereafter be made, shall equally cleanse the same, or be at the equal Expense thereof; and if any Owner or Possessor shall neglect or refuse to cleanse his proportionable Part or Share, for the Space of One Month after Request made by the adjacent, or other Owners or Possessors, Managers, or either of them, for that Purpose; it shall and may be lawful for the Owner or Possessor of the Meadows divided by or adjoining the Ditch aforesaid, or others damaged thereby, to perform the same, and recover the Costs and Charges thereof, in any Court of Record in this Province, where Debts of such Nature are recoverable.

BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Owners, Possessors and Proprietors, or such of them as may think proper, to meet at the House now occupied by *Lambart Barnes,* Innkeeper in the City of *Burlington,* on the First *Monday* in *May* next, and on the First *Monday* in *May* in every succeeding Year forever hereafter, at Six o'Clock in the Afternoon, at the House aforesaid, or at such other Places as the Clerk hereafter appointed, shall advertise at least five Days before the Time of Meeting; and then and there, by a Majority of the Votes of such Owners or Possessors present, choose two Managers, one Assessor, one Collector, and one Clerk, who shall continue in their respective Offices for one whole Year next ensuing, and until others are chosen.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Owners, Proprietors and Possessors, or such of them as shall think proper, to meet together at such Times and Places as

the Managers aforesaid may, or shall think fit to appoint, and then and there, by a Majority of the Votes of the Owners and Possessors present, fix, settle and agree, on any Sum or Sums of Money, necessary for the mending or supporting the Banks, Sluices, Ditches and Flood-Gates already erected, or for making any further or other new Banks, Ditches, Drains, Sluices or Flood-Gates, as shall be by the Managers thought necessary for keeping the Tide out, and carrying the Water off the same Meadows; which said Sums of Money so agreed upon, shall be assessed, levied and paid, on and by the Proprietors, Owners or Possessors of the Meadows aforesaid, equally according to the respective Bounds, Proportions, and Assessments heretofore used, and in constant Practice, in Pursuance of the Stipulations made by the respective Owners of the Land, at the first Stopping out of the Tide, and not otherwise.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Managers already chosen, or to be hereafter chosen, or either of them, and they are hereby enjoined at all Times forever hereafter, to support, sustain and keep in good and sufficient Repair and Order, all and every the Banks, Dams, Ditches, Sluices and Flood-Gates already made and erected, and to erect and make such further and other Banks, Dams, Drains, Sluices and Flood-Gates, as they may judge necessary effectually to keep the Tide out, and drain the Water off from the Meadows aforesaid, and also to enter into and upon all and every the Meadows of any Person or Persons, belonging to the said Sluice Company, and accustomed to pay Tax as aforesaid, and inspect into, and examine the main Creek aforesaid, or any Ditches necessary to drain the said Meadows; and upon finding any Obstructions whatsoever therein, or that they or any of them want cleaning, to give Notice of such Obstructions or Want of cleansing, to the Owners or Possessors, whose Duty it is to perform the same; and on the Refusal or Neglect of the same Owner or Possessor, for One Month as aforesaid, to remove such Obstructions, or to cleanse such Creek, Ditch or Drain, or his, her or their proportionable Share as aforesaid, to enter into the Premises, and execute the Power and Authority herein before given them; for all which Services, the Managers shall each of them receive *Seven Shillings* and *Six-pence* per Day, as long as they are necessarily employed about the said Work.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That as often as the Managers aforesaid, shall find or judge it necessary to raise any Sum or Sums of Money, to enable them to perform any Duty enjoined them in this Act, it shall and may be lawful for them to order and appoint a Meeting of the Owners and Possessors of the Meadows aforesaid, at such Times and Places as they shall think proper, and to order and direct the Clerk to give Notice of such Appointment and Meeting, at least Five Days before the same, by fixing up an Advertisement or Advertisements thereof, at some of the most publick Places in the City of *Burlington.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessor and Collector, shall and may forthwith assess and collect the several

Sums of Money so agreed to be assessed and collected in Manner aforesaid, and shall and may pay the same into the Hands of the Managers, or either of them; and that the Assessor shall have for his Trouble, *Two-pence* per Pound, and the Collector for collecting the said Assessments, *Six-pence* per Pound.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Clerk so as aforesaid to be chosen, shall keep Minutes of the Meetings and Transactions of the Owners and Possessors of the Meadows aforesaid, give the several Notices in this Act mentioned, and obey the several Orders of the Managers; for which Services he shall be allowed such reasonable Sums of Money, as the Owners and Possessors of the Meadows at their Meetings may think fit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case the said Owners, Proprietors or Possessors, or any of them, shall or may neglect or refuse to pay his or their Assessments already assessed, or that shall hereafter be assessed in Virtue of this Act, it shall and may be lawful for the said Collector, in his own Name, to bring an Action of Debt for the same Assessment, in any Court of Record in this Province, where the same may be cognizable, against any of the Owners or Possessors of the Meadows aforesaid assessed, at the Time of the Assessment, or against the Owners for the Time being, and shall recover the same, with Costs of Suit.

AND *Whereas,* also some Persons living in this and the neighbouring Provinces, have and may refuse to pay their Assessments, and the Recovery of such Assessments may be rendered difficult or delayed by the Remedy of Action of Debt aforesaid, and such Refusal or Neglect may greatly Prejudice the Owners and Possessors paying their Shares: For the effectual Prevention and Remedy whereof, BE IT ENACTED *by the Authority aforesaid,* That if any Owner or Owners, Possessor or Possessors of any of the Meadow aforesaid, living within or without this Province, shall neglect or refuse to pay his, her or their Assessments, for the Space of Three Months after the Assessments made; or if any Owner or Possessor of any Part of the same Meadows, are now indebted for any Sum or Sums of Money, upon any Assessment or Assessments heretofore legally made, and shall neglect to discharge the same for Three Months after the passing of this Act; that then and in that Case, the Collector already chosen by Virtue of any former Law or Laws, or the Collector chosen by Virtue of this Law, shall and may acquaint the present, or any future Managers; which Managers are hereby directed to give Notice to all Persons they know to be interested in the Meadows aforesaid, on which such Assessments are or shall be laid, by advertising thereof in the publick News Papers of *Pennsylvania* and *New-York,* or by Advertisements put up at Two of the most publick Places in *Burlington,* at least for Two Months; and if the said Owner or Owners, Proprietor or Possessor, or some of them, shall not within the Time last aforesaid, pay all the Assessments now due, or that hereafter may be due, to the Managers or Collectors, together with Costs of advertising, and the Interest on the Assessments; it shall and may be lawful for the present, or any succeeding Managers, and they are hereby autho-

rized, impowered and enjoined, at publick Vendue, to lease by Deed under their Hands and Seals, for such Term and Time, such Part of the Meadows aforesaid, of the Person or Persons so neglecting as aforesaid, or refusing to pay the Assessment made by Virtue of any former Act, or that may be made by Virtue of this Act, as they may judge sufficieint for that Purpose; and the Person or Persons to whom the same shall be leased, shall hold the same so leased in the Manner the same shall be leased, against the Owner, Proprietor and Possessor, free and clear from any Incumbrances by the said Owner or Owners on the same laid or charged.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case of the Death or Refusal of any of the Officers appointed to be chosen by Virtue of this Act, it shall and may be lawful for the Owners and Possessors, or such of them as shall think fit to meet at such Time and Place as the Managers, or surviving Manager, or a Majority of the Company may appoint, and choose other or others to supply the Place or Places of him or them so dying or refusing; who shall continue in Office, and exercise all the Powers and Authorities of the Person in whose Place he shall be chosen.

AND BE IT ENACTED *by the Authority aforesaid,* That if the Managers, Collectors, Assessor or Clerk, or any of them, shall or do neglect his or their, or either of their Duties enjoined in this Act, or shall refuse to take upon him or them the Office or Offices for which they may or shall be chosen; he or they neglecting or refusing, shall forfeit and pay the Sum of *Ten Pounds;* to be recovered by Action of Debt, with Costs of Suit, by any Person or Persons, Owners or Possessors of the said Meadows, who shall or may sue for the same, to be applied to the Uses of banking and draining of the Meadows aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall hinder or obstruct the Managers, or either of them, or other Person, in the Execution of any Authority herein given; he, she or they so hindering or obstructing them, or either of them, in the Execution of their Duty, shall forfeit the Sum of *Ten Pounds;* to be recovered by Action of Debt, in any Court of Record, where the same is cognizable in this Province, by any Person who shall sue for the same, to be applied to the Uses mentioned in the last Section.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That Nothing in this Act shall be deemed or be taken to affect the Company called the Upper-Sluice Company, but is to extend only to the Owners, Proprietors and Possessors of the Meadows, beginning at *Christopher Wetherill's, Joseph Noble's,* and such Part of *Daniel Smith's,* as formerly belonged to his Father *Daniel Smith,* deceased, including the same, and so down to the lower Bank, called *Conoro's* Bank, or the Lower-Sluice, and known by the Name of the Lower-Sluice Company, and to include only such other Lands as heretofore have been included in the said Company; any Thing in either of the former Acts relating to the said Company, in any wise nothwithstanding. *Provided*

always, That Nothing herein shall be deemed, taken or intending, to vacate or annul any Assessment heretofore legally made.

Parker (1765), pp. 82-87.

An ACT *to naturalize* John Houze, Peter Hendrick Striepers, John Herbergs, John William Pollman, *and* Peter Kurtz.

WHEREAS *John Houze, Peter Hendrick Striepers, John Herbergs, John William Pollman* and *Peter Kurtz,* by their humble Petitions, have set forth, that they were born under the Dominion of foreign Powers in Amity with *Great Britain,* but are now settled, or are desirous of settling within this Province of *New-Jersey,* and of enjoying the Privileges of his Majesty's natural freeborn Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection, to His Majesty King *GEORGE* the *Third,* and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves in all dutiful Manner, to the Laws and Customs of this Colony,

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *John Houze, Peter Hendrick Striepers, John Herbergs, John William Pollman,* and *Peter Kurtz,* shall be from henceforth deemed, taken, and esteemed to be, as His Majesty's natural freeborn Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are entitled unto the same Laws, Liberties, Rights and Privileges, as any of His Majesty's natural freeborn Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage, or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken, to enable the said *John Houze, Peter Hendrick Striepers, John Herbergs, John William Pollman,* and *Peter Kurtz,* or either of them, to be of His Majesty's Council, or of the General Assembly; or to hold and enjoy any Post, or Office of Trust or Profit, within this Province; any Thing herein contained to the Contrary notwithstanding.

Parker (1765), p. 87.

An ACT *for regulating the Practice of the Law, and other Purposes therein-mentioned.*

Disallowed 9 Dec. 1770.

Parker (1765), p. 87, title only; text not found. Because this act was passed with a suspending clause, Parker chose not to print the body of the act.

Twentieth Assembly, Twelfth Session

26-30 Nov. 1766

Burlington

No acts passed.

Twentieth Assembly, Thirteenth Session

11-28 June 1766

Perth Amboy

All acts passed 28 June 1766.

Allinson (p. 283) refers to this as the twelfth session, with the following explanation: "This Session is called the Thirteenth in the Votes, but at what is there said to be the Twelfth no law passed, and was therefore only a Convention."

An ACT *for the Support of Government, of his Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-six, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-seven; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for the Supporting the Government of his Majesty's Colony of *New-Jersey,* is expired: We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of his Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor, and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given, unto His Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for his Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To His Excellency WILLIAM FRANKLIN, Esq; Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of *May* last past.

To *Frederick Smyth,* Esq; Chief Justice of this Colony, *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Courtland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, *Thirty Pounds per Annum,* Money aforesaid.

To *Henry Willmott,* Esq; Agent of this Colony, or to the Agent for the Time being, *One Hundred Pounds per Annum,* Money aforesaid.

To *Joseph Warrel,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers before mentioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Indorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein before-mentioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty-seven; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorized and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor, as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent for said Year, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time, in the respective Counties of this Colony, either at the Time appointed, or that shall hereafter be appointed for holding the said Courts, provided there shall be a real Occasion for holding the same. *Provided also,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the

abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Goal Delivery, held in any one County, during the said one Year, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Gaol Delivery, if Application shall be made in Writing, signed by any three Justices of the Peace (*Quorum unus*) of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day they shall respectively attend at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Jonathan Deare,* one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly during the said one Year; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, and copying the Laws and Minutes for the Printer.

To the Secretary, for copying publick Laws to send home to *England,* during the Continuance of this Act, *Four Pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, such Sums of Money as *John Johnston, Hendrick Fisher, John Wetherill, John Hoghland, John Ogden, Daniel Doughty* and *John Lawrence,* Esquires, or any Two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem,* And to the Serjeant at Arms who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Door-keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three shillings and six-pence per Diem.*

To *John Johnston,* Esq; to pay for a Room for the Assembly, *Twenty Shillings* per Week: And also *Fifteen Shillings* per Week, to pay for a Room for the Council, during any Sitting within the said Term.

To *Hendrick Fisher* and *Joseph Borden,* Esquires, for their Services and Expences in attending the late Congress at *New-York, Thirty-two Pounds* each.

To *Charles Read,* Esq; for Expresses sent to convene the Council and House of Assembly, at this and the last Sitting at *Burlington,* the Sum of *Twenty-two Pounds thirteen shillings and four-pence.*

ALL which said several Sums above-mentioned, shall be and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor, or Commander in Chief for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers, to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Cortland Skinner, Hendrick Fisher, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

Parker (1766), pp. 3-8.

An ACT *to repeal an Act, entitled,* An *Act* for the Relief of Insolvent Debtors.

WHEREAS an Act was passed at the Session of Assembly held at *Burlington,* in the fifth Year of His Majesty's Reign, entitled, *An* Act *for the*

Relief of Insolvent Debtors: AND *Whereas* the said Act is found on Experience, inconvenient to the Inhabitants of this Colony:

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, the above-mentioned Act, and the several Matters and Things therein contained, shall be, and is and are hereby repealed and made void to all Intents and Purposes whatsoever; except what relates to the Power and Duty of Assignees already appointed, and qualified in Pursuance of, and by Virtue of the above recited Act.

Parker (1766), p. 8.

An ACT *for the Building a Court-House and Gaol in the County of* Middlesex.

WHEREAS Doubts have arisen whether the Justices and Freeholders of the County of *Middlesex,* were (by an Act passed in the Twelfth and Thirteenth of *Anne,* entitled, *An* Act *for building and repairing of Court-Houses,* &c.) impowered to erect and build a Court-House in the City of *Perth-Amboy.*

AND *Whereas* a Petition from sundry Freeholders Inhabitants of said County, hath been presented, setting forth, That the Court-House of the said County, was lately by Accident burnt down; and that two good and sufficient Lots are provided by the Inhabitants of the North Ward of the City aforesaid, for the Use of the County aforesaid, for erecting and building of Court-Houses and Gaols, &c. and praying a Law for building and continuing the Court-House and Gaol for the County aforesaid, in the North Ward of the City aforesaid:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for three Justices of the Peace of the said County, (whereof one to be of the *Quorum*) and they are hereby directed and required, to notify the Justices and Freeholders of the said County, to assemble and meet together, at the City of *Perth-Amboy,* as soon as conveniently may be, after the Publication of this Act; and the said Justices and Freeholders, or the major

Part of them so met, are hereby impowered and ordered to take good and sufficient Deed or Deeds, for such Lots of Ground as are allotted by the Inhabitants of the North Ward of the City aforesaid; which said Lots of Land, shall be conveyed in Fee Simple, by the Owner or Owners of said Lots, to them the said Justices and Freeholders, and their Successors forever, in Trust for the Use of the County aforesaid: And the said Justices and Freeholders are hereby constituted and appointed a Body politick and corporate in Succession for the Purposes aforesaid; and shall and may hereafter prosecute and maintain, all and every such Action and Actions, as shall be found necessary for defending and maintaining the said Lots of Land, with the Buildings that shall be hereafter erected thereon, for the Use of the County aforesaid, forever.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Freeholders of the County aforesaid, or the major Part of them, and they are hereby directed and required, in Conjunction with any three Justices of said County (one always of the *Quorum*) so met at the City aforesaid, to appoint two or more fit and discreet Persons, as Managers, to erect, build, uphold, enlarge, rebuild, and keep in good Repair, one good and sufficient Court-House, built of Stone or Brick, with one large Room in the Middle or Center, for holding the Courts of the said County and Province in General; also two sufficient and fit Rooms, one in each End of the said Court-House, for the Jury or Juries of said County and Province. Also a good and convenient Building separate from said Court-House, with Rooms necessary and sufficient for the Confining of Prisoners for Debt, or otherwise; and also for the Residence of the Gaol Keeper and Family. And in Case of the Death, Removal, Neglect or Refusal, of either any or all of the said Managers; then and in such Case the Freeholders aforesaid, or the major Part of them, are from Time to Time to appoint, in Conjunction with any three Justices of the Peace, as aforesaid, one or more Manager or Managers, in the Room of such Manager or Managers so dying, removing, neglecting or refusing; which said Managers appointed as aforesaid, are hereby authorized and impowered to draw Warrants on the Collector of the County aforesaid, for the Payment of the Work and Materials needful in Building, Upholding and Repairing the Court-House and Gaol aforesaid, not exceeding such Sum or Sums appointed by the Justices and Freeholders aforesaid, or the Majority of them, for that Purpose; which Warrants the Collector of said County is hereby required to answer and pay.

AND BE IT ENACTED *by the Authority aforesaid,* That such Sum or Sums of Money as the said Freeholders, or the Majority of them, in Conjunction with any three Justices of the Peace, and their Successors, shall from Time to Time esteem necessary for the Purposes aforesaid, shall be raised according to the Directions of an Act of General Assembly of this Colony, entitled, *An* Act *to impower the Justices and Freeholders chosen in each County, or the major Part of them, in Conjunction with three Justices of the Peace, to direct the Method of assessing the Inhabitants of each County, and to restrain the unnecessary Meetings of said Freeholders:* And that the said Manager or Man-

agers, shall from time to time account to and with the said Justices and Freeholders, when and as often as they the said Manager or Managers, by the said Freeholders, or the major Part of them, in Conjunction with three Justices, one being of the *Quorum,* shall be thereunto required. And that the said Manager or Managers, shall receive and take for their Trouble and Service, the Sum of *Ten Pence* in the Pound, for all Monies expended by them in erecting the Buildings aforesaid.

AND *Whereas* the North Ward of the City of *Perth-Amboy* have, at their sole Expence, purchased the Lots aforesaid, for the Use of the said County; and the said City being a considerable Part of the said County: BE IT ENACTED *by the Authority aforesaid, and it is hereby Enacted by the Authority of the same,* That the Mayor, Recorder and Aldermen of the said City, shall, and are hereby impowered to hold their Courts in the said Court-House, (provided the same shall not interfere with the Supreme Courts, or Courts of Common Pleas and General Sessions of the Peace of said County) and to commit Prisoners for Debt, or otherwise, to the Gaol of the said County, so erected, built, upheld or repaired; any Thing herein contained to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Sum of *Two Hundred Pounds*, out of the publick Monies, shall be applied as an Addition towards the building the House for holding the Courts, and making the Rooms directed to be built in the Ends or Wings for Jury Rooms, proper and commodious for the Council and Assembly to meet and assemble in; and that the said *Two Hundred Pounds* hereby given, shall be properly laid out for the Purposes aforesaid, at the Discretion and under the Management of *Thomas Bartow* and *John Smyth,* Esquires, or either of them, who are hereby constituted and appointed Managers, to appropriate the said *Two Hundred Pounds,* hereby given to the Purposes aforesaid, with full Power and Authority to draw the same out of the Treasury in the Eastern Division, by Order under their Hands; and a Receipt from them, or by their Order, shall be sufficient to indemnify the Treasurer for the Payment of the said Money. *Provided* Nothing in this Act shall be construed or understood, to impower the said *Thomas Bartow* and *John Smyth,* Esquires, or either of them, to draw out of the Treasury the said *Two Hundred Pounds,* or apply any Part thereof for the Purposes aforesaid, unless the Plan of the Court House hereafter to be built, shall answer and be large enough for all the aforesaid Purposes intended by it.

AND *Whereas* the Center of the Market Square, in the North Ward of the City of *Perth-Amboy,* is very commodious for erecting a Court-House upon: *And whereas* the Magistrates of the said City are willing to permit the present Market-House to be pulled down, and the Court-House built in the Place thereof, provided that the said Building be set on Pillars, and the under Part left open for the Use of a Market, as heretofore: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That when, and as soon as the Corporation of the City of *Perth-Amboy,* shall convey, or secure to be conveyed, to the Justices and Freeholders of the County aforesaid, such Fee

in the Center of said Market Square, as that hereafter they may forever hold and enjoy the same, for the Use of a Court-House for the said County; that then and in such Case, the Justices and Freeholders shall and may pull down the present Market House, and erect and build a Court-House as aforesaid in the Place thereof. *Provided always,* that the said Building shall be set upon Pillars and Arches, and the Plan thereof first approved by *Thomas Bartow, John Smyth,* and *Stephen Skinner,* Esquires, or any two of them; and the lower Part thereof shall be forever secured to the said Corporation, for a Market Place as heretofore.

Parker (1766), pp. 8-12.

An ACT *impowering the Justices and Freeholders of the County of* Burlington, *to purchase a Lot of Ground, to build a new Gaol and other necessary Buildings thereon.*

WHEREAS the Board of Justices and Freeholders of the County of *Burlington;* have, by their Petition, set forth, that the Gaol of said County, in the City of *Burlington,* is inconveniently situated, and insufficient to answer the Purposes intended by it; and praying a Law to enable them the said Justices and Freeholders to purchase a more convenient Lot or Lots of Ground, for erecting and building a new Gaol and other publick Buildings thereon.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for any three Justices of the Peace of said County, (one whereof to be of the *Quorum*) and they are hereby directed and required, to notify the Justices and chosen Freeholders of said County, to assemble and meet together at the City of *Burlington,* as soon as conveniently may be after the Publication of this Act; and the said Freeholders, or the major Part of them, in Conjunction with three Justices of the Peace *(Quorum unus)* so met, are hereby impowered and ordered, to purchase and take a good and sufficient Deed or Deeds, for any Lot or Lots of Land in the City, and within the Island of *Burlington,* convenient for the Purposes aforesaid; which said Lot or Lots of Land so purchased, shall be conveyed in Fee Simple by the Owner or Owners thereof, to them the said Justices and Freeholders, or the major Part of them, and their Successors forever, in Trust for the Use of the County

aforesaid: And the said Justices and Freeholders are hereby constituted and declared a Body politick and corporate in Succession, and shall and may hereafter prosecute, maintain and defend, all and every such Action and Actions, as shall be found necessary for defending and maintaining the said Lot or Lots of Land, with the Buildings that shall be hereafter erected thereon, for the Use of the County aforesaid, forever.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Freeholders of the County aforesaid, or the major Part of them, in Conjunction with all or any Three of the Justices of said County, *(Quorum unus)* so met at the City aforesaid, to appoint two fit and discreet Persons, as Managers, to purchase Materials, build, maintain, uphold, and keep in Repair, a good and sufficient Gaol, for the confining of Prisoners and Felons, and the Residence of a Gaol-Keeper and Family, and other necessary Buildings for the Use of said County: And in Case of the Death, Removal, Neglect or Refusal, of either or all of the said Managers, then and in such Case, the Justices and Freeholders as aforesaid, are, from Time to Time, to appoint one or more Manager or Managers, in the Room of such Manager or Managers so dying, removing, neglecting or refusing; which said Managers appointed as aforesaid, are herby authorized and impowered to draw Warrants on the Collector of the County aforesaid, for the Payment of the Work and Materials needful in building, upholding and repairing the Gaol, and other necessary Buildings aforesaid, not exceeding such Sum or Sums of Money appointed by the Justices and Freeholders aforesaid for that Purpose; which Warrants the Collector of said County is hereby required to answer and pay.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That such Sum or Sums of Money, as the said Justices and Freeholders, and their Successors, shall esteem necessary for the Purposes aforesaid, shall from Time to Time be raised and accounted for, according to the Directions of an Act of General Assembly of this Colony, entitled, *An* Act *to impower the Justices and Freeholders chosen in each County, or the major Part of them, in Conjunction with three Justices of the Peace, to direct the Method of assessing the Inhabitants of each County, and to restrain the unnecessary Meetings of the said Freeholders,* and other Acts therein referred to. And every Person or Persons who by this Act is enjoined any Matter or Thing, and shall neglect or refuse to perform the same, such Person or Persons shall be liable to the same Penalties and Forfeitures, to be recovered in like Manner, as by the said recited Acts are inflicted and directed.

Parker (1766), pp. 12-14.

An ACT *for the more effectually preventing the counterfeiting the Bills of Credit of the neighbouring Governments, or uttering the same in this Colony, knowing them to be so counterfeit.*

WHEREAS many evil-minded Persons have of late made a Practice of coming into this Colony, and counterfeiting the Bills of Credit of the neighbouring Governments, and uttering the same, knowing them to be counterfeit; there being no Law of this Colony to punish such Offenders capitally: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared, by and with the Authority of the same,* That from and after the Publication hereof, if any Person or Persons whatsoever, shall, within this Colony, presume to counterfeit, or be aiding and assisting in counterfeiting or altering any of the Bills of Credit made current by any Act of the Legislature of the neighbouring Governments, so as to make them pass or appear to be of greater Value than they were made current for; or utter, or cause to be uttered, in this Colony, any Bill or Bills of Credit of the neighbouring Governments, knowing the same to be counterfeit or altered as aforesaid, he, she, or they, so offending, shall incur the Pains and Penalties of Felony, without Benefit of Clergy; and shall suffer Death accordingly; any Law, Usage or Custom to the Contrary notwithstanding.

Parker (1766), p. 14.

An ACT *explaining the Right of voting at Town Meetings, and the Elections of Township Officers.*

FOR the better ascertaining what Persons shall have a Right to vote at Town Meetings, and the Elections of the Township and Precinct Officers, at the Town Meetings to be hereafter held in each respective Township and Precinct within this Colony;

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That

from and after the Publication of this Act, no Person or Persons, except in Towns Corporate, shall have the Privilege to give his or their Voice or Vote at any Town Meeting, for electing any Town or Precinct Officer or Officers, or other Business to be done or transacted at any of the said Town Meetings, unless the Person offering such Vote is a Freeholder, a Tenant for Years, or Housholder and Resident, in such Township or Precinct; and all Powers given to the Inhabitants of this Colony at their said Meetings, by any Act or Acts of the General Assembly of this Colony, shall be understood to extend only to the Freeholders, Tenants for Years, or Housholders being Residents in such Township or Precinct, and no others; any Law, Custom, or Usage to the Contrary thereof in any wise notwithstanding.

Parker (1766), p. 15.

An ACT *to amend and further continue an Act, entitled,* An *Act* for better settling and regulating the Militia of this Colony of *New-Jersey,* for the repelling Invasions, and suppressing Insurrections and Rebellions.

WHEREAS the Act passed in the Nineteenth Year of the Reign of our late Sovereign Lord King *GEORGE* the Second, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions, and suppressing Insurrections and Rebellions,* will soon expire;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Act, entitled, *An* Act *for better settling and regulating the Militia of this Colony of* New-Jersey, *for the repelling Invasions, and suppressing Insurrections and Rebellions,* shall be and hereby is continued; and every Article and Clause therein contained, shall be and remain in full Force, from the Publication hereof, to the first Day of *July,* which will be in the Year of Our Lord One Thousand Seven Hundred and Sixty-eight; and from thence to the End of the next Session of the General Assembly of this Colony, that shall be thereafter, and no longer.

AND *Whereas* by Virtue of an Act made in the Thirteenth Year of the Reign of Our late Sovereign Lord King *GEORGE* the Second, entitled, *A Supplementary* Act *to an Act, entitled,* An *Act* for better settling and regulating the Militia of this Colony of *New-Jersey,* for the repelling Invasions, and

suppressing Insurrections and Rebellions; as also for continuing such Parts and Clauses of said Law as are not altered and amended by this Act; there were several Fines and Penalties recovered and collected by the Militia Officers then in Commission, for which they have not as yet accounted to any Person or Persons: Therefore, BE IT ENACTED *by the Authority aforesaid,* That all or any Person or Persons, who have heretofore by Virtue of either of the above recited Acts, received or collected any Sum or Sums of Money, as Fines or Forfeitures from any Officer or Soldier, and who have not as yet accounted therefore, shall be accountable to the Justices and Freeholders of the several and respective Counties for the same; who are hereby directed to recover and apply the same in cleaning and repairing the Arms belonging to the several Counties, or in repairing and amending the Bridges and Highways in the several and respective Counties, as they at their Meetings shall direct.

Parker (1766), pp. 15-16.

An ACT *appointing Commissioners for supplying the several Barracks erected in this Colony with Furniture, and other Necessaries for accommodating the King's Troops in, or marching through this Colony; and for defraying other incidental Charges.*

WHEREAS by an Act of the Legislature of this Colony, passed in the Fifth Year of His present Majesty's Reign, certain Commissioners therein named, were impowered and required to sell all the perishable Furniture belonging to the several Barracks in this Colony; and as it is requisite, that the said Barracks should be provided with Blankets, Beds, and other Necessaries, for the Reception of such of the King's Troops as may occasionally march through this Colony: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Daniel Ellis, Joseph Hollinshead, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden* and *John Blanchard,* be, and they are hereby appointed Commissioners for the several Barracks in this Colony; that is to say, *Daniel Ellis* and *Joseph Hollinshead,* for the Barracks at

Burlington; Abraham Hunt and *Alexander Chambers,* for the Barracks at *Trenton; Hendrick Fisher* and *Reuben Runyon,* for the Barracks at *New-Brunswick; Samuel Sarjant* and *Thomas Skinner,* for the Barracks at *Perth-Amboy; Robert Ogden* and *John Blanchard,* for the Barracks at *Elizabeth-Town.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place aforesaid, for which they are appointed Commissioners as aforesaid, and they and the Survivors of them, are hereby impowered to purchase Fire Wood, Bedding, Blankets and other Necessaries, as have been heretofore usually furnished to the several Barracks within this Colony; and it shall and may be lawful for either of the Treasurers of this Colony to pay to the said *Daniel Ellis, Joseph Hollinshead, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden* and *John Blanchard,* or any two of them, such Sums of Money as may be wanted for the Service aforesaid, not exceeding One Hundred Pounds, for the Use of each of the said five Barracks in this Colony, out of the Money made current for the Service of the late War, or now in the Treasury; and Orders with a Receipt thereon, or Receipts signed by the aforesaid Commissioners, or any Two of them, when produced by the said Treasurers, or either of them, to the General Assembly, shall discharge the said Treasurers respectively, their Heirs, Executors and Administrators, of and from so much as they shall have paid by Virtue of this Act: And the said Commissioners, their Heirs, Executors and Administrators, are hereby made accountable to the General Assembly of this Province, for all such Sums of Money as they shall respectively receive, in Pursuance of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, and the Care of the several Barracks within this Colony, shall be under the same Regulations, as in and by the aforesaid recited Act is required and directed.

AND *Whereas* it is reasonable, that sundry incidental Charges of this Colony should be paid: BE IT ENACTED *by the Authority aforesaid,* That there be paid out of the publick Monies now in the Treasuries of this Colony, the Sums following, *viz.*

To the Honourable *John Stevens,* Esq; *Two Pounds Seven shillings and four pence,* for sending an Express into this Colony, to inform the Inhabitants of a large Sum of counterfeit *Jersey* Bills of Credit being arrived in a Vessel from *England.*

To the Persons who apprehended *John Johnson, John Fagan,* and *John Grimes,* the Sum of *Thirty Pounds,* to be paid to *Benjamin Davids* and *John Robins,* and appropriated in Manner following, *to wit.* To *Benjamin Davids,* for his Activity in taking, and Expences in carrying the Felons to Gaol, the Sum of *Ten Pounds.* To *John Robins,* for his extraordinary Activity, the Sum of *Six Pounds:* The Remainder of said *Thirty Pounds* to be paid to the other Persons concerned in searching for and securing said Felons, in such Proportion as the said *Benjamin Davids* and *John Robins* shall adjudge the same.

To *Cortland Skinner,* Esq; *Two Pounds Ten shillings,* for an Express to *New-York,* during the Sitting of this Session.

To *John Allen,* late Barrack Master at *Trenton,* in full of his Account, *Thirty-nine Pounds Seventeen shillings and Nine-pence.*

ALL which said several Sums last mentioned, shall be paid to the several Persons by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Endorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

Disallowed 13 May 1767.
Parker (1766), pp. 17-19.

An ACT *for laying out and establishing a Road from* Bergen-Point, *along up* Newark-Bay, *and from thence to* Paulus-Hook, *on* Hudson's-River.

WHEREAS it is found by Experience, that a publick Road to run from the South-Westermost Point of *Bergen* County, along, or near the Bank of *Newark-Bay,* and from thence to, and over *Paulus-Hook,* on *Hudson's-River,* is necessary for the Use of the Publick in general.

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Ephraim Terril, Jonathan Hampton, John Halstead, Matthias Williamson,* and *John Blanchard,* Esqrs; or any three of them, be, and are hereby authorised and impowered, to lay out a Road of four Rods broad, in the most convenient and suitable Place, from the South Westermost Point of *Bergen* aforesaid, along up *Newark-Bay,* as far as they, or any three of them, shall think convenient and proper; and from thence to, and over *Paulus-Hook,* to Low-Water Mark on *Hudson's River,* in such Directions as shall by said Commissioners, or any three of them, be thought most convenient and proper; which Road, so to be laid out, shall be recorded in the publick Records of the Highways for the County of *Bergen;* and shall remain and continue a publick Road for ever, not subject to

any Alteration by any of the Surveyors of the Counties of this Province: And the said Road, so to be laid out, shall be made, maintained and repaired, and subject to the same Regulations as all other publick Roads in this Province; excepting that Part of said Road up *Newark-Bay,* until it intersects the Road now laid out by the Surveyors of Highways, which shall be kept in Repair by the Owner or Owners of the Ferry at *Bergen-Point;* and that Part lying between the Uplands of *Ahasimus,* and the Uplands of *Paulus-Hook;* which Part of said Road, shall from Time to Time, and ever hereafter, be cleared and maintained, and kept in good and sufficient Repairs, by the Owner or Owners of the Ferry at *Paulus-Hook;* and any Person or Persons stopping, lessening, narrowing, or encroaching on said Road, shall be liable to the same Penalties as Persons stopping, lessening, narrowing, or encroaching on any other publick Road or Highways in this Province, are liable to, by the Laws now in Force for that Purpose; which Penalties shall be applied to the repairing of the said Road; any Law, Usage, or Custom to the Contrary notwithstanding.

Parker (1766), pp. 19-20.

A Supplementary Act, *to an Act, entitled, An* Act *for laying out a Road from* Newark, *in the County of* Essex, *to the publick Road leading from* Bergen *Point to* Paulus-Hook, *on* Hudson's *River, in the County of* Bergen; *and for the erecting and establishing Ferries across the Rivers* Passaick *and* Hackinsack.

WHEREAS the above recited Act hath, on Experience been found beneficial to the Publick, though not fully sufficient to answer all the good Purposes intended by said Act:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby enacted by the Authority of the same,* That unless the Proprietors or Proprietor of the Land, next to and adjoining said Ferries, over said Rivers *Passaick* and *Hackinsack,* their Heirs or Assigns, do, or shall within Twelve Months after the Publication of this Act, request and demand in Writing, of the Trustees mentioned in said Act, the sole Management and Keeping said Ferries or Ferry, from his, her or their

respective Land in said Road laid out by said Act, and do and shall give his, her or their Bond or Obligation, with one substantial Freeholder at the least, to be paid to the said Trustees, and their Successors, in double the Sum appearing by the Books kept by the Clerk of said Corporation to have been laid out and expended on said Roads, Ferries and Buildings demanded as aforesaid, with Condition, that he, she or they demanding said Ferries as aforesaid, their Heirs and Assigns, shall and will forever thereafter attend, ply and keep said Ferries or Ferry going, from his, her or their Lands, next to and adjoining said Ferries or Ferry, in such Manner that all Travellers may be well served, as to themselves, their Horses and Carriages, with proper Boats and Scows, and a sufficient Number of able Men, and shall and will forever thereafter maintain and keep in good and sufficient Repairs, the Causeways or Causeway, Ferry Stairs and Ferry House or Houses, on his, her or their Lands respectively, next to and adjoining said Ferries, or either of them; unless the said Proprietors or Proprietor shall and do at the Time of said Demand, and before the taking the said Ferries, or either of them, for his, her, or their Use, and be intitled to receive the Rents and Profits thereof, repay to the said Trustees, or their Successors, the full Amount of all such Costs and Charges, with the Interest thereof, from the Time the same have been paid and expended; which had, at and before that Time been laid out, paid or disbursed on the respective Lands of the said Proprietors or Proprietor making the Demand as aforesaid, in erecting of Ferry Houses, making of Causeways, Bridges, Ferry Stairs, and repairing the same, and for providing Scows and Boats for said Ferries or Ferry, after deducting the Rents and Profits arising out of, from or by Means of the same Ferries or Ferry demanded as aforesaid; that then in all or any of said Cases of Failure or Neglect, the said Proprietors or Proprietor respectively, shall forever thereafter be precluded and barred of any future Right, Claim or Pretence whatsoever, to the Taking, Management or Holding of said Ferries or Ferry, or to the receiving of the Rents or Profits thereof; but the same, with the Appurtenances and Privileges belonging to the said Ferries or Ferry, shall be absolute in said Trustees and their Successors forever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Proprietors of the Lands next to and adjoining said Ferries, their Heirs and Assigns, or either of them, should request and demand the sole Management of said Ferries, or any of them, within the Time limited by this Act, and have the Possession thereof delivered to them, and should at any Time or Times thereafter delay, neglect, or refuse keeping and maintaining the Causeways, Houses, Ferry Stairs, on his, her or their respective Lands, in good and sufficient Repairs, or shall neglect keeping of good and proper Boats and Scows for Travellers, Horses, and Carriages, at his, her or their respective Ferries or Ferry, on said Road, or neglect the plying and attending the same Ferries or Ferry, with a sufficient Number of able Men for said Boats and Scows; that then and in such Case, and upon either of said Neglects, Delays or Refusal, on Proof thereof before one Justice of the Peace of the County in which the Ferry or Ferries shall lye, upon the Oath of one

or more credible Witnesses, the said Proprietor or Proprietors so neglecting, delaying or refusing, shall forfeit and pay the Sum of *Five Pounds;* to be levied upon his Goods and Chattels, and paid one Half to the Party complaining, the other Half to the Trustees in the before recited Act mentioned, by them to be applied to the repairing and amending the Ferry House or Houses, Boats and Causeways, remaining in their Management and Direction.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any, or so many of the Proprietors of the Lands next to and adjoining said Ferries, should demand and receive to themselves the said Ferries on their respective Lands, and repay to said Trustees the several Sums by them laid out and expended thereon, as aforesaid; and the Monies so received by said Trustees, should amount to a greater Sum than will be sufficient to maintain and repair the Causeways, Houses, Road and Ferries, still remaining under the Care and Management of said Trustees; it shall and may be lawful to and for said Trustees, and they are hereby authorised and impowered, from time to time, as Occasion may require, to lay out said surplus Monies, if any there be, in purchasing and procuring of Horses and Carriages for the Accommodating and Benefit of Travellers, or such other publick Use as the said Trustees, or the Majority of them, may think fit, the said Trustees accounting for the same, and the Hire and Profits thereon in like Manner, as in said abovementioned Act is directed.

AND *Whereas* a Dispute is now subsisting between Captain *Thomas Brown* and *Garrat Newkirk,* touching the Title to the Meadows on the East Side of *Hackinsack* River, where the Ferry Stairs is now fixed; IT IS HEREBY ENACTED AND PROVIDED, That either of the said Parties in whom the Title shall hereafter appear, shall have the full Term of twelve Months, from and after the Determination of the said Title by Law, or otherwise, to request and demand the sole Management of the said Ferry, upon giving the Securities required by this Act; any Thing herein to the Contrary notwithstanding.

Parker (1766), pp. 20-23.

An ACT *to impower the Justices and Freeholders of the Counties of* Essex *and* Bergen, *to build a Bridge over* Passaick *River, near the Dutch-Church at* Aquackanonck.

WHEREAS sundry of the Inhabitants of the County of *Essex* and *Bergen,* have, by their humble Petition to the Legislature of this Province, desired

Leave to build a Bridge over *Passaick* River, from the Land of *Walling Van Winkle,* in the County of *Bergen,* to the North Side of *Joseph Godwin's* Land, in the County of *Essex:*

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Justices and Freeholders of the Counties aforesaid, to build a Draw-Bridge over the River *Passaick,* at the Place aforesaid, agreeable to the Twenty-seventh, Twenty-eighth, and Twenty-Ninth Sections of a Law of this Colony, passed in the first Year of his present Majesty's Reign, entitled, *An* Act *to regulate Roads and Bridges;* any Law to the Contrary hereof in any wise notwithstanding.

Parker (1766), p. 23.

An ACT *to repair the publick Roads in the Township of* Hanover, *in the County of* Morris, *by a Tax on the Inhabitants of the same.*

WHEREAS sundry of the Freeholders in the Township of *Hanover* have by their Petition set forth, that they apprehend the present Mode of repairing the publick Highways is very unequal, and more expensive than it would be, if repaired by a Tax; and prayed a Law for that Purpose: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all publick Roads or Highways now laid out, or hereafter to be laid out within the said Township, shall be repaired, amended, cleared out and kept in good Order, by a Rate and Assessment to be made from Time to Time, as Occasion may require, upon the Goods, Chattels, Lands and Tenements of the Inhabitants of the said Township of *Hanover,* and the said Inhabitants at their annual Town-Meetings, shall choose one or more Overseers (not to exceed three in Number) in the usual Manner; who shall be under Oath or Affirmation for the faithful Performance of their Offices, and shall be allowed the Sum of *Four Shillings per Day,* for every Day they shall work themselves, or attend faithfully on the Roads with the Labourers; and have full Power to hire Labourers as often as the said publick Roads may necessarily require: And if any of the

Inhabitants of said Township, should offer to labour on said Roads, towards discharging his or their Taxes; then and in that Case the said Overseer or Overseers are hereby commanded to allow of the same, provided they labour faithfully; and the said Overseers shall allow him or them reasonable Wages; and his or their Receipts for the same, shall be sufficient Vouchers for the same to the Collector; and the said Overseer or Overseers, shall settle their Accounts, either before one Justice of the Peace for said County of *Morris,* or on the Day of the said annual Town Meeting, before a Committee of the same Meeting, and shall pay the Money remaining in his or their Hands, if any be, to their Successors in Office; and the Assessor and Collector which are to be chosen at their annual Town Meetings, by Virtue of former Laws, shall assess and collect all such Money, as may be wanted for the Purposes aforesaid; and the said Collector, within Thirty Days after he hath received the Duplicate or Assessment, shall pay the Money so raised to the said Overseers, for the Purposes aforesaid, and take their Receipts for the same: And in Case the said Assessor, shall at any Time within the Space of Thirty Days after his taking the Rateables, have Reason to believe, or suspect, that any Person or Persons have concealed or not given in a full Account of their Estates, real and personal, or shall neglect or refuse to pay his, her or their Tax; then and in such Case, it shall be lawful for the said Assessor or Collector, and he is hereby commanded to proceed against such Person or Persons, as is directed in the Sinking Fund Acts: And in Case the said Overseer or Overseers, shall neglect or refuse to do his or their Duty herein enjoined, or refuse to take upon him or them the said Office or Offices, then he or they so refusing, shall suffer the same Pains and Penalties, as is directed by an Act, entitled, *An* Act *for regulating Roads and Bridges:* And if said Assessor or Collector, shall neglect or refuse to take upon him or them, the Office or Offices herein required, they shall be subject to the same Pains and Penalties, and be entituled to the same Rewards, as is directed in the said Sinking Fund Acts.

AND *Whereas* there may Disputes arise on the Roads that may be the Division of the said Township of *Hanover,* and the adjacent Townships, respecting the Equality of dividing the Work to be done thereon, between the said Overseer or Overseers of said Township of *Hanover,* and the Overseer or Overseers of the adjacent Townships: For the preventing of which, and amicable settling the same; BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Dispute may arise of that Nature; that then and in such Case, it shall and may be lawful for the said Overseer or Overseers of said Township of *Hanover,* to repair to any one Justice of the Peace for said Townships adjacent, where the Dispute may arise, who are hereby commanded, in Behalf of the said Township to which he or they belongs, to choose one substantial Freeholder of known Honesty and Fidelity, and the Overseer or Overseers, are hereby commanded to choose one in the same Manner; which Freeholders so chosen as aforesaid, are hereby authorised and commanded, to make the Divisions for each Township, as near as may be, according to Quantity and Quality; which Divisions when made, shall be

and remain during the Continuance of this Act; and either Party neglecting or refusing to amend his or their Part of said Road, shall incur the same Penalties as the before recited Act, entitled, *An* Act *for regulating Roads and Bridges,* prescribes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when and as often as the said Overseer or Overseers shall want Money for the Purposes aforesaid, he or they shall lay his or their Accounts before one or more Justice or Justices for the County aforesaid; and if it appears such Money should be wanted, the said Justice or Justices, are hereby commanded to issue his or their Order in Writing, to the said Assessor, who shall assess the said Money, as is directed by this Law, within Thirty Days after receiving said Order.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall take Effect on the Second *Tuesday* in *March* next, and not before; and shall continue and be in Force for two Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1766), pp. 24-26.

An ACT *to extend certain Acts of Parliament of* Great-Britain, *passed in the Twelfth Year of her late Majesty Queen* Anne, *and the Fourth Year of his late Majesty King* George *the First, for the preserving all such Ships, and Goods thereof, which shall happen to be forced on Shore, or stranded.*[1]

WHEREAS Doubts have arisen, whether the Acts of Parliament of *Great Britain,* passed in the Twelfth Year of her late Majesty Queen *ANNE,* entitled, *An* Act *for preserving all such Ships and Goods thereof which shall happen to be forced on Shore or stranded upon the Coasts of this Kingdom, or any other of her Majesty's Dominions;* and also the Act, entitled, *An* Act *for enforcing and making perpetual the before recited Act, and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships;* do extend to this Colony; and as it is necessary the same should be extended: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared, by the Authority of the same,* That from and after the Publication hereof, the Act of Parliament

passed in the Twelfth Year of the Reign of her late Majesty Queen *Anne,* entitled, *An* Act *for the preserving all such Ships and Goods thereof which shall happen to be forced on Shore or stranded upon the Coasts of this Kingdom, or any other of her Majesty's Dominions;* and also the Act passed in the fourth Year of the Reign of his late Majesty King *George* the First, entitled, *An* Act *for enforcing and making perpetual the aforesaid recited Act, and for inflicting the Punishment of Death on such as shall wilfully burn or destroy Ships;* are, and each of them is hereby extended to this Colony of *New-Jersey,* with every Clause, Article and Matter therein contained, to all Intents and Purposes whatsoever; any Law, Usage or Custom to the Contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act, with the Acts of Parliament by this Act extended, shall be publickly read in the Counties of *Monmouth, Burlington, Gloucester, Salem, Cumberland,* and *Cape-May,* at Four succeeding Courts of General Quarter Sessions, in each of the said Counties, immediately before the charging of the Grand-Jury.

Disallowed 26 Feb. 1768.
Parker (1766), pp. 26-27.

1. These two parliamentary acts were passed in 1713 and 1717 respectively. They were printed in Samuel Allinson, ed., *Acts of the General Assembly of the Province of New Jersey, 1702-1776,* "Appendix," pp. 1–6. See also, for example, *The Statutes at Large . . . Beginning with the Reign of King James the Second, to the Fourth Year of the Reign of Queen Anne* (London, 1734), 4:643–45, 5:176.

An ACT *to prohibit the setting Nets, Seins, and other Devices, in the River* Raritan *or* South-River, *to obstruct the Fish going up in the proper Seasons of the Year; and to preserve the Fry and young Brood of Fish from being destroyed in said Rivers.*

WHEREAS it is set forth, by Petitions to this House, by a Number of the Inhabitants of the Counties of *Somerset* and *Middlesex,* that it is too much the Practice in said Counties, to Fish in *Raritan* and *South-River,* in the Summer Season, by tying and fastning of Bushes and other Materials together, to drive Fish into Pounds or Pots erected for that Purpose, whereby

the Fry or young Brood of Fish are much destroyed; as also to set Seins or Nets across said Rivers, and by driving and frightening the Fish into said Seins or Nets, by what is called Set Hawls, so as to frighten and prevent the Fish going up said Rivers in the proper Season, to the Damage of the other Inhabitants in said Counties: Therefore for preventing said pernicious Practices for the future,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, any Person or Persons that shall erect or repair, or be aiding or assisting in erecting or repairing any Pound or Pott, or shall be aiding or assisting in making a Net or Nets of Bushes or other Materials, for the Purpose of driving of Fish into said Pounds or Potts, in the said River of *Raritan,* or *South-River,* or shall fasten or fix any Net or Nets, or other Devices, across or in said Rivers, or make what is called Set Hawls, by Reason of which the Fish shall be obstructed or hindered from going up said Rivers, in the Spring or Summer Season, or the young Fry or Brood of Fish may be or is destroyed thereby; every or any Person or Persons so offending, contrary to the true Intent and Meaning of this Act, and shall be thereof legally convicted by his, her or their own Confession, or by one or more credible Witnesses, shall forfeit and pay the Sum of *Forty Shillings,* for every such Offence; to be recovered by Action of Debt, before any one Justice of the Peace for the said Counties of *Somerset* and *Middlesex,* with Costs of Suit; one Moiety or Half thereof to be paid to the Informer or Prosecutor, the other Moiety or Half to be paid to the Overseers of the Poor for the Township or Precinct adjoining the River where said Offence was committed, to be applied towards the supporting of the Poor of said Town.

Provided always, That Nothing in this Act contained, shall be construed to extend to prohibit the setting of Hoop Nets in the said Rivers, as heretofore has been usual.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and remain in Force for the Term of Three Years from and after the Publication hereof, and from thence to the End of the next Sessions of General Assembly, and no longer.

Parker (1766), pp. 27-28.

An Act *to lay out a Road on the Southerly Side of* Cohansey *Creek, in the County of* Cumberland, *and to establish a Ferry across the said Creek, from the Town of* Greenwich *to the said Road.*

WHEREAS the Inhabitants of the Townships of *Greenwich* and *Fairfield,* by their humble Petition, have set forth, that they labour under great Inconveniencies, for Want of a Ferry being established from said Town of *Greenwich,* over *Cohansey* Creek, to a Point of Salt Marsh belonging to *Mark Reeves,* and a Road laid out from thence along the Side of the said Creek, to the Fast Land of the said *Reeves;* and praying a Law to establish a Ferry and Road as aforesaid: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, there shall be a publick Ferry kept at the Place aforesaid, and a Road bounded as followeth; beginning at the said Point of Marsh opposite the said *Greenwich* Town Wharf, thence along the Edge of the Creek, as near as conveniently may be, to the Fast Land of the said *Mark Reeves;* thence continued to *Fairfield* Road; the first Six Rods of said Road, so laid out from the Point of Marsh aforesaid, shall be Six Rods wide for a Landing, the other Part only Three Rods wide to said *Fairfield* Road.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the present chosen Freeholders of the said Townships of *Greenwich* and *Fairfield,* are hereby appointed Commissioners, to erect such Wharfs as shall be necessary for said Ferry, and Causeway the said Road, so as to make it good and sufficient for Horses and Carriages to pass and repass; and they and their Successors in Office, shall keep said Wharfs and Road at all Times hereafter in good and sufficient Repair, and may dig Mud, Lume and Sand in any Part of said Road for that Purpose; and on Neglect or Failure of keeping said Road and Wharfs in Repair as aforesaid, they and each of them shall be subject to the same Pains and Penalties, as Overseers of the Highways for Neglect of Duty.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the necessary Cost and Expence of erecting, making, and hereafter repairing and keeping up said Wharfs and Causeway, shall be levied and raised on the Inhabitants of said Township, by the Assessors and Collectors of the Provincial Taxes, for the same Fees, and under the same Penalties, as in and by the Acts for levying Provincial Taxes is directed; which said Assessors and Collectors, shall assess and collect the same, agreeable to the Order or Orders of said Commissioner or Commissioners for the Time being, or any Three of them, in Manner aforesaid; and any Person or Persons neglecting or refusing to render a just and true Account of their rateable Estate, or to pay such Assessment, shall be proceeded against as in the Case of Provincial Taxes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners and their Successors, shall have the Care of said Ferry, and may from Time to Time rent the same, to such Person or Persons, and for such Time or Term as they or any Three of them may think proper; and receive, and if necessary in their own Names sue for and recover, the Issues and Profits arising therefrom; which Issues and Profits shall be applied towards keeping up, mending and repairing said Wharfs and Road, and the Overplus, if any be, to be from Time to Time paid into the Hands of the Town Collector or Collectors of the Townships of *Fairfield* and *Greenwich,* to be by them applied for and towards the repairing or improving the publick Roads of the said Townships, and for no other Use or Purpose whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the following Rates shall be given for being carried over said Ferry, and no more, *to wit.* For a single Person, *Two-pence*; for a Man and Horse, *Four-pence;* for a Horse and Chair and their Riders, *One shilling;* for a Waggon and two Horses and their Riders, *One shilling and six-pence*; for a loaded Waggon and Two Horses, *Two shillings and six-pence*; Cattle per Head, *Four-pence*; Sheep and Swine per Head, *One Penny*: And that if any Person or Persons shall ferry or carry over any Persons, Goods or Merchandize for Hire, at the Ferry aforesaid, without Leave first had and obtained of the Owner or Person who may Rent said Ferry, he or they so offending, shall forfeit the Sum of *Ten Shillings,* for every such Offence, to the Person aggrieved; to be recovered by Action of Debt, in any Court of Record where the same may be cognizable, with Cost of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That the said *Mark Reeves,* and his Successors in Interest in the Plantation whereon he now dwells, shall be exempt from any Cost or Expence in erecting, making, and forever hereafter from keeping up and repairing said Wharfs and Road, and shall have Liberty to hang Gates thereon, where he or they shall think fit, between the said Wharf and the Line of *John Shepperd*; and any Person or Persons opening and leaving said Gate or Gates open, they being in good Repair, between the Tenth Day of *April,* and the Tenth Day of *August,* shall forfeit the Sum of *Fifteen Shillings,* for every such Offence, with all Damages occasioned thereby; and any Person or Persons coming to, and leaving his or their Horses, Cattle, or other Creatures at the said Landing, and suffering his or their Horses, Cattle, or any other Creature, to trespass on the Marsh of said *Mark Reeves,* or his said Successors, shall forfeit and pay the Sum of *One Shilling* over and above the Damage sustained thereby, recoverable by the Owners of said Marsh, in Manner abovesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners for the Time being, shall account to and produce Vouchers for all Monies by them received and paid away, by Virtue of this Act, to their Successors in Office, in the Presence of any one Justice of the said County; and shall pay into the Hands of the succeeding Commissioners, the Money remaining in their Hands on such Settlement; and if they or any of them shall neglect or refuse so to account and pay the Ballance, he or they

so offending, shall forfeit and pay the Sum of *Five Pounds,* for such Neglect or Refusal; and their said Successors in Office, shall sue for and recover such Monies and Penalties in Manner aforesaid; and that the said Commissioners, and their Successors in Office, shall and may take and retain in their Hands, such Sum or Sums of Money, for their Trouble in performing the Services required by this Act, as any two or more Persons, or the Majority of them, appointed by the Inhabitants of the said Township, at their annual Town Meetings, shall adjudge therefor.

Parker (1766), pp. 29-31.

An ACT *for the Improvement of the Navigation of the South West Branch of* Ancocas *Creek.*

WHEREAS the Owners of the Saw-Mills and Forges on the Streams of the South-West or *Belly-Bridge* Branch of *Ancocas,* for the Transportation of their Produce, by their Petition, set forth the Advantages of having the same kept open, and the Navigation thereof improved; and for effecting the same, do pray, that certain Rates therein mentioned, should be paid on the Produce carried down the said Creek; and the Petition appearing reasonable, and the Rates only to be paid by Persons who receive Benefit from the Navigation of said Creek: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful to and for the Owners of such Saw-Mills and Forges, as now are, or hereafter shall be erected, on any of the Waters emptying into the South West or *Belly-Bridge* Branch of *Ancocas* Creek, and who transport Rafts of Boards, or other Lumber, Iron or other Merchandize, down the said Branch, from any Place thereon above *Belly-Bridge,* to meet together at the House or Mill now belonging to *David Oliphant,* Esq; on the third *Saturday* in *July* yearly, and by Plurality of Voices of the Owners so met, to elect and choose a Committee of Four Persons, who, or the major Part of them, are hereby directed to nominate a Treasurer and Collector, and allow them Wages for their respective Services; and at a convenient Time to traverse the Banks, and view the South West or *Belly-Bridge* Branch of *Ancocas,* and make such Orders and Regulations respecting the clearing and improving the Navigation of the same, or any Part thereof, as they shall esteem necessary, and alter and amend the same from time to time, as they shall find it convenient, and enter on the Banks with Oxen or

Horses, to draw out Logs and other Rubbish, and hire and set to work Day-Labourers, or agree wih any Persons for a Sum in Gross for particular Services; and any two of them may draw Orders on their Treasurer, for Payment of such Sums as shall be expended by the Order of the said Committee, or major Part of them. *Provided* that in the electing said Committee, no more than one Voice or Vote be allowed to any one Saw-Mill, Forge, or other Water-Work.

AND in order to raise a Fund for the Executing the good Purposes aforesaid, there shall be paid to the Collector appointed as aforesaid, or secured to be paid to him, before the Removal of any Raft, or the Lading any Boat, Scow or Battoe, which shall be put into the Water, or navigated on any Part of the said South West Branch of *Ancocas,* any where between *Belly-Bridge* and the Mills now in Possession of *David Oliphant,* Esq; or *Joseph Hewlings,* the Rates following: For each Raft of Rails, the Sum of *Six-pence*; for each Raft of Boards, Plank, or any other Lumber of any Kind, the Sum of *One shilling*; and for every Load of Iron or other Goods, (Cord-Wood excepted) put on Board any Scow, Boat or Battoe, to go down the said Branch, the Sum of *Two shillings*; which Rates shall be paid by the Person putting in such Raft, or having the Care of, or working such Scow, Boat, or Battoe: And in Case any Person shall presume to pass down the said Branch with any Raft, Scow, Boat or Battoe, before the Rates hereby granted are paid or secured, or attempt to evade the good Purposes of this Act; the Collector, or any Person or Persons, may stop and detain the Person going off on such Raft or Boat, and they shall forfeit and pay the Sum of *Two Shillings* for each Raft or Boat attempted to be so removed, over and above the Rate herein before granted; and there shall be paid to the Collector for every Raft laying above two Weeks in the said Branch, the Sum of *Two Shillings*; unless the Want of Water, Ice, or some extraordinary Reason occasions the laying thereof; and the same may be removed on Shore, or laid on the Bank, by any Person whose Raft shall be interrupted in passing by such Raft or Rafts.

AND in Order that the Navigation of said Branch should be opened as soon as may be, the Committee chosen by Virtue of this Act, or the major Part of them, are hereby authorised and impowered to borrow Money, and in their Names, as a Committee, to mortgage the Revenue granted by this Act, for the Repayment of the same, with its Interest, and apply the Monies arising from the Rates hereby given, to the discharging the same, as shall be agreed on between the said Committee and the Mortgagee.

AND BE IT ENACTED *by the Authority aforesaid,* That whenever there shall be an unusual Quantity of Water drawn, or a Dam shall break, at any Mill, Forge or Water-Work, the Persons having the Care of such Mill, Forge, or Water-Work, shall immediately send Notice thereof to the Mill, Forge, or Water-Work next below, on the same Stream; who, on receiving the said Notice, shall inform the Persons residing at, or having the Care of the Works next below him, and so from one to the other, until the Information shall arrive to the lowest Work erected on the Stream: And if the said Water be let off with Intent to raise the Waters of the Creek, to facilitate the Navigation,

the Persons having Care of the Mills or Water-Work below the Pond so let off, shall, on Notice thereof, let the Water of such Pond pass through their Gates, in a Time and Manner most suitable to answer the good Purposes intended by this Act, so that no Person be obliged to fall the Head of Water his Pond held at the Time he received Notice of the Drawing of the Ponds above, more than the Work of his own Mill or Water-work would have done in that Time: And if the Notice be not given of the Letting off such Water, or Breach of such Dam, or if the Water let off for Transportation, should be kept back, and not suffered to pass; the Person offending shall forfeit and pay the Sum of *Five Pounds,* and Damage thereby occasioned, to the Party aggrieved.

AND BE IT ENACTED *by the Authority aforesaid,* That the Treasurer and Collector appointed by Virtue of this Act, and each of them, shall account yearly to the Committee, on the third Saturday in *July,* and pay the Money in their Hands agreeable to the Order of the Committee; and the Accounts shall be at that Day laid by the Committee before such of the Owners of Saw-Mills and Forges on the South-west Branch of *Ancocas,* or others who shall have paid any of the Taxes hereby levied, as shall then attend, for their Approbation.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Rates and Penalties in this, or two former Acts of the Legislature of this Colony, respecting the Navigation of Creeks or Rivers, shall, so far as respects the South west or *Belly-bridge* Branch of *Ancocas,* or any of the Streams thereof, be recoverable by any one of the Committee chosen by Virtue of this Act, or the Treasurer or Collector chosen or appointed by them, or any other Person receiving Damage by a Breach of this or any other Act relative to the Navigation of Creeks or Rivers, by Action of Debt, before any one Justice of the Peace of the County of *Burlington,* or in any other Court of Record where the same may be cognizable, whose Judgment shall be final in the Premisses: And the Penalties recovered by Virtue of this Act, shall be paid to the Treasurer herein before appointed, to be applied by the Committee above mentioned, for the Improvement of the Navigation of the Creek aforesaid.

Parker (1766), pp. 32-35.

An ACT *to enable the Owners and Possessors of a certain Body of Meadow and Marsh lying on the Westerly Side of* Raccoon Creek, *in the County of* Gloucester, *to keep up and maintain the Banks and other Water-works around the same, and to constitute all ten Foot Ditches therein lawful Fences.*

WHEREAS the said Owners and Possessors have requested, that the following Law might be passed for the Purposes therein mentioned; and having duly advertised their intended Application, and no Objection now appearing: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Owners and Possessors of a certain Body of Meadow and Marsh lying on the Westerly Side of *Raccoon Creek,* adjoining the River *Delaware,* within a certain Bank, beginning at the Fast Land of *John Kelly,* thence to the said River, and up the same to *Raccoon Creek's* Mouth, thence up the said Creek to the Fast Land of *Lawrence String,* and their Successors in Interest, shall at all Times hereafter, keep up and maintain the Banks upon their several and respective Meadows and Marshes in good Repair, so as effectually to prevent the Tide from overflowing the Meadow within the same; and all necessary Dams and Sluices shall be erected, supported and maintained, at the equal Expence of the Owners and Possessors thereof, in Proportion to the Quantity of Meadow they severally hold; and all Drains and Watercourses shall be kept open and clear by the Person or Persons whose Land they pass through.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Owners or Possessors of the said Meadows and Marshes, to meet Yearly, on the first Tuesday in *April,* at a House by them agreed upon, or from time to time adjourned unto, and there by Plurality of Voices of them so met, elect and chuse two Persons, each of whom being Owners of at least ten Acres of said Meadow or Marsh, to be Managers for the ensuing Year; until which Time, *Constantine Wilkins* and *William Key* are appointed Managers; which said Managers for the Time being, shall have Power to assess the said Owners and Possessors, in Proportion to the Meadows or Marshes they shall severally hold, in such Sum or Sums of Money as they may think necessary for the erecting, amending and repairing the necessary Dams and Sluices as aforesaid; which they shall at all Times keep in good and sufficient Repair: And if any of the said Owners or Possessors shall neglect or refuse to pay the Sum or Sums of Money so assessed, for the Space of Twenty Days after Demand made by the said Managers, or either of them; it shall and may be lawful for either of the said Managers, to commence an Action of Debt in any Court of Record, where the same may be cognizable, and recover the same, with Costs of Suit, and the said Managers may dig Mud for the Purposes aforesaid, the most convenient and least detrimental to the Owners of the Soil.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Division Ditches of ten Feet wide at Top, seven Feet at Bottom, and three Feet deep, shall be esteemed lawful Fences within the said Meadows, and Damages shall be recovered for Trespasses over the same, as is directed by an Act, entitled, *An* Act *for regulating Fences;* and the Managers for the Time being, shall direct where such Ditches shall be cut, so as to have the Middle of the Ditch in the Line between the Parties, and the Mud cast equally on each Side: And if any of the said Owners and Possessors, shall neglect or refuse to open such Ditches as aforesaid, or to keep them and other Ditches sufficiently open and clear, or to keep their Banks in good and sufficient Repair, that it shall be lawful for the said Managers, or either of them, to enter upon the Premises so neglected, and hire Workmen, and cause the necessary Service or Services to be performed, and bring his, her or their Action or Actions of Debt, for the Money so expended, and recover the same in Manner aforesaid. And in order to ascertain the said Proportions, it shall and may be lawful for the said Managers, at any Time hereafter, when they shall find it necessary, to cause all the said Meadow and Marsh within Bank to be measured, the Expence whereof to be paid in Proportion as aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall Yearly account to the said Owners and Possessors, on the first Tuesday in *April,* if thereunto required, and produce fair Accounts and Receipts, for all Monies by them received and expended by Virtue of this Act, and shall deliver the Ballance remaining in their Hands, to the succeeding Managers, first deducting *Two Shillings* in the Pound, for all Monies by them received and expended for the Purposes aforesaid: And if the said Managers, or either of them, shall neglect or refuse to account and pay the Ballance as aforesaid, it shall and may be lawful for the succeeding Managers to sue for and recover the same, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when it shall at any Time happen, that the Owners or Possessors of any of the said Meadows, shall not reside within the said County, nor any other Person to represent him, her or them, to pay the Sum or Sums of Money assessed thereon, as aforesaid; that then it shall and may be lawful for the Managers for the Time being, to rent out Part of the said Meadow, or the Whole if necessary, for such a Time or Term as the Rent thereof will be sufficient to pay the said Assessment or Assessments, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the said Managers shall die or remove out of the County, it shall and may be lawful for any Person interested in the said Meadows, to give Notice to the other Owners or Possessors, to meet on a Day and Place by him appointed, giving each of them ten Days Notice, to chuse a Manager or Managers, in the room of him or them so dead or removed; and he or they so chosen, shall be invested with the same Power and Authority as if chose on the first Tuesday in *April.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons neglecting or refusing to do and perform any Duty or

Thing enjoined him, her or them by this Act; every such Person shall forfeit the Sum of *Four Pounds*; to be recovered in Manner aforesaid, by any of the Owners and Possessors, and applied towards supporting the said Dams and Sluices as aforesaid.

Parker (1766), pp.35-37.

An ACT *for building and maintaining a Bridge over the North Branch of* Great Timber Creek, *in the County of* Gloucester, *at* Abraham Roe's *Landing.*

WHEREAS Numbers of the Inhabitants of the Town and Township of *Gloucester,* have Lots of Cedar-Swamp on the Branch of *Longacomming,* and the Road which they are now obliged to travel is almost impassable; and as the erecting a Bridge over the North Branch of *Great Timber Creek,* at *Abraham Roe's* Landing, will be of great Advantage to many of the Inhabitants of said Town and Township, and others, by shortening and affording them a good and convenient Road to their Plantations, which they are obliged to fence with Cedar: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Province, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful for *Jonathan Williams, David Hurley* and *George Marpole,* or any two of them, to erect and build a Bridge, by voluntary Subscription, over the North Branch of *Great Timber Creek,* at *Abraham Roe's* Landing, and to causeway from the same through the Marsh to the Fast Land of *James Hillman*; which said Bridge shall be so constructed, that Flatts shall and may pass and repass; and the said *Jonathan Williams, David Hurley* and *George Marpole,* or the Survivor or Survivors of them, are hereby impowered to take in, receive and apply the same for the Purpose aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the Publication hereof, the Bridge and Causeway aforesaid, may be erected and built at the Place aforesaid, in such Manner and Form as the said *Jonathan Williams, David Hurley* and *George Marpole,* or any two of them, shall direct and think proper, without the Hindrance or Molestation of any Person or Persons whatsoever; provided the said Bridge doth not prevent Flats passing or repassing, as has been heretofore usual; and also that the same, together with the Causeway, be sufficient for the passing and repassing with Horses and Carriages loaded over the same.

BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon the Death or Refusal of any of the aforesaid Commissioners appointed by this Act, for erecting said Bridge and Causeway; that it shall and may be lawful, to and for the Persons who have already subscribed, or shall hereafter become Subscribers, or the Majority of them, to meet at some convenient Place, and there by Plurality of Votes, to elect and chuse any other Person or Persons in their Place and Stead, who shall have the same Power and Authority, to make Use and dispose of all or any such Sum or Sums of Money, as shall be raised for the building and repairing the said Bridge and Causeway, to all Intents and Purposes, as the aforesaid Commissioners appointed by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall presume to molest or interrupt any Commissioner or Commissioners appointed by this Act, in erecting, making or repairing said Bridge and Causeway, or wilfully hurt, damage or destroy the same when erected; he, she or they so offending, shall forfeit and pay the Sum of *Five Pounds* for every such Offence, together with all Damages done to the said Bridge or Causeway; to be recovered by any one of the Commissioners, or their Successors as aforesaid, who will sue for the same, in any Court of Record where the same is cognizable, with Cost of Suit, to be applied towards the Repairs of said Bridge and Causeway.

Parker (1766), pp. 37-38

An ACT *to enable the Owners and Possessors of the Meadows and Swamps lying on a small Branch of* Alloway's *Creek, in the County of* Salem, *to keep up and maintain the Dams, Banks, and other Water-Works on the said Meadow, and to keep the Water Course thereof open and clear.*

WHEREAS the Owners and Possessors of the Meadow and Swamp lying on a Branch proceeding out of the lower Side of *Alloway's* Creek, in the County of *Salem,* have, by their Petition, prayed a Law to oblige all the Parties concerned, to contribute their equal Portion towards repairing and upholding the Front and Back Dams, Banks, and other Water Works heretofore erected across the said Branch, so as effectually to prevent the

Tide from overflowing the said Meadows and Swamps, and to keep the Water Course thereof open and clear: The Front Bank beginning at the Fast Land of *William Hancock,* Esq; near said *Alloway's* Creek, and runs up the said Creek One Hundred and Ninety-eight Rods, to a Ditch in the Line between the said *William Hancock* and *Joseph Stretch*; thence along the West Side of the said Line Ditch Forty-six Rods; thence crossing the said Line Ditch, and running Twenty-seven Rods to the Fast Land of the said *Joseph Stretch*: The Back Bank beginning at a Point of Fast Land of *William Adams,* and runs across the said Meadows, to a Point of Fast Land of *Richard Moore,* called *Wolf Pit* Point: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Meadow or Swamp, to meet on the first *Monday* in *March,* yearly and every Year, at the now Dwelling House of the said *William Hancock,* and there by a Plurality of Voices of them so met, to choose one Person interested in the said Meadow, and living in said County, to be a Manager for the ensuing Year; (until which Time the said *William Hancock* is hereby appointed Manager) which Manager now appointed, or hereafter chosen as aforesaid, shall at all Times hereafter keep the said Dams, Banks, Sluices, and other necessary Water Works in good Repair, so as effectually to prevent the Tide from overflowing the Meadows and Swamps included within the same; and may dig Mud, Lume or Sand the most convenient, and least detrimental to the Owner or Owners of the Soil, for that Purpose; and if the said Manager shall think necessary to erect a Fence or Fences, to prevent Horses and Cattle from treading the said Banks and Dams; the Costs and Expence thereof to be paid by the Owners and Possessors, in Proportion to the Quantity and Quality of the improved Meadow they severally hold, that is, or hereafter shall be benefited thereby; and the said Manager shall assess the said Owners and Possessors, in Proportion as aforesaid, in such Sum or Sums of Money, as shall be by him thought necessary for the Purposes aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the said Owners or Possessors shall neglect or refuse to pay the Sum or Sums of Money so assessed by Virtue of this Act, for the Space of Twenty Days after a Demand made by the said Manager; it shall and may be lawful for the said Manager, to commence an Action of Debt in his own Name, in any Court within this Province, where the same may be cognizable, and give the said Assessment in Evidence; and on Oath (or Affirmation if a Quaker) of the said Manager, or of any other Person, of such Demand being made as aforesaid, and that the Process in such Action was duly served, at least Ten Days before the Time of Appearance or Return thereof, with Notice, That at such Appearance-Day or Return of the Process, Judgment would be insisted on; the Court in which, or the Justice before whom the said Action may be commenced, shall immediately give Judgment, and award Execution for the Sum due, with Costs of Suit, according to Law; unless the Defendant shall appear, and plead and try the same, at such Time and Place as shall then be

appointed by the Court, in which or by the Justice before whom the Cause may depend.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the Security of the Monies which shall be assessed and levied, or become due by Virtue of this Act, all and singular the improved Meadow of every Owner, Proprietor and Possessor, and of every Manager chosen by this Act, shall be subject and liable to the Payment of all Sum and Sums of Money, as shall be assessed or become due from them, or which shall be collected and received by such Manager by Virtue of this Act, from the Time of the said Assessment, Debt accrued, or Monies received; and the same Meadow shall be esteemed a Pledge for the Payment of the said Monies, into whatsoever Hands the same may come, in like Manner as if the said Meadow had been mortgaged therefor by the Owner; and the Manager may enter upon and take the Rents, Issues and Profits thereof, for Satisfaction of the said Debt or Monies, after Judgment obtained as aforesaid, or sell the same by Virtue of the said Judgment, which he shall think most expedient. *Provided always,* That the Meadow of no Infant, *Feme Covert,* or Person beyond Sea, shall be sold by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Manager now appointed, or hereafter chosen, as aforesaid, shall, as often as it is necessary, give Notice in Writing to the said Owners and Possessors, to open and clear out the Creek or Ditches adjoining their own Land, and to dig all such new Ditches as may be necessary, through their own Meadow, so as to give the Water a sufficient Fall from off the said Meadows; and if they or any of them shall neglect or refuse to open and cleanse said Creek and Ditches, or to dig such necessary new Ditches as aforesaid, for the Space of three Months, after said Notice in Writing is given, and in such Manner as the said Manager shall judge sufficient to answer the Purposes aforesaid; that then it shall and may be lawful for the said Manager, immediately to enter upon the Premises so neglected, and hire Labourers, and cause the same to be done, (so as the Rubbish, Mud or Grass dragged or thrown out, be equally divided, as near as may be to each Side) and to demand and receive of the Party or Parties so neglecting or refusing, the whole Expence and Costs thereof; and if he, she or they, so neglecting or refusing as aforesaid, shall neglect or refuse to discharge the same, within ten Days after such Demand, it shall and may be lawful for the said Manager, to sue for and recover the same, by Action of Debt, in any Court of Record of this Colony, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the said Owners and Possessors, shall at any Time hereafter neglect to meet on the first Monday in *March,* to choose a Manager as aforesaid, the Manager chosen for the preceeding Year, shall be continued in said Office from Year to Year, until the said Owners and Possessors shall meet and elect another in his Room; and if the said Manager shall die, or remove out of the said County, then it shall and may be lawful for any one of the said Owners and Possessors, to warn in the others, (giving each of them ten Days Notice) to

meet at the Place aforesaid, or any other Place he or they shall appoint, to choose a Manager in the Stead of him so dead or removed, who shall be vested with the same Power and Authority, as if he had been chosen on the first Monday in *March*. And in order to ascertain the said Proportions, it shall and may be lawful for the said Manager, at any Time hereafter, when he shall find it necessary, to cause all the said improved Meadow to be measured, the Expence whereof to be paid in Proportion as aforesaid; but if only a Part thereof is measured, the Expence shall be paid by the Party or Parties applying for the same. And further it shall and may be lawful, for the Owners and Possessors of the said Meadows, by Plurality of Voices, to choose two or more neighbouring Freeholders, to inspect into the Quality thereof, and value the same, in order that the said Manager may assess it in Proportion, according to the Judgment of the said Freeholders chosen as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Manager shall Yearly, on the first Monday in *March,* account to the said Owners and Possessors, if thereunto required, and produce fair Accounts and Receipts of all Monies by him received and expended by Virtue of this Act, and shall deliver the Ballance remaining in his Hands, to his Successor, first deducting *two Shillings* in the Pound, for all Monies so assessed and expended; and if he shall neglect or refuse to account and pay the Ballance as aforesaid; it shall and may be lawful for the succeeding Manager, to sue for and recover the same by Action of Debt, in any Court of Record in this Colony where the same may be cognizable; and the said Court shall give Judgment, and grant Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Tenant or Tenants, which are or shall be in Possession of any Part of the said improved Meadow, to bring his, her or their Charge or Charges of Money paid or Services done in Pursuance of this Act, against his, her or their Landlord or Landlords; which Charge of Money or Service done, shall be allowed by his, her or their Landlord or Landlords out of the Rent due, owing or payable from such Tenant or Tenants.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons shall neglect or refuse to do and perform any Matter or Thing enjoined him, her or them by this Act; he, she or they shall forfeit and pay the Sum of *Six Pounds* for every such Default; to be sued for and recovered by any Proprietor of the said Meadow, in like Manner as is directed by this Act, and applied towards repairing and maintaining the aforesaid Dams, Banks and Sluices.

Parker (1766), pp. 38-43.

An ACT *to enable the Owners and Possessors of the Marsh and Swamp lying on the South Branch of* Stow *Creek, to maintain the Bank, Dam and other Water Works across the said Creek, to prevent the Tide from overflowing the same.*

WHEREAS stopping the Tide out from overflowing the Marsh and Swamp on *Stow-Creek,* has been found by Experience to be of great Benefit to the Owners of the said Marsh;

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Marsh and Swamp, to repair and keep up a good and sufficient Bank, Dam and other Water-works, necessary for keeping out the Tide from overflowing the said Marsh and Swamp.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Bank, Dam and other Water-works, that may be found necessary to be erected for the effectual preventing the Tide from overflowing the Marsh and Swamp enclosed within the same, shall be erected, supported and maintained at the equal Expence of the Owners and Possessors thereof, in Proportion to the Quantity of Marsh and Swamp that each Owner or Possessor now doth, or hereafter may hold within the said Bank and Dam.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That each Owner or Possessor shall keep the Water Course open on the Marsh or Meadow in his, her or their Possession, sufficient to vent the Water and Freshes down to the Sluices.

AND to the End that the said Bank, Dam and other Water Works, may at all Times hereafter be well and sufficiently supported and maintained: BE IT FURTHER ENACTED *by the Authority aforesaid,* That all the Owners and Possessors of the aforesaid Marsh and Swamp, shall and may at all Times, (after the ensuing Year) on the first Tuesday in *April,* yearly and every Year, meet at the Dwelling-House of *Rebeccah Daniel,* or any other Place where the Majority of the said Owners for the Time being shall appoint, and then and there, by Plurality of Voices of them so met, to elect and choose one or two of the Owners or Possessors of the said Meadow, to be a Manager or Managers the ensuing Year; (until which Time *Bradway Keasbey* and *David Long* are hereby appointed Managers) which Managers, during the said Year, shall have full Power to assess the Owners and Possessors aforesaid, pursuant to the Directions of this Act, in such Sum or Sums of Money, as shall be by them thought necessary, for erecting, repairing and maintaining said Bank, Dam, and other Water Works as aforesaid, during the said Year: And if the said Owners and Possessors, shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time be assessed on them, any or either of them, for the Space of Twenty Days, next after the same shall have been demanded, it shall and may be lawful for the said

Managers, or either of them, to sue all and every such Person or Persons in his own Name, for the respective Sum or Sums of Money he, she or they were assessed at, in an Action of Debt, in any Court where the same may be cognizable, and give the said Assessment in Evidence; and the said Court is hereby impowered to give Judgment, and grant Execution for the same, with Costs of Suit: And it shall and may be lawful for the said Manager or Managers at all Times hereafter, to dig Mud the most convenient and least detrimental to the Owners of the Soil; as also Sand, Gravel or Lume, out of the Land adjoining to either End of said Bank or Dam, for raising and repairing the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if the said Owners and Possessors, shall neglect to meet on said Day, to choose a Manager or Managers as aforesaid, then and in such Case, the Manager or Managers chosen for the preceeding Year, shall be continued in the said Office the ensuing Year, and so continued from Year to Year, until the said Owners and Possessors shall meet and elect other Manager or Managers, in his or their Room, and shall have the same Power and Authority, to all Intents and Purposes, as if the said Owners and Possessors had met and elected him or them, agreeable to the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the said Manager or Managers, shall yearly account to the said Owners and Possessors; and produce fair Accounts and Receipts, for all Monies by him or them received and expended by Virtue of this Act; and shall deliver the Ballance of the Monies remaining in his or their Hands, to the succeeding Manager or Managers, first deducting thereout *Two Shillings* on the Pound, for all Monies by him or them expended for the Purposes aforesaid; and if the said Managers, or either of them, shall refuse or neglect so to account, or shall neglect to pay the Ballance remaining in his or their Hands, to the succeeding Manager or Managers, it shall and may be lawful for the succeeding Manager or Managers to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if any or either of the said Managers should die, or remove away; that then and in such Case it shall and may be lawful, for any Owner or Possessor, to warn in the other Owners or Possessors of said Meadow, to meet at the Place abovesaid, on a Day by him to be appointed, giving them and each of them at least Six Days Notice, to choose a Manager or Managers in the Stead of him or them so dead or removed as aforesaid; and the said Manager or Managers so chosen, shall be invested with the same Authority, as though he or they had been chosen on the first Tuesday in *April*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if any Person or Persons, shall neglect or refuse to do and perform any Duty or Thing required by this Act, such Person or Persons so neglecting and refusing, shall forfeit the Sum of *Five Pounds*, Proclamation Money; to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace, in either of the Counties of *Salem* or *Cumberland*, where the Cause

of Action may arise, with Costs of Suit; and the Money to be applied towards repairing and keeping up the said Dam, Bank and other Water Works.

AND BE IT ENACTED *by the Authority aforesaid,* That the Owner or Owners of the said Swamp, shall not be liable to any of the Taxations or Assessments aforesaid, for the same or any Part thereof, until such Swamp is cleared and improved; and that from and after the clearing and improving the Whole, or any Part thereof, such improved Part shall, and hereby is subjected to all and singular the said Assessments, that shall thereafter be levied on the Marshes aforesaid.

Parker (1766), pp. 44-46.

An ACT *to enable the Owners and Possessors of the Meadows and Marshes bounding on* Delaware *River, between* Long Point *and* Kilko's *Hook, in Lower* Penn's *Neck, in the County of* Salem, *to stop out the Tide from overflowing the same.*

WHEREAS the stopping of the Tide out of the Meadows and Marshes bounding on *Delaware* River, between *Long Pond* Point and *Kilko's* Hook, in the County of *Salem,* would be of great Benefit to the Owners thereof in particular, and also to the County in general; and inasmuch as the usual Notice hath been given, and no Objections now appear: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That a Bank may be made across the said Marsh and Creeks, from the Fast Land of *Edmund Wetherby,* junior, known by the Name of *Long Point,* to the Fast Land in the Possession of *David Alexander,* known by the Name of *Kilko-Hook,* with Flood-Gates and Sluices, sufficient to stop and let out the Tide and Water, together with Ditches and Races necessary for the same, by the Owners and Possessors of the said Meadows proportionably, according to the Quantity of Meadow or Marsh that each respective Owner or Possessor hath, or may have within the said Bank.

AND BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the aforesaid Marshes and Meadows, shall meet and assemble yearly on the last Tuesday in *July,* or any other Time they may think proper,

at the now Dwelling House of *Edmund Wetherby*, jun. or any other Place they may appoint, and there choose two Managers, to make, maintain and uphold the said Works; which Managers shall likewise be impowered for the Maintainance of the said Bank, to take such Quantity of Mud, the most convenient as they shall judge proper, from any Part, and least detrimental to the Owner of the Soil; as also Sand, Gravel or Lume, out of the Fast Land adjoining to either End of the said Bank, for the erecting, raising and repairing the same: And the said Owners and Possessors, shall also choose and appoint one Assessor, to assess the Sum or Sums of Money, that shall be necessary for defraying the Charges of making, upholding and maintaining the said Work, equally and proportionably, according to the Number of Acres of Marsh or Meadow, each respective Owner or Possessor doth or shall hold; and shall also choose a Collector, to collect and receive all such Sum or Sums of Money, as shall be from Time to Time assessed as aforesaid; which said Assessor shall deliver the List of the Owners and Possessors Names, with the respective Sums of Money that each respective Person is to pay, signed by them, to the Collector as aforesaid, who shall demand and receive of and from each Owner and Possessor of said Meadow and Marsh, the Sum he, she or they are to pay; and upon Neglect or Refusal of any of them, the said Collector is hereby required and impowered to sue all and every such Person or Persons in his own Name, for the respective Sum or Sums of Money they were so assessed, in any Court where the same may be cognizable, and give the said Assessment in Evidence; and the said Court are hereby impowered to give Judgment, and award Execution for the same, with Cost of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That every Collector so chosen, shall pay all such Sum or Sums of Money as he shall receive as aforesaid, to Workmen, by Order under the Hand of one of the Managers aforesaid, and not otherwise; and the said Managers and Collector, shall give an Account yearly, of all Money collected and expended, to the Owners and Possessors of said Meadow, at their said Meeting; which Manager shall be allowed *Nine-pence*, the Collector *Six-pence*, and Assessor *Four-pence* in the Pound, for all Monies assessed, collected, and expended as aforesaid; and in Case any Collector should refuse to pay what Money remains in his Hands, to the succeeding Collector chosen as aforesaid, the said succeeding Collector, is hereby impowered to sue for and recover the same, with Cost of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That all and every the respective Owners and Possessors of said Meadows, on each Side of said Creek, shall be obliged at all Times hereafter, to keep open such Part of said Creek, as runs through, joins to, or is against their respective Meadow, so and in such Manner as the Water will and may vent off, and not damnify or prejudice any Part of said Meadow; and the abovesaid Managers chosen yearly as aforesaid, shall divide and mark out each Owner's and Possessor's Part of said Creek, to be cleared as aforesaid, in Proportion to the Meadow they hold, and in such Manner as they the said Managers shall think most reasonable; and said Owners and Possessors shall clean as

aforesaid, their respective Shares so laid out; and in Case of Neglect or Refusal of either of the said Owners or Possessors of said Meadow, in performing their respective Shares of said Work, in such Case it shall and may be lawful for any of the Owners or Possessors of said Meadow, after he, she or they have, before Evidence, given Six Months Notice of his, her or their Design, to the Party or Parties neglecting, to enter any such Premises, where the said Work is to be done, and perform the same, and bring his, her or their Action of Debt, against the said Party or Parties so neglecting, for the Charges thereof, in any Court as aforesaid; and upon Proof being made by the Testimony of two credible Neighbours, that the Charge such Plaintiff has been at, is to the best of their Judgment just and reasonable, and that the Services done were necessary, and the Notice aforesaid was duly given, shall give Judgment for the Plaintiff, with Cost of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That when it shall happen at any Time hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside within the said County, or any other Person to represent them, to pay the several Sums of Money assessed thereon as aforesaid, that then it shall and may be lawful for the said Managers for the Time being, to rent out such Person's Part of the said Meadow, or the Whole if necessary, for such a Time or Term, as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That in Case of Death or Refusal of either of the Managers aforesaid, that then and in such Case, it shall and may be lawful for the Survivors, or any other Person or Persons interested in said Meadows, to give Notice to the other Owners and Possessors thereof, to meet as aforesaid, on a Time by them appointed, giving them and each of them Ten Days Notice at the least, to choose a Manager or Managers in the Place and Stead of him or them so refusing or dead; and the said Manager or Managers so chosen, shall be invested with the same Power and Authority, as though they had been chosen on the last Tuesday in *July*.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That any Person or Persons neglecting or refusing to do and perform any Duty or Thing required by this Act, shall forfeit the Sum of *Five Pounds*, Proclamation Money, to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace for the said County, to be applied towards the supporting the said Bank, Dam and Water Works, with Cost of Suit.

Parker (1766), pp. 47-50.

An ACT *to naturalize* Jacob Hertel *and* John Jacob Faish.

WHEREAS *Jacob Hertel* and *John Jacob Faish*, by their hunble Petition, have set forth, that they were born under the Dominion of foreign Powers in Amity with *Great Britain;* but are now settled, or are desirous of settling within this Province of *New-Jersey*, and of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to his Majesty King *George* the Third, and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same*, That the said *Jacob Hertel* and *John Jacob Faish* shall be from henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are intituled unto, the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared*, That Nothing in this Act contained, shall be construed or taken to enable the said *Jacob Hertel* and *John Jacob Faish*, or either of them, to be of his Majesty's Council, or of the General Assembly, or to hold or enjoy any Post or Office of Trust or Profit within this Province; any Thing herein contained to the Contrary notwithstanding.

Parker (1766), p. 50.

Twentieth Assembly, Fourteenth Session

9-24 June 1767

Burlington

All acts passed 24 June 1767.

Allinson (p. 297) refers to this as the thirteenth session.

An ACT *for the Support of Government, of His Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-seven, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-eight; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for the Supporting the Government of His Majesty's Colony of *New-Jersey,* is expired: We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of His Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given, unto his Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for His Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To His Excellency WILLIAM FRANKLIN, Esquire, Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of *May* last past.

To *Frederick Smyth,* Esq; Chief Justice of this Colony, *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Clerk of the Council, or to the Clerk for the Time being, *Thirty Pounds per Annum,* Money aforesaid.

To *Henry Wilmont,* Esq; Agent of this Colony, or to the Agent for the Time being, *One Hundred Pounds per Annum,* Money aforesaid.

To *Joseph Warrel,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the Time being, in Council; and the Warrants so signed, with Indorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein before-mentioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of Our Lord One Thousand Seven Hundred and Sixty Eight; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorized and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent for said Year, provided he makes *Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged; Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time, in the respective Counties of this Colony. *Provided,* That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said

Courts of Oyer and Terminer and General Gaol Delivery, held in any one County, during the said one Year, upon at least fifteen Days Notice being given to the High-Sheriff of the County in which such Court is to be held, previous to holding said Court, by one of the Justices of the Supreme Court, and not otherwise, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Gaol Delivery, if Application shall be made in Writing, signed by any Three Justices of the Peace (*Quorum Unus*) of the said County, in Conjunction with the major Part of the Freeholders chosen by the said County, to the Governor or Commander in Chief for the Time being, or to any one of the Justices of the Supreme Court.

AND BE IT ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day they shall respectively attend at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Richard Smith,* one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he shall attend at any Sitting of General Assembly, during the said one Year; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, and copying the Laws and Minutes for the Printer.

To *Jonathan Deare,* the Sum of *Ten Pounds,* for Pen, Ink and Paper, and hiring Clerks to forward the Business the last Session of Assembly at *Amboy:* And to the said *Richard Smith,* for Pen, Ink and Paper, at this, and a former Session in *November,* One Thousand Seven Hundred and Sixty-five, the Sum of *Twelve Pounds;* and for a Blank Book for the Use of this House, and for Freight of the Assembly Boxes, to and from *Amboy,* the Sum of *Two Pounds Fourteen Shillings.*

To the Secretary, for copying publick Laws to send home to *England,* during the Continuance of this Act, *Four Pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, such Sums of Money as *John Johnston, Hendrick Fisher, John Wetherill, Reune Runyon, John Ogden, Daniel Doughty* and *John Lawrence,*

Esquires, or any two of them, shall agree to be paid for the said Services.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Serjeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Door-Keeper of the House of Representatives for the Time being, who shall attend on the House in Manner aforesaid, the Sum of *Three Shillings and Six Pence per Diem.*

To *Thomas Rodman,* Esq; to pay for a Room for the Assembly, *Twenty Shillings* per Week; and also *Fifteen Shillings* per Week, to pay for a Room for the Council, during any Sitting within the said Term.

ALL which said several Sums above-mentioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants, to be signed by the Governor, or Commander in Chief for the Time being, in Council. And the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon, made by the Persons to whom the same shall be respectively made payable, shall be sufficient Vouchers, to discharge them the said Treasurers, or either of them, their Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the *Sum* of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Cortland Skinner, Hendrick Fisher, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the respective Officers of the several Counties within this Colony, appointed by Law, to assess, collect and pay into the Treasury, the Sinking Fund Tax, to be raised this present Year, shall, and they are hereby respectively enjoined, to deliver exact Duplicates of all the rateable Estates, and Assessments thereon, within six Weeks after the next Assessment, to the Treasurer of the Division to which they respectively belong; and that the Treasurers lay the same before the House of General Assembly, at their next Meeting, for their Inspection: And each and every of the said Assessors and Collectors, shall be under the same Regulations, and subjected to the same Penalties, as is directed by an Act of General Assembly, passed in the Twenty-sixth Year of the Reign of

His late Majesty King *George* the Second, entitled, *An* Act *for levying a Fund at different Periods, by Provincial Taxes, for sinking the Sum of Fifteen Thousand Three Hundred and Two Pounds and Four Pence, now outstanding in Bills of Credit, made current for His Majesty's Service in the late War;* any Law or Custom to the Contrary in any wise notwithstanding.

Parker (1766), pp. 3-8.

An ACT *appointing Commissioners for supplying the several Barracks erected in the Colony of* New-Jersey, *with Furniture and other Necessaries for accommodating the King's Troops, in, or marching through the same; for supplying Deficiencies, and defraying other incidental Charges.*

WHEREAS it is expedient, that farther Provision be made, for supplying the King's Troops in, or occasionally marching through this Colony, during their Continuance therein: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Daniel Ellis, Joseph Hollinshead, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden* and *John Blanchard,* be, and they are hereby appointed Commissioners for the several Barracks in this Colony; that is to say, *Daniel Ellis* and *Joseph Hollinshead,* for the Barracks at *Burlington; Abraham Hunt* and *Alexander Chambers,* for the Barracks at *Trenton; Hendrick Fisher* and *Reuben Runyon,* for the Barracks at *New-Brunswick; Samuel Sarjant* and *Thomas Skinner,* for the Barracks at *Amboy; Robert Ogden* and *John Blanchard,* for the Barracks at *Elizabeth-Town.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place, for which they are appointed Commissioners as aforesaid, and they, or the Survivors of them, are hereby impowered as often as Occasion may require, to purchase Fire Wood, Bedding, Blankets, and other Necessaries, as has heretofore been usually furnished to the several Barracks in this Colony, and as in and by this Act is further directed; and it shall and may be lawful for either of the Treasurers of this Colony, to pay to the said *Daniel Ellis, Joseph Hollinshead, Abraham Hunt, Alexander Chambers,*

Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden, John Blanchard, or to any two of them, such Sums of Money as may be wanted for the Service aforesaid, not exceeding the Sum of *Five Hundred Pounds,* for the Use of each of the said five Barracks in this Colony, out of Money made current for the Service of the late War, or now in the Treasury; and their Order, with a Receipt thereon, or Receipt signed by any Two of them, when produced by the said Treasurers, or either of them, to the General Assembly, shall discharge the said Treasurers respectively, their Heirs, Executors and Administrators, of and from so much as they shall have paid by Virtue of this Act: And the said Commissioners, their Heirs, Executors and Administrators, are hereby made accountable to the General Assembly of this Colony, for all such Sums of Money as they shall respectively receive, in Pursuance of this Act.

Provided always, That not any Thing in this Act contained, shall be construed or intended to impower the aforesaid Barrack-Masters, or either of them, to draw out of the Treasury any Part of the Monies aforesaid, at any Time, until Troops are actually removed to, and quartered in the respective Barracks for which they are appointed Commissioners: *Provided also,* That the Monies hereby given, shall not be applied to purchasing Necessaries for more than one Regiment in the Colony at any one Time, except during the Time of the Relieving of the Regiment quartered in the Colony.

AND *Whereas* it is necessary, that the Troops quartered in the Barracks in this Colony, should be supplied with Vinegar and Small Beer: *And whereas* Difficulties may arise to the Commissioners, in providing and serving Beer to the said Troops; to prevent which, and that the Troops may be enabled to supply themselves therewith: BE IT ENACTED, That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place for which they are appointed Commissioners as aforesaid, to find and provide Vinegar for the Use of said Troops, at the Rate of two Gills for each Man, per Week, and in lieu and stead of four Pints of Small Beer hereby allowed for each Man per Day, it shall and may be lawful for the said Commissioners, to provide and allow to the said Troops, a Quantity of Molasses, not exceeding one Gallon to a Barrel of Small Beer.

AND *Whereas* the Treasurer of the Eastern Division of this Colony, hath advanced divers Sums of Money to the Commissioners of the Barracks at *Perth-Amboy,* there being no Law impowering him so to do, and the advancing the said Sums appearing absolutely necessary, it is but reasonable, that the Treasurer should be indemnified for the same: Therefore, BE IT ENACTED *by the Authority aforesaid,* That the said Treasurer shall be, and he is hereby indemnified and discharged of and from the Payment of such Sum or Sums of Money; and the Receipt or Receipts of both, or either of the Barrack-Masters at *Perth-Amboy* and *Elizabeth-Town,* shall be a sufficient Voucher in passing his or their Accounts, by him, his Heirs, Executors and Administrators, by Means of any Monies by him paid, and applied to and for the Use of the said Barracks: And all Bonds or other Security by him taken, from the Corporations of *Perth-Amboy* or *Elizabeth-Town,* or other Persons, for Money

so by him disbursed, shall be, and is hereby declared null and void, to all Intents and Purposes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, and the Care of the several Barracks within this Colony, shall be under the same Regulations as is directed in and by an Act of this Colony, passed in the Fifth Year of His present Majesty's Reign, entitled, *An* Act *for appointing Commissioners to take Care of and let the Barracks erected in this Colony of* New-Jersey, *at such Times as the same shall not be needed for the Use of Soldiers; and to sell such Articles therein as are perishable, and have been purchased at the Expence of this Colony.*

AND *Whereas* it appears, that sundry Sums of Money have been necessarily disbursed by several of the Barrack-Masters, beyond the Sums limitted to them by Law; and it being reasonable, that the same, and other incidental Charges be paid: Therefore, BE IT ENACTED *by the Authority aforesaid,* That there be paid out of the publick Money now in the Treasury of this Colony, the following Sums, *viz.*

To *Robert Ogden,* Esq; one of the Barrack-Masters at *Elizabeth-Town,* the Sum of *Forty-six Pounds Eight Shillings and Eight Pence,* a Ballance found due to him for his Salary, and Monies disbursed for the Use of said Barracks, as Barrack-Master.

To *John Blanchard,* the other Barrack-Master at *Elizabeth-Town,* the Sum of *Four Hundred and Ninety-four Pounds Two Shillings,* in full of his Account, for his Salary, and Money disbursed for the Use of said Barracks, as Barrack-Master.

To *John Carty,* the Sum of *Thirty Pounds Three Shillings,* being Money disbursed by him, and Expences attending the bringing into this Colony, *Harman Rosecrants, William Layton* and Son, from *Fredericks-Town* in *Maryland,* by Virtue of a Warrant from the Honourable *Charles Read,* Esquire.

To *John Smyth,* Esq; one of the Commissioners for building the Secretary's Office at *Perth-Amboy,* the Sum of *One Hundred and Thirty-one Pounds Fourteen Shillings and Eleven Pence Three Farthings,* being the Ballance of his Account, as reported by the Committee the last Session of Assembly at *Perth-Amboy,* and referred to be provided for at this Session.

To *Ephraim Philips,* the Sum of *Eleven Pounds Five Shillings and Six Pence,* for his Expences and Trouble in apprehending and bringing into this Colony, *Joseph Byllings,* charged with counterfeiting the Bills of Credit of this Colony; and for transporting and attending *Harman Rosecrants,* and the two *Laytons,* from *Burlington* to *Perth-Amboy,* to receive their Trials.

To *Joshua Bispham, John Cox* and *Samuel Atkinson,* jun. the Sum of *Twenty-five Pounds,* to be paid for their Trouble and Expences in apprehending the Murderers of the Indian Women, near *Moore's-Town,* in just and equitable Proportions.

To *Lambert Barnes,* the Sum of *Two Pounds Eighteen Shillings* and *Eleven Pence,* for victualling three Indians at the Trial, and sixteen Indians who attended the Execution of the Murderers aforesaid.

To *Thomas Apty,* the Sum of *Twenty-five Shillings,* for bringing an Express

from Capt. *Hawker,* when at *New-Castle,* acquainting Governor *Franklin,* he had, agreeable to his Excellency's Request, taken the Stamps allotted for this Colony, on board his Ship.

Disallowed 12 Aug. 1768.
Parker (1767), pp. 9-12.

An ACT *to restrain the bringing Certioraries, and to alter the Mode of determining Appeals in small Causes.*

WHEREAS the present Mode of appealing from the Judgment of a Justice, by Virtue of, and in Pursuance of an Act, entitled, *An* Act *to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes,* hath upon Experience been found to give great Opportunity to litigious Men to put honest Creditors to great Delay and Expence; and the Practice of bringing Certioraries upon every trivial Occasion, is become a Grievance to the Inhabitants of this Colony: For Remedy whereof,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, all Appeals given by Virtue of the said recited Act, shall be to the Justices of the Court of General Quarter Sessions of the Peace, at the next Court of General Quarter Sessions of the Peace, to be holden for the County, City or Town Corporate, upon the same Conditions, and upon like Bond, as in the said recited Act is directed; and that the said Justices of the said Court of General Quarter Sessions of the Peace, shall, in a summary Way, hear and determine all such Appeals from a single Justice, give Judgment, and award Execution thereon, with Costs; the said recited Act, or any Law to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, the Justices of the Supreme Court, shall not allow any Writ or Writs of Certiorari, for the Removal of any Action made cognizable before a single Magistrate, and by him determined by Virtue of the said recited Act, unless such Certiorari, shall be removed for in open Court,

and the Reasons for granting such Certiorari first assigned, and filed in Court; any Law, Usage or Custom to the Contrary notwithstanding.

Parker (1767), pp. 12-13.

An ACT *for laying a Duty on the Purchasers of Slaves imported into this Colony.*

WHEREAS Duties on the Importation of Negroes, in several of the neighbouring Colonies, hath, on Experience, been found beneficial in the Introduction of sober industrious Foreigners to settle under His Majesty's Allegiance, and the Promoting a Spirit of Industry among the Inhabitants in general: In order therefore to promote the same good Designs in this Government, and that such as choose to purchase Slaves may contribute some equitable Proportion of the publick Burthens;

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That every Person hereafter purchasing a Negro, Indian or Mulatto Slave, if such Slave has not resided in this Colony at least for the Space of one whole Year before such Purchase, or such Slave for which the Duty hereby imposed hath not been paid, shall besides the Price paid for the said Slave, moreover pay to the County Collector, chosen for the County in which such Purchase shall be made, the Sum of *Ten Pounds,* Proclamation Money; and on Refusal or Neglect of paying the same Ten whole Days after the said Purchase or Purchases shall be made, it shall and may be lawful for the said County Collector, by himself or Deputy, to apply to a Justice of the Peace for the said County, who on such Information, shall immediately grant a Precept in the usual Manner, for the Apprehension of the Person or Persons complained against; and the same being so apprehended and brought before him, shall proceed to hear the Parties, and give Judgment and award Execution for the said Duty, in Manner and Form as by Law is appointed in Cases of *Six Pounds* or under.

AND BE IT ENACTED *by the Authority aforesaid,* That the respective County Collectors of this Province, shall keep fair and true Accounts in Writing, of all Duties collected in Virtue of this Act; and once in Twelve Months, or oftener if required by the Provincial Treasurer of the Division in which he lives, pay into his Hands, all the said Duties so by him collected as aforesaid, first deducting out of the same for his own Use, Five *per Cent.* and shall further be allowed in the final Adjustment of his Accounts, all reasonable Charges by him expended in the Recovery of the Duties laid by this Act; which said Fines so paid into the Treasury, shall be applied to the

Support of Government, as by Law shall be hereafter directed. *Provided always,* That each of the said County Collectors, before he enters upon the Execution of his Office, in Reference to this Act, shall be sworn or affirmed before some Justice of the Peace, for the true and faithful Execution of his Office, as appointed by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That any Purchase of any Slave, as aforesaid, made upon the Water or Waters, along the Sea Coast of this Province, or those between this Province and the Provinces of *New-York, Pennsylvania,* and the lower Counties of *Delaware,* shall be deemed a Purchase made within the County opposite to such Water.

Provided always, That this Act shall be in Force for the Space of Two Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1767), pp. 13-14.

An ACT *to regulate Carriages of Burthen within this Colony.*

WHEREAS a Difference in the Track or Running of Waggons and Wheel Carriages of Burthen in the several Counties of this Colony, is found by Experience to be very inconvenient; and the Narrowness of the Fellies pressing or running on the Ground, to be prejudicial and destructive to the Roads: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all Waggons or Carriages of Burthen, to be drawn by Four or more Horses, Oxen or other Cattle, made and constructed after the First Day of *May,* which will be in the Year of Our Lord One Thousand Seven Hundred and Sixty Eight, travelling or passing on the public Roads or Highways within this Colony, belonging to Persons resident therein, shall run or track on the Ground from Center to Center of the Fellies, not less than five Feet *English* Measure, under the Penalty of *Twenty Shillings;* to be recovered from the Owner or Owners, Proprietor or Proprietors of such Waggon or Carriage, for each and every Offence, before any Justice of the Peace of this Colony, where the Fact shall be committed, upon the Oath or Affirmation of one or more Witnesses; which said Fine when recovered, shall be paid, one Moiety thereof to the Overseers of the

Highways, for the Township, Division or Precinct, where the Fact was committed, to be applied towards repairing the Highways in the same; the other Moiety to be paid to the Person or Persons prosecuting the same to Effect.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all Waggons and Carriages of Burthen, travelling or passing on the publick Roads within this Colony, drawn by four or more Horses, Oxen or other Cattle, belonging to Persons resident therein, and made and constructed after the First Day of *May,* One Thousand Seven Hundred and Seventy, shall have the Fellies, or Part of the Wheels which press upon the Ground, at least four Inches broad on the Surface, under the Penalty of *Twenty Shillings,* for each and every Offence, to be recovered from the Owner or Owners of such Waggon or Carriage of Burthen, and applied as is above directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Wheel-Wright, Waggon-Maker, or other Person, shall, after the Times expressed and limited in this Act, presume to make or work up any Wood into Axel Trees or Fellies, for Waggons or Carriages of Burthen, of less Dimensions, or otherwise than is in and by this Act expressed and directed; he or they so offending, shall be subject to pay the Fine of *Forty Shillings,* for each and every such Offence, to be recovered and applied as aforesaid.

Provided, That nothing in this Act shall be taken or construed to affect the light Waggons which are used on Farms, or for the Use of going to Mill and Market, or Places of Divine Worship. And *Provided also,* That the above Fines and Penalties shall not be set or levied oftener than once upon a Journey; and that every Information relative to any Breach of this Act, be made within ten Days after the Offence is committed: And also, that this Act shall not extend to any Workman for making any Waggons, Carriages, Axel Trees or Wheels used out of this Province.

Parker (1767), pp. 15-16.

An ACT *to divide the Town of* Shrewsbury, *and annex Parts thereof to the Towns of* Freehold *and* Upper Freehold.

WHEREAS a Number of the Inhabitants of the Town of *Shrewsbury,* in the County of *Monmouth,* by their several Petitions have set forth, that they

have long laboured under many and great Difficulties, by reason of the large Extent of the said Town: For remedying whereof,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all that Part of the said Town of *Shrewsbury,* beginning at *Cranbury* Inlet, and running thence up the Bay to the Mouth of *Metetecunck* [Metedeconk] River; thence up the said River to the first Bridge, which now is over the said River; thence West until it shall intersect a Line to be run South eighteen Degrees East from the Place where *Burlington* Old Path crosseth the North Branch of *Tom's* River, called *Pine Brook;* thence from the Intersection of the said Lines South Fifty-six Degrees West to the old Division Line, called *Keith's* Line; thence along said *Keith's* Line, to the Line of the Town of *Stafford;* thence along the same to the main Sea or Ocean, and thence bounded by the Sea to the abovementioned Beginning; shall be, and is hereby divided off from the said Township of *Shrewsbury,* and made a separate Town, to be called by the Name of the Town of *Dover.*

AND BE IT ENACTED *by the Authority aforesaid,* That the Inhabitants of the said Town of *Dover,* shall be, and are hereby vested with, and intitled unto all the like Powers, Privileges and Authorities; and shall be, and hereby are made subject to the like Regulations and Government, which the Inhabitants of the aforesaid Township of *Shrewsbury* are subject and intitled unto.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all that Part of the aforesaid Township of *Shrewsbury,* beginning at the Mouth of *Passaquanaqua* Brook, where it vents into *Manasquan* River, and from thence running South to the Line of the before-mentioned Town of *Dover;* then West along the same Line to the Line of that Part of the said Town of *Shrewsbury,* annexed to the Town of *Upper Freehold;* thence North eighteen Degrees West to where *Burlington* Old Path crosseth the North Branch of *Tom's* River, (alias *Pine Brook*); thence Easterly along the Bounds of said *Freehold,* to where it began; shall be, and is hereby divided off from the said Town of *Shrewsbury,* and annexed unto the Town of *Freehold,* and forever hereafter shall be accounted Part thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all that Part of the Town of *Shrewsbury,* beginning where *Burlington* Old Path crosseth the before-mentioned North Branch of *Tom's* River; thence running South eighteen Degrees East to the Line of *Dover* aforesaid; thence South fifty-six Degrees West along said Line of *Dover,* to the before-mentioned Line called *Keith's* Line; thence along the said Line to the Line of *Upper Freehold;* thence along the Line of *Upper Freehold* to where it began; shall be, and is hereby divided off from the said Town of *Shrewsbury,* and annexed unto the Town of *Upper Freehold,* and forever hereafter shall be accounted Part thereof.

Provided always, That this Act, or any Thing herein before contained,

shall not be in Force, or take Effect, until and after the first Day of *March* next.

Parker (1767), pp. 16-18.

An ACT *to prevent the Pasturing the* Elizabeth-Town *Great Meadows in Common.*

WHEREAS the Owners and Possessors of the Salt Marsh in *Elizabeth-Town,* commonly called and known by the Name of the *Elizabeth-Town* Great Meadows, by their humble Petition, have prayed a Law might be passed to prevent the Pasturing the same Meadows in Common: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That after the Publication of the Act, no Person or Persons whatsoever, shall put any Cattle or Horses to Pasture in Common in the said Great Meadows.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall hereafter put any Cattle or Horses to pasture in Common, or suffer any of their Cattle or Horses to run or go at large on the said Meadows, such Person or Persons shall, for each and every Horse, Cow, or other Cattle so put to pasture in Common, or suffered to range and go at large on the said Meadows, forfeit the Sum of *Five Shillings* Proclamation Money per Head; to be recovered by Action of Debt, if *Six Pounds* or under, before any Magistrate; if above *Six Pounds,* in any Court of Record in this Province, by any Person who shall sue for the same, to his or her own Use, with full Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Cattle or Horses shall be found grazing at large on said Meadows, any Person or Persons shall and may take up and secure them, and upon Proof being made before any Magistrate, to his Satisfaction, that such Cattle or Horses was or were found grazing at large upon the said Meadows, the said Magistrate shall carefully record the same, together with the natural and artificial Marks of such Cattle or Horses; which being done, the Person or Persons who took up said Cattle or Horses, shall and may sell the same at Publick Vendue, having first given Notice by Advertisements, set up in three publick Places at least, in *Elizabeth-Town,* of the respective Cattle or Horses, with their natural and artificial Marks; and that unless the Owner or Owners thereof, do, within four Days, appear and redeem them, by paying for each Horse, Cow or other Cattle, the Sum of *Five Shillings,* with the Cost of keeping and advertising, that he or they will proceed to the Sale thereof; and out of the Money arising from the Sale of each Horse, Cow or other Cattle, to keep

and retain in his, her, or their Hands, the Sum of *Two Shillings* in the Pound, Money aforesaid; and also *Three Shillings* for keeping and advertising, and return the Overplus (if any) to the Owner, provided he appears and demands the same within two Months after such Sale; and if the Owner doth not appear within the Time aforesaid, the said Overplus Money shall be paid to the Managers of the Poor House of the Free Borough and Town of *Elizabeth,* for the Use of the Poor.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any two or more of the Owners of the said Meadows, shall and may, make and put up good and sufficient swinging Gates across every publick Road that is laid out into said Meadows; and any Person or Persons pulling down or destroying any of the said Gates, shall forfeit the Sum of *Forty Shillings;* and for leaving open the said Gate or Gates, or any or either of them, the Sum of *Ten Shillings,* Proclamation Money; to be recovered by Action of Debt before any Magistrate of *Elizabeth-Town,* by any Person or Persons who shall sue for the same, to be applied one Half to the Informer, the other Half to the Use of the Poor aforesaid.

Provided always, That no Person or Persons shall be liable to any Fine or Fines in this Act mentioned, until Gates are erected; nor for leaving open the said Gates, or suffering Horses or Cattle to run at large in said Meadows, at any Time after the First Day of *July,* and before the First Day of *April,* in every Year.

Parker (1767), pp. 18-19.

An ACT *to impower the Inhabitants of the Townships of* Greenwich, Deptford *and* Woolwich, *in the County of* Gloucester, *to repair their publick Highways by Hire, and raise Money for that Purpose.*

WHEREAS the Inhabitants of the Townships of *Greenwich, Deptford* and *Woolwich,* in the County of *Gloucester,* have, by Petition set forth, That they apprehend the present Mode of repairing the Highways, is very unequal, and more expensive than if repaired by hired Labourers; and prayed a Law to enable the said Townships to raise Money, and apply it to that Purpose: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the second *Tuesday* in *March,* which will be in the Year One Thousand Seven Hundred and Sixty-eight, and during the Continuance of this Act, all publick Highways in the said Townships of *Greenwich, Deptford* and *Woolwich,* shall be repaired, amended, cleared out, and kept in good Order by Hire; for which Purpose a Rate and Assessment shall be made from time to time, upon the Goods and Chattels, Lands and Tenements, of the Inhabitants of the said Townships respectively, as Occasion may require, on the Pound Value, as in Provincial Taxes: And all single Men who work for themselves, and are Residents where any such Tax is levied, and House-keepers whose Tax on their rateable Estates doth not amount to *One Shilling,* shall be assessed at the Discretion of the Assessor, not under *One Shilling* nor above *Five:* And the Inhabitants of said Townships, at their respective Town Meetings on the Second *Tuesday* in *March,* or at any other Time when summoned by one of the Judges, or two Magistrates of the County, shall direct so much Money to be raised in Manner aforesaid, as always to have Money in Bank for the Repairing the Highways within their respective Townships; and shall make an Order in Writing, signed by their Clerk, directed to the Assessor of such Township, setting forth the Sum to be raised, and a limited Time within which he shall assess the Inhabitants, and deliver a Duplicate to the Collector.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Overseers of the Highways in the said Townships, chosen by Virtue of an Act, entitled, *An* Act *for regulating Roads and Bridges,* shall, within ten Days after they are so chosen, repair to a Magistrate of the County, and take an Oath or Affirmation for the faithful Performance of their Offices; and when so qualified, shall have Power to hire Labourers to repair the Highways whenever it shall become necessary, within their several Districts: And if any of the said Overseers for the Time being, shall neglect or refuse to qualify themselves as aforesaid, or to do and perform the several Duties enjoined them by this Act, he or they so neglecting or refusing, shall suffer the same Pains and Penalties as is directed in the before recited Act, for a Breach of Duty: And the said Overseers shall settle their Accounts before any one Justice of the Peace of the said County, and the two chosen Freeholders of the respective Towns where the Money shall be raised; and the said Accounts being signed by any two of them, shall be a sufficient Settlement of the same; and they shall retain *Four Shillings* per Day, for every Day they have necessarily spent in the Discharge of their Office; and shall pay the Money remaining, if any be, to their Successors; and on Neglect or Refusal to pay such Remainder as aforesaid, their Successors shall sue for and recover the same, by Action of Debt, in any Court of Record where the same may be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* that the Assessors and Collectors chosen by Virtue of former Laws, shall assess and collect all Monies ordered to be raised pursuant to the Directions of this Act;

and said Collectors, within thirty Days after receiving the Duplicates or Assessments, shall collect and pay the Money therein assessed, to the Overseers of the Highways of their respective Townships, to be applied to the Purposes aforesaid: And the said Assessors and Collectors shall proceed against all Delinquents who may neglect or refuse to give a true Account of their rateable Estates, or pay them Taxes, in the Manner as is directed by the Sinking Fund Acts; and shall also receive the same Rewards for the Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by said Acts are directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants, at any of their Town Meetings in said Townships, upon Application made by the Overseers of the Highways, shall neglect or refuse to order Money to be raised, sufficient to keep the Highways within their respective Townships in good Repair; in such Case the Overseers shall apply to two Magistrates of the County, and the two chosen Freeholders of such Township, who are hereby commanded to appoint a Time to meet and inspect said Overseers Accounts; and upon such Inspection, if they find there is not Money in the Overseers Hands sufficient for the Purposes aforesaid, they or any three of them, shall make an Order, commanding the Assessor to assess such Sum or Sums of Money as they the said Magistrates and Freeholders, or any Three of them, may think necessary, on the Inhabitants of the Township so neglecting or refusing; which Order shall be as effectual to all Intents and Purposes, as though it had been made by the Town Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall take Effect on the second *Tuesday* in *March,* One Thousand Seven Hundred and Sixty-eight, and continue in Force three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1767), pp. 20-22.

An ACT *for investing a Fee in the Toll-Bridge lately erected over* Newton *Creek, in* William Gerrard, *his Heirs and Assigns; and to impower the said* William Gerrard *to build a House within the Bounds of the Road, for the more convenient receiving the Toll of said Bridge.*

WHEREAS *William Gerrard,* of the County of *Gloucester,* hath by his Petition set forth, That the Commissioners appointed in and by an Act of

General Assembly of this Colony, entitled, *An* Act *for laying out a more direct Road from* Little Timber *Creek over* Newton *Creek, near the Mouth thereof, to* Cooper's *Ferries; and for erecting a Bridge over the said Creek, at the Place aforesaid;* passed in the Fourth Year of His present Majesty's Reign, being unable to build and compleat the said Bridge and Causeway by Subscription, the said *William Gerrard,* by an Agreement made with the said Commissioners, undertook the Burthen of building and making said Bridge and Causeway at his own private Expence, and such Subscriptions as he could procure: *And whereas* the said *William Gerrard* hath further set forth, That since building and making said Bridge and Causeway, he has not been able to purchase a Lot of Ground, for erecting necessary Buildings on, for the more convenient receiving the Toll; without which the good Purpose of said Law will be defeated: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication hereof, the said *William Gerrard,* shall be, and hereby is invested with a clear, full and absolute Estate in Fee Simple in the said Bridge and Toll arising therefrom, as fully to all Intents and Purposes as other Estates are held and enjoyed in this Province: *Provided* the said *William Gerrard,* his Heirs and Assigns, do and shall, from time to time, and at all Times hereafter, fully comply with, observe and perform every Duty and Thing required and enjoined the Commissioners by the above recited Act, according to the true Intent and Meaning thereof, except maintaining such Parts of the publick Road from *Little Timber* Creek as were laid out before passing said Law; which said Road so laid out, shall be repaired as heretofore has been usual.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said *William Gerrard,* his Heirs or Assigns, to erect and build a House, and hang Gate or Gates within the Bounds of said Road, on the fast Land, within five Chains of either End of the Causeway adjoining said Bridge, for the more convenient receiving and securing said Toll (so as to leave a sufficient Width for Passengers to pass and repass) and may also fence or board up the Sides of said Road, from said Causeway to the Gate or Gates so to be erected; and if any Person or Persons shall wilfully break, put down or destroy, any such House, Gate or Fence, built or erected as aforesaid, such Person or Persons so offending, shall forfeit and pay the Sum of *Five Pounds,* over and above all Damages occasioned thereby; for which the said *William Gerrard,* and his Successors in Interest, shall have his, her, or their Action or Actions of Debt, against him, her or them so offending, and recover the same in any Court of Record where the same may be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if said Road shall be vacated, or said Bridge cease to be a Toll Bridge, or whenever the present Necessity of having a House within said Road shall be removed, the said *William Gerrard,* his Heirs or Assigns, shall or may within

one Year thereafter, remove such Building or Buildings from off said Road, without the Interruption or Hindrance of any Person or Persons whatsoever.

Provided always, That nothing in this Act contained, shall be construed to prevent the Proprietors of the Meadows on each Side the said Bridge and Causeway, from having a free Passage to and from their Meadows on each Side of the Causeway aforesaid; any Thing herein before to the Contrary in any wise notwithstanding.

Parker (1767), pp. 22-24.

An ACT *for the Relief of* James Brooks, *Esq; late Sheriff of* Middlesex, *with Respect to certain Escapes.*

FORASMUCH as *James Brooks,* Esq; late Sheriff of the County of *Middlesex,* by his humble Petition hath set forth, That the Gaol of the said County was by Accident burnt down on the Twenty-seventh Day of *October,* in the Year of Our Lord One Thousand Seven Hundred and Sixty-four, whereby the Prisoners then confined, were in a Manner set at Liberty, as the Petitioner had no other proper Place of Safety to confine them in: And that he has also arrested divers Persons in Obedience to His Majesty's Writs, since delivered to him, sundry of whom have escaped out of his Custody; for which Escapes, Actions have been brought against him by the Plaintiffs, and several Judgments have been already obtained; by Reason whereof, he is put to much Trouble, Charge and Difficulty; and praying Relief: And it appearing reasonable, that the Petitioner should be relieved as well from Prosecutions that may be commenced, as from all further Proceedings in such Actions already brought, until all the Parties may have an Opportunity of being heard thereupon:

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, no Person or Persons shall (during the Continuance of the same) presume to sue or arrest the said *James Brooks,* Esq; late Sheriff of *Middlesex,* for, or on Account of the Escape of any Prisoner out of his Custody, from the Twenty-seventh Day of *October,* One Thousand Seven Hundred and Sixty-four, when the Gaol of the County of *Middlesex* was burnt down, until the Time that the present Gaol of the said County was erected, and made convenient for the safe Custody of Prisoners; and if any such Suit

shall be so commenced, the same shall be, and is hereby declared null and void.

AND BE IT ENACTED *by the Authority aforesaid,* That all Suits already commenced for such Escapes, between the Times aforesaid, whether Judgment be thereupon obtained or not, and all further Process and Proceedings concerning the same, shall be stayed and delayed, for and during the Continuance of this Act; and all such further Process and Proceedings, are hereby declared to be null and void.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act, and every Clause, Matter and Thing therein contained, shall remain and be in Force from and after the Publication thereof, for and until the End of the next Session of General Assembly, and no longer.

Parker (1767), pp. 24-25.

An ACT *for barring the Estate Tail, in certain Lands and Tenements, in the Province of* New-Jersey, *lately belonging to* Anthony Sharp, *the Elder, deceased; and also for vesting the same in* Isaac Sharp *and* Joseph Sharp, *his Grandsons, their Heirs and Assigns, pursuant to an Agreement made with the Tenant in Tail.*

WHEREAS the aforesaid *Anthony Sharp,* late of *Dublin,* in the Kingdom of *Ireland,* Merchant, was in his Life Time (amongst other Lands) seized in his Demesne as of Fee, in divers Proprieties, Shares of Proprieties, Lands, Tenements and Hereditaments, in the Eastern and Western Division of the Province of *New-Jersey;* and being thereof so seized, by his Deed bearing Date the Thirteenth Day of *October,* in the Year of our Lord One Thousand Seven Hundred and Three, did convey the same to his eldest Son *Isaac Sharp,* to hold to him during his natural Life; and after his Decease, to the Heirs Male of his Body; and in Default of such Issue, to the Heirs and Assigns of the said *Anthony Sharp,* forever. *And Whereas* the said *Isaac Sharp* afterwards intermarried, and had Issue by his Wife, three Sons, *to wit, Anthony Sharp,* his eldest Son, and *Isaac Sharp* and *Joseph Sharp,* his younger Sons: *And Whereas* the aforesaid *Anthony Sharp,* the Younger, since his Arrival to full Age, *to wit,* on the Third Day of *September,* in the Year of our Lord One Thousand Seven

Hundred and Thirty-one, in Consideration that the said *Isaac Sharp* the Elder, had conveyed to him the said *Anthony,* an Estate called *Killmure,* in the Kingdom of *Ireland* aforesaid, of the yearly Value of *Two Hundred Pounds,* currently Money of that Kingdom, he the said *Anthony Sharp,* the Younger, by Indenture Tripartite, bearing Date the Day and Year last aforesaid, and made between him the same *Anthony,* of the first Part, his said Father the aforesaid *Isaac,* of the second Part, and *Francis Bonham* of *Dublin* aforesaid, Brewer, and *John Pettigrew* of the same Place, Merchant, of the third Part, did convey all his Interest and Estate in the Lands, Tenements and Hereditaments aforesaid, in *New-Jersey* aforesaid, unto the said *Francis Bonham* and *John Pettigrew,* their Heirs and Assigns, to hold the same to and for the Use of such Person and Persons, and for such Estate and Estates, as the said *Isaac Sharp,* the Elder, by any Deed, or by his last Will and Testament should direct and appoint; and for Want of such Appointment, then to the Use of the said *Isaac Sharp,* jun. and *Joseph Sharp,* their Heirs and Assigns; with Covenants in the said Indenture contained, that he the said *Anthony Sharp,* jun. would do such further Act and Acts as might be necessary for conveying the said Lands, Tenements and Hereditaments, to and for the Uses aforesaid. *And Whereas* the aforesaid *Isaac Sharp* the Elder, by his Indentures of Lease and Release, bearing Date the Eighth and Ninth Days of *March,* in the Year of our Lord One Thousand Seven Hundred and Thirty-three, for the Considerations therein mentioned, did bargain, sell and convey, all that his Plantation called *Blessington,* situate in *Pilesgrove,* in the County of *Salem,* and Province of *New-Jersey* aforesaid, containing Six Hundred Acres of Land, and all other his Lands in the said County of *Salem;* and also the Moiety or equal Half Part of all his Lands, Tenements, Hereditaments, Proprieties and Shares of Proprieties (surveyed or unsurveyed) within the Province of *New-Jersey* aforesaid, (except One Thousand and Fifty Acres of Land called *Rush-Hall,* in the County of *Gloucester,* in the said Province) to the Use of the said *Isaac Sharp,* his Son, and to his Heirs forever. *And Whereas* the said *Isaac Sharp* the Elder, by his last Will and Testament, dated the Fifteenth Day of *March,* in the Year of Our Lord One Thousand Seven Hundred and Thirty-four, reciting the Grant last mentioned, did thereby confirm the same; and further gave and devised to his Son the aforesaid *Joseph Sharp,* and to his Heirs and Assigns forever, the Residue and Remainder of his Lands, Tenements and Estate in the Province of *New-Jersey* aforesaid. *And Whereas* the aforesaid *Anthony Sharp,* the Younger, pursuant to the Covenants by him made in the Indenture Tripartite aforesaid, by his Deed Poll, bearing Date the Fourteenth Day of *February,* in the Year of our Lord One Thousand Seven Hundred and Thirty-five, for the Considerations therein mentioned, did ratify and confirm the Lands, Tenements, Hereditaments, Proprieties and Shares of Proprieties aforesaid, to the said *Isaac Sharp* and *Joseph Sharp,* his Brothers, to hold to them according to their respective Interests and Shares therein, as aforesaid, and to their Heirs and Assigns respectively forever; and did also thereby constitute one *Joseph Morris,* of *Elsingborough,* in the County of *Salem* aforesaid, his Attorney, to appear for and represent him the said

Anthony Sharp, jun. before any Assembly or Assemblies of the said Province, or elsewhere, and to do all such Act or Acts necessary and requisite to dock the said Intail; which same *Joseph Morris* died before the same was effected. *And Whereas* also the same *Anthony Sharp,* and *Catharine* his Wife, by their several Warrants of Attorney, executed, taken and acknowledged, in the Kingdom of *Ireland,* before *John Humphrys, Thomas Conway,* and *Sharp Delany,* Commissioners appointed in a certain Writ of *Dedimus Potestatem,* issued out of the Court of Chancery of this Province of *New-Jersey,* tested the twentieth Day of *February,* in the fifth Year of the Reign of our now Sovereign Lord King GEORGE the Third, have shewn their Intention and Desire, that the Estate Tail, whereof the same *Anthony* is at present seized, in all the Lands, Tenements and Hereditaments, for the Reasons aforesaid, should be barred, and the same Lands, Tenements and Hereditaments vested in the said *Isaac Sharp* and *Joseph Sharp,* in Fee-simple, pursuant to the Deed and Will of the aforesaid *Isaac Sharp* the Elder. *And Whereas* some Doubts may hereafter arise, as to the Sufficiency of a common Recovery to bar the Estate Tail in the Rights of Propriety not yet appropriated in any particular County in this Province, whereby no Writ or Writs of Seizin can be served and returned on the same.

MAY it therefore please your Excellency, at the humble Suit of the said *Isaac Sharp* and *Joseph Sharp,* that it may be Enacted; AND BE IT ENACTED *by the Governor, the Council, and the Representatives of the said Province, in General Assembly met, and it is hereby Enacted by the Authority of the same,* That all and singular the Lands, Tenements, Hereditaments, Proprieties and Shares of Proprieties, late the Estate of *Anthony Sharp* the Elder, deceased, with their and every of their Rights, Members and Appurtenances, and all Houses, Edifices, Buildings, Commons, Profits, Hereditaments and Appurtenances whatsoever, thereunto belonging, or in any wise appertaining or accepted, reputed, taken, used, occupied or enjoyed, as Part, Parcel or Member thereof, shall from and after the Publication of this Act, be actually vested and settled, and hereby are vested and settled in the aforesaid *Isaac Sharp,* jun. and *Joseph Sharp,* their Heirs and Assigns, *To Have and to Hold* the aforesaid Plantation, called *Blessington,* and all other the Lands of the said *Isaac Sharp* the Elder, in the County of *Salem* aforesaid; and also a Moiety or equal Half Part of all other the Lands, Tenements, Hereditaments and Premises, in the Province aforesaid, with their, and every of their Appurtenances aforesaid (the aforesaid One Thousand and Fifty Acres of Land called *Rush-Hall* excepted) unto the aforesaid *Isaac Sharp,* jun. his Heirs and Assigns, to the only Use, Benefit, and Behoof of the said *Isaac Sharp,* his Heirs and Assigns forever: *And to Have and to Hold,* the Residue and Remainder of the said Lands, Tenements, Hereditaments and Premises, with their Appurtenances, in the Province aforesaid, unto the said *Joseph Sharp,* and to his Heirs and Assigns forever, to the only Use, Benefit and Behoof of the said *Joseph Sharp,* his Heirs and Assigns forever; and that free and discharged of the Intail aforesaid, and of and from all other Intail or Intails, Estates, Uses, Limitations, Remainders, Charges, Provisoes or Incumbrances whatsoever,

had, made, committed, done or suffered by the aforesaid *Anthony Sharp* the Elder, *Isaac Sharp* the Elder, and *Anthony Sharp* the Younger, or any or either of them; saving to all and every Person and Persons, Bodies Politic and Corporate, and their respective Heirs, Successors, Executors and Administrators (other than the said *Anthony Sharp* the Elder, *Isaac Sharp* the Elder, and *Anthony Sharp* the Younger, their or any or either of their Heirs and Assigns) all such Right, Title, Interest, Estate, Claim, or Demand, in and to the Lands, Tenements, Hereditaments and Premises, whereof any Estate or Use is hereby limited or created, as they, every or any of them, had, should or might have enjoyed, if this Act had never been made: *Provided also,* That this Act, nor any Part thereof, shall be deemed, construed or understood, to be of any Force or Avail, until His Majesty's Assent thereunto, shall be had and obtained; any Thing herein contained to the Contrary in any wise notwithstanding.

Parker (1767), pp. 25-29.

An ACT *to revive an* Act, *entitled, An* Act *to prevent Waste from being committed upon the Common Land allotted to the Patent of* Seacaucus, *in the Corporation of* Bergen.

WHEREAS in the Fifth Year of the Reign of His present Majesty King GEORGE the Third, an Act, entitled, *An* Act *to prevent Waste from being committed upon the Common Land allotted to the Patent of* Seacaucus, *in the Corporation of* Bergen, was passed by the Legislature of this Colony, which is expired; and the said Act having been found very advantageous for the Purposes therein mentioned, and the Reasons for passing it still subsisting:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That the said Act, entitled, *An* Act *to prevent Waste from being committed upon the Common Land allotted to the Patent of* Seacaucus, *in the Corporation of* Bergen; and every Article, Clause and Thing therein contained, shall be, and is hereby revived and declared to be in full Force, from and after the Tenth Day *July* next, for and during the Term of one whole Year, and no longer, unless the Property of said Lands shall be sooner determined by a due

Course of Law, or otherwise; and from thence to the End of the next Session of the General Assembly thereafter.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act on or before the Tenth Day of *July* next, shall be published, and the Cost attending the same be defrayed, as in and by the third Section of the said recited Act is directed.

Parker (1767), pp. 29-30.

Twentieth Assembly, Fifteenth Session

12 Apr.-10 May 1768

Perth Amboy

All acts passed 10 May 1768.

Allinson (p. 301) refers to this as the fourteenth session.

An ACT *for the Support of Government, of His Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-eight, and to end the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-nine; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for the Supporting the Government of His Majesty's Colony of *New-Jersey*, is nearly expired: We, the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of His Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same*, That for paying the Salaries of the Governor and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given, unto His Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for His Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To His Excellency WILLIAM FRANKLIN, Esquire, Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of this present Month of *May*.

To *Frederick Smyth,* Esq; Chief Justice of this Colony, *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Second Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, *Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esq; Attorney General of this Colony, *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each *Forty Pounds per Annum,* Money aforesaid.

To *Joseph Read,* jun. Clerk of the Council, *Thirty Pounds per Annum*, Money aforesaid.

To *Henry Wilmot,* Esq; Agent of this Colony, or to the Agent for the Time being, appointed by the House of Representatives, *One Hundred Pounds per Annum,* Money aforesaid.

To *Joseph Warrel,* Esq; Clerk of the Circuits of this Colony, *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, for the Term of one Year, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the time being, in Council; and the Warrants so signed, with Indorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein beforementioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the Twenty-first Day of *May,* which will be in the Year of our Lord One Thousand Seven Hundred and Sixty Nine; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorised and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators or Assigns, or to their Orders, out of the said Money in the Treasury as aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; *Sixty Pounds per Annum,* Money aforesaid, for House Rent for said Year, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be Enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time in the aforesaid one Year, that he, or either of them, shall hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Goal Delivery, when it shall be necessary that they be held at the same Time, in the respective Counties of this Colony; either at the Time appointed, or that hereafter shall be appointed for holding the said Courts, provided there shall

be a real Occasion for holding the same. *Provided* also, That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington*. *Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Goal Delivery, held in any one County, during the said one Year, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the Yearly Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Goal Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any Three Justices of the Peace (*Quorum unus*) of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they shall respectively attend at any Sitting of the General Assembly, during the said one Year; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Jonathan Deare,* one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he shall attend, at any Sitting of General Assembly, during the said one Year; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book, kept for that Purpose, and copying the Laws and Minutes for the Printer. And to the said *Jonathan Deare,* the Sum of *Fifteen Pounds,* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session.

To the Secretary, for copying publick Laws to send home to *England,* during the Continuance of this Act, *Four Pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *John Johnston, Hendrick Fisher, John Wetherill, Abraham Van Neste* and *John Ogden,* Esquires, or any two of them, shall agree to be paid for the said Service.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Serjeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Door-Keeper of the House of Representatives for the Time being,

who shall attend the House in Manner aforesaid, the Sum of *Three Shillings and Six Pence per Diem.*

To *John Johnston,* Esq; the Sum of *Thirty Pounds, Three Shillings,* to pay for Chairs and Tables, for the Council and Assembly Rooms, Fire Wood, and a Chest to hold the Books and Papers.

To *Stephen Skinner,* Esq; the Sum of *Four Pounds Four Shillings,* in full of so much by him paid for conveying *William* and *Samuel Layton,* to the Goal in *Monmouth* County.

To *John Carty,* for Expences in going Expresses with Circular Letters, to convene the Council and House of Assembly, *Fifteen Pounds.*

To *Jabez Rogers,* in full of his Wages as a Soldier in the *New-Jersey* Regiment, and in Consideration of his being taken Prisoner and carried to *England, Forty Pounds Eight Shillings.*

ALL which said several Sums above-mentioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Heirs, Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor or Commander in Chief for the Time being, in Council; and the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors or Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the said Term of one Year, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Cortland Skinner, Hendrick Fisher, Thomas Rodman, John Lawrence, Joseph Borden, David Cooper* and *Richard Lawrence,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

Parker (1768), pp. 3-8.

An ACT *for the Relief of Insolvent Debtors.*

WHEREAS great Numbers of poor and insolvent Debtors, appear now to be in Confinement in the several Gaols, in this Colony, who are willing to deliver up all their Effects to their Creditors; and great Injury may arise to the Publick from their Bodies being continued in Gaol: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That every Debtor in actual Confinement in any Goal in this Colony, on the Twelfth Day of *April* last past, shall, in order to a Discharge, present a Petition to the Supreme Court, or the Judges of the Inferior Court of Common Pleas, of the County in which the Debtor shall reside, or in the Vacation, to two or more of the Judges of the said Courts, praying, that the said Debtor's Estate may be delivered to one or more such Persons, as the Creditors, or the Majority of them, shall nominate, to receive and dispose of the same for the Use of all his or her Creditors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, within two Days after the presenting such Petition, shall deliver in Writing, a full and true Account of all his or her Creditors, and the Monies owing to them by the said Debtor; and also a full and true Inventory and Account of all such Debtor's Estate, both real and personal, in Law and Equity, and all Books, Vouchers and Securities, relating to the same, except the necessary Apparel and Bedding of such Debtor, and of his Wife, and his or her Children, and Tools and Inplements of his Trade or Calling, not exceeding the Value of *Ten Pounds* in the Whole, in the Estimation of the said Judges; on which the said Judges are hereby required to administer or tender an Oath or Affirmation, to the following Effect:

I A.B. *do solemnly swear, in the Presence of Almighty God, (or being of the People called Quakers, do solemnly, sincerely and truly declare and affirm) that the Account by me delivered, is a just and true Account of all my Creditors, and the Monies owing to the best of my Knowledge or Remembrance, by me: And that the Inventory and Account delivered by me, is a just and true Account of all my Estate, real and personal, both in Law and Equity, either in Possession, Reversion, or Remainder, the necessary wearing Apparel of myself and Wife, and Children, and the Tools and Implements of my Trade or Calling excepted: And that I have not directly or indirectly, sold, leased, assigned, or otherwise disposed of, or made over, either in Trust for myself or otherwise, except as set forth in the same Account, any Part of my Estate, real or personal, for my future Benefit, or in order to defraud my Creditors.* So help me God.

Which Oath or Affirmation, being taken by such Debtor, Notice shall be be given by the Petitioner or Petitioners, to all the Creditors of such Debtor, by fixing Advertisements in five of the most publick Places of that County where such Debtor lives; and also by advertising the same in one or more of the publick News-Papers of *New-York,* if the Debtor lives in *East-Jersey;* but if the Debtor lives in *West-Jersey,* then in one or more of the News-Papers in

Pennsylvania, to be continued at least three Weeks in such Paper, to shew Cause, if any they have, on a Day to be appointed by the Court or Judges, and mentioned in the Advertisement, why an Assignment of the Debtor's Estate should not be made, and the Debtor discharged: At which Day, if no sufficient Cause to the contrary appears, the Court, or any two of the Judges, shall direct a legal Grant or Assignment of all such Debtor's Estate, both in Law and Equity, to be made by such Debtor, to the Person or Persons nominated by the aforesaid Creditors; and upon such Debtor's producing a Certificate, under the Hands and Seals of the Assignee or Assignees, executed in the Presence of two Witnesses, that he or she has legally granted, conveyed, assigned, and delivered up, for the Use of the Creditors, all his or her Estate, real and personal, both in Law and Equity; and all the Books, Vouchers, and Securities relating to the same, they shall discharge such Debtor from his Imprisonment; which Discharge, or the Record thereof, in the Minutes of the Court from whence the Process issued, shall be a sufficient Warrant to the Sheriff or Gaoler, for setting such Prisoner at Large.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, who shall before the Delivery of the Petition before directed, have become Bail in any Cause, on Account of which he has Reason to think Judgment may be had against him; and shall make Oath or Affirmation as aforesaid, that at the Time he so became Bail, he had a clear Estate, sufficient to answer any Demand that could with any Probability be made upon him as Bail, may add to the Account of the Creditors, and the Monies owing by him, before directed to be given, Account of the Manner of his becoming Bail, and annex such a Sum as he imagines he will be liable to pay on that Account; and then the Assignees shall reserve in their Hands, for the Space of one Year and a Half, such a Dividend as a Creditor for the like Sum would have a Right to receive: And after Judgment obtained against any such Debtor, the Person obtaining the same, shall be considered in every Respect as another Creditor, whose Debt was due before the Delivery of the Petition: But if in the Space of one Year and a Half after the Petition is delivered, no Judgment shall be obtained against the Insolvent, the Monies so reserved, shall be divided among the other Creditors, in the same Manner as the Rest of the Insolvent's Estate; and the Insolvent shall be discharged from all Obligations as Bail, in the same Manner as if the Sum so annexed to the Account of his Creditors, was paid: And if Judgment shall be obtained against such Debtor, as Bail for any Sum, within one Year and a Half after the Petition is delivered, and after the Division of his or her Effects, among his or her Creditors, and the said Debtor should have omitted either wholly or in Part, to annex the said Sum to the Account delivered; the Person obtaining such Judgment, shall recover against the said Debtor, either for the Whole, or the Part omitted, as the Case shall happen to be, so much as the other Creditors of the said Debtor ought to have received for a like just Debt, and no more.

AND BE IT FURTHER ENACTED, That all other Persons, who have given Credit to such an Insolvent Debtor, on a valuable Consideration, for

any Sum of Money, or other Matter or Thing, which is or shall not be due or payable, at or before the Time of the Delivery of the Petition, shall and may be admitted and considered as Creditors, whose Debts are then due; and shall receive a Dividend of the Insolvent's Estate, in the same Proportion as the other Creditors, deducting thereout only a Rebate of Interest, at the Rate of Seven *per Cent.* for what shall be received on such Debts, to be computed from the actual Payment thereof, to the Time they would have become due.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That such Assignee or Assignees, shall have full Power and Authority to dispose of all Estates which shall be assigned to him or them, or which ought by Virtue of this Act, to be assigned to him or them, to execute good and sufficient Deeds for the same, to redeem all Mortgages and conditional Contracts; and to recover in his or their own Names, every Thing belonging or appertaining to the Estate, real or personal, of such Debtor: And shall have full Power and Authority, by and with the Consent of the Creditors, to refer to Arbitration, settle, compound, or agree with any Person indebted to such Debtor, in such a Manner as shall from Time to Time be agreed upon between them; and shall proceed to convert the Estate or Estates of every such Debtor into Money, as soon as conveniently may be, and upon such Credit as the major Part in Value of the Creditors shall direct; and shall within the Space of one Year and a Half, proceed to make a Division of all the Money, which shall come to his or their Hands, of the Estate aforesaid, first giving three Months Notice of the Time and Place of making such Dividend, by advertising the same in one or more of the publick News-Papers, in Manner as aforesaid: And if the Whole be not then distributed, shall, within the Space of six Months thereafter, make a second Division of what Monies may come to his or their Hands, after the first Division; and so from Year to Year, till a final Settlement thereof, and a just and equal Distribution of the whole Estate be made.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignees shall at least one Month before a Division be made, appoint a Day by publick Notice, as herein before is directed, for a general Meeting of all such Creditors as shall choose to attend, to examine and ascertain the Debts due to each Creditor; and in Case of any Controversy relating to such Debts, it shall be determined in the following Manner; the Assignees shall nominate two Referees, not being Creditors of the Insolvent; and the Creditor, whose Debt is in Controversy, shall nominate two others; and their Names shall be separately written on four Pieces of Paper, as nearly of the same Size as possible, which shall be rolled up in the same Manner, and put into a covered Box, and from thence one of the Assignees shall draw out three of the said Pieces of Paper, and the Persons whose Names are so drawn, shall finally settle such Controversy: And if any Referee so appointed, shall refuse or be incapable of acting in a reasonable Time, a new Choice shall be made in the same Manner; and in Case any such Creditor shall refuse to nominate

Referees on his Part, the Assignees are hereby impowered to nominate them for him.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignee or Assignees shall immediately after the Assignment, take an Oath or Affirmation as aforesaid, to be administered by the Court, or any one of the Judges, well and faithfully to manage the Insolvent's Estate, and keep and render a true Account of all that shall come to his or their Hands of the same; and for that Purpose, shall keep regular Books of Accounts, to which every Creditor, at all reasonable Times, may have Recourse: And for the Care and Trouble incumbent on the Assignees, they shall be allowed out of the Insolvent's Estate, *Five per Cent.* on all Sums they shall distribute, by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the more full Discovery of the Estate and Effects of such Debtors, the Court, or any one of the Judges, at the Request of the Assignees, shall have full Power, and are hereby required, to summon and examine, on Oath or Affirmation as aforesaid, the Wife of such Debtor, and every other Person whatsoever, known or suspected to detain any Part of the said Debtor's Estate and Effects, or to be indebted to it; and in Case any Person on such Summons shall refuse to attend, having no reasonable Excuse, or shall refuse to be sworn; or if a Quaker, to affirm; then it shall and may be lawful for the said Court, or any of the Judges, to commit the Person refusing to Goal, till he or she shall submit to be examined, concerning what they know relating to such Insolvent's Estate or Effects; and in Case any such Person shall wilfully or knowingly affirm or swear falsely, the Person so offending, shall be liable to the same Pains and Penalties, as those who are convicted of wilful and corrupt Perjury.

AND BE IT FURTHER ENACTED, That no Suit in Equity shall be commenced by any Assignee, without the Consent of the major Part in Value of the Creditors, at a Meeting held for that Purpose; and if any Creditor shall neglect or refuse to give Notice of, and prove his or her Debt, within one Year and an half after the Assignment, and a Division of the whole Estate be made, such Creditor shall not be intitled to a Dividend; and the whole Money shall be divided by the Assignees among the other Creditors: But in Case the Whole of such Debtor's Estate shall not be divided and settled by the Time hereby appointed for the first Division, and such Creditor shall prove his Debt before the Time appointed for a second Division; then such Creditor shall, before a second Division be made among the other Creditors, have his First Dividend, or so much Money as he would have been intitled to on the first Division, had his Debt then been proved; but no Creditor shall be admitted to prove his Debt, in order to intitle himself to a Share in the Insolvent's Estate after the second Division, but shall by this Act be debarred from any Share thereof.

AND BE IT FUTHER ENACTED *by the Authority aforesaid,* That every such Insolvent Debtor, having given up all his or her Estate, and conformed in all Things to the Directions of this Act, shall for ever thereafter be

discharged from all Debts due at the Time of the Assignment, or contracted for before that Time, though payable afterwards, so far as regards the Arresting, Imprisonment or Detention of his or her Person.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any such Debtor shall be guilty of Perjury, by concealing any Part of his or her Estate or Effects, or shall after the Assignment of their Estates, by Virtue of this Act, receive any Debt or Debts due to him or her before, or he or she shall secrete any Part of his or her Estate, or any Book or Writings relating thereto, with an Intent to defraud his or her Creditors, and being thereof legally convicted on Indictment, shall be adjudged guilty of wilful and corrupt Perjury, and suffer accordingly, and shall be totally precluded from all Benefit and Advantage whatever, which he, she or they might otherwise be intitled to by this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Debtor is arrested by Process, out of the Supreme Court, and also by Process out of the Inferior Courts, the Petitions shall be made to the Justice of the Supreme Court, in Manner aforesaid.

Provided always, AND BE IT ENACTED *by the Authority aforesaid,* That Debts due from the Insolvent to His Majesty, his Heirs and Successors, shall be first paid, then those due to this Colony, then Diet whilst in Prison, then all Costs of Suit, Prison and Goal Fees; and then deducting all such Costs, Charges and Expences, as shall be necessarily laid out and expended by the Assignee or Assignees, together with their Commissioners for their Care and Trouble therein, the Residues shall be proportionably divided among the Creditors; in which Division no Preference shall be given to Debts due by Specialty, or on a Judgment; but if there should be an Overplus, after all the Creditors are fully satisfied for all their Demands, it shall be paid by the Assignees to the Debtor, his or her Executors or Administrators.

Provided, That Nothing in this Act contained, shall be construed to deprive Landlords of the Right of Distraining or securing their Rents, which by Law they had before the making this Act.

AND BE IT FURTHER ENACTED, That if any Person be sued for any Matter or Thing done by this Act, it shall be lawful for him to plead the General Issue, and give the special Matter in Evidence.

AND BE IT ENACTED *by the Authority aforesaid,* That no Person or Persons whatever, who hath made his, her or their Escape from any Sheriff or Goaler in this Colony, (for which Escape the Sheriff or Goaler shall be liable) shall have, or be intitled unto any Advantage or Benefit of this Act, until the Creditor or Creditors, at whose Suit or Suits he, she or they were so arrested, shall under his, her or their Hands, release to such Sheriff or Goaler, all Cause of Action therefor; And the said Sheriff or Goaler, shall be fully paid such Sum or Sums of Money, as such Sheriff or Goaler may have laid out or expended, for, or by Reason of such Escape.

Provided always, That no single Person or Persons, able of Body, and under the Age of Thirty-five Years, shall be intitled to the Benefit of this Act; unless he, she or they, shall signify their Willingness to make Satisfaction by

Servitude; in which Case it shall and may be lawful for the Court or Courts aforesaid, to adjudge such Debtor or Debtors to render Satisfaction by Servitude, for the Debt or Debts, or any Part thereof, due to the said Creditor or Creditors, and cause such Prisoner or Prisoners to bind him, or themselves, to be Servants by Indenture accordingly, to serve for such Time as the said Court or Courts shall adjudge to be reasonable, not exceeding Seven Years, to the Assignees to be appointed by the Court as aforesaid, and to be by them sold and assigned for the Use of such Creditor or Creditors; in which Case, such Prisoner or Prisoners, shall, and may be released and discharged from his, her or their Imprisonment, and the Body of such Person shall be free from Arrests in Civil Actions, during the Time of such Service expressed in the Indenture.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall not extend to discharge any Person or Persons, whose Creditor or Creditors shall oppose the Discharge of such Prisoner or Prisoners, and shall insist that such Prisoner or Prisoners be continued in Goal; and that then, and in such Case, such Creditor or Creditors opposing the Prisoner's Discharge, shall, at his, her and their own proper Costs and Charges, allow and pay a Maintainance of *Three Shillings and Six Pence,* Proclamation Money, per Week, to the said Prisoner; and upon Non-Payment of the same for the Space of two Weeks, the said Prisoner, upon Application to the said Judges, shall be discharged, pursuant to the Intent and Meaning of this Act.

PROVIDED ALWAYS, *And it is hereby Enacted,* That Nothing in this Act contained, shall be deemed or construed to discharge any Person or Persons from his or their Confinement, who shall have given up his, her or their Estate, Rights and Credits, by Assignment, or otherways, to any particular Creditor or Creditors, to prejudice his, her or their other Creditor or Creditors; any Thing in this Act before to the Contrary notwithstanding.

Parker (1768), pp. 8-15.

An ACT *to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes.*

WHEREAS an Act, entitled, *An* Act *to erect and establish Courts in the several Counties of this Colony, for the Trial of small Causes,* has, by many Years Experience been found very beneficial to the Inhabitants of this Colony; and

it being near expiring by its own Limitation:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly now met and assembled, and it is hereby Enacted by the Authority of the same,* That all Actions of Debt and other Demands, for and under the real Value of *Six Pounds,* Money according to the Proclamation of the late Queen ANNE, except such Actions as are herein after excepted, shall, from and after the Publication of this Act, be, and are hereby made cognizable before any one Justice of the Peace, of any of the Counties, Cities, or Towns Corporate, within this Colony, in the County, City, or Town Corporate, in which the Defendant shall be or reside: And the said Justices are hereby respectively impowered and required, upon Application to either of them made, for the Recovery of any such Debt or Demand, to issue a Summons or Warrant, as the Case may require; on which Summons or Warrant shall be indorsed by the Justice, the Plaintiff's Demand, directed to the Constable of the City, Township, Precinct or District, where the Defendant dwells or can be found, commanding him to bring or cause such Defendant to come, with the Plaintiff, before him, at the Time, and in the Manner following, (that is to say) In Case, where the Process shall be in Nature of a Capias, forthwith after the Service thereof; but where the Summons shall be issued, then on some certain Day therein to be expressed, not less than five, nor exceeding twelve Days, from the Date of such Process; and at the Time appointed for hearing any such Cause, or on some such other Day, as such Justice shall think reasonable to appoint, the said Justice shall proceed to hear and examine the Allegations and Evidences of the Plaintiff and Defendant, and give his Judgment thereupon, in such Manner as shall appear to him agreeable with Equity and Justice, together with such Costs as are herein after allowed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Process against all Freeholders, that are Inhabitants, shall be by Summons only; which Summons shall be signed by the Justice that shall grant it, and served on the Person of the Defendant; and that, or a Copy thereof, left at his House, in the Presence of one or more of his Family or Neighbours, who shall be informed of the Contents thereof, at least five Days before the Time appointed for a Hearing: And in Case the Defendant does not appear at the Time and Place that shall be appointed in such Summons; then on Oath or Affirmation made by the Constable, that the said Summons was duly served in Manner aforesaid, and no sufficient Reason appearing to the said Justice, why the said Defendant did not appear on the Day appointed in said Summons, the said Justice shall proceed to hear and determine any such Cause or Causes, in the Defendant's Absence, and give Judgment, and award Execution thereupon, in the same Manner as if the Defendant had been personally present: But if there shall appear any sufficient Reason, why the said Defendant did not obey said Summons, then the Justice shall and may, in his Discretion, defer the Hearing of the said Cause.

PROVIDED ALWAYS, *and be it Enacted by the Authority aforesaid,* That if any such Plaintiff so applying, and any other Person for him or her, shall

upon Oath or Affirmation, declare, that he or she does sincerely believe, that if such Process be only by Summons against such Freeholder, he or she will be in Danger of losing the Debt thereby; or that he or she doth really and sincerely believe, that such Freeholder will depart the County, City or Town, or otherwise abscond before such Time; then the said Justice shall issue out his Warrant in such Manner as if the Defendant had not been a Freeholder: And if any Defendant shall require a longer Time than is first appointed by the said Justice, and will, if required, give sufficient Security, to appear and stand Trial on such other Day as shall be appointed; then the said Justice is hereby required and impowered to adjourn the Trial of such Cause, to any Day he shall think most convenient, not exceeding twelve Days, nor less than three, from that Time, unless the Justice and Parties shall otherwise consent and agree.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in every Action that shall hereafter be brought in this Colony, by Virtue of this Act, when the real Debt or Demand exceeds the Sum of *Forty Shillings,* Money aforesaid, it shall and may be lawful for either of the Parties to the Suit, if on Summons, at least three Days before the Day of Appearance mentioned in the Summons; and if on Warrant upon the Defendant's giving Security for his Appearance, at least three Days before the Day appointed for Trial, to demand a Jury; and upon such Demand, the said Justice is hereby required and commanded, to issue a *Venire* to the Constable of any of the Towns, Districts or Precincts of the said County, commanding him to bring, or cause to come, at such certain Time and Place, as shall be in the *Venire* expressed, Six good and lawful Men of the County, being Freeholders, to whom legal Challenges, by either Party, shall be allowed, and the Constable directed to summon others forthwith, in Lieu of those legally challenged, to which six Men, approved of by the Justice, he shall administer an Oath or Affirmation, in the Words following, *viz.*

YOU *shall well and truly try this Matter in Difference between* A.B. *Plaintiff, and* C.D. *Defendant, and a true Verdict give according to Evidence.*

AND after the six Persons have taken the Oath or Affirmation aforesaid, they shall sit together, and hear the several Proofs and Allegations of the Parties, which shall be delivered in publick, in their Presence; after which they shall be kept together, in some convenient private Place, without Meat, Drink, Fire or Lodging, till they all agree upon a Verdict; which shall be given in to the said Justice, who is hereby required to give Judgment agreeable to such Verdict, and to award Execution in the Manner herein after directed.

Provided always, That if any Plaintiff or Defendant in any such Suit, shall Demand a Jury, and upon the Trial of said Cause, the Jury do find the Sum due to either Party to be under *Forty Shillings* Money aforesaid; then, and in such Case, the Justice before whom the said Cause shall be so tried, shall give Judgment, that the said Party shall recover his Debt or Damages, so found by the Jury, and further shall give Judgment, that the Person or Persons that

did demand the Jury, shall pay all the Cost and Charges that have accrued by the Reason of the demanding the said Jury.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Plaintiff, in any such Suit or Action, shall be Non-suited, or discontinue his Suit, without the Leave of the Defendant, then Judgment shall be given against him for the Cost accrued; or if he shall appear to be indebted to the Defendant, then Judgment shall be given against him for the said Debt or Demand, and Costs as the Case may require; and whenever Judgment shall be given against either Plaintiff or Defendant, in any of the before-mentioned Cases, the Justice that pronounced the said Judgment, shall grant Execution thereupon, directed to one of the Constables of the said County, City or Town Corporate, commanding him to levy the Debt, or Demand and Cost, as the Case may require, on the Goods and Chattels of the Person against whom such Execution shall be granted; and for want of sufficient Effects whereon to levy the Execution, to take the Body of the Person against whom such Execution shall be granted, and him or her, convey and deliver to the Keeper of the Common Goal of the County; which said Constable, after his taking such Goods or Chattels into his Custody, by Virtue of such Execution, shall give publick Notice, by an Advertisement, put up at the most publick Place of the Town or Precinct, where such Goods shall be taken, of the Sorts of Goods, and of the Time and Place when they will be exposed to Sale, at least five Days before the Time appointed for selling them; and at the Time and Place so appointed, shall expose them to Sale by Publick Vendue to the highest Bidder, and pay the Money forthwith to the Plaintiff, or in his Absence to the Justice, and return the Overplus, if any be, to the Owner; and for Want of sufficient Goods and Chattels whereon to levy the Execution, the Constable to whom any such Execution shall be directed, shall, according to the Tenor of the said Execution, take the Body of the Person against whom any such Execution shall be granted, and deliver him or her unto the Sheriff, Under Sheriff or Goal-Keeper, at the Common Goal of that County, City or Town Corporate; which said Sheriff, Under Sheriff, or Goal-Keeper, is hereby commanded to keep such Prisoner in his safe Custody in the Common Goal, until the Debt or Demand, with the Cost, shall be fully paid, or until he or she, shall be from thence delivered by due Course of Law.

PROVIDED NEVERTHELESS, That no Execution of any Judgment given by Virtue of this Act, where the real Value of such Judgment shall exceed the Sum of *Forty Shillings,* Money aforesaid, shall issue against any Freeholder in less than ONE Month after Judgment, unless the Party in whose Favour such Judgment is given, shall make it appear to the said Justice on Oath or Affirmation, that he or she is in Danger of losing their Debt, if such Delay be allowed; in which Case a Justice shall issue his Warrant of Execution immediately, as herein before directed, (unless the Party against whom such Judgment is given, shall thereupon give Security to the Party in whose Favour Judgment went, to pay the full of the Debt and Cost, at or before the Expiration of the said Month) And it is the Intent and Meaning of this Act, that if any Defendant in any Action shall appear at the

Return of the Precept, and procure any Freeholder to confess Judgment with Interest, he shall be Intitled to the same Privileges as any Freeholder is intitled to, by Virtue of this Law.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Parties to any Cause determined by Virtue of this Act, shall think him or themselves aggrieved, by any Judgment given as aforesaid, for the Sum of *Twenty Shillings* or more, Money aforesaid; it shall and may be lawful, for such Person or Persons, to appeal from any such Judgment, to the next Court of General Quarter Sessions of the Peace, to be held for the County, City or Town Corporate, after the Judgment given; and the Justice before whom the said Cause was tried, is required to grant an Appeal upon the Condition following, and no other: That is to say; the Party demanding an Appeal, shall enter into Bond to the other Party, with at least one sufficient Security, in double the Debt, and sufficient to answer all Cost; the Condition of which Bond shall be, that the Appellant shall appear, and prosecute the Appeal in the Court above, and shall stand the Award of the Court, and pay such further Cost as shall be taxed, in Case the Judgment of the Justice is affirmed; and the said Justices of the said Court of General Quarter Sessions of the Peace, shall in a summary Way, hear and determine all such Appeals from a single Justice, give Judgment and award Execution thereon, with Cost.

Provided always, That in every cause wherein a Jury of Six Men give a Verdict as aforesaid, there shall be no Appeal allowed; but it is the true Intent and Meaning of this Act, that the Judgment given upon such Verdict, shall be final to all Intents and Purposes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices shall cause fair Entries to be made, in Books by them to be kept for that Purpose, of the Names of the Plaintiff and Defendant, in all such Cases as shall come before them, with the Debt and Cost adjudged, and the Time when such Judgment was given; and in any Case when there shall be a Jury as aforesaid, he shall set down the Verdict by them given; and where any Appeal shall be granted, the Justice who pronounced the Judgment appealed from, shall send a Transcript of such Entry under his Seal, together with the Bond aforesaid, to the Clerk of the Court to which such Appeal shall be made, on or before the first Day of the Court next following such Appeal; for which Transcript the Justice shall be allowed *One Shilling,* and no more.

Provided always, That none of the Justices, who by Virtue of this Act, shall have heard and determined any of the Causes aforesaid, out of the Court, shall afterwards sit on the hearing and determining the same Cause, on an Appeal made to any of the Courts of General Sessions aforesaid.

MAY it therefore please your Excellency, at the humble Suit of the said any Person or Persons whatsoever, shall commence, sue or prosecute, any Suit or Suits, for any Debt or Demand, made cognizable as aforesaid, in other Manner than is directed by this Act, and shall obtain a Verdict or Judgment thereon for Debt or Damages, which without Cost of Suit, shall not amount to more than *Six Pounds,* Money aforesaid, not having caused an

Oath or Affirmation, to be made before the obtaining the Writ, and filed the same in the Clerk's Office, that he, she, or they, so making Oath or Affirmation, did believe the Debt due, or Damages sustained, exceeded the Sum of *Six Pounds,* Money aforesaid; he or they so prosecuting, shall not recover or have any Cost in such Suit; any Law, Usage, or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, That neither this Act, nor any Thing herein contained, shall be deemed, construed, or understood, to extend to Actions of Replevin or Slander, or to Actions of Trespass for Assault and Battery, or Imprisonment, or to such Actions where the Titles of Lands shall any Ways come in Question.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whensoever any Person within this Colony, shall be sued or prosecuted before any Justice of the Peace, for Rent, and the Title of Land shall be pleaded; it shall and may be lawful for such Justice, whenever the Sum demanded shall not exceed *Six Pounds,* Money aforesaid, to proceed and determine, notwithstanding any Claim the Defendant may make to the Land whereon he lives, or did live, when such Rent became due; unless the Defendant or Defendants, shall immediately enter into a Bond to the Plaintiff, with one or more sufficient Sureties, being Freeholders, in the Sum of *Thirty Pounds,* conditioned for his Appearance in the Supreme Court of this Colony, and enter his, her or their Appearance, to a Suit to be there entered, for the Recovery or determining the Right and Title to the Lands, for which the Rent was demanded, and to pay the Debt and Damages found against him, with Costs of Suit; any Law, Usage, or Custom to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Constable neglecting all or any of the Duties enjoined by this Act, shall forfeit and pay the Sum of *Five Pounds,* to be recovered by any Person suing for the same, one Half to the Use of the Person so suing, the other Half for the Use of the Poor of the Township of which he is Constable.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, the Justices of the Supreme Court, shall not allow any Writ or Writs of Certiorari, for the Removal of any Action, made cognizable before a single Magistrate, and by him determined by Virtue of this Act, unless such Certiorari shall be made for in open Court, and the Reasons for granting such Certiorari, first assigned and filed in Court; any Law, Usage, or Custom to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no greater or other Fees, shall be allowed, taxed, or taken, in Actions brought in the Manner by this Act directed, than as in this Act is appointed to be taken; *that is to say,*

JUSTICES FEES.

A Summons, *Six Pence.*
A Warrant, *One Shilling.*
A Judgment, *Nine Pence.*
Administering every Oath or Affirmation, *Four Pence.*
Summons for Evidence, *Six Pence.*
Every Execution, *One Shilling.*
Issuing the *Venire Facias,* to summon a Jury, *One Shilling.*
Swearing or attesting the Jury, *Eighteen Pence.*

EVIDENCES.

Attending on Summons, or otherwise, *Two Shillings per Day,* and so in Proportion for a longer or shorter Time.

CONSTABLE.

Serving every Warrant or Summons, *Two Shillings.*
Every Execution, *Two Shillings and Six-pence.*
Summoning every Jury, *Two Shillings and Six-pence.*

JURIES.

All Causes tried, *One Shilling* per Man.
All Causes when summoned, and the Cause not tried, *Six-pence* per Man.
Drawing a Bond on an Appeal, or any other Bond, to the Person drawing the same, *One Shilling.*

PROVIDED ALWAYS, That no Fees shall be allowed for the Service of any Subpoenas for more than two Witnesses, nor shall Fees be allowed to more than two Witnesses for each Party in each Cause, on any Pretence whatever.

AND BE IT ENACTED *by the Authority aforesaid,* That no Justice or Justices of the Peace, shall hold any Court or Courts, for the Trial of Causes made cognizable before them by Virtue of this Act, in any Tavern or Publick-House; and if any Justice or Justices shall presume so to do, he or they shall forfeit the Sum of *Five Pounds,* for each and every Offence; to be recovered by Action of Debt, with Costs of Suit, and applied to the Use of the Poor of the City, Township or Precinct wherein the Fact was committed, by the Overseer of the Poor of the same Township, City or Precinct.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act, together with all Things therein contained, shall continue and be in Force for Seven

Years after the Publication thereof, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), pp. 16-23.

An ACT *for the better Regulating Constables, Vendues and Taverns.*

FOR Regulating Taverns, so as to make them answer the End of their Institution, and more effectually to prevent their being perverted to Places of Gaming, Tippling, Drunkenness, Revellings, Extortion, and other Vices.

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That no Person whatsoever shall be licenced by any Court of Quarter Sessions of the Peace in this Colony, to keep a Publick-House or Inn, but such as are recommended to the Court, by at least Six Freeholders of the Neighbourhood, of the Place where the Tavern is proposed to be kept, who shall certify, that the Person recommended is of good Repute for Honesty and Temperance, and known to the Persons recommending, to be provided with at least two good spare Feather-Beds more than is necessary for the Family's Use, and is well accommodated with House-Room, Stabling, and Pasture; upon which Certificate or Recommendation, the Courts of Quarter Sessions of the Peace, may, in their Discretion, grant the Licence prayed for; and if any Person signing a Recommendation to the Court, shall be convicted of having imposed on the Court, either by signing to an undeserved Character, or by describing a Situation not true, or in any other Manner; every Person so imposing, and being thereof legally convicted, shall be fined by the Court in the Sum of *Three Pounds;* to be paid to the Overseers of the Poor, where the said Tavern was proposed to be kept, and applied to the Use of the Poor of said Township.

AND BE IT ENACTED, That no Court of Quarter Sessions of the Peace in this Colony, shall grant a Licence to any Shop-Keeper to keep Tavern, neither shall any Tavern and Shop for selling Goods, Wares, and Merchandizes of any Kind, be at any Time hereafter kept in one House; and if any Shop-Keeper shall give or retail Strong Liquors, so as to encourage Drunkenness, Revelling or Frolicking in his or her House; he or she being thereof legally convicted, shall forfeit *Five Pounds,* for each and every Offence.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices of the Peace, at every of their Spring and Fall Sessions hereafter, shall ascertain the Prices of the several Liquors, Meat and Entertainment for Man; and also fix the several Sums to be taken for the Provender, Stabling and Pasturage of Horses, by every Person licenced to keep Tavern; and every

Person so licenced, shall obtain, and affix up in the most publick Room in his or her House, in ten Days after the Sessions, a List of the several Prices and Sums so ascertained, under the Penalty of *Twenty Shillings* for every Day thereafter, that he or she shall refuse, neglect, or omit the same; and in Case any such Tavern-Keeper shall demand, take or receive more Money, or greater Sum for any Articles of Entertainment of Man or Horse, than the Sum or Sums so ascertained; and being legally convicted thereof, in any Court of Record in this Colony; he or she shall forfeit the Sum of *Five Pounds,* for each and every Offence, and be incapable of receiving another Licence, for at least three Years after such Conviction.

AND WHEREAS a pernicious Custom hath prevailed in many Places, of giving Rum, and other strong Liquor, to excite such as bid at Vendues to advance the Price, which oftentimes occasions great Intemperance and Disorders: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, after the Publication of this Act, making any Vendue within this Colony (except Civil Officers making Vendues at Publick-Houses) shall give or sell, or suffer to be given or sold, in order to be drank, on the Day or Days that such Vendue is held, any Rum, Cyder or other Spirituous Liquors; he, she or they so offending, shall forfeit and pay the Sum of *Six Pounds;* which several Fines and Forfeitures, the Recovery and Application of which is not herein before provided for, are to be recovered by Action of Debt, before any one Justice of the Peace of the County where such Offence is committed, upon the Oath or Affirmation of one credible Witness, by any Person who will sue for the same, with Costs of Suit; one Half to the Prosecutor, and the other Half to be paid to the Overseers of the Poor of the Township, to be applied in Manner aforesaid; and if any such Liquor as aforesaid, shall be given or sold in Manner aforesaid, it shall be deemed to be given or sold by the Maker or Makers of such Vendue, (unless he, she or they can prove the Contrary) who shall suffer the Penalty aforesaid.

AND *Whereas* it is evident the Want of sufficient Persons to put the Laws in Execution, is the principal Defect attending those heretofore provided for the above and other salutary Purposes: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That in every County of this Colony, the Justices of the Peace, at the respective Quarter-Sessions, that shall happen on or after the first Day of *January,* yearly, shall appoint such and so many Constables as shall be necessary, for each and every Township and Precinct, of the County to which they belong, except in Cities and Boroughs, where they shall be appointed, according to their Charter.

AND BE IT FURTHER ENACTED, That the said Courts, Townships or Precincts, shall not choose or appoint to that Office, any but substantial Freeholders in the County, Township or Precinct, for which he shall serve, of good Character; which Constable, when so appointed, shall be obliged to serve, under the Penalty of *Five Pounds;* to be paid to the Overseers of the Poor, of the Township or Precinct for which he was so chosen or appointed; to be disposed of and accounted for in like Manner as other Money raised for the Use of the Poor, is directed; and to be recovered by said Overseers, with

Cost of Suit, by Action of Debt, in any Court where cognizable, and shall discharge the Party paying the same, from serving the Office of Constable for one Year, and no longer; and such Constable shall take following Oath (or Affirmation if a Quaker,) *viz.*

I A.B. *as one of the Constables for the County of* C. *will well and truly execute that Office for one Year, next ensuing this Time, and until another is qualified in my Room; and in particular, I will faithfully use my Endeavour to do my Duty, as it is enjoined by an Act, entitled,* An *Act* for regulating Taverns, Ordinaries, Inn-keepers, and Retailers of strong Liquors; *without any Connivance at, or Favour whatsoever, to those who shall offend against it.*

WHICH Oath or Affirmation a Justice shall read to him, and the Constable repeat.

AND BE IT FURTHER ENACTED, That such Constable shall not be obliged to continue in the said Office longer than till the first Day of *January* then next ensuing, and thereafter to the End of the first Court of General Quarter Sessions of the Peace, that shall be held in and for the County after the said first Day of *January;* on or before which Time, the Court shall appoint his Successor; or if it be in Cities, Boroughs or Towns Corporate, then to the usual Time of appointing and qualifying the Constables of such City, Borough or Town Corporate; nor shall any Constable be obliged to serve in the said Office again, within less than fifteen Years after his being discharged from the said Office, unless there should happen not to be Freeholders enough to succeed regularly.

AND BE IT ENACTED *by the Authority aforesaid,* That when any Person has served as Constable, in any County of this Colony, for one Year, as aforesaid, and shall be willing to continue in his said Office, such Person shall be permitted to serve as a Constable in the said County, the Year immediately ensuing the End of such his Service, and so from Year to Year, not exceeding three Years, in the Discretion of the Justices, at their Court of Quarter Sessions; which said Court may, if they think necessary, take a Recognizance from the Person so desiring to serve, to our Sovereign Lord the King, his Heirs and Successors, with one sufficient Surety; the Principal in the Sum of *Forty Pounds,* and the Surety in the Sum of *Twenty Pounds,* conditioned for the due Performance of his Office.

AND BE IT FURTHER ENACTED, That in all Cases where corporal Punishment shall be adjudged to be inflicted on any Person or Persons whatsoever, by Virtue of any legal Process or Authority, that renders or shall make it the Duty of a Constable to execute, or see the said Punishment executed, such Constable shall and may have full Power to employ an Executioner, and order him to perform that Service; and for the Payment thereof, any one Justice of the Peace of the said County, shall draw an Order on the Collector of the said County, who out of the Monies in his Hands, the Property of the said County, and not raised for Provincial Service, shall discharge the same; which shall be allowed him in his Accounts, provided not more than *Ten Shillings* be allowed for one corporal Punishment.

PROVIDED ALWAYS, That every such Constable appointed or

chosen as aforesaid, shall, with the Consent of the Court of Quarter Sessions, or of two Justices of the City, County or Town Corporate, where he is chosen or appointed, have Liberty of appointing a Deputy in his Room, on giving sufficient Security, to the Satisfaction of the said Court, or Justices, that he will be answerable for such Deputy's Conduct.

AND BE IT ENACTED, That every Constable's Fee, for serving any Warrant, shall be *Two Shillings,* and for serving every Execution, *Two Shillings* and *Six-pence;* any Thing in any former Law to the Contrary in any wise notwithstanding.

AND BE IT FURTHER ENACTED, That upon the Death of any Constable, or Refusal of any Person to take on him the said Office, in any Township or Precinct within this Colony, it shall and may be lawful for any two Magistrates of the County, (one being of the *Quorum*) to meet together as often as Occasion may require, and appoint others, qualified according to the Directions of this Act; which Person or Persons so appointed, shall take upon him or them the said Office, and be subject to the like Pains and Penalties, as if he or they had been chosen or appointed by the Court of Quarter Sessions.

AND *Whereas* several Patent Towns in this Colony, by their Patents are allowed to elect but one Constable; and by the Increase of Inhabitants two or more are become necessary: Therefore, BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, it shall and may be lawful for any Patent-Town within this Colony, to have one or more Constables, as the Court of Quarter Sessions of the County may think necessary to appoint, exclusive of the One chosen by Virtue of such Patent. *Provided always,* That nothing in this Act is intended to prevent or hinder the Inhabitants of the several Cities and Boroughs within this Colony, from electing or appointing such Persons Constables, and in such Manner as heretofore they have usually done, or by their Charters are impowered to do; nor to prevent the Justices of the County of *Cape-May,* from granting Licence to Shop-Keepers to keep Tavern, any Thing herein before contained to the Contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That the Act, entitled, *An* Act *for regulating Constables and Vendues, and for better regulating Taverns;* and the Act, entitled, *A Supplementary Act to an Act, entitled, An* Act *for regulating Constables and Vendues, and for better regulating Taverns;* and every Article, Clause and Thing therein contained, shall be, and hereby are repealed, made void and of none Effect.

Parker (1768), pp. 23-28.

An ACT *to enable Creditors more easily to recover their Debts from Joint-Partners, within the Colony of* New-Jersey.

WHEREAS Creditors are often put to great Trouble and Difficulty in recovering Debts due from Joint-Partners; the Proceedings to Outlawry against Persons who cannot be taken by Process, not being in Use in this Colony; and Doubts have arisen, Whether any one Joint-Partner is now compellable to answer for the Partnership Debts, unless all are brought into Court; which many Times cannot be done; for Remedy whereof, BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all Persons that now are, or hereafter shall be, jointly indebted to any other Person or Persons whatsoever, for any Joint-Contract, Obligation, Matter or Thing whatsoever, for which a Remedy could or might be had at Law against such Debtors, in Case all were or could be taken by Process, issued out of the Courts of this Colony, shall be answerable to their Creditors separately for such Debts; that is to say, such Creditor or Creditors, shall and may issue Process against such Joint-Debtors, in the Manner now in Use; and in Case any or either of such Joint-Debtors shall be taken, and brought into Court, by Virtue of such Process, he, she or they so taken and brought into Court, shall answer to the Plaintiff or Plaintiffs; and in Case the Judgment pass for the Plaintiff or Plaintiffs, he or they shall have his or their Judgment and Execution against them that are brought into Court, and against the other Joint-Debtors named in the Proofs, in the same Manner, as if they had been all taken and brought into Court, by Virtue of such Process.

Provided always, That this Act shall be, and continue in Force for the Space of Three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), pp. 28-29.

An ACT *appointing Commissioners for supplying the several Barracks erected in the Colony of* New-Jersey, *with Furniture, and other Necessaries, for accommodating the King's Troops in, or marching through the same; for supplying Deficiencies, and defraying other incidental Charges.*

WHEREAS it is expedient, that further Provision be made, for supplying the King's Troops in, or occasionally marching through this Colony, during their Continuance therein: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Daniel Ellis, Isaac Pierson Rodman, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden,* and *John Blanchard,* be, and they are hereby appointed Commissioners for the several Barracks in this Colony; that is to say, *Daniel Ellis* and *Isaac Pierson Rodman,* for the Barracks at *Burlington; Abraham Hunt* and *Alexander Chambers,* for the Barracks at *Trenton; Hendrick Fisher* and *Reuben Runyon,* for the Barracks at *New-Brunswick; Samuel Sarjant* and *Thomas Skinner,* for the Barracks at *Amboy; Robert Ogden* and *John Blanchard,* for the Barracks at *Elizabeth-Town.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place for which they are appointed Commissioners, as aforesaid, and they, or the Survivors of them, are hereby impowered, as often as Occasion may require, to purchase Fire Wood, Bedding, Blankets, and other Necessaries, as has heretofore been usually furnished to the several Barracks in this Colony, and as in and by this Act is further directed; and it shall and may be lawful for either of the Treasurers of this Colony, to pay to the said *Daniel Ellis, Isaac Pierson Rodman, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden, John Blanchard,* or to any two of them, such Sums of Money as may be wanted for the Service aforesaid, not exceeding the Sum of *Five Hundred Pounds,* for the Use of each of the said five Barracks in this Colony, out of the Money made current for the Service of the late War, or now in the Treasury; and their Order, with a Receipt thereon, or Receipt signed by any Two of them; when produced by the said Treasurers, or either of them, to the General Assembly, shall discharge the said Treasurers respectively, their Heirs, Executors, and Administrators, of and from so much as they shall have paid by Virtue of this Act: And the said Commissioners, their Heirs, Executors, and Administrators, are hereby made accountable to the Council and General Assembly of this Colony, for all such Sums of Money as they shall respectively receive, in Pursuance of this Act.

Provided always, That not any Thing in this Act contained, shall be construed or intended to impower the aforesaid Barrack-Masters, or either of them, to draw out of the Treasury any Part of the Monies aforesaid, at any Time, until Troops are actually removed to, and quartered in the respective Barracks for which they are appointed Commissioners: *Provided also,* That the Monies hereby given, shall not be applied to purchasing Necessaries for more than one Regiment in the Colony at any one Time, except during the Time of the Relieving of the Regiment quartered in the same.

AND *Whereas* it is necessary, that the Troops quartered in the Barracks in this Colony, should be supplied with Vinegar and Small Beer: AND *Whereas* Difficulties may arise to the Commissioners, in providing and serving Beer to the said Troops; to prevent which, and that the Troops may be

enabled to supply themselves therewith: BE IT ENACTED, That it shall, and may be lawful, for the said Commissioners, and the Survivors of them, at each respective Place for which they are appointed Commissioners as aforesaid, to find and provide Vinegar for the Use of said Troops, at the Rate of two Gills for each Man per Week; and in lieu and stead of four Pints of Small Beer hereby allowed for each Man per Day, it shall and may be lawful for the said Commissioners, to provide and allow to the said Troops, a Quantity of Molasses, not exceeding one Gallon to a Barrel of Small Beer.

AND *Whereas* the Treasurer of the Eastern Division of this Colony, hath advanced diverse Sums of Money to the Commissioners of the Barracks at *Perth-Amboy,* there being no Law impowering him so to do; and the advancing the said Sums appearing absolutely necessary, it is but reasonable that the Treasurer should be indemnified for the same: Therefore, BE IT ENACTED *by the Authority aforesaid,* That the said Treasurer shall be, and he is hereby indemnified, and discharged of and from the Payment of such Sum or Sums of Money; and the Receipt or Receipts of both, or either of the Barrack-Masters at *Perth-Amboy,* shall be a sufficient Voucher, in passing his or their Accounts, by him, his Heirs, Executors and Administrators, by Means of any Monies by him paid, and applied to, and for the Use of the said Barracks: And all Bonds, or other Security by him taken from the Barrack-Masters of *Perth-Amboy,* or other Persons, for Money so by him disbursed, shall be, and is hereby declared null and void, to all Intents and Purposes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, and the Care of the several Barracks within this Colony, shall be under the same Regulations as is directed in and by an Act of this Colony, passed in the Fifth Year of His present Majesty's Reign, entitled, *An* Act *for appointing Commissioners to take Care of and let the Barracks erected in this Colony of* New-Jersey, *at such Times as the same shall not be needed for the Use of Soldiers; and to sell such Articles therein as are perishable, and have been purchased at the Expence of this Colony.*

AND *Whereas* divers Disputes have arisen touching the Quantity of Fire-Wood to be allowed to the Troops quartered in the Barracks; to remedy which, BE IT ENACTED, That from the first Day of *October,* to the first Day of *May,* to Twelve Men shall be allowed weekly, and every Week, Half a Cord of Wood, and no more; and from the first Day of *May,* to the first Day of *October,* weekly and every Week, one Quarter of a Cord of Wood to Twelve Men, and no more: To the Commanding Officer, and each Captain, Half a Cord per Week; and to two Subalterns Half a Cord per Week, from the first Day of *October,* to the first Day of *May* aforesaid; and from the first Day of *May* aforesaid, to the first Day of *October,* one Quarter of a Cord per Week, and no more: And that to the Chaplain and Surgeon, the same Allowance shall be made, as hereby is allowed to a Captain; and for the Use of the Guard-Room, there shall be allowed one Cord per Week, from the first of *October,* to the First of *May;* and Half a Cord from the first of *May* to the first of *October,* and no more.

AND BE IT ENACTED *by the Authority aforesaid,* That further to prevent any Disputes touching the Delivery of the Wood hereby given and allowed, the Barrack-Masters hereby appointed, shall, and may at each Barrack in which Troops are quartered, and not already provided therewith, erect and build a convenient Yard for putting Wood in; the Expence of which shall be allowed in Settlement of their Accounts; and weekly deliver to the Quarter-Master Serjeant, or other Officer appointed for that Purpose, the several Quantities of Wood before given and allowed: And that no Frauds may be committed, it shall and may be lawful for the said Barrack-Masters, whenever they shall think it necessary, before they deliver out any Wood hereby given, to demand of the Commanding Officer, a Return of the Men and Officers quartered in the said Barracks; without which the Barrack-Masters may refuse, and hereby are enjoined not to deliver any Wood, but stop the further serving out the same, until such Return is so made.

AND *Whereas* it appears, that it is necessary that the North and East Side of the Barracks at *Perth-Amboy,* should be covered with Boards, to protect the said Barracks from Damage; and that a small Window should be made in each Room, to the North and East, without which the said Barracks will become ruinous and unhealthy: *And Whereas* by an Estimate made of the Expences that will attend the Weather-boarding said Barracks, and making the Windows, it appears that *Eighty Pounds* will be necessary for the Purposes aforesaid: Therefore, BE IT ENACTED, That *Samuel Sarjant,* Esq; and *Thomas Skinner,* are hereby appointed Commissioners to find Materials, and employ Workmen, for covering the North and East Sides of the said Barracks in *Amboy,* with Boards, so as to preserve the Walls from the Weather, and to make a small back Window in each Room; for which Purposes, it shall and may be lawful for the said *Samuel Sarjant* and *Thomas Skinner,* or either of them, to draw out of the Treasury, such Sums as may be necessary, provided the same shall not exceed *Eighty Pounds* Proclamation Money; and their Order, with a Receipt thereon, or a Receipt signed by either of them, when produced by the said Treasurer to the General Assembly, shall discharge the said Treasurer of and from so much as shall have been paid for the Purpose aforesaid: And the said Commissioners, their Heirs, Executors, and Administrators, are hereby made accountable to the Council and General Assembly of this Colony, for all such Sums of Money as they shall respectively receive, for the Uses aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That there be paid out of the publick Money now in the Treasury, the following Sums, *viz.*

To *Reuben Runyon,* one of the Barrack-Masters of *New-Brunswick,* the Sum of *Fifty-four Pounds, Nineteen Shillings* and *Two-pence,* Proclamation, being the Ballance of his Account, found due to him for Salary, and Monies disbursed for the Use of said Barracks.

To *Cornelius Hetfield,* late Barrack-Master at *Elizabeth-Town,* the Sum of *Thirty Pounds* and *Seven-pence,* being the full Ballance due to him on Settlement of his Accounts.

To *John Blanchard,* one of the Barrack-Masters of *Elizabeth-Town,* the

Sum of *Eighty-seven Pounds Eleven Shillings* and *Eleven-pence,* being the Ballance due to him on Settlement of his Accounts.

To *Hendrick Fisher,* one of the Barrack-Masters of *New-Brunswick,* the Sum of *Seventy-two Pounds Fifteen Shillings* and *Seven Pence Half-penny,* being the Ballance due to him on Settlement of his Accounts.

To *Robert Ogden,* one of the Barrack-Masters of *Elizabeth-Town,* the Sum of *Thirty Pounds Fifteen Shillings* and *One-penny Half-penny,* in full for the Ballance due to him on Settlement of his Accounts.

To *Thomas Skinner,* one of the Barrack-Masters of *Perth-Amboy,* the Sum of *Eighty-three Pounds* and *Two-pence Farthing,* being the Ballance due to him on Settlement of his Accounts.

Parker (1768), pp. 29-34.

An ACT *for the Septenniel Election of Representatives, to serve in the General Assembly of the Colony of* New-Jersey.

WHEREAS it is necessary and expedient, that the Representatives elected to serve in General Assembly, should not continue longer than the Term of Seven Years.

THEREFORE, We the House of Representatives do pray, that it may be Enacted; AND BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That a General Assembly shall be holden once in Seven Years at least; and that within one Year at farthest, from and after the Dissolution of this present Assembly, and so from Time to Time forever hereafter, from and after the Dissolution of every other Assembly, legal Writs under the Great Seal of this Colony shall be issued, by Direction of the Governor or Commander in Chief for the Time being, for the Calling and Holding another new Assembly.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Dissolution of this present Assembly, no General Assembly whatsoever, that shall at any Time hereafter be called, assembled or held, shall have Continuance for a longer Duration or Time than seven Years at farthest, to be accounted from the Day on which, by the Writs of Summons, the said Assembly shall be convened or appointed to meet.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall not

be in Force, or take any Effect, until His Majesty's Royal Approbation be thereunto had and declared.

Parker (1768), p. 34.

An ACT *for choosing Representatives, in the Counties of* Morris, Cumberland *and* Sussex, *and directing the* Morris *County Taxes to be paid into the Eastern Treasury of this Colony.*

WHEREAS the Counties of *Morris, Cumberland* and *Sussex,* are now become very populous; and it being highly reasonable, that they should have the Liberty of choosing Representatives, to serve in the General Assembly of this Colony, in the same Manner as the other Counties thereof do.

THEREFORE, BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Time of the Dissolution of this present General Assembly, when, and as often as any General Assembly of this Colony shall be called, there shall be legal Writs under the Great Seal of this Colony, issued to the Sheriffs of the said Counties, directed severally, commanding them, that they cause to be chosen, two Representatives for each of the said Counties of *Morris, Cumberland* and *Sussex,* to serve in General Assembly; who shall be chosen by the Majority of Voices or Votes of the Freeholders of each County, every Freeholder having One Hundred Acres of Land in his own Right, or be worth *Fifty Pounds* Sterling, Money of *Great Britain,* in real and personal Estate; and the Persons elected to serve as Representatives in the said General Assembly, shall have One Thousand Acres of Land in his own Right, or be worth *Five Hundred Pounds* Sterling, Money of *Great Britain,* in real and personal Estate; and likewise inhabiting, and usually Resident himself and his Family (if any he hath) the Day of the Date of the Writ of Summons, and hath been so Three Months before, in some City, Town or County of this Colony, as by Law is directed for the other Counties in this Colony; which Representatives so to be chosen, shall and may sit, vote, and act as Members of the General Assembly aforesaid, and be intitled to the same Rights, Privileges and Immunities, as the other Representatives of the several Counties in this Colony are intitled to.

AND *Whereas* the Court-House, and principal settled and improved Parts of *Morris* County, are situated in the Eastern Division; BE IT FURTHER ENACTED *by the Authority aforesaid,* That whenever a Provincial Tax shall be raised in this Colony, and so in all Provincial Taxes hereafter to be raised, such Part and Parts thereof as shall be levied in the said County of *Morris,* shall be paid by the Collector of the said County to the Treasurer of the Eastern Division of this Colony; any Usage or Custom to the Contrary thereof in any wise notwithstanding.

Provided always, That this Act, or any Thing herein contained, shall not be in Force or take Effect, until the Approbation of His Majesty shall be thereunto declared and published.

Parker (1768), pp. 35-36.

An ACT *to continue an Act, entitled,* An *Act* for granting a Bounty upon the Raising of Flax and Hemp, and planting of Mulberry Trees in this Colony for raising of raw Silk, *so far as relates to Flax and Hemp.*

WHEREAS an Act, passed in the Fifth Year of the Reign of our Sovereign Lord King GEORGE the Third, entitled, *An* Act *for granting a Bounty on Flax and Hemp, and planting of Mulberry Trees;* has, by Experience, been found to be of publick Utility, and that Part which relates to Flax and Hemp, will soon expire by its own Limitation:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That such Part of the said Act, entitled, *An* Act *for granting a Bounty on Flax and Hemp, and planting of Mulberry Trees in this Colony, for raising of raw Silk,* as relates to Flax and Hemp; shall be, and is hereby continued, and every Article and Clause therein contained, shall be and remain in full Force, from the Publication hereof, to the first Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy Two, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), p. 36.

An ACT *to regulate the Trial of Slaves for Murder and other Crimes, and to repeal so much of an Act, entitled,* An *Act* to regulate Slaves, *as relates to their Trial for Murder, and other capital Offences.*

WHEREAS the present Mode of trying Negro and Mulatto Slaves, for Murder and other capital Crimes, by Three or more Justices, and Five of the principal Freeholders of the County, hath on Experience, been found inconvenient: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That from and after the Publication of this Act, every Negro, Indian, or Mulatto Slave, who shall murder or conspire, or attempt the Death of any of his Majesty's Liege People in this Colony; or shall commit any Rape on any of the said Subjects; or shall wilfully burn any Dwelling-House, Barn, Stable, Out-House, Stack or Stacks of Corn or Hay; or shall wilfully mutilate, maim or dismember, any of the Subjects as aforesaid, not being Slaves; or shall murder any Negro, Indian or Mulatto Slave, and be thereof convicted, by Confession or Verdict, in the Supreme Court, Court of Oyer and Terminer and General Goal Delivery, or Court of General Quarter Sessions of the Peace, of the County wherein the Fact shall be committed, shall suffer Death without Benefit of Clergy: And that every Negro, Indian or Mulatto Slave, who shall in either of the said Courts be convicted of Manslaughter, or of stealing any Sum or Sums of Money, above the Value of *Five Pounds*, from any Person or Persons whatsoever, or shall commit any other Felony or Burglary, and be thereof legally convicted, in either of the said Courts, shall suffer Death, or such other Pains and Penalties, as the said Justices of the said Supreme Court, Court of Oyer and Terminer and General Goal Delivery, or Court of General Quarter Sessions of the Peace, shall think proper to inflict; any Law, Usage or Custom to the Contrary in any wise notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid*, That the said Justices of the said Courts, who by Virtue of this Act, shall try such Offender or Offenders, shall upon Conviction, by Warrant under the Hand and Seal of them, or any Three of them, to the Sheriff of the County directed, command him to execute the Sentence or Judgment of the said Court, or cause the same to be executed, at such Time and Place as they shall direct.

AND BE IT ENACTED *by the Authority aforesaid*, That there shall be paid to the Sheriff, the Sum of *Five Pounds*, for executing any Negro, Indian or Mulatto Slave, found guilty in either of the Courts aforesaid, and condemned to Death by the Justices of the said Courts, or either of them, and such other Fees as by Law are given to Sheriffs and other Officers, for their Services in criminal Cases; to be paid by the County Collector, by Order from the Justices and Freeholders of the County where the Offence is committed; and to be assessed, levied, and raised by Order of any Three

Justices (one being of the *Quorum*) equally on the Owners of Slaves, in Manner following, *to wit*, The Constable of every Town and District within this Province, shall deliver a List of all the Negro, Indian and Mulatto Slaves, within their and each of their several and respective Districts, both Men and Women, above the Age of Fourteen, and under Fifty Years, which are not disabled or incapable of performing their Master or Mistress's Service, unto the Justices at one of their Courts of General Quarter Sessions of the Peace in every County, yearly and every Year; who shall order the Clerk of the Peace to file the same: And when any Negro, Indian and Mulatto Slave, shall be executed, or punished for any Crime or Crimes, the Justices of the Peace of the County where the Fact is committed, or any Three of them (one being of the *Quorum*) at the Desire of the said Sheriff, shall meet together, and call for the aforesaid List, from the Clerk of the Peace; and according to the said List, they shall assess the Value of the said Costs of the Prosecution, equally on the Heads contained in the said List, and shall appoint a Collector to collect and receive the same; and when so collected and received, the same to pay to the said Sheriff for his Fees and Services, and the Fees and Services of the Prosecution or Prosecutions aforesaid: And upon a Refusal or Delay of Payment, the said Collector shall deliver a List of the Person or Persons so refusing or delaying, to any Justice of the Peace of the said County, who shall make out Warrants to the Constables of the several Towns and Districts, to distrain for the same; and the said Distress to sell at a publick Outcry, and pay the said Assessment to the said Collector, and *Eighteen Pence* to himself for the Charges of such Distress, and return the Overplus (if any be) to the Owner: And the said Collector shall pay the said Money so collected, to the said Sheriff, and take his Receipt for the same, which he shall deliver to the Justices at their next Sessions of the Peace, to be filed by the Clerk of the said Court.

AND BE IT ENACTED *by the Authority aforesaid*, That the Fourth, Fifth, Sixth and Seventh Sections of the Act, entitled, *An* Act *to regulate Slaves*, shall be, and hereby are repealed and made void, and of no Effect; any Thing in said Act to the Contrary in any wise notwithstanding.

Parker (1768), pp. 37-39.

A Supplementary ACT *to an Act, entitled,* An *Act* to regulate the Method of taking Fish in the River *Delaware*, and to prevent Obstructions in the Navigation thereof, and for other Purposes therein mentioned.

WHEREAS a Number of the Inhabitants of the Counties of *Burlington* and *Hunterdon*, have by their Petitions set forth, that by the above recited Law, they are restrained from fishing with any other Sein, than such whose Meshes shall be Two Inches and one Half long when extended; and that such Restriction is extremely detrimental to the Herring-Fishery on *Delaware* River.

THEREFORE BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the first Day of *April*, and until the Fifteenth Day of *June*, yearly, and every Year, after the Publication of this Act, it shall and may be lawful for the Inhabitants of this Colony, to fish in *Delaware* River with Seins, the Meshes of which may be Two Inches when extended, and not less; any Thing in the before recited Act to the Contrary notwithstanding.

AND *Whereas* it hath frequently happened, that the Fishermen on said River and Branches thereof, have offended against the before recited Law, and made their Escape before Justice could be executed on them.

THEREFORE, BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Person or Persons, between the Fifteenth Day of *June*, and the First Day of *November* yearly, and every Year, during the Continuance of the before recited Law, to seize and take any Net or Nets, Sein or Seins, set or used, contrary to the true Intent and Meaning of said Law; and as soon as may be, carry such Net or Sein to any Justice of the Peace, for the County where the same shall be taken; which said Justice shall keep, or cause to be safely kept, every such Net or Sein seized as aforesaid; and if the Owner or Owners, or some Person in his or their Behalf, does not appear within Twenty Days, and pay the Sum forfeited by the before recited Law; then, and in such Case, the said Justice shall order the Constable of the Township or Precinct wherein the said Net or Sein was taken, to advertise the Sale thereof, at least Five Days before the Day of Sale; and then and there, sell the same to the highest Bidder; and the said Constable, after deducting the Forfeiture in said recited Law mentioned, with the Costs arising, shall pay the Overplus, if any be, to the Owner or Owners of such Net or Sein, or to his or their Representative or Representatives, and the forfeited Sum to the said Justice, who shall divide the same agreeable to the before recited Law.

Parker (1768), pp. 39-40.

An ACT *to regulate the Fishery within that Part of the Eastern Division of this Colony, from the Mouth of* Rariton *River Northward.*

WHEREAS it is found, that the Fishing with Nets with small Meshes, and the stopping and sweeping of small Rivers and Creeks where Fish resort to spawn and breed, is very detrimental to the Breeding and Growth of Fish in the Eastern Division of this Colony: For Prevention whereof,

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, now met and convened, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, all and every Person and Persons whatsoever, who shall fasten, fix, set or stop, any Net or Nets, or other Device or Devices, across, or in any of the small Rivers or Creeks, Ponds within that Part of the Eastern Division of this Colony, from the Mouth of *Rariton* River Northward, to catch Fish, or obstruct or hinder them from going up or down the same; or shall at any Time after one Year, from the Publication of this Act, sweep with, draw or set any Net or Nets, to catch Fish, in any River, Sound, Bay or Pond, within the said Eastern Division, the Meshes of which Net shall be less than three Inches long when extended, shall forfeit the Net, Sein, or such other Device so to be made Use of, contrary to the true Intent and Meaning of this Act, and shall pay the Sum of *Forty Shillings* for every such Offence; to be recovered by Action of Debt, before any of his Majesty's Justices of the Peace of this Colony, or in any Court where the same may be cognizable, with Costs of Suit, by any Person who will sue for the same, to be applied the one Half thereof for the Use of the Poor of said Town, Division or Precinct, where the same shall be recovered, and the other Half thereof, together with the Net or such other Device as may be made Use of as aforesaid, to the Person or Persons who shall sue for the same.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for any Person or Persons, to take and seize any such Net or Nets, Sein or Seins, so set or used, contrary to the Intent and Meaning of this Act, from any Place where found set, or from any Person or Persons using the same; and within three Days to carry the same Net or Nets to any Justice of the Peace, of the Town, Division or Precinct, where the same shall be taken; which said Justice shall keep, or order the same to be safely kept, for the Space of Twenty Days; and at the Expiration of that Time, if the Owner or Claimer doth not appear, and fully prove by sufficient Evidence, to the Satisfaction of the said Justice, that the said Net or Nets, was, or were not set or used contrary to the true Intent and Meaning of this Law, then the said Justice shall give Judgment, that the said Net or Nets, Sein or Seins, shall be delivered to the Person or Persons who shall have seized or taken the same, as his or their Property; but if the said Claimer or Claimers, shall within the said Twenty Days, make it appear, to the Satisfaction of the said Justice, that the said Net or Nets, was, or were not set or used contrary to the true Intent

and Meaning of this Act, the said Justice shall give Judgment for the Claimer or Claimers, and order the said Net or Nets to be delivered to him or them again, with such Costs and Damages as he shall think reasonable.

Provided always, That Nothing in this Act contained, shall extend to prevent fishing with Nets or any other Devices they shall think fit, above the great Falls of *Passaick* River.

Parker (1768), pp. 40-41.

An ACT *to repair the Publick Roads in the South Ward of the Corporation of the City of* Perth-Amboy, *in the County of* Middlesex, *by a Tax on the Inhabitants of the same.*

WHEREAS the Inhabitants in the South Ward of the Corporation of the City of *Perth-Amboy*, have, by Petition set forth, that they apprehend the present Mode of repairing the Highways, is very unequal, and more expensive than if repaired by hired Labourers; and prayed a Law to enable the said South Ward to raise Money, and apply it to that Purpose: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That from and after the Second Tuesday in *March*, which will be in the Year One Thousand Seven Hundred and Sixty Nine, and during the Continuance of this Act, all publick Highways in the said South Ward, shall be repaired, amended, cleared out, and kept in good Order by hire; for which Purpose, a Rate and Assessment shall be made from Time to Time, upon the Goods and Chattels, Lands and Tenements, of the Inhabitants of the said South Ward respectively, as Occasion may require, on the Pound Value, as in Provincial Taxes; and all single Men who work for themselves, and are Residents where any such Tax is levied, and House-keepers, whose Tax on their rateable Estates doth not amount to *One Shilling*, shall be assessed at the Discretion of the Assessor, not under *Six Pence*, nor above *Five Shillings*; and that in a Tax which amounts to *Three Pence* on the Pound Value, a Grist-Mill shall pay *Ten Shillings*, a Saw-Mill *Ten Shillings*, and a Forge *Fifteen Shillings*; and so in Proportion in a higher or lower Tax or Rate: And the Inhabitants of the said South Ward, at their respective Town-Meetings, on the Second Tuesday in *March*, or at any other Time when summoned, by one or more of the Aldermen of the South Ward of the City of *Perth-Amboy*, shall direct so much Money to be

raised, in Manner aforesaid, as always to have Money in Bank for the repairing the Highways within the said South Ward; and shall make an Order in Writing, signed by their Clerk, directed to the Assessor of said Ward, setting forth the Sum to be raised, and a limited Time within which he shall assess the Inhabitants, and deliver a Duplicate to the Collector.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Overseers of the Highways in the said South Ward, chosen by Virtue of an Act, entitled, *An* Act *for regulating Roads and Bridges*, shall within Ten Days after they are chosen, repair to one of the Aldermen of the South Ward of the City of *Perth-Amboy*, and take an Oath or Affirmation, for the faithful Performance of their Offices; and when so qualified, shall have Power to hire Labourers to repair the Highways, whenever it shall become necessary within the said Ward: And if any of the said Overseers for the Time being, shall neglect or refuse to qualify themselves, as aforesaid, or to do and perform the several Duties enjoined them by this Act; he or they so neglecting or refusing, shall suffer the same Pains and Penalties as is directed in the before recited Act, for a Breach of Duty; and the said Overseers shall settle their Accounts before two of the Aldermen, and three of the Common Council of the said City of *Perth-Amboy*, in said South Ward, where the Money shall be raised; and the said Accounts being signed by any Three of them, shall be a sufficient Settlement of the same, and shall pay the Money remaining (if any be) to their Successors; and on Neglect or Refusal to pay such Remainder as aforesaid, their Successors shall sue for and recover the same, by Action of Debt, in any Court of Record, where the same shall be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Assessors and Collectors chosen by Virtue of former Laws, shall assess and collect all Monies ordered to be raised pursuant to the Directions of this Act; and said Collectors within thirty Days after receiving the Duplicates or Assessments, shall collect and pay the Money therein assessed to the Overseers of the said South Ward; to be applied to the Purposes aforesaid; and the said Assessors and Collectors shall proceed against all Delinquents, who may neglect or refuse to give a true Account of their rateable Estates, or pay their Taxes in the Manner as is directed by the Sinking Fund Acts; and shall also receive the same Rewards for the Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by said Acts are directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That if the Inhabitants at any of their Town-Meetings in said Ward, upon Application made by the Overseers of the Highways, shall neglect or refuse to order Money to be raised, sufficient to keep the Highways within the said South Ward in good repair; in such Case the Owners shall apply to Two of the Aldermen and Three of the Common Council of the said South Ward of the City of *Perth-Amboy*, who are hereby commanded to appoint a Time to meet and inspect said Overseers Accounts; and upon such Inspection, if they find there is not Money in the Overseers Hands sufficient for the Purposes

aforesaid, they or any three of them, shall make an Order, commanding the Assessor to assess such Sum or Sums of Money, as they, the said Aldermen and Common Council, or any three of them, may think necessary, on the Inhabitants of the said South Ward, so neglecting or refusing; which Order shall be as effectual to all Intents and Purposes, as though it had been made by the Town-Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That this Act shall take Effect on the second Day of *March*, One Thousand Seven Hundred and Sixty Nine; and continue in Force two Years, and from thence to the End of the next Sessions of General Assembly, and no longer.

Parker (1768), pp. 42-44.

An ACT *to build a Bridge over South-River, in the County of* Middlesex.

WHEREAS the Inhabitants of the County of *Middlesex,* by their Petition, have set forth, that the Bridge over *South-River,* at the Place where it now is built, is inconvenient, and often impassable by Reason of the frequent Freshes that overflow the Causeway leading to the same; and praying a Law, to enable them to build a Bridge over the said *South-River*, at the Place where the Old Bridge formerly stood, or some other convenient Place: Therefore;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same*, That it shall and may be lawful for any three Justices of the Peace, One being of the Quorum, of the County aforesaid, as soon as conveniently may be, after the Publication of this Act, to summon the Justices and chosen Freeholders of the said County, to meet at such Time and Place as the said three Justices shall appoint; and then and there, to order and direct a good and sufficient Bridge to be built over *South-River*, in the County of *Middlesex*, at such Place as the said Justices and Freeholders shall deem most convenient, agreable to the twenty-seventh and twenty-eighth Sections of an Act of this Province, passed in the first Year of his present Majesty's Reign, entitled, *An* Act *for regulating Roads and Bridges.*

AND BE IT ENACTED *by the Authority aforesaid*, That after the said Bridge shall be built and completely finished, the Surveyors of the Highways for the said County, or the major Part of them, upon an Order in Writing from the said Justices and Freeholders, shall, and are hereby impowered and

required, to lay out a Six Rod Road from the End of *David Williamson's* Lane, on as direct a Line as the Ground will admit of, down to the Bridge to be built by Virtue of this Law; and from thence to the Bridge at *Deep Run* on the said Road; and shall make Return thereof, and cause the same to be entered on the publick Records of the said County; from and after which Return so made and recorded, so much of the King's old high Road, from the setting out of the new Road, to the Place where it shall enter the said old Road, at or near *Deep Run*, shall, and is hereby declared null and void, as if the same never had been laid out; any Law to the Contrary in any wise notwithstanding.

Parker (1768), pp. 44-45.

An ACT *to repair and amend the Publick Roads and Streets in the Northern Ward of the City of* Perth-Amboy, *and to repair the Town Wharff in the said City, by a Tax on the Inhabitants of the said Northern Ward.*

WHEREAS the Inhabitants in the Northern Ward of the City of *Perth-Amboy*, have, by their Petition, set forth, that they apprehend the present Mode of repairing and amending the Highways and Streets, is unequal, and more expensive than if repaired by hired Labourers; and therefore prayed a Law to enable the said Northern Ward to raise Money by a Tax, and apply the same to the Purposes prayed for: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the First Day of *June,* One Thousand Seven Hundred and Sixty Eight, it shall and may be lawful for the Mayor, Recorder, Aldermen and Common Council, of the Northern Ward of said City, or the major Part of them, the Mayor or Recorder always being one, by Plurality of Voices, to order and direct the Assessor of said Northern Ward, to assess such Sum or Sums of Money on the Inhabitants of the said Northern Ward, to be applied to the amending and repairing such Roads, Streets or Highways in the said Northern Ward, as they or the major Part of them as aforesaid, shall think proper; which Rate

or Assessment, shall be made, collected and levied from Time to Time, upon the Goods and Chattels, Lands and Tenements, of the Inhabitants of the said Northern Ward respectively, on the Pound Value, as in the Provincial Tax; and all single Men who work for themselves, and are Residents when such Tax is assessed and levied, and all House-keepers whose rateable Estates do not amount to *One Shilling,* shall be assessed at the Discretion of the Assessor, not under *Six Pence,* nor above *Five Shillings.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Mayor, Recorder, Aldermen, and Common Councilmen of the said Northern Ward, or the major Part of them, the Mayor or Recorder always being one, shall order the Sum so assessed, for the Uses and Purposes aforesaid, to be collected and paid by the Collector of the said Northern Ward, to the Overseer of the Roads for the Northern Ward of the said City, to be applied as is before directed by this Act.

AND *Whereas* the Town Wharff in said City, is of publick Advantage to the Inhabitants of the Northern Ward, and stands on publick Ground: BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Mayor, Recorder, Aldermen, and Common Councilmen of the said Northern Ward, shall order and direct the Overseer of the Roads of the said Northern Ward, to amend and repair the said Town Wharff in such Manner, as they, or the major Part of them, the Mayor or Recorder always being one, shall think proper; which Amendments and Repairs, ordered and directed as aforesaid, shall be paid out of the Money assessed and levied, as is by this Act directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Overseer or Overseers of the Roads of the Northern Ward of said City, shall within Twelve Days after they are chosen, repair to the Mayor or Recorder of the said City, and take an Oath or Affirmation for the faithful Discharge of his or their Offices; and when so qualified, shall have Power and Authority to hire Labourers to repair the Highways, Streets, and Town Wharff of the said Northern Ward of the said City, whenever it shall become necessary: And if any of the Overseers of the Highways in said Northern Ward, shall neglect or refuse to qualify themselves as aforesaid, or to do and perform the several Duties enjoined them by this Act, he or they so neglecting or refusing, shall suffer the same Pains and Penalties, as is directed in and by an Act, entitled, *An* Act *for regulating Roads and Bridges;* and shall yearly and and every Year, on the First Day of *May,* or at such Time or Times as the Mayor, Recorder, Aldermen and Common Council, or the major Part of them, shall think proper, render unto them a true and just Account of all Monies disbursed by him or them, for the Uses and Purposes aforesaid; which said Account shall be delivered over by the said Overseers, to his Successor in Office; and the Ballance thereof (if any) shall be paid to his or their said Successor in Office, whose Receipt shall be a full and sufficient Discharge for the same.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be

and continue in Force for the Space of Five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), pp. 45-47.

An ACT *to impower the Inhabitants of the Township of* Pequanack, *in the County of* Morris, *to repair their Publick Highways by Hire, and raise Money for that Purpose.*

WHEREAS the Inhabitants of the Township of *Pequanack,* have by Petition set forth, that they apprehend the present Mode of repairing the Highways, is very unequal, and more expensive than if repaired by hired Labourers; and prayed a Law to enable the said Township to raise Money and apply it to that Purpose: Therefore;

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Second Tuesday of *March,* which will be in the Year One Thousand Seven Hundred and Sixty-nine; and during the Continuance of this Act, all publick Highways in the said Township of *Pequanack,* which now are, or hereafter shall be laid out, shall be repaired, amended, cleared out, and kept in good Order by Hire; for which Purpose a Rate and Assessment shall be made from Time to Time, upon the Goods and Chattels, Lands and Tenements, of the Inhabitants of the said Township of *Pequanack,* as Occasion may require, on the Pound Value, as in Provincial Taxes; and all single Men, who work for themselves, and are Residents in said Township, and House-Keepers whose rateable Estates doth not amount to *One Shilling,* shall be assessed at the Discretion of the Assessor, not under *One Shilling,* nor above *Five;* and the Inhabitants of said Township, at their annual Town-Meeting, on the second Tuesday in *March;* or at any other Time when summoned by one of the Judges, or by two Magistrates of the County, shall direct so much Money to be raised, in Manner aforesaid, as always to have Money in Bank, for the Repairing of Highways within said Township, and shall make an Order in Writing, signed by their Clerk, directed to the Assessor of said Township, setting forth the Sum to be raised, and a limited Time within which he shall assess the Inhabitants, and deliver a Duplicate to the Collector.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Inhabitants of the Township of *Pequanack* aforesaid, at their annual Town-Meeting on the second Tuesday in *March,* as aforesaid, shall in their usual Manner, elect three Overseers, the One whereof, in the Eastern Part, One in the Western Part, and the other near the Center of the Township; which Overseers so elected, shall within Ten Days after they are so chosen, repair

to a Magistrate of the County, and take an Oath or Affirmation, for the faithful Performance of their Offices; and when so qualified, shall have Power to hire Labourers, to repair the Highways, whenever it shall become necessary, within their several Districts: And if any of the Overseers for the Time being, shall neglect or refuse to qualify themselves, as aforesaid, or do and perform the several Duties enjoined them by this Act; he or they so neglecting or refusing, shall suffer the same Pains and Penalties as is directed by an Act, entitled, *An* Act *for regulating Roads and Bridges,* for a Breach of Duty; and the said Overseers shall settle their Accounts before any One Justice of the Peace for the said County, and the two chosen Freeholders of the Township of *Pequanack* aforesaid; and the said Accounts being signed by any two of them, shall be a sufficient Settlement of the same; and they shall retain *Four Shillings* per Day for every Day they have necessarily spent with the Labourers on the Road; and shall pay the Money remaining (if any be) to their Successors; and on Neglect or Refusal to pay such Remainder as aforesaid, their Successors shall sue for, and recover the same, by Action of Debt, in any Court of Record where the same may be cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessors and Collectors chosen by Virtue of former Laws, shall assess and collect all Monies ordered to be raised, pursuant to the Directions of this Act; and said Collectors, within Thirty Days after receiving the Duplicates or Assessments, shall collect and pay the Money therein assessed, to the Overseers of said Township, to be applied to the Purposes aforesaid; and the said Assessors and Collectors, shall proceed against all Delinquents, who may neglect or refuse to give a true Account of their rateable Estates, or pay their Taxes in the Manner as is directed by the Sinking Fund Acts; and shall also receive the same Rewards for their Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by said Acts are directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants at any of their Town Meetings in said Township, upon Application made by the Overseers of the Highways, shall neglect or refuse to order Money to be raised, sufficient to keep the Highways in said Township in good Repair; in such Case, the Overseers shall apply to two Magistrates, and the two chosen Freeholders of said Township, who are hereby commanded to appoint a Time to meet and inspect said Overseers Accounts; and upon such Inspection, if they find there is not Money enough in the Hands of the Overseers, sufficient for the Purposes aforesaid, they, or any Three of them, shall make an Order, commanding the Assessor to assess the Sum or Sums of Money, as they the said Magistrates and Freeholders, or any Three of them may think necessary, on the Inhabitants of said Township; which Order shall be as effectual to all Intents and Purposes, as though it had been made by the Town-Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That as often as any Assessment or Tax shall be raised or levied by Virtue of this Act,

for the Purposes herein mentioned, it shall and may be lawful for the Assessors for the Time being, to assess and tax all Furnaces, Forges, Bloomaries, Grist-Mills and Saw-Mills, that are already built, or may be hereafter built, within the said Township of *Pequanack,* at their Discretion, not exceeding the Sum of *Forty Shillings,* nor under the Sum of *Five Shillings,* for each respective Furnace, Forge, Bloomary, Grist-Mill, and Saw-Mill.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall take Effect on the second Tuesday in *March,* One Thousand Seven Hundred and Sixty Nine, and continue in Force two Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), pp. 47-50.

An ACT *to impower the Inhabitants of the Townships of* Bridgewater *and* Bedminster, *in the County of* Somerset, *to repair their Publick Highways by Hire, and to raise Money for that Purpose.*

WHEREAS the Inhabitants of the Townships of *Bridgewater* and *Bedminster,* have, by Petition set forth, that they apprehend the present Mode of repairing the Highways, is very unequal, and more expensive than if repaired by hired Labourers; and prayed a Law to enable the said Townships to raise Money, and apply it to that Purpose: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That all publick Roads or Highways now laid out, or hereafter to be laid out, within the said Townships, shall be repaired, amended, cleared out, and kept in good Order, by hire; for which Purpose, a Rate and Assessment shall be made from Time to Time, upon the Goods and Chattels, Lands and Tenements, of the Inhabitants of the said Townships respectively, as Occasion may require, on the Pound Value, as in Provincial Taxes; and all single Men who work for themselves, and all House-keepers, whose Tax on their rateable Estates doth not amount to *One Shilling,* shall be assessed at the Discretion of the Assessor, not under *Six Pence,* nor above *Five Shillings:* And the Inhabitants of said Townships, at their respective Town-Meetings, on the Second Tuesday in *March,* or at any other Time when summoned, by one of the Judges, or two Magistrates of the

County, shall direct so much Money to be raised, in Manner aforesaid, as always to have Money in Bank for the repairing the Highways within their respective Townships; and shall make an Order in Writing, signed by their Clerk, directed to the Assessor of such Townships, setting forth the Sum to be raised, and a limited Time within which he shall assess the Inhabitants, and deliver a Duplicate to the Collector.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Overseers of the Highways in the said Townships, chosen by Virtue of an Act, entitled, *An* Act *for regulating Roads and Bridges,* shall within Ten Days after they are so chosen, repair to a Magistrate of the County, and take an Oath or Affirmation, for the faithful Performance of their Offices; and when so qualified, shall have Power to hire Labourers to repair the Highways, whenever it shall become necessary within their several Districts: And if any of the said Overseers for the Time being, shall neglect or refuse to qualify themselves, as aforesaid, or to do and perform the several Duties enjoined them by this Act; he or they so neglecting or refusing, shall suffer the same Pains and Penalties as is directed in the before recited Act, for a Breach of Duty; and the said Overseers shall settle their Accounts before any one Justice of the said County, and the two chosen Freeholders of the respective Towns, where the Money shall be raised; and the said Accounts, being signed by any Two of them, shall be a sufficient Settlement of the same, and they shall retain *Four Shillings* per Day, for every Day they have necessarily spent in the Discharge of their Office; and shall pay the Money remaining (if any be in their Hands) to their Successors; and on Neglect or Refusal to pay such Remainder as aforesaid, their Successor shall sue for and recover the same, by Action of Debt, in any Court of Record where the same may be cognizable, with Cost of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assessors and Collectors chosen by Virtue of former Laws, shall assess and collect all Monies ordered to be raised pursuant to the Directions of this Act; and said Collectors within thirty Days after receiving the Duplicates or Assessments, shall collect and pay the Money therein assessed, to the Overseers of the Highways of their respective Townships; to be applied to the Purposes aforesaid; and the said Assessors and Collectors shall proceed against all Delinquents, who may neglect or refuse to give a true Account of their rateable Estates, or pay their Taxes in the Manner as is directed by the Sinking Fund Acts; and shall also receive the same Rewards for the Performance, and suffer the same Pains and Penalties for the Neglect of the Duties herein required, as by said Acts are directed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Inhabitants at any of their Town-Meetings in said Townships, upon Application made by the Overseers of the Highways, shall neglect or refuse to order Money to be raised, sufficient to keep the Highways within their respective Townships, in good repair; in such Case the Overseers shall apply to Two Magistrates of the County, and the two chosen Freeholders of such Townships, who are hereby commanded to appoint a Time to meet and

inspect said Overseers Accounts; and upon such Inspection, if they find there is not Money in the Overseers Hands sufficient for the Purposes aforesaid, they, or any three of them shall make an Order, commanding the Assessor to assess such Sum or Sums of Money, as they the said Magistrates and Freeholders, or any three of them, may think necessary, on the Inhabitants of the Township so neglecting or refusing; which Order shall be as effectual to all Intents and Purposes, as though it had been made by the Town-Meeting.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall take Effect on the first Day of *March,* which will be in the Year One Thousand Seven Hundred and Sixty Nine, and continue in Force for three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Parker (1768), pp. 50-52.

An ACT *for more effectually compelling the Assessors within the several Cities, Townships and Precincts of this Colony, to return compleat and exact Duplicates of their respective Assessments.*

WHEREAS it appears upon Inspection of the Duplicates and Assessments, laid before the House of General Assembly this present Session, that there are great Deficiencies; and the Form and Directions prescribed by Law, have not been observed by many of the Assessors, nor a true and exact Return made of the Quantity of Land in their several Townships or Precincts: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the respective Assessors in the several Counties in this Colony, appointed by Law to assess the sinking Fund Tax, to be raised for the Year One Thousand Seven Hundred and Sixty Eight, shall, and they are hereby respectively enjoined to make out compleat and exact Duplicates of all such Articles as are made rateable, agreeable to the Mode and Directions of an Act, entitled, *An* Act *for levying a Fund at different Periods, by Provinical Taxes, for the sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of*

Credit, made current for his Majesty's Service in the late War; Copies of which Assessments, or Duplicates, are to be delivered by the respective County Collectors to the Treasurer of the Division to which they belong, on or before the Twenty-first Day of *November* next.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the respective County Collectors within this Colony, shall neglect or refuse to prosecute the Delinquents, and perform the several Duties enjoined by the before recited Act; he or they so offending, shall be prosecuted for the Fines and Penalties in the said recited Act mentioned, by the Attorney General of this Colony, for the Time being; which Fines and Penalties shall be paid into the respective Treasuries, of the Division to which they belong, and applied to the Support of this his Majesty's Government; any Law, Usage, or Custom to the Contrary notwithstanding.

Parker (1768), pp. 52-53.

An ACT *to compel the several Officers of Cities, Townships and Precincts, in this Colony, to deliver to their Successors in Office, the Laws put into their Hands for the Use of the said Cities, Townships and Precincts.*

WHEREAS Delays and Omissions often happen, by Reason of the Officers elected in the respective Cities, Townships and Precincts in this Colony, neglecting to deliver over to their Successors in Office, the several Laws which come to their Hands for the Use of the Cities, Townships, and Precincts for which they are elected: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That each and every of the Officers elected for the Cities, Townships or Precincts within this Colony, shall at all Times hereafter, upon another being elected in their Room and Place, or in Case of their, or either of their dying in such Office, then the Heirs, Executors, or Administrators of the Officer so dying, shall within ten Days after the Election of another Officer in the Place of the Person so dying or removed, deliver to the Successor in Office, the several Laws in their Custody, and to them delivered for the Use of such City, Township or Precinct, under the Penalty of *Five Pounds* for every Neglect or Refusal, as aforesaid; to be recovered by the Successor of him or them so neglecting or

refusing, by Action of Debt, and applied towards the Support of the Poor of the Cities, Townships or Precincts, wherein the Neglect or Refusal may happen.

Parker (1768), pp. 53-54.

An ACT *appointing Commissioners to sell a Quantity of Gun-Powder and Lead, and a Number of Fire-Arms, belonging to this Colony, for the Use of the same.*

WHEREAS it appears, that a Quantity of Gun-Powder and Lead, was left in the Care of *John Rosecrants,* Esq; in the County of *Sussex,* and a Number of Fire-Arms in the Care of *David Gano,* at *New-Brunswick,* for the Use of this Colony: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for *Hendrick Fisher,* and *Abraham Van Neste,* Esquires, or the Survivor of them, to demand of the said *John Rosecrants,*Esq; the Powder and Lead in his Possession; and also the Fire-Arms in the Possession of *David Gano;* who are hereby respectively enjoined to deliver the same to the said *Hendrick Fisher* and *Abraham Van Neste,* Esquires, or their Order; and upon Receipt of such Gun-Powder or Lead and Fire-Arms, the said *Hendrick Fisher* and *Abraham Van Neste,* Esquires, or the Survivor of them, are hereby required to make Sale of the same, for the best Advantage, and return an exact Account of the Sales, and Expences attending the same, to the next Sessions of General Assembly.

Parker (1768), p. 54.

An ACT *to enable the Owners and Possessors of the Lower Meadows on* Woodbury *Creek, in the County of* Gloucester *(henceforth to be called the Lower Meadow Company on* Woodbury*) to keep up and maintain the Dam, Banks, and other Water-works already made; and erect and make such new Ones as may be necessary, for the more effectual draining and watering said Meadows.*

WHEREAS an Act passed in the First Year of GEORGE the Third, entitled, *An* Act *to continue the Dam across* Woodbury *Creek, in the County of* Gloucester, hath on Experience been found inconvenient, and not fully to answer the good Purposes thereby intended; for the Remedying whereof,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Owners and Possessors of the Meadows and Swamp on said *Woodbury* Creek (below *Moses Ward's* Dam) and Branches thereof, so far as the Tide used to flow, shall meet on the Thursday next following the second Tuesday in *March,* yearly; (the first Time at such Place as the Managers shall appoint, and afterwards where the Company shall adjourn to) and there by Plurality of Voices of them so met, choose for the ensuing Year, a Clerk, Assessor, and four Persons living in *Deptford* Township, and interested in said Meadows; two for Managers, and two for Overseers; which Overseers shall have the Direction of watering the said Meadows, and regulate the same for the general Good, until which Time, *James Whitall* and *Joseph Low* are hereby appointed Managers; *James Cooper* and *John Wood,* Overseers; *John Est Hopkins,* Assessor; and *James Whitall,* Clerk; which Clerk, now appointed, shall provide himself with a Book, wherein Entries shall be made, and fair Minutes kept for all the Proceedings of the Company at their Meetings, their Orders recorded, with every other Matter that shall be necessary for the well ordering said Company's Affairs; for which Services, such Gratuity shall be allowed, as the Company, at their annual Meetings may think reasonable; and the Managers now appointed, or hereafter chosen as aforesaid, shall at all Times keep the Dam, Banks, and other necessary Water-works, already erected and made, or hereafter to be erected and made, in good repair, so as effectually to prevent the Tide from overflowing the Meadows, and Swamp included within the same, and may dig Mud, Loam or Sand, the most convenient, and least detrimental to the Owner or Owners of the Soil for that Purpose; and also wharff or otherways defend the said Dam and Banks from the Wash of the Tide, in such Manner as they shall think necessary; the Cost and Expences thereof, to be paid by the Owners and Possessors, in Proportion to the Quantity of Meadow or Swamp they severally hold.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Company at their annual Meeting, or at any other Meeting, when sum-

moned by the Managers for the Time being, (having given each of the Owners or Possessors ten Days Notice) shall direct so much Money to be raised for the Purposes aforesaid, as they or the Majority of them so met, may think necessary; and make an Order in Writing, signed by their Clerk, setting forth the Sum to be raised, and the Time within which the Assessment shall be made, and deliver to the Managers; and the Assessor chose as aforesaid, on the Receipt thereof, shall assess the same accordingly, and receive for his Trouble *Three Pence* in the Pound for all Money so assessed; and if any of the said Owners or Possessors shall neglect or refuse to pay such Assessments when demanded by either of the Managers for the Time being; they, or either of them, may recover the same by Action of Debt, in any Court of Record where it is cognizable, with Cost of Suit.

AND BE IT FURTHER ENACTED, That if the Managers for the Time being, shall at any Time neglect for the Space of three Days, to repair any sudden Breach that may happen in said Banks; that then, any Person injured thereby, shall have equal Authority with the Managers, to repair such Breach, and the Expence thereof shall be paid out of the Penalty the Managers are subject to for such Neglect; and if that should not be sufficient, the Remainder of the Company's Stock.

AND BE IT FURTHER ENACTED, That the Managers for the Time being, shall as often as it becomes necessary, give Notice in Writing to the said Owners and Possessors, or any of them, to open and clear out the said Creek and Branches, as also all Division Ditches adjoining or going through their Premises, so as to give the Water a sufficient Fall of said Meadows; and if they, or any of them, shall refuse or neglect to open and cleanse said Creek, Branches and Ditches, as aforesaid, for the Space of two Months after such Notice, and in such Manner as the Managers shall think sufficient to answer the Purposes aforesaid, that then the said Managers, shall within one Month enter upon the Premises so neglected, and hire Labourers, and cause the same to be done; and to demand and receive of the Party or Parties so neglecting or refusing, the Expence and Cost, with *Ten Shillings* per Day, for each Day necessarily spent in getting said Work accomplished; and on Neglect or Refusal, to discharge the same within ten Days after demanded, it shall and may be lawful for said Managers, or either of them, to recover the same in Manner aforesaid.

And *Whereas* by the former Law, each of the Owners and Possessors had a Part of said Tide-Bank allotted them to keep up and maintain: And *Whereas* some of them have been at considerable Expence, in wharfing and otherwise defending their Parts from the Tide; therefore, BE IT FURTHER ENACTED, That the said Company at their first Meeting, after this Law takes Place, shall choose three honest judicious Men, to view said Banks, who shall order such Sum or Sums of Money, to those that have been at the Expence of wharfing or otherwise securing their Bank as aforesaid, as they or any two of them, shall judge such Works are worth, to the Company, and commit the same to writing under their Hands; which Sum or Sums so awarded, shall be paid by the Managers to the Persons directed, out of the

first Money that comes into their Hands, in Virtue of this Act.

AND BE IT FURTHER ENACTED, That in order justly to ascertain and fix the Proportions aforesaid, the Managers shall within one Year after this Law takes Place, cause all the said Meadows and Swamps (or such Parts as are not already truly ascertained) to be measured, and a fair Return thereof made, and entered on the Company's Book, the Expence, if the Whole is measured, to be paid in Proportion as aforesaid; if not, to be paid by the Owners or Possessors of the Parts so measured; and on Neglect or Refusal of Payment, to be recovered by the Managers in Manner aforesaid.

AND *Whereas* the Meadows on the main Creek below the said *Ward's* Dam, stands in need of being frequently watered in the Summer Season, by letting in the Tide, when at the same Time those at the Head of the Creek and Branches may be damaged thereby: Therefore, BE IT FURTHER ENACTED, That it shall and may be lawful for the Managers, to erect Flood-Gates in the said Creek, at or near the said *Ward's* Dam, and in *Tredway's* Branch, at or near where the publick Road passes over, leading from the Town of *Woodbury* to the River, so as to prevent the Tide flowing further up the said Creek and Branch; provided they are so constructed, and kept in such Order, as to give a free and sufficient Passage for the Back-Water to pass through; and for that Purpose may dig Mud, Loam or Sand, the most convenient and least detrimental to the Owner or Owners of the Soil, the Cost and Expence to be paid in proportion as aforesaid; and the Managers shall, upon Application of the Overseers chosen as aforesaid, in Writing, open the Sluice-Doors, and let in one or more Tides, as said Overseers may direct: *Provided always,* That between the first Day of *June,* and first of *October,* said Managers do give four Days Notice to all the Owners and Possessors below said Gates, before they let in the Tide to overflow said Meadows.

BUT WHEREAS it is supposed by some, that the good Purposes intended by watering said Meadows, may be fully answered without overflowing them. THEREFORE, BE IT FURTHER ENACTED, That the Managers may at all Times between the tenth Day of *March,* and First of *November,* when they think it necessary, unless otherwise ordered by the Overseers, keep so much Water in the said Creek as that the Meadows may be kept sufficient moist; and if the said Managers shall neglect to keep the Water up as aforesaid, or suffer it to be so high as to cause the Meadows, or any Part of them, to be miry; any Persons aggrieved thereby, may apply to said Overseers, who, upon finding there is just Cause of Complaint, shall notify the Managers thereof under their Hands, directing them how to remedy the same: And if the said Managers shall at any Time neglect or refuse to Comply (all in their Power) with the written Directions of said Overseers, with regard to watering the Meadows as aforesaid; he or they so offending, shall forfeit and pay the Sum of *Six Pounds* for every such Offence; to be recovered in Manner aforesaid, and applied to the Use of the Company: *Provided always,* That the Water shall not be kept higher in the said Creek, than from Time to Time shall be agreed upon by the Overseers chosen as

aforesaid, and the Managers of the Upper Meadow Company, or any three of them, who for that Purpose shall erect a Post, or otherways fix a Mark at the said *Ward's* Dam: *Provided also,* That the said Overseers, or Managers, shall at no Time order, or knowingly suffer the Tide to be let in, so as to interrupt Persons who may be clearing out said Creek, Branches, or Division Ditches, either above or below said *Ward's* Dam, till they have given such Persons Notice.

AND BE IT FURTHER ENACTED, That if any Person or Persons shall presume to let in the Tide, or stop it in, or to stop the Sluices and keep in the back Water, in Times of Freshes, otherwise than is above directed, or shall cut, pull down, or destroy said Flood-Gates, or either of them, being in good Order as aforesaid, or the Post or other Mark set up to regulate the Heighth of the Water as aforesaid; he or they so offending, shall forfeit and pay the Sum of *Five Pounds* for every such Offence, and make good all Damages; to be recovered by any Person injured thereby, in Manner aforesaid; the Fine or Fines to be paid to the Managers for the Use of the Company.

AND BE IT FURTHER ENACTED, That if the said Owners and Possessors, shall at any Time, neglect to meet on the Thursday next after the second Tuesday in *March,* to choose a Clerk, Assessor, Managers and Overseers, as aforesaid, the Clerk, Assessor, Managers and Overseers, for the preceeding Year, shall be continued in said Offices, from Year to Year, until others shall be elected in their Room; and if the said Clerk, Assessor, Managers or Overseers, any or either of them, shall die, remove out of the Township of *Deptford,* or refuse to act, it shall and may be lawful for any one of the said Company, to warn in the others, (giving each of them ten Days Notice) to meet and choose one or more Person or Persons, in the Room or Stead of him or them so dead, removed, or refusing to act; who shall be vested with the same Power and Authority as if he or they had been chosen on the Thursday next after the second Tuesday in *March.*

AND BE IT FURTHER ENACTED, That the Managers for the Time being, shall yearly, on the Thursday next after the second Tuesday in *March,* account to the said Company, and produce fair Accounts of all Monies by them received and expended in Virtue of this Act, as also of their Time and Trouble, in discharging of their Duty as Managers, and after deducting *Six Pence* in the Pound, for all Monies by them collected, and such other Fees as the Majority of the Persons concerned then met, may think their Services deserve, shall deliver the Ballance in their Hands (if any be) to their Successors; and if they, or either of them, shall refuse or neglect to account, and pay the Ballance as aforesaid, the succeeeding Managers shall sue for, and recover what appears to be in their Hands, by Action of Debt, in any Court where the same is cognizable, with Cost of Suit.

AND BE IT FURTHER ENACTED, That it shall and may be lawful for any Tenant or Tenants, which are or shall be in Possession of any Part of said Meadow or Swamp, to bring his, her or their Charge or Charges, of Money paid, or Services done, in Pursuance of this Act, against his, her or

their Landlord or Landlords; which Money or Service done, shall be allowed out of the Rent due, owing or payable, from such Tenant or Tenants.

AND BE IT FURTHER ENACTED, That if the Managers for the Time being, shall at any Time refuse or unnecessarily neglect, for the Space of three Days, to repair and make up any sudden Breach, that may happen in the said Tide Bank, he or they so refusing or neglecting, shall forfeit and pay the Sum of *Ten Pounds,* for every such Refusal or Neglect; to be recovered in Manner aforesaid, by any Person griev'd, and apply'd to repairing such Breach; and the Overplus (if any be) paid to the succeeding Managers, for the Use of the Company: And if said Managers, or any other Person or Persons, shall refuse or neglect, to do and perform any other Matter or Thing enjoined him, her or them, by this Act, he, she or they, shall forfeit and pay the Sum of *Six Pounds,* for every such Default, to be recovered by any Person interested in said Meadows, in Manner aforesaid, and applied towards repairing and maintaining said Dam and Banks.

And *Whereas* it appears likely, that the Wash of the Tide may in Years to come, render it necessary to erect a new Dam, across the said Creek, nearer the Mouth thereof: Therefore, BE IT FURTHER ENACTED, That whenever the Owners and Proprietors of the said Meadows and Swamp, or the Owners and Proprietors of at least two Thirds thereof, shall at any of their publick Meetings, agree to have a new Dam erected and built between the present Dam and the River, or to remove the Tide Bank from where it at present stands, provided the Owner or Owners of the Soil consents to the Removal of such Tide Bank; that then it shall and may be lawful for the Managers to proceed and build a new Dam, or remove said Tide Bank, or any Part thereof, in such Manner and to such Place, as the Owners and Proprietors shall direct, and may dig Mud, Loam or Sand, the most convenient and least detrimental to the Owner or Owners of the Soil, for that Purpose; the Cost and Expence to be paid in Proportion as aforesaid: And when such new Dam, Sluices, and other necessary Water-works shall be erected, finished, and fully compleated, it shall and may be looked upon and esteemed the *Woodbury* Dam, and within the Intention and Meaning of this Act, as fully to all Intents and Purposes, as the old Dam had ever been; any Thing herein to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED, That the Act, entitled, *An* Act *to continue the Dam across* Woodbury *Creek, in the County of* Gloucester; and every Matter and Thing therein contained, shall be, and hereby is repealed and made void, to all Intents and Purposes.

Provided always, That Nothing herein contained, shall divest the Owners and Possessors of the Meadows on the Head of said Creek, of any Power or Authority they had or enjoyed before the Passing of this Act, with regard to clearing out the natural Water-Course thereof, or to hinder their Managers from opening the Flood-Gates, erected as aforesaid, when they may think it necessary, for the Benefit of the Meadows above the said *Ward's* Dam.

Parker (1768), pp. 54-59.

An ACT *to naturalize* John Lauterman, John Snook, Frederick Hayn, William Stroder, Philip Bemer, John Haas, Johannes Mayer, *and* Peter Colsher.

WHEREAS *John Lauterman, John Snook, Frederick Hayn, William Stroder, Philip Bemer, John Haas, Johannes Mayer* and *Peter Colsher,* by their humble Petitions, have set forth, That they were born under the Dominion of Foreign Powers, in Amity with *Great-Britain;* but are now settled, or are desirous of settling within this Province of *New-Jersey,* and of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to his Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *John Lauterman, John Snook, Frederick Hayn, William Stroder, Philip Bemer, John Haas, Johannes Mayer* and *Peter Colsher,* shall be henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are entituled unto, the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects can, or ought to enjoy within the same; any Act, Ordinance, Usage or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken to enable the said *John Lauterman, John Snook, Frederick Hayn, William Stroder, Philip Bemer, John Haas, Johannes Mayer* and *Peter Colsher,* or either of them, to be of his Majesty's Council, or of the General Assembly, and to hold and enjoy any Post or Office of Trust or Profit within this Province; any Thing herein contained to the Contrary notwithstanding.

Parker (1768), pp. 59-60.

An Act *to naturalize* Nicholas Ott.

WHEREAS *Nicholas Ott,* by his humble Petition, hath set forth, that he was born under the Dominion of Foreign Powers, in Amity with *Great-Britain;* but is now settled, or is desirous of settling within this Province of *New-Jersey,* and of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as he professes the Protestant Religion, and hath given Testimony of his Duty, Loyalty and Affection to his Majesty King *George* the Third, and the Succession of the Crown in the Protestant Line; and in Confidence of his conforming himself in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Nicholas Ott,* shall be from henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subject within this Province; and he and his Heirs, shall enjoy, and are entituled unto, the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects can or ought to enjoy within the same; any Act, Ordinance, Usage or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and Declared,* That Nothing in this Act contained, shall be construed or taken to enable the said *Nicholas Ott,* to be of his Majesty's Council, or of the General Assembly, or to hold and enjoy any Post or Office of Trust or Profit, within this Province; any Thing herein contained to the Contrary notwithstanding.

Parker (1768), p. 60.

Twenty-first Assembly, First Session

10 Oct.-6 Dec. 1769

Burlington

An ACT *for the Support of Government, of His Majesty's Colony of* New-Jersey, *to commence the Twenty-first Day of* May, *One Thousand Seven Hundred and Sixty-nine, and to end the First Day of* October, *One Thousand Seven Hundred and Seventy; and to discharge the publick Debts and contingent Charges thereof.*

WHEREAS the Act for the Supporting of Government of His Majesty's Colony of *New-Jersey,* expired on the Twenty-first Day of *May* last: We the House of Representatives, being willing and desirous to give all possible Demonstrations of our Duty, Loyalty and Gratitude, by providing for the Support of His Majesty's Government over us, do pray that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted and Declared by and with the Authority of the same,* That for paying the Salaries of the Governor and other Officers appointed for the Administration of the Government of this Colony, there shall be, and there is hereby chearfully given, unto His Majesty, his Heirs and Successors, the several Sums following, in Money as it now passes in the Western Division of this Colony, to be paid out of such Money made current for His Majesty's Service in the late War, that now is in the Treasury; *that is to say,*

To His Excellency WILLIAM FRANKLIN, Esquire, Governor and Commander in Chief of this Colony, at the Rate of *Twelve Hundred Pounds per Annum,* Money aforesaid; to commence the Twenty-first Day of *May* last.

To *Frederick Smyth,* Esq; Chief Justice of this Colony, at the Rate of *One Hundred and Fifty Pounds per Annum,* Money aforesaid.

To *Charles Read,* Esq; Second Justice of the Supreme Court of this Colony, at the Rate of *Fifty Pounds per Annum,* Money aforesaid.

To *John Berrien,* Esq; Third Justice of the Supreme Court of this Colony, at the Rate of *Fifty Pounds per Annum,* Money aforesaid.

To *Cortland Skinner,* Esq; Attorney General of this Colony, at the Rate of *Thirty Pounds per Annum,* Money aforesaid.

To *Samuel Smith* and *Stephen Skinner,* Esquires, Treasurers of this Colony, each at the Rate of *Forty Pounds per Annum,* Money aforesaid.

To the Clerk of the Council, for the Time being, at the Rate of *Thirty Pounds per Annum,* Money aforesaid.

To Doctor *Benjamin Franklin,* Agent of this Colony, or to the Agent for the Time being, appointed by the House of Representatives, at the Rate of *One Hundred Pounds per Annum,* Money aforesaid.

To *Joseph Warrel,* Esq; Clerk of the Circuits of this Colony, at the Rate of *Twenty Pounds per Annum,* Money aforesaid.

To the Door-Keeper of the Council of this Colony, at the Rate of *Ten Pounds per Annum,* Money aforesaid.

ALL which said several Sums abovementioned, shall be paid to the several Officers beforementioned, for their respective Salaries, during the Continuance of this Act, by the Treasurers of this Colony, or either of them, on Warrants to be produced to them, or either of them, signed by the Governor, or Commander in Chief for the time being, in Council; and the Warrants so signed, with Indorsements thereon, made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, and their, or either of their Heirs, Executors and Administrators, of and from so much of the said Money.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case his Excellency *William Franklin,* Esq; Commander in Chief of this Colony, shall, by Death or otherwise, cease to be Governor or Commander in Chief of the same; or that any other of the respective Officers herein beforementioned, shall happen to die, or otherwise be removed from their respective Offices, at any Time after the passing of this Act, and before the First Day of *October,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy; that then and in such Case, it shall and may be lawful for the Treasurers of this Colony for the Time being, and they, or either of them, are hereby authorised and commanded, to pay to his Excellency *William Franklin,* Esq; or to the said other Officers, or to his or their several Executors, Administrators and Assigns, or to their Orders, out of the said Money in the Treasury aforesaid, so much thereof as at the Time of his said Excellency's ceasing to be Governor as aforesaid, or to the said respective Officers dying, or being otherwise disabled from holding their Offices as aforesaid, shall remain in Arrear and unpaid to them, for his and their respective Salaries.

AND *Whereas* it is necessary, that the present Governor should be provided with a House to live in, until one shall be provided for that Purpose; BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the Money aforesaid, to his said Excellency *William Franklin,* Esq; at the Rate of *Sixty Pounds per Annum,* Money aforesaid, for House Rent, during the Continuance of this Act, provided he makes *Perth-Amboy* or *Burlington* the Place of his Residence.

AND *Whereas* it is fitting and necessary, that the publick Debts and contingent Charges of the Government, should from Time to Time be honourably and punctually discharged: Therefore, for defraying the same, we the House of Representatives, do further pray that it may be enacted; AND BE IT ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court of this Colony, *Ten Pounds,* for each Time, during the Continuance of this Act, that he, or either of them, shall, after the Publication of this Act, hold the Court of *Nisi Prius,* and of Oyer and Terminer and General Gaol Delivery, when it shall be necessary that they be held at the same Time, in the respective Counties of this Colony; either at the Time appointed, or that hereafter shall be appointed for holding

the said Courts, provided there shall be a real Occasion for holding the same. *Provided* also, That the said Treasurers, or either of them, shall pay out of the Money aforesaid, to the Chief Justice, or to any one of the Justices of the Supreme Court, *Ten Pounds,* for each of the Courts of Oyer and Terminer already by them, or either of them held before the Publication of this Act, and not provided for by Law. *Provided* also, That not any Thing shall be paid to either of the Justices aforesaid, for holding any of the abovesaid Courts, at the same Time that the Supreme Courts shall be held at *Perth-Amboy* and *Burlington. Provided always,* That no more than two of the said Courts of Oyer and Terminer and General Gaol Delivery, held in any one County, during the Continuance of this Act, shall be paid for by Virtue of this Act; one of them to be held, if there should be Occasion, at the Time of holding the Courts of *Nisi Prius,* and the other of the said Courts of Oyer and Terminer and General Gaol Delivery, if Application shall be made in Writing, signed by the major Part of the Freeholders chosen by the said County, in Conjunction with any Three Justices of the Peace *(Quorum unus)* of the said County, to any one of the Justices of the Supreme Court.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Treasurers, or either of them, shall pay the Sum of *Six Shillings per Diem,* unto each of the Council, for each Day that they shall respectively attend at any Sitting of the General Assembly, during the Continuance of this Act; upon Warrants by them, their Executors, Administrators or Assigns, to be produced, signed by the Governor or Commander in Chief, in Council, expressing the Number of Days each of the said Council shall have attended.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay unto the several Persons hereafter named, the several Sums following, *viz.*

To *Richard Smith,* one of the Clerks of the House of Representatives, or any other Clerk of this House, for his Attendance, the Sum of *Ten Shillings per Diem,* for the Time he hath or shall attend, at any Sitting of General Assembly, during the Continuance of this Act; also the Sum of *Four Pence* per Sheet, reckoning Ninety Words to the Sheet, for entering the Minutes and Votes of any Sitting during the Continuance of this Act, fair in the Book kept for that Purpose, and copying the Laws and Minutes for the Printer. And to the said *Richard Smith,* the Sum of *Twenty Pounds,* for Pen, Ink and Paper, and hiring Clerks to forward the Business of this Session.

To the Secretary, for copying publick Laws to send Home to *England,* during the Continuance of this Act, *Four Pence* per Sheet, reckoning Ninety Words to the Sheet.

To each of the Treasurers of this Colony, *Six Pence* per Pound, for exchanging the ragged and torn Bills of Credit of this Colony.

To *James Parker,* or any other Printer hereafter appointed, for printing the Minutes of the House of Representatives of any Sitting during the Continuance of this Act; and for printing the Laws passed at any Sitting as aforesaid, or any other Printing, such Sums as *John L. Johnston, Hendrick*

Fisher, John Wetherill, Stephen Crane and *John Ogden,* Esqrs, or any two of them, shall agree to be paid for the said Service.

To the Serjeant at Arms for the Time being, who shall attend the Council, the Sum of *Three Shillings per Diem;* and to the Serjeant at Arms, who shall attend the House of Representatives, the Sum of *Three Shillings per Diem.*

To the Door-Keeper of the House of Representatives for the Time being, who shall attend the House in Manner aforesaid, the Sum of *Three Shillings and Six Pence per Diem.*

ALL which said several Sums above-mentioned, shall be, and are hereby directed to be paid to the Persons aforesaid, their Executors or Administrators, out of the Money aforesaid, by Virtue of Warrants to be signed by the Governor or Commander in Chief for the Time being, in Council; and the said several Warrants, when produced by the said respective Treasurers, and Endorsements thereon made by the Persons to whom the same shall respectively be made payable, shall be sufficient Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors or Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Treasurers, or either of them, shall pay out of the Money aforesaid, the Sum of *Six Shillings per Diem,* to the Speaker, and every of the Members of the House of Representatives, for the Time each of them shall attend at any Sitting of General Assembly, during the Continuance of this Act, upon a Certificate to be produced to the Treasurers, or either of them, by each of the said Members, their Executors, Administrators or Assigns, signed by *Cortland Skinner, Hendrick Fisher, Abraham Hewlings, Joseph Smith, Henry Paxson, John Hinchman* and *Robert Hartshorne,* Esquires, or any three of them, expressing the Number of Days such Members shall have attended: And the said several Certificates, when produced by the said respective Treasurers, and Endorsements thereon made by the Person to whom the same shall be respectively made payable, shall be sufficient Warrants and Vouchers to discharge them the said Treasurers, or either of them, their Heirs, Executors and Administrators, on Account of the several Payments so made and paid out of the Treasury aforesaid.

Passed 16 Nov. 1769.
Parker (1769), pp. 3-8.

An ACT *to prohibit the setting Nets, Seins and other Devices in the Rivers* Raritan *and* South-River, *to obstruct the Fish going up in the proper Seasons of the Year, and to preserve the Fry and young Brood of Fish from being destroyed in the said Rivers.*

WHEREAS the Act, entitled, *An* Act *to prohibit the setting Nets, Seins and other Devices in the Rivers* Raritan *and* South-River, *to obstruct the Fish going up in the proper Seasons of the Year, and to preserve the Fry and young Brood of Fish from being destroyed in the said Rivers,* passed in the Sixth Year of his Majesty's Reign, hath been found beneficial to the Publick: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, any Person or Persons, that shall erect or repair, or be aiding or assisting in erecting or repairing any Pound or Pott, or shall be aiding or assisting in making a Net or Nets of Bushes or other Materials, for the Purpose of driving Fish into said Pounds or Pots, in the said Rivers of *Raritan* or *South-River,* or shall fasten or fix any Net or Nets or other Devices, across or in said Rivers, or make what is called Set Hawls, by Reason of which the Fish shall be obstructed, or hindered from going up said Rivers in the Spring or Summer Season, or the young Fry or Brood of Fish may be or is destroyed thereby; every Person or Persons so offending, contrary to the true Intent and Meaning of this Act, who shall be thereof legally convicted, by his, her or their own Confession, or by one or more credible Witnesses, shall forfeit and pay the Sum of *Forty Shillings* for every such Offence; to be recovered by Action of Debt, by any Person who will sue for the same, before any one Justice of the Peace for the said Counties of *Somerset* and *Middlesex,* for Offences against this Act committed in *Raritan* River; and before the Mayor, Recorder, or any Alderman of the Corporations of *Perth-Amboy* and *New-Brunswick,* for Offences committed in *South-River,* with Costs of Suit, one Moiety or Half thereof to be paid to the Informer or Prosecutor, the other Moiety or Half to be paid to the Overseers of the Poor for the Township or Precinct adjoining the River where said Offence was committed, to be applied towards the supporting of the Poor of said Town.

PROVIDED ALWAYS, That nothing in this Act contained shall be construed to extend to prohibit the setting of Hoop Nets in the said Rivers, as heretofore has been usual.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall be and remain in Force for the Term of Five Years from and after the Publication thereof, and from thence to the End of the next Session of General Assembly, and no longer.

Passed 16 Nov. 1769.
Parker (1769), pp. 8-9.

An ACT *for laying a Duty on the Purchasers of Slaves imported into this Colony.*

WHEREAS Duties on the Importation of Negroes in several of the neighbouring Colonies, hath, on Experience, been found beneficial in the Introduction of sober, industrious Foreigners, to settle under his Majesty's Allegiance, and the promoting a Spirit of Industry among the Inhabitants in general: In order therefore to promote the same good Designs in this Government, and that such as choose to purchase Slaves, may contribute some equitable Proportion of the publick Burthens:

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That every Person hereafter purchasing a Negro, Indian or Mulatto Slave, if such Slave has not resided in this Colony at least for the Space of one whole Year before such Purchase, or such Slave, for which the Duty by this, or any former Act imposed, hath not been paid, shall, besides the Price paid for the said Slave, moreover pay to the County Collector, chosen for the County in which such Purchase shall be made, the Sum of *Fifteen Pounds* Proclamation Money; and on Refusal or Neglect of paying the same, Ten whole Days after the said Purchase or Purchases shall be made, it shall and may be lawful for the said County Collector, by himself or Deputy, to apply to a Justice of the Peace for the said County, who on such Information, shall immediately grant a Precept in the usual Manner, for the Apprehension of the Person or Persons complained against; and the same being so apprehended, and brought before him, shall proceed to hear the Parties, and give Judgment and award Execution for the said Duty, in Manner and Form as by Law is appointed in Cases of *Six Pounds* and under.

AND BE IT ENACTED *by the Authority aforesaid,* That the respective County Collectors of this Province, shall keep fair and true Accounts in writing, of all Duties collected in Virtue of this Act, and once in Twelve Months, or oftner if required by the Provincial Treasurer of the Division in which he lives, pay into his Hands all the said Duties so by him collected as aforesaid, except as herein after is directed, first deducting out of the same for his own Use *Five per Cent.* and shall further be allowed in the final Adjustment of his Accounts, all reasonable Charges by him expended in the Recovery of the Duties laid by this Act; which said Fines so paid into the Treasury, shall be applied to the Support of Government, as by Law shall be hereafter directed. *Provided always,* That each of the said County Collectors, before he enters upon the Execution of his Office, in Reference to this Act, shall be sworn or affirmed before some Justice of the Peace, for the true and faithful Execution of his Office as appointed by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That if any of the Overseers of the Poor in this Colony, shall give Information unto the County Collector, of the Purchase of such Negro, Indian or Mulatto Slave, and the

Duty hereby imposed be collected in Consequence of such Information, then and in such Case, the said Duty so collected, shall be and remain in the Hands of such County Collector, and subjected to the Disposal of the Justices and Freeholders of the said County, towards the defraying of the publick Expences of the City, Town, Precinct or District wherein the Overseers of the Poor, who shall give such Information, may reside.

AND BE IT ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, if any Master or Mistress, shall by last Will or otherwise, discharge, manumit or set free any Negro, Indian or Mulatto Slave, he or she, his or her Heirs, Executors or Administrators, shall at the next Court of General Quarter Sessions of the Peace in the County where such Master or Mistress shall or may have resided, enter into a Bond, with one or more sufficient Sureties, unto our Sovereign Lord the King, his Heirs and Successors, in the Sum of *Two Hundred Pounds,* conditioned to secure and indemnify the City, Town, Precinct or District where such Negro, Indian or Mulatto Slave may reside, from any Charge or Incumbrance they may bring upon the same, in Case such Negro, Indian or Mulatto Slave, shall by Sickness or otherwise, be rendered incapable to support and maintain him or herself; which said Bond shall be filed, and remain with the Clerk of the Peace of the said County; on Failure whereof, such Manumission shall be utterly void and of none Effect, any Thing contained in this Act to the Contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That every Master or Mistress of any Negro, Indian or Mulatto Slave, not manumitted according to the Directions of this Act, his or her Heirs, Executors or Administrators, shall be obliged and compelled at all Times to support and maintain his, her or their Slave or Slaves. *Provided Nevertheless,* That if any Master or Mistress shall become insolvent, and so incapable of providing for and maintaining his or her Slave or Slaves who shall by Sickness or otherwise be rendered incapable of supporting and maintaining him, her or themselves; in such Case, the Slave or Slaves so rendered incapable of maintaining themselves, shall be deemed and esteemed of the Poor of this Colony, and be intitled to the same Relief as white Servants in such Case by the Laws of this Colony now are.

AND BE IT ENACTED *by the Authority aforesaid,* That the Fourteenth, being the last Section of the Act, entitled, *An* Act *for regulating of Slaves,* passed in the Thirteenth and Fourteenth Years of her late Majesty Queen *Anne,* is hereby repealed.

AND BE IT ENACTED *by the Authority aforesaid,* That any Purchase of any Slave as aforesaid, made upon the Water or Waters along the Sea Coast of this Province, or those between this Province and the Provinces of *New-York, Pennsylvania,* and the Lower Counties of *Delaware,* shall be deemed a Purchase made within the County opposite to such Water. *Provided always,*

That this Act shall be in Force for the Space of Ten Years, and from thence to the End of the next Session of General Assembly, and no longer.

Passed 16 Nov. 1769.
Parker (1769), pp. 9-11.

A Supplementary ACT *to an Act, entitled,* An *Act* appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of *Bergen,* and making Partition thereof in just and equitable Proportions, among those who shall be adjudged by the said Commissioners to be intituled to the same.

WHEREAS in the Fourth Year of the Reign of his present Majesty, An Act of the General Assembly of this Colony was passed, entitled, *An* Act *appointing Commissioners for finally settling and determining the several Rights, Titles and Claims to the Common Lands of the Township of* Bergen, *and for making Partition thereof in just and equitable Proportions, among those who shall be adjudged by the said Commissioners to be intituled to the same;* by which said Act, *Jacob Spicer, Charles Clinton, William Donaldson, Azariah Dunham, John Berrien, Samuel Willis* and *Abraham Clark, jun.* Esquires, and the Majority of them, and the Survivors and Survivor of them, and the Majority of such Survivors, were appointed Commissioners, for making Partition of the Common Lands of the Township of *Bergen* aforesaid, according to the Directions of the said Act. And whereas the said Commissioners, or the Majority of them, in or about the Year One Thousand Seven Hundred and Sixty Four, proceeded to execute the said Trust, and having first surveyed the Outlines of the said Township, and the several Patents, and allotted them their respective Proportions of the Common Land, made the Subdivisions thereof, and located to each and every Proprietor his and their respective Shares, according as the said Commissioners judged agreeable to Right, except in the single Instance herein particularly provided for. *And whereas* in making the Subdivisions aforesaid, a Patent was produced to them, called the Patent of *Secaucus,* dated the Tenth Day of *December,* in the Year of our Lord One Thousand Six Hundred and Sixty Three, granted by *Peter Stuyvesant,* the then Dutch

Governor, to *Nicholas Varlet* and *Nicholas Bayard,* and confirmed to the said *Varlet* and *Bayard* by Governor *Philip Carteret,* on the Thirteenth Day of *October,* in the Year of our Lord One Thousand Six Hundred and Sixty Seven; to which Patent, the Commissioners set apart a certain Lot of Land called the Common Lands allotted to the Patent of *Seacaucus,* in the Corporation of *Bergen,* and which said Lot is distinguished in the said Commissioners Field Books and Maps of the General Division, by the Number 283, Duplicates of both which said Books and Maps are said to be filed as of Record in the Secretary's Office in *Perth-Amboy,* and in the Clerk's Office in the County of *Bergen. And whereas* a great Number of Persons did put in their Claims for the said Common Lands, in considering of which Claims many Difficulties occurred, and the Commissioners then present, being equally divided in Opinion, were prevented from finally determining to whom the said Lot of Land did belong, as appears by the Record thereof, made by the said Commissioners, in their said Books. *And whereas* one of the said Commissioners, appointed by the said Act, is since deceased, and one other has removed himself and Family to *Great Britain. And whereas* many Difficulties and Inconveniencies have arisen, in and about the Execution of the said Act, in the determining the Claims to the Lands allotted to the Patent of *Seacaucus,* so that a total Obstruction is put to the Commissioners further Proceeding.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That instead of the abovenamed Commissioners, *Stephen Crane, John Smyth* of *Amboy, George Trenchard* of *Salem, John Taylor* of *Middletown, Daniel Ellis* and *William Hewlings,* of *Burlington, Samuel Tuthill* of *Morris, John Imlay* of *Bordentown,* and *Azariah Hunt* of *Hunterdon,* Esquires, shall be, and are hereby appointed Commissioners, for settling and finally determining in whom the Right or Rights of the said Common Lands allotted to the Patent of *Seacaucus,* is or are vested. And if it shall appear to the said Commissioners, or the major Part of them, that a Division or Subdivision of the said Common Lands is necessary, then the said Commissioners shall proceed to make Division thereof, and shall cause Two Field Books and Maps to be made, specifying the Bounds of each and every Lot, and to whom allotted; which said Maps and Field Books, shall be signed by the said Commissioners, or the major Part of them, and their Surveyor or Surveyors. And if the Commissioners shall be of Opinion, that the Right of the said Common Land is vested in one Person, they shall certify the same under their Hands; and one of the Field Books, and one Map of the Allotment, with its Subdivisions, if such Subdivision is found necessary, or Certificate, shall be filed of Record, in the Secretary's Office at *Perth-Amboy;* and one other Field Book, Map or Certificate, shall be filed in the Clerk's Office of the County of *Bergen,* to be kept and remain as Evidence, and shall be, and hereby are made conclusive Evidence of the Transactions of said Commissioners, and such Opinion of the said Commissioners, shall be deemed good and valid in Law, to establish

the Right and Title of the Proprietor or Proprietors of the said Common Lands.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners hereby appointed, before they enter on the Execution of any Part of the Trust reposed in them by this Act, shall severally take an Oath, and qualify in the same Manner and Form, as the Commissioners named in the above recited Act were required to do: And in Case any or either of the Commissioners hereby appointed, shall be of the People called Quakers, then and in such Case, an Affirmation; and thereafter they, their Surveyors and Chain-Bearers, shall be vested with the same Powers and Privileges, respecting the said Lot of Common Land allotted to the said Patent of *Seacaucus,* and be intituled to the same Rewards for their Services, and subject to the same Restrictions and Regulations as the said Commissioners appointed by the above recited Act, their Surveyors and Chain Bearers, were respectively intituled and subject to. And the whole Expence which shall or may accrue by the Execution of this Act, shall be paid and defrayed out of the Surplus or remaining Money appertaining to the Proprietors of the Common Lands of the Corporation of the Township of *Bergen;* which said Surplus, is said to be paid by the said former Commissioners to the Trustees of the Freeholders, Inhabitants of the Township of *Bergen,* for the Use of the said Corporation, agreeable to the Directions of the above recited Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the more easy and ready acquiring Possession of such Common Lands, as shall be allotted and adjudged by Virtue of this Act, it shall and may be lawful for the said Commissioners, or the Majority of them, or the Survivors or Survivor of them, to issue a Precept under their Hands and Seals, directed to the Sheriff of *Bergen* County, commanding him to cause full and actual Possession to be delivered to such Person or Persons to whom such Common Lands shall be allotted as aforesaid; which said Sheriff, is hereby required to execute the said Precept: And if the Sheriff shall find it necessary, he may raise the *Posse Comitatus,* and exercise the same Power and Authority with which by Law he is invested in the Execution of a Writ of Possession in an Action of Ejectment.

PROVIDED ALWAYS, That Nothing contained in this Act shall be deemed, construed or understood to affect or destroy any Claim, Right or Title of the General Proprietors of the Eastern Division of this Province, to the Premises, or to any Part thereof; and saving also to his Majesty, his Heirs and Successors, all his Rights therein as if this Act had not passed.

PROVIDED ALSO, That the Commissioners herein appointed, shall meet and enter upon the Execution of this Act, on the Twentieth Day of *September* next, or as soon as they conveniently can thereafter, having

previously given One Month's Notice in the *New-York* Gazette, of the Time and Place of such their intended Meeting.

Passed 16 Nov. 1769.
Disallowed 6 June 1770.
Parker (1769), pp. 12-15.

An ACT *to enable sundry of the Owners and Possessors of Meadows or Tide Marsh lying on* Newton *Creek, to erect and maintain a Bank, Dam and other Water Works, across the said Creek, in order to prevent the Tide from overflowing the same, and to keep the former Water Course of said Creek open and clear.*

WHEREAS sundry of the Inhabitants of the Township of *Newton,* in the County of *Gloucester,* have set forth by their humble Petition, that they do hold and possess considerable Quantities of Meadow Ground or Tide Marsh upon *Newton* Creek, in the County aforesaid, lying below a Dam erected across the said Creek, known by the Name of *Graisbury's* Dam, and by their said Petition have prayed, that an Act of the General Assembly of this Province might be passed, to enable them the said Owners and Possessors, to dam and stop the Tide out of the said Creek from overflowing the said Meadows or Tide Marsh, by a Dam to be erected across the said Creek.

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, of the Province of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said Meadows, to make, erect and keep up, and in good Repair, or cause to be erected and kept up, and in good Repair, a good and sufficient Bank, Dam and other Water Works, necessary for keeping out the Tide from overflowing the said Meadows; the Bank to begin at, or as far as is necessary, upon the fast Land of *Nathan Albertson's* Landing, on the Southwardly Side of said Creek, then crossing the Marsh and Creek, and extending unto, and as far as may be needful, upon the fast Land of *Benjamin Thackray,* on the Northwardly Side of the said Creek.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Bank, Dam and other Water Works, which may be found necessary to be erected, for the effectual preventing the Tide from overflowing the Meadows inclosed within the same, shall be erected, and for and during the Term of Four Years from the Publication of this Act, supported and maintained at the equal Expence of the Owners and Possessors thereof, in

Proportion to the Quantity of Meadow (not before imbanked) which each of the Owners and Possessors now hold, or hereafter (within the aforesaid Term) may hold upon the said Creek, within and between the aforesaid *Graisbury's* Dam, and the Bank or Dam to be erected by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the natural Water Course of the said *Newton* Creek, between a certain Dam across the same, called *Attmore's* Dam, down to the Dam to be erected by Virtue of this Act, shall at all Times be kept open and clear, so that the Water may have a sufficient Fall from off the Meadows, between the two aforesaid Dams; and all Mud, Grass or other Rubbish, that shall be thrown or dragged out thereof, shall be equally divided, as near as may be, to each Side of the said Creek.

AND to the End that the said Bank, Dam and other Water Works may be immediately made, erected and done, and at all Times hereafter (for and during the aforesaid Term of four Years from the Publication of this Act, and thence next ensuing until the first *Tuesday* in *April* then next after) be well and sufficiently maintained, supported, and kept in Repair: BE IT ENACTED *by the Authority aforesaid,* That *Daniel Cooper* and *Benjamin Thackray,* and their respective Executors or Administrators or Assigns, are hereby appointed Managers, during the said Term of four Years, and until the first *Tuesday* in *April* as aforesaid; during all which said Term and Time, the said Managers, their Executors, Administrators or Assigns, shall have full Power to assess the said Owners or Possessors, pursuant to the Directions of this Act, in such Sum or Sums of Money as shall be by them thought necessary for the building, erecting, (and during the Term and Time aforesaid) repairing and maintaining the said Bank, Dam and other Water Works. AND if any of the said Owners or Possessors shall neglect or refuse to pay the said Sum or Sums of Money, which shall or may from Time to Time (during the Term and Time aforesaid) be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers, their Executors or Administrators or Assigns, to sue all and every such Person and Persons in their own Names, for the respective Sum or Sums of Money, he, she or they were assessed, in any Action of Debt, in any Court of Record, where the same may be cognizable, and give the said Assessment in Evidence. And the said Court is hereby impowered to give Judgment, and grant Execution for the same with Costs of Suit. And it shall and may be lawful for the said Managers, their Executors and Administrators, at all Times hereafter, (during the Term and Time aforesaid) to dig Mud the most convenient and least detrimental to the Owners of the Soil, and also Loam or Sand out of the Bank or fast Land adjoining to either End of the aforesaid Bank or Dam, for the erecting, raising and repairing the same.

AND to the End that the said Bank, Dam and other Water Works, may at all Times forever (after the Expiration of the Term and Time aforesaid) be well and sufficiently supported and maintained, and the said Water Course kept open and clear: BE IT ENACTED *by the Authority aforesaid,* That all the

Owners and Possessors of Meadows lying on the said Creek, between the said *Attmore's* Dam, and the Dam to be erected by Virtue of this Act, shall and may at all Times after the Expiration of four Years aforesaid, on the first *Tuesday* in *April* then next after, yearly and every Year, meet and assemble at the Court House in the Town of *Gloucester,* or at such other Place as the Majority of them at any of their Meetings may adjourn to, and then and there, by Plurality of Voices of them so met, elect and choose two Persons to be Managers for the Year then next ensuing; which said Managers, during said Year, shall have full Power to assess the said Owners and Possessors pursuant to the Directions of this Act, in such Sum or Sums of Money as shall by them be thought necessary for the repairing and maintaining the said Bank, Dam and other Water Works, and for keeping the said Water Course open and clear as aforesaid. And if any of the said Owners or Possessors shall neglect or refuse to pay the said Sum or Sums of Money, that shall or may from Time to Time be assessed on him or them, for the Space of Twenty Days next after the same shall have been demanded, it shall and may be lawful for the said Managers to sue all and every such Person and Persons in their own Names, for the respective Sum or Sums of Money, he, she or they were assessed at, in any Action of Debt, in any Court of Record where the same may be cognizable, and give the said Assessment in Evidence: And the said Court is hereby impowered to give Judgment and grant Execution for the same, with Costs of Suit. And it shall and may be lawful for the said Managers at all Times hereafter, after the Term and Time aforesaid, to dig Mud the most convenient, and least detrimental to the Owners of the Soil; and also Loam or Sand out of the Bank or fast Land adjoining to either End of the aforesaid Bank or Dam for the raising and repairing the same. PROVIDED ALWAYS, that no Person or Persons shall be chosen a Manager or Managers, but who shall at the Time of said Choice, own at least four Acres of the said Meadows mentioned in this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners or Possessors aforesaid, shall neglect to meet on the first *Tuesday* in *April* yearly, after the Expiration of four Years aforesaid, to choose Managers as aforesaid; that then and in such Case, the Managers chosen for the preceeding Year, shall be continued in their Office the ensuing Year, and so continue from Year to Year, until the said Owners and Possessors shall meet and elect others in their Room; and shall have the same Power and Authority to all Intents and Purposes as if the said Owners and Possessors had met and elected them agreeable to the Directions of this Act. And in Order to find and fix the said Proportion, it shall and may be lawful for the Managers appointed by this Act, or their Successors, if they find it necessary, to measure the said Meadows: The Cost and Expence of such Admeasurement shall be paid by the Owners and Possessors thereof, in the Proportion aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Managers shall yearly account to the said Owners and Possessors, and produce fair Accounts and Receipts for all Monies by them received and

expended by Virtue of this Act, and shall deliver the Balance of the Monies remaining in their Hands to the succeeding Managers, first deducting thereout *Two Shillings* in the Pound, for all Monies by them, or either of them, expended for the Purposes aforesaid. And if the said Managers, or either of them, shall neglect or refuse so to account, and pay the Balance remaining in his or their Hands, to the succeeding Managers, it shall and may be lawful for the succeeding Managers to sue for and recover the same, in Manner and Form aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That when it shall happen at any Time hereafter, that the Owners or Possessors of any of the aforesaid Meadows, shall not reside in the same, or in any Place within the said County, or any other Person to represent him or them, to pay the several Sum or Sums of Money assessed thereon as aforesaid; that then it shall and may be lawful for the said Managers for the Time being, to rent out Part of the said Meadows, or the Whole (if necessary) for such a Time or Term in which the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Managers hereafter to be chosen by Virtue of this Act, should die; that then and in such Case, it shall and may be lawful for the Survivor, and he is hereby enjoined and directed to give Notice to the Owners and Possessors of said Meadows, to meet as aforesaid, on a Day by him appointed (giving them, and each of them, ten Days Notice at least) to choose a Manager or Managers, in the Place and Stead of him or them so deceased as aforesaid. And the said Manager or Managers so chosen, shall be invested with the same Power and Authority, as if he or they had been chosen on the first *Tuesday* in *April* aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons neglecting or refusing to do and perform any Duty or Thing required by this Act, shall forfeit the Sum of *Four Pounds* Proclamation Money, to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace for said County, to be applied towards the supporting the said Bank, Dam and Water Works as aforesaid, together with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That an Act of the General Assembly of this Province, passed in the fifth Year of his present Majesty's Reign, entitled, *An* Act *to enable the Owners and Possessors of the Meadows lying on* Newton *Creek, near the Head thereof, in the County of* Gloucester, *to repair and maintain a Bank, and other Water Works heretofore erected and made across the said Creek, and to keep the former Water Course of the said Creek open and clear,* shall continue and be in Force for and during the Term of four Years, from the Publication of this Act, and thence to the first *Tuesday* in *April* then next after, and no longer.

PROVIDED ALWAYS, That Nothing in this Act shall prevent or hinder any Person or Persons from demanding and recovering his, her or their Damage, which he, she or they may sustain by Reason of erecting the

said Dam and Water Works; which Damage, if the Parties cannot ascertain and settle themselves, shall be ascertained and settled by three discreet Men, to be appointed by the Court of Quarter Sessions for the County of *Gloucester,* whose Determination, or the Determinations of any two of them, shall be conclusive, and the Damages awarded shall be paid by the Manager or Managers for the Time being, out of the Money raised for erecting the said Dam and Water Works; and if that should prove insufficient; the said Damages shall be assessed upon the Owners of the said Meadow, in the same Manner and Proportion as by this Act is directed for erecting the said Dam and Water Works; and on the said Manager or Managers neglecting or refusing to pay the said Damage, for the Space of three Months after the same shall be demanded, it shall be lawful for the Person or Persons demanding the same, to bring his, her or their Action in any Court where the same shall be cognizable, and shall recover the said Damage or Damages, with Costs of Suit.

Passed 16 Nov. 1769.
Parker (1769), pp. 15-20.

An ACT *to enable the Owners and Possessors of the Meadows and Marshes bounding on* Delaware *River, between the Lands of* John Mecom *and* Allen Congleton, *in* Lower Penn's Neck, *in the County of* Salem, *to stop out the Tide from overflowing the same.*

WHEREAS the Owners and Possessors of a certain Parcel of Wild Marsh bounding the *Delaware* River, lying between the Lands of *John Mecom* and *Allen Congleton,* in *Lower Penn's Neck,* have by their Petition prayed a Law to oblige all the Parties who hold any of the said wild Marsh, to contribute their equal Proportion towards erecting such Banks, Dams, Sluices, and other Water Works, as shall be deemed needful, for sufficiently draining and stopping out the Tide from overflowing the said wild Marsh.

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the Owners and Possessors of the said wild Marsh, to begin at the fast Land of *John Mecom,* where the same shall be thought most convenient; and from

thence erect a Bank, or other Works needful, across the said Marsh, and Creeks running through the same, up the River *Delaware,* to some Part of the fast Land of *Allen Congleton;* where it shall by the Majority of the said Owners be thought most convenient, with Liberty to erect a Sluice or Sluices; and all such other Works as shall be needful for effectually draining the said Marsh, by the Owners and Possessors of the said Marsh proportionably, according to the Quantity of Marsh or Meadow each respective Person may hold within the said Bank.

AND BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the aforesaid Marshes and Meadows, shall meet and assemble yearly, on the first Tuesday in *March,* or any other Time which they shall think proper, at the now dwelling House of *Albert Bilderback,* or any other Place appointed, and there choose two Managers to make and maintain the said Works; which Managers shall be likewise empowered, for the Maintainance of said Bank, to take such Quantity of Mud, the most convenient as they shall judge proper, from any Part and least detrimental to the Owner of the Soil; as also, Sand, Gravel, or Loam, out of the fast Land adjoining to either End of the said Bank, for the erecting, raising and repairing the same. And the said Owners and Possessors, shall also choose and appoint one Assessor, to assess the Sum or Sums of Money that shall be necessary for defraying the Charges of making, upholding and maintaining the said Work, equally and proportionably, according to the Number of Acres of Marsh or Meadow each respective Owner or Possessor, doth or shall hold: And shall also choose a Collector, to collect and receive all such Sum or Sums of Money, as shall be from Time to Time assessed as aforesaid; which said Assessor shall deliver a List of the Owners and Possessors Names, with the respective Sums of Money that each respective Person is to pay, signed by them, to the Collector as aforesaid; who shall demand and receive of and from each Owner and Possessor of said Meadow and Marsh, the Sum, he, she, or they are to pay; and upon Neglect or Refusal of any of them, the said Collector is hereby required and empowered, to sue all and every such Person or Persons in his own Name, for the respective Sum or Sums of Money they were so assessed, in any Court where the same may be cognizable, and give the said Assessment in Evidence; and the said Court are hereby empowered to give Judgment, and award Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Collector so chosen, shall pay all such Sum or Sums of Money, as he shall receive as aforesaid, to Workmen, by Order under the Hand of one of the Managers aforesaid, and not otherwise: And the said Managers and Collector, shall give an Account yearly, of all Money collected and expended, to the Owners and Possessors of the said Meadow, at their Meeting; which Managers shall be allowed *Nine Pence,* the Collector *Six Pence,* and the Assessor *Four Pence* in the *Pound,* for all Monies assessed, collected and expended as aforesaid; and in Case any Collector shall refuse to pay what Money remains in his Hands to the succeeding Collector chosen as aforesaid;

the said succeeding Collector is hereby empowered to sue for and recover the same with Costs of Suit, in Manner aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every the respective Owners and Possessors of said Meadows, on each Side of said Creeks, shall be obliged at all Times hereafter, to keep open such Part of said Creeks as runs through, joins to, or is against their respective Meadow, so, and in such Manner, as the Water will and may vent off, and not damnify any Part of said Meadow; and the abovementioned Managers chosen yearly as aforesaid, shall divide and mark out each Owner's and Possessors Part of said Creeks, to be cleared as aforesaid, in Proportion to the Meadow they hold, and in such Manner as they the said Managers shall think most reasonable; and said Owners and Possessors, shall clean as aforesaid their respective Shares so laid out; and in Case of Neglect or Refusal of either of the said Owners or Possessors of the said Meadow, in performing the respective Shares of said Work, in such Case, it shall and may be lawful for any of the Owners or Possessors of said Meadow, after he, she or they have, before Evidence, given Six Months Notice of their Design, to the Party or Parties neglecting, to enter any such Premises where the said Work is to be done, and perform the same, and bring his, her or their Action of Debt against the said Party or Parties so neglecting, for the Charges thereof, in any Court as aforesaid; and upon Proof being made, by the Testimony of two creditable Neighbours, that the Charge such Plaintiff has been at, is to the best of their Judgments just and reasonable, and that the Services done were necessary, and the Notice aforesaid was duly given, shall give Judgment for the Plaintiff, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when it shall happen at any Time hereafter, that the Owners and Possessors of any of the aforesaid Meadows, shall not reside within the said County, or any other Person to represent them, to pay the several Sums of Money assessed thereon as aforesaid, that then it shall and may be lawful for the said Managers for the time being, to rent out such Persons Part of the said Meadow, or the Whole if necessary, for such Term or Time, as the Rent thereof will amount to a Sum sufficient to pay the said Assessment or Assessments as aforesaid, and no longer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case of the Death or Refusal of any of the Managers aforesaid, that then and in such Case, it shall and may be lawful for the Survivors, or any other Person or Persons interested in said Meadows, to give Notice to the other Owners and Possessors thereof, to meet as aforesaid, on the Time by them appointed, giving them and each of them ten Days Notice at the Least, to choose a Manager or Managers, in the Place or Stead of him or them so refusing or deceased; and the said Manager or Managers so chosen, shall be invested with the same Power and Authority, as tho' they had been chosen on the first *Tuesday* in *March.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons neglecting or refusing to do or perform any Duty or Thing

required by this Act, shall forfeit the Sum of *Five Pounds,* Proclamation Money, to be recovered by any of the said Owners or Possessors, before any one Justice of the Peace of the said County, to be applied towards the supporting of the said Bank, Dam and Water Works, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Owners and Possessors should neglect to meet on the Time aforesaid for choosing Managers, an Assessor and Collector, in such Case the Managers, Assessor and Collector chosen for the preceeding Year, shall have the same Powers as before, until new Ones are chosen, and be liable to the same Penalties and Duties as aforesaid. And if any of the said Managers shall remove out of the County, then it shall and may be lawful for any one of the Owners or Possessors of said Meadow, to warn the others, giving Six Days Notice to each of them, to meet at the Place aforesaid, or at any other Place they shall appoint, to choose a Manager or Managers, in the Stead of such Manager or Managers so removed, who shall be vested with the same Power, and subject to the same Penalties, as if he or they had been chosen on the first *Tuesday* in *March*. And in Order to ascertain the just Quantity of Marsh or Meadow each Owner or Possessor doth hold within the said Banks, it shall and may be lawful for the said Managers, or any One of them, at any Time hereafter, when he or they shall find it necessary, to cause all the Marsh within the said Bank to be measured, the Expence whereof to be paid as aforesaid; but if it be necessary only to measure a Part, the Owner or Owners of such Part, upon Notice given him or them, by any one of the Managers, shall measure the same; and upon Neglect or Refusal so to do for the Space of Six Days, then such Manager or Managers, shall and may measure the same, and recover the Costs and Charges of such measuring, from the Owner or Owners of such Marsh or Meadow so measured, by Action of Debt, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if at any Time hereafter, any of the Swamp or Cripples adjoining the said Marsh should be cleared, and become profitable to the Owner or Possessor thereof, the Owner or Possessor shall immediately, after the Expiration of one Year from the clearing thereof, be as liable to pay for the same, as for any of the Marsh already made chargeable by this Act, and shall be assessed and collected in the same Manner and Proportion with the other Marshes within the Bank.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Managers chosen as aforesaid, shall be allowed *Three Shillings* per Day, for what Time they, or any one of them shall necessarily expend, in directing, laying out, and overseeing the said Work.

Passed 16 Nov. 1769.
Parker (1769), pp. 20-25.

An ACT *for striking* One Hundred Thousand Pounds, *in Bills of Credit.*

WHEREAS the great Distress in which this Colony for several Years past hath been involved, for Want of a sufficient Currency, both as a Medium of Commerce, and to pay Debts, hath compelled very many of the Inhabitants to sell their Estates, or suffer them to be sold at an accumulated Expence by the Sheriffs, frequently for less than half the Value, by which the Merchants, Manufacturers and Traders in *Great Britain,* and other Creditors, have been great Sufferers; which Grievance, in all Probability will much increase, if not speedily remedied, *And whereas,* until an Opportunity offers to procure a Supply of Bills of Credit, on the original Footing on which they have been usually issued in this Colony; in the present Emergency it may be greatly beneficial to have the Use of a moderate Emission, though the Bills, according to the Purport of this Act, should not be a legal Tender for the Payment of Debts, but to have their Credit depend upon the undoubted Funds of Security on which they are issued, which (as herein after is Enacted) being first of Individuals mortgaging their Estates in double the Value of the Sum borrowed, and then that each respective County being mortgaged in the general, to make good the Deficiency of Individuals, if any such Deficiency should happen, by which Means the whole Province is, by this Act, to be mortgaged, as a Security for the Sum hereby intended to be issued. *And whereas* the Punctuality and Care with which the Sums heretofore issued in this Colony in Bills of Credit, have been sunk, according to the Acts that respectively made them current, can leave no Room to doubt of the Credit of the Bills hereby issued, being in that Respect properly supported, as all others issued in this Colony have been, even so as to increase in Credit and Demand, without Danger of depreciating in Value or Inconvenience to any Individual, *though a much* larger Sum has been current than is hereby emitted.

For a present Supply therefore, and to enable the Inhabitants of this Colony the more easily to pay their Debts, extend their Settlements, improve and cultivate their Lands, and for many other good Purposes; we, the House of Representatives, do pray, that it may be Enacted;

AND BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony of* New-Jersey, *and it is hereby Enacted by the Authority of the same,* That *One Hundred Thousand Pounds,* of equal Value with the Proclamation Money of this Colony, shall be printed, made and prepared, in Bills of Credit, as follows, *viz.*

Two Thousand five Hundred Bills, each of the Value of *Six Pounds,* Money aforesaid.

Five Thousand Bills, of *Three Pounds* each, Money aforesaid.

Ten Thousand Bills, of *One Pound Ten Shillings* each, Money aforesaid.

Twenty Thousand Bills, of *Fifteen Shillings* each, Money aforesaid.

Thirty Thousand Bills, of *Twelve Shillings* each, Money aforesaid.
Thirty Thousand Bills, of *Six Shillings* each, Money aforesaid.
Forty Thousand Bills, of *Three Shillings* each, Money aforesaid.
Fifty Thousand Bills, of *One Shilling and Six-pence* each, Money aforesaid.
Sixty-five Thousand Bills, of *One Shilling* each, Money aforesaid.

AND BE IT FURTHER ENACTED, That there shall be, in like Manner printed, in Bills of Credit, to the Value of *Twenty-five Thousand Pounds,* Money aforesaid; and the said Bills shall be of the several Kinds or Values herein before set forth, and the Number of each Sort thereof, shall be proportioned to the several Numbers of the several Bills first mentioned, that is to say, one fourth Part of the Numbers of each Sort of the said Bills; which Bills shall be disposed in Manner hereafter to be directed.

AND BE IT FURTHER ENACTED, That the whole Number of Bills aforesaid, shall be printed on good Paper, and impressed with the Arms of *Great Britain* on the left Side near the Bottom thereof, and the Size and Form of the said Bills, shall, as near as may be, resemble those that were made for His Majesty's Service in the late War; and near the Top and Bottom, the Value of each Bill so hereby struck shall be expressed; and the said Bills shall contain the following Words.

THIS Bill shall be taken in the Loan Offices in *New-Jersey,* for the Sum of in any Payment, for the Discharge of Mortgages taken in the said Offices, by Virtue of an Act of Assembly made in the Year of the Reign of King *George* the Third. Dated, *&c.*

AND BE IT ENACTED *by the Authority aforesaid,* That *Hendrick Fisher, John Ogden, John Lewis Johnston, Abraham Hewlings, Richard Smith* and *John Smyth,* or any two of them, are hereby appointed Inspectors of the Press, to oversee the printing the said Bills; and they, or either of them, shall have Power to agree with a Printer, to print the said Bills; and also to agree with him to print the Mortgage Deeds, bind the Books, and procure the Papers necessary for all the Service, as hereafter is mentioned: And when the said Printer has performed his Duty, according to the Directions of this Act, such Inspectors shall state a regular Account of the several Articles of Expences, Costs and Services attending the said Work, and make Duplicates thereof, therein certifying the Sum due to the said Printer, according to their Agreements, and both Parties to sign the same; the one of them to be laid before the House of Assembly, for their Inspection, and the other directed to the Governor or Commander in Chief of this Colony for the time being, in order to obtain a Warrant signed by said Governor or Commander in Chief in Council, directed to the Treasurers of this Colony, or either of them, for the Payment thereof.

AND BE IT ENACTED *by the Authority aforesaid,* That out of the said *Twenty-five Thousand Pounds* in Bills hereby ordered to be printed to exchange ragged and torn Bills, the said Treasurers shall pay to the said Printer, his Executors or Adminstrators, such Sum as in his Warrant, to be obtained in Manner aforesaid, shall be expressed to be his due, for the Expences and Services aforesaid. And the said Treasurers, or either of them, by Virtue of

Warrants to be signed by the said Governor or Commander in Chief in Council, out of the Bills last above-mentioned, shall pay the sum of *Sixty Pounds,* to each of the Signers of the said Bills: And shall also on like Warrants pay to the Inspectors of the Press, such Sum and Sums as the General Assembly shall hereafter allow. All which said respective Sums, shall be replaced out of the first Interest Money, arising on the Loan of the Bills of Credit hereby made current, which shall be paid into the Treasury by Virtue of this Act. And the Warrants to be obtained as aforesaid, for the said Sums, and endorsed by the Person receiving the same, shall be sufficient Vouchers to discharge the said Treasurer making such Payment, His Executors and Administrators, of and from so much of the Interest Money, out of which the said Payment shall be made.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Sum of *One Hundred and Twenty-five Thousand Pounds,* in Bills of Credit aforesaid, when printed, and likewise all the overplus Bills and Blotters to be printed at that Time, shall be by the Printer thereof delivered, together with the Stamps for the Indents and Arms, to *John Johnston* and *Henry Paxson,* two of the Signers thereof, who shall and are hereby directed and impowered upon the Delivery of the said Bills to them by the Printer thereof, to administer to him, and he is hereby directed and required, to take an Oath, or Affirmation, as follows.

I A.B. *do declare, that from the Time the Letters were set, and fit to be put into the Press, for the printing the Bills of Credit now by me delivered to you, until the Bills were printed, and the Letters unset, and put into the Boxes again, I went at no Time out of the Room in which the said Letters were, without locking them up, so as that they could not be come at without Violence, a false Key, or other Art then unknown to me; and therefore to the best of my Knowledge, no Copies were printed off but in my Presence; and that all the Blotters, and other Papers whatsoever, printed by the said Letters while set for printing the said Bills, to the best of my Knowledge, are here delivered to you, together with the Stamps for the Indents and Arms. And that I have not at any Time been privy or consenting to any or more Bills being struck, than I now deliver to you: And that in all Things relating to this Affair, I have and shall demean myself, according to the true Intent and Meaing of the Act of General Assembly of* New-Jersey, *entitled,* An *Act* for striking *One Hundred Thousand Pounds* in Bills of Credit, *to the best of my Knowledge and Understanding.*

Which said Printer, at the Time he has Orders to print the said Bills, shall have a Copy of this Oath delivered to him by the Inspectors, that he may govern himself accordingly. *Provided always,* That if any unforeseen Accident has happened, he may have Liberty to make an Exception thereof in his Oath, he declaring fully how it was.

AND BE IT FURTHER ENACTED, That all the Signers appointed by this Act, before they receive any of the said Bills into their respective Hands, shall take an Oath, or if Quakers, an Affirmation, before One of the Justices of the Supreme Court, in this Colony, in the following Words.

I A.B. *will well and truly sign the Bills of Credit, made current by an Act of the General Assembly of* New-Jersey, *entitled,* An *Act* for striking One Hundred

Thousand Pounds in Bills of Credit, *or such Parts thereof as shall be allotted for me to sign, and that I will sign no more than by the said Act is directed, and that to the best of my Skill and Knowledge, I will perform what by the said Act is enjoined as my Duty.*

AND BE IT FURTHER ENACTED, That when the said *John Johnston* and *Henry Paxson,* have received the said Bills, each of them may then carry his Part, being one Moiety or half Part of the said *One Hundred and Twenty-five Thousand Pounds,* to his own Home, there to be numbered and signed by him, with all possible Expedition; which being done, they shall meet at a Day and Place by them to be appointed and agreed on, and each deliver the Part numbered and signed by him to the other, in order for him to sign the same, and they shall then together burn and destroy the Blotters and overplus Bills, (if any be) over and above the Number hereby appointed to be issued; and having so exchanged, shall proceed to sign the whole Sum, and deliver it to the Treasurers of this Province, *viz. John Johnston* shall deliver his Part, with the Stamps by him received, to the Treasurer of the Eastern Division, and *Henry Paxson* shall deliver his Part, with the Stamps by him received, to the Treasurer of the Western Division of this Colony, each taking Receipts of the respective Treasurers, for the Sums and Stamps so delivered, which when produced, shall be sufficient to discharge them the said *John Johnston* and *Henry Paxson,* their Executors and Administrators respectively, from that Part of the said Bills.

AND BE IT FURTHER ENACTED, That if the said *John Johnston* should die, refuse, or otherwise be disabled from performing the Duties enjoined by this Act, then *Jonathan Deare* is hereby appointed a Signer in his Room: And in Case of the Death, Refusal or other Disability of the said *Henry Paxson,* then *Daniel Ellis* is appointed a Signer in his Stead; which said *Jonathan Deare* and *Daniel Ellis,* in Case of the Disabilities before mentioned happening, shall be, and are hereby vested with all the Powers and Authorities, receive the same Rewards, and be subject to the same Duties, which by this Act is vested in the first mentioned Signers.

AND BE IT FURTHER ENACTED, That when the Treasurers of each Division, respectively have received the said Bills, they being first qualified as above is directed as a Signer, shall proceed and sign each one such Parts of the said *One Hundred and Twenty-five Thousand Pounds,* of the said Bills, as shall be delivered into their Hands; for which said Service, the said Treasurers shall receive and be allowed *Forty Pounds* each, and no more, any Thing before to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED, That in Case of the Death or other Disability of the Honourable *Samuel Smith,* Esq; the present Treasurer of the Western Division, then *Joseph Smith,* Esq; is hereby appointed a Signer in his Stead; and in Case of the Death or Disability of *Stephen Skinner,* Esq; the present Treasurer of the Eastern Division, then the present Treasurer of the Eastern Division, for the time being, is hereby appointed a Signer in his Stead, with the same Powers and Authorities, and subject to the same Regulations, as the present Treasurers are hereby subjected to, and in such Case shall receive the same Rewards for the Whole, or proportionable for so

much as he or they may sign. And in Case of the Removal of the said *Samuel Smith* or *Stephen Skinner,* from the Office of Treasurer aforesaid, such Removal is hereby declared a Disability of being a Signer of the said Bills thereafter.

AND BE IT FURTHER ENACTED, That the said Treasurers, shall set apart and retain in their Hands, the said Sum of *Twenty-five Thousand Pounds* of the said Bills, for exchanging the ragged and torn Bills of this Emission, as the same from Time to Time may become ragged, torn, defaced, or otherwise unfit to pass, *viz.* The Treasurer of the Eastern Division shall retain one Moiety thereof, and the other Moiety shall be retained by the Treasurer of the Western Division of this Colony.

AND BE IT FURTHER ENACTED, That the Treasurer of the Eastern Division of this Colony, shall deliver to the Treasurer of the Western Division, or his Order, when called for, the Sum of *Two Hundred and Thirty-seven Pounds,* to make up the proper Quota of the Western Division.

AND BE IT FURTHER ENACTED, That of the before mentioned *One Hundred Thousand Pounds,* in Bills of Credit aforesaid, when the same shall be prepared and signed, the Treasurer of the Eastern Division of this Colony, for the time being, shall deliver to the Commissioners of the Loan Office, hereafter to be chosen by Virtue of this Act, in the several Counties immediately hereafter named, the respective Sums hereafter expressed, for the Use of the said Counties; that is to say,

To the Commissioners of the County of *Bergen,* for the Use of the said County, the Sum of *Six Thousand Six Hundred and Forty-four Pounds.*

To the Commisioners of the County of *Essex,* for the Use of the said County, *Seven Thousand Four Hundred and Thirty Pounds.*

To the Commissioners of the County of *Middlesex,* for the Use of the said County, *Eight Thousand Seven Hundred and Twenty-four Pounds.*

To the Commissioners of the County of *Monmouth,* for the Use of the said County, *Ten Thousand Six Hundred and Ninety Pounds.*

To the Commissioners of the County of *Somerset,* for the Use of the said County, *Nine Thousand and Forty-one Pounds.*

To the Commissioners of the County of *Morris,* for the Use of the said County, *Seven Thousand Two Hundred and Thirty-four Pounds.*

And that the Treasurer of the Western Division for the time being, shall out of the said *One Hundred Thousand Pounds,* deliver to the Commissioners of the Loan Office, to be chosen by Virtue of this Act, in the several Counties immediately hereafter named, the respective Sums hereafter expressed, for the Use of the said Counties; that is to say.

To the Commissioners of the County of *Sussex,* for the Use of the said County, *Five Thousand Nine Hundred and Thirty-three Pounds.*

To the Commissioners of the County of *Hunterdon,* for the Use of the said County, *Thirteen Thousand Six Hundred and Thirty-eight Pounds.*

To the Commissioners of the County of *Burlington,* for the Use of the said County, *Ten Thousand Seven Hundred and Sixteen Pounds.*

To the Commissioners of the County of *Gloucester,* for the Use of the said County, *Seven Thousand Six Hundred and Thirty-two Pounds.*

To the Commissioners of the County of *Salem,* for the Use of the said County, *Six Thousand Seven Hundred and Ninety-six Pounds.*

To the Commissioners of the County of *Cumberland,* for the Use of the said County, *Three Thousand Eight Hundred and Fifty-three Pounds.*

To the Commissioners of the County of *Cape-May,* for the Use of the said County, *One Thousand Six Hundred and Sixty-nine Pounds.*

For which Sums, the Commissioners of the said several Loan Offices, to whom the said Bills shall be delivered, shall give their Receipts to the said Treasurer, which Receipts to them, their Heirs, Executors and Adminstrators, shall be sufficient Discharges for the Bills so delivered.

AND BE IT FURTHER ENACTED, That a Loan Office shall be established in each and every County of this Colony; and that within Sixty Days after his Majesty's Royal Approbation of this Act shall be published in this Province, the first Judge of the Inferior Court of Common Pleas, in each respective County in this Colony, or in Case of his Absence or Disability, then the next in Commission, shall issue his Precept to one of the Constables in the said County, commanding him to give Notice to every Justice of Peace in the said County, and also every One of the chosen Freeholders in the said County, who are or shall be chosen for that Year, by Virtue of the Act of Assembly of this Colony, entitled, *An* Act *for raising of Money, for building and repairing of Gaols and Court Houses, within each respective County of this Province;* for them the said Justices and chosen Freeholders, to meet together at the Court House of the said County, on a Day in the said Precept to be fixed, which shall not be less than Ten Days after the said Notice is actually served; and then and there, between the Hours of One and Five of the Clock in the Afternoon, the said Justices and Freeholders, shall proceed to the Election of so many Commissioners of the Loan Office, for their respective Counties, as is hereafter directed; which Election shall be made and determined in the Manner following, *viz.* To make the Election of any Commissioner legal, he must have the Voice of a Majority of all the Freeholders chosen in the said County for that Year, and also the Voice of at least Three Justices of the said County, *Quorum unus.* And the Number of Commissioners to be chosen in each respective County in this Colony, shall be as follows, *viz.*

For the County of *Cape-May,*	Two.
For the County of *Cumberland,*	Two.
For the County of *Salem,*	Two.
For the County of *Gloucester,*	Three.
For the County of *Burlington,*	Three.
For the County of *Hunterdon,*	Three.
For the County of *Sussex,*	Two.
For the County of *Morris,*	Two.
For the County of *Somerset,*	Two.
For the County of *Monmouth,*	Three.
For the County of *Middlesex,*	Three.
For the County of *Essex,*	Three.
For the County of *Bergen,*	Two.

Each and every of which said Commissioners, when elected in Manner aforesaid, shall first give Bond to his Majesty, his Heirs and Successors, with such sufficient Security or Securities, as shall be approved of by a Majority of all the Freeholders chosen in the said County for that Year, and also by at least Three Justices of the said County, *Quorum unus,* in the full Sum by this Act, committed to the Charge of the said Commissioner, *viz.* in those Counties for which three Commissioners are to be chosen, in the Sum of one third Part of the whole Sum allotted to the said County, and in those Counties for which two Commissioners are to be chosen, in the Sum of one Moiety of the whole Sum allotted to such County, with Condition for the true and faithful Performance of his Office and Duty, and that without Favour or Partiality; which Bond shall be in the Form following, *viz.*

KNOW all Men by these Presents, That We are held and firmly bound unto in the Sum of to be paid unto our said Lord the King, and his Successors: To the which Payment well and truly to be made and done, we bind ourselves, our Heirs, Executors and Adminstrators, and every of us and them, jointly and severally, firmly by these Presents. Sealed with our Seals, and dated the Day of in the Year of his Majesty's Reign, Anno Domini *One Thousand Seven Hundred and*

THE Condition of the above Obligation is such, That if the above-bounden shall well and truly perform the Office and Duty of one of the Commissioners of the Loan Office, of the County of and shall demean himself therein, without Favour, Malice or Partiality, then the above Obligation to be void, otherwise to remain in full Force and Virtue.

Sealed and Delivered in
the Presence of

Which Bond being taken and approved of as aforesaid, shall be lodged with the County Clerk; and in Case of the Forfeiture thereof, the Justices and Freeholders of the said County, shall apply to the Governor or Commander in Chief for the time being, for his Order, to put the said Bond in Suit; and on Recovery thereof, the Monies recovered shall be applied to the Use of the County, in Consideration of the County's making good the Deficiency of the Borrowers in the same, as in this Act is hereafter directed. And when such Commissioners respectively have been elected, and given Bond in Manner and Form aforesaid, they shall respectively repair to one of the Justices of the Peace for the said County, who shall administer to such Commissioner an Oath, or if a Quaker then an Affirmation, in these Words. *I* A.B. *will well and truly perform the Office and Duty of one of the Commissioners of the Loan Office for the County of And will well, truly and faithfully demean myself therein, without Fraud, Favour or Partiality.* Which Magistrate, who shall administer the said Oath or Affirmation, shall give to such Commissioner a Certificate under his Hand, that the said Oath or Affirmation hath by him been administered to, and taken by such Commissioner. And the said Clerk of the County, shall likewise give them respectively a Certificate, that such Commissioner has given Bond with Security, approved as by this Act is directed, therein mentioning the Date, Sum and Names of the Security, and that the same is filed with him; which Certificates, together with the Receipts of the said

Commissioners, shall sufficiently warrant the said Treasurer, to deliver to each of them the said Commissioners, their proportional Parts of their Quotas, assigned to the several Counties for which they are respectively chosen. *Provided always,* That at least one of the said Commissioners shall always be elected for the County of *Essex,* in that Part of the said County that is within the Borough of *Elizabeth.*

AND BE IT ENACTED *by the Authority aforesaid,* That in Case any Constable or Constables, shall neglect, delay or refuse to do their respective Duties enjoined them by this Act, such Constable shall forfeit for each Offence *Five Pounds,* to be recovered by any Person who will sue for the same, before any Justice of the Peace in such County, where the Offence was committed, by Action of Debt, one Half to the Use of our Sovereign Lord the King, his Heirs and Successors, the other Half to him who will prosecute the same to Effect, with Costs of Suit.

AND BE IT FURTHER ENACTED, That the Collectors of the said Counties, respectively shall pay out of any Money in their Hands, not raised for Provincial Taxes, as follows, *viz.* To the Judge who shall grant the aforesaid Precept, for summoning the said Justices and Freeholders, *One Shilling;* and to the Constable, *Nine Pence,* for every Person he shall so summon by Virtue thereof.

AND BE IT ENACTED, That the said Constable shall attend at the Time and Place of the Meeting of the said Justices and Freeholders, and if thereunto required, then and there render on Oath or Affirmation, a true Account, to any Justice there present, in what Manner, and how fully he has executed the said Precept.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any Commissioner or Commissioners, to be elected by Virtue of this Act, do or shall neglect, delay or refuse, or by Death or Removal, omit performing the Duty required or enjoined him or them by this Act, or shall behave him or themselves, in his or their Office, with Favour, Affection or Partiality, whereby the Publick, or any private Person may be injured, upon Report or Complaint made thereof, to any Three of the Justices of the respective Counties to which they belong, *Quorum unus,* the said Justices are hereby required and commanded to issue their Precept to a Constable of the said County, in Manner aforesaid, commanding him in Manner aforesaid, to summons the Justices and Freeholders to meet as aforesaid, who when met as aforesaid, shall proceed to hear and determine, in a summary Way, the said Complaint; and upon sufficient Proof made, to any Three of the said Justices, *Quorum unus,* with the major Part of the said Freeholders, in and for the said County, of any Failure or Neglect in his or their Office as aforesaid, then and in that Case, the said Majority of the said Freeholders, with Concurrence of three Justices as aforesaid, shall proceed to elect and choose, and are hereby required and commanded, to elect and choose in Manner aforesaid, a Person or Persons, in the Room and Stead of such Defaulter or Defaulters; which Commissioners, as chosen by the Justices and Freeholders as before, having entered into Bond, and been qualified, in like Manner as

the other Commissioners in and by this Act is appointed, shall then have all the Powers, Privileges and Advantages, and be subject to all the Pains, Penalties and Forfeitures, which any of the Commissioners of the County, for which he is so appointed, are vested with, intituled to, charged with, or subject to, by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any of the Commissioners to be chosen by Virtue of this Act, shall at any Time desire to be discharged from the said Office, he or they applying him or themselves to the Justices of the Peace of the County, or any Three of them, *Quorum unus,* and the Majority of the Freeholders before mentioned, and rendering an Account of his or their Proceedings in the said Office; and it appearing upon Examination, that the said Commissioner or Commissioners, hath or have faithfully demeaned him or themselves, in the Execution of the said Office, according to the true Intent and Meaning of this Act, then and in such Case, such Commissioner or Commissioners, shall be by the said Justices and Freeholders discharged of and from the said Office, and another fit Person or Persons chosen in Manner before directed, who shall take the same Oath or Affirmation, give like Bond, and be subject to the same Restrictions and Regulations, and receive the same Salaries and Advantages, as the other Commissioners for that County may or ought to do, by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners of each of the said Counties, respectively appointed and qualified according to the Directions of this Act, shall be, and they are hereby declared to be Bodies Politic and Corporate, in Succession, in Fact, and in Law; that is to say.

The Commissioners of the County of *Bergen,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Bergen.

The Commissioners for the County of *Essex,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Essex.

The Commissioners for the County of *Middlesex,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Middlesex.

The Commissioners for the County of *Monmouth,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Monmouth.

The Commissioners for the County of *Somerset,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Somerset.

The Commissioners for the County of *Morris,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Morris.

The Commissioners for the County of *Sussex,* shall be one Body Politic

and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Sussex.

The Commissioners for the County of *Hunterdon,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Hunterdon.

The Commissioners for the County of *Burlington,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Burlington.

The Commissioners for the County of *Gloucester,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Gloucester.

The Commissioners for the County of *Salem,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Salem.

The Commissioners for the County of *Cumberland,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Cumberland.

The Commissioners for the County of *Cape-May,* shall be one Body Politic and Corporate, by the Name of *the Commissioners of the Loan Office of the County of* Cape-May.

With full Power to every of the said Bodies Politic, to use a common Seal, and by and in the Name thereof as aforesaid, to grant Receipts, receive Mortgages, and again to grant the same away; to sue and be sued, and generally with all such Powers as are necessary to be used, for the due Execution of the Trust reposed in the said Commissioners by this Act, or that shall hereafter be reposed in them, by any other Act of the General Assembly of this Colony, any Law, Usage or Custom to the Contrary in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That when the said Commissioners respectively have qualified themselves, as in this Act is directed, and received the Bills of Credit, such Bills of Credit shall be let out to such as shall apply for the same, and can and will give Security to the said Commissioners, by Mortgage on Lands, Lots or Houses, lying in the same County, they the said Commissioners, first giving publick Notice, by Advertisements to be set up at least Fifteen Days before the Time of Meeting, at the Court-House in the said County, and two other of the most public Places in the same County, that on a certain Day, at the Court-House in the said County, they will be ready to receive Borrowers qualified according to the Directions of this Act. And that Day, as Borrowers do offer, their Names and the Sums they demand, shall be ordered entered down in the Minute Book of Proceedings: And every One shall be served according to the Priority of their Demand, if reasonable Objection be not against the Title or Value of the Lands offered to be mortgaged, or some other sufficient Reason, which shall be entered also in the Minute Book of Proceedings.

PROVIDED ALWAYS, That if upon the First Day, so many Borrowers do offer, as to demand a greater Sum than the whole Sum in that County to

be lent out; then, and in that Case, every such Borrower shall be abated of the Sum he demanded proportionably: But if on the first Day of Attendance, there does not offer Borrowers sufficient to take out the whole Sum to be let, then the said Commissioners shall thereafter enter down the Names of Borrowers when they do offer themselves: And they also shall be served according to their Priority.

AND BE IT ENACTED, That when the said Loan Officers have attended one Day, to receive Borrowers and minute their Names and Sums, and Proportion their Demands to the Sums to be lent, and so discovered what each one is entitled to receive out of their Office on Loan; they the said Loan Officers shall attend the two Days next succeeding, to let Money and take Mortgages, and do the other Duties of their Office; and shall duly attend at the Place aforesaid, on every *Tuesday* and *Wednesday* in each Week, for the Space of two Months thereafter, if there be Occasion for their sitting so long.

AND BE IT FURTHER ENACTED, That the said Commissioners respectively, before they accept of any Lands, Lots or Houses, in Mortgage for any of the said Bills, shall first view what is so offered in Mortgage, or make due Enquiry into the Value thereof; and then shall examine the Titles thereto, by perusing the Deeds, Patents, Surveys and other Writings and Conveyances by which the same is held. And the said Commissioners respectively, are hereby also impowered and required to administer to all Persons applying for any of the said Bills as aforesaid, the following Oath,or Affirmation if Quakers, *to wit.*

I A.B. *am* bona fide, *seized of the Lands, Tenements and Hereditaments by me proposed to be mortgaged, in my own Right, and to my own Use; and the same were not alienated in Trust to me for the Use of any Person, nor with Intent to raise any Sum or Sums of Money upon the same, by Way of Loan or otherwise, for the Use of any other Person or Persons whatsoever: And the Premises are free and clear from any other Gift, Grant, Sale, Mortgage, Judgment, Recognizance, or other Incumbrance whatsoever, to my Knowledge, except the Rent issuing thereout to our Lord the King, and the Proprietors Quit Rent, if any be.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners for each of the said Counties respectively, upon finding Borrowers qualified, and they the said Commissioners being satisfied as aforesaid, are hereby required, and by Virtue of this Act, have full Power to let out the said Bills to them delivered as aforesaid, at the Interest of Five *per Cent. per Annum,* for the Space of Twenty Years from the Date of the said Bills, in Sums not exceeding *One Hundred Pounds,* and not under *Fifteen Pounds,* to any one Person; the said Commissioners for each of the said Counties respectively, taking Security for the same, by Way of Mortgage as aforesaid, in at least double the Value in Lands, Tenements and Hereditaments, appearing clear of Incumbrances, except Rent as aforesaid; and in at least three Times the Value in Houses within the said respective Counties as aforesaid, and administring an Oath or Affirmation to the Borrowers as aforesaid; which Mortgages shall be taken, by filling up the Blanks in one of the printed mortgaged Deeds, bound up in the Deed Book (which is to be

provided by Virtue of this Act) and shall be executed before two or more lawful Witnesses, who shall sign as Witnesses thereto, and minuted in the Minute Book to be kept for that Purpose: And for which the said Loan Officers shall take *Four Shillings,* and no more, as their full Fees: An attested Copy of which Deed, so executed and minuted, and certified under the Hands of the said Commissioners, shall and is hereby declared to be Matter of Record, and shall be good Evidence of the said Mortgages, any Law, Usage or Custom to the Contrary notwithstanding.

PROVIDED ALWAYS, AND IT IS HEREBY ENACTED, That any Mortgage or Mortgages given and executed by Virtue of and in Pursuance of this Act, shall not be obliged to be recorded according to an Act of this Colony, entitled, *An* Act *for preventing Frauds by Mortgages, which shall be made and executed after the first Day of* January, *One Thousand Seven Hundred and Sixty-six.* PROVIDED ALSO, AND IT IS HEREBY ENACTED, That the Mortgages in the Loan Offices of this Colony, shall be subject to the Inspection of any Person or Persons applying to the Loan Officers for that Purpose, upon Payment of *Six Pence* for every Search, as is directed by the before recited Act, any Thing in the recited Act to the Contrary in any wise notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the greater Uniformity in the Securities to be taken in the Loan Offices, for the Bills to be lent by Virtue of this Act, the Mortgages for the said Bills shall be in the Form following, *viz.*

THIS Indenture Made the Day of in the Year of our Sovereign Lord of Great Britain, France *and* Ireland, *King, Defender of the Faith,* &c. *and in the Year of Our Lord One Thousand Seven Hundred and* BETWEEN *of the County of of the one Part, and* the Commissioners of the Loan Office of the County of *of the other Part,* witnesseth: *That the said for and in Consideration of the Sum of by* the Commissioners of the Loan Office of the County of *to him in Hand well and truly paid, whereof he grants the Receipt, and acknowledges himself to be therewith contented, and for himself, his Heirs, Executors and Administrators, releases and discharges* the Commissioners of the Loan Office of the County of *and their Successors, thereof forever; hath granted, bargained, sold, released, enfeoffed and confirmed, and by these Presents doth grant, bargain, sell, release, enfeoff and confirm to* the Commissioners of the Loan office of the County of *and their Successors and Assigns forever, all that*

together with all, and all Manner of Woods, Underwoods, Trees, Mines, Minerals, Quarries, Hawkings, Huntings, Fowlings, Fishings, Buildings, Fences, Improvements, Hereditaments and Appurtenances whatsoever to the same belonging, or in any wise appertaining, and all the Estate, Right, Title, Interest, Possession, Property, Claim and Demand of the said and his Heirs, to the above bargained Premises, and

every Part thereof, To have and to hold *the above bargained Premises, and every Part thereof, with the Appurtenances, to* the Commissioners of the Loan Office of the County of *their Successors and Assigns forever, to the Uses and Purposes mentioned in an Act of the General Assembly of this Province, entitled,* An *Act* for striking *One Hundred Thousand Pounds* in Bills of Credit: *And the said for himself, his Heirs, Executors and Administrators, does covenant, grant, bargain and agree, to and with the* Commissioners of the Loan Office of the County of *and their Successors, that at and before the Time of the Sealing and Delivery hereof, he the said stood lawfully seized of and in the above bargained Premises, of a good, sure, perfect and indefeazable Estate of Inheritance in the Law, in Fee simple, and that the same then were free and clear of all former and other Gifts, Grants, Bargains, Sales, Leases, Releases, Judgments, Extents, Recognizances, Dowers, Intails and other Incumbrances in the Law whatsoever.* Provided always, *and these Presents are upon this Condition, that if the said his Heirs, Executors or Assigns, do pay, or cause to be paid, to* the Commissioners of the Loan Office of the County of *the above Sum in the Proportions, and at the Times following,* (to wit) *the Sum of on the Day of One Thousand Seven Hundred and and the Sum of on the Day of One Thousand Seven Hundred and and the Sum of on the Day of One Thousand Seven Hundred and and

Sale, and every Article and Clause thereof, shall be void; but if Failure is made, in any of the Payments above mentioned, then the above Bargain and Sale is to remain in full Force and Virtue. And the said for himself, his Heirs and Assigns, both agree to be absolutely barred of all Equity of Redemption of the Premises, within Thirty Days after such Failure. And the said for himself, his Heirs, Executors and Administrators, doth covenant, grant, bargain, promise and agree, to and with the Commissioners of the Loan Office of the County of *and their Successors, well and truly to pay to them, all and every the Sums of Money abovementioned, at the Times on which the same ought to be paid as aforesaid; and that the above bargained Premises, upon the Sale thereof, pursuant to the Directions of the said Act, will yield the Principal and Interest aforesaid, remaining unpaid at the Time of such Sale, together with the Charges of such Sale. In Witness whereof, the Parties to this present Indenture have interchangeably set their Hands and Seals the Day and Year first above written.*

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AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Printer of the Bills of Credit, shall print *Five Thousand* Copies of the said Mortgages, and bind so many of them into a Book, together with Six Leaves of clean Paper, for an Alphabet for the Use of the Loan Office of each County, that there may be a Mortgage for every *Twenty Pounds* of Bills of Credit given to the Loan Office of that County, and the Number remaining shall give in loose Sheets, in the like Proportion, *(to wit)* one for every *One Hundred Pounds,* to each of the Loan Offices; in order therewith, if there should be Occasion, to give attested Copies of the original Mortgage, to the Buyer of any of the mortgaged Lands; which Books, together with the said loose Sheets, shall be delivered by the Printer to the Treasurers of this Province respectively, by them to be delivered to the Commissioners, at the Time the Bills are delivered to them.

AND BE IT ENACTED *by the Authority aforesaid,* That the Commissioners shall take no Mortgages from any Person, but by filling up one of the Blanks of the said Book of Mortgages, and shall in no wise deface or cut out any of them, or any Part of them, except the Seal and Name when the Mortgager has paid all the Money lent upon the same, and the Interest which shall have become due thereon, and number the Mortgages as they are taken, and shall in the Alphabet insert the Mortgager's Name and Number.

AND BE IT ENACTED *by the Authority aforesaid,* That the Printer shall also bind up thirteen Books of clean Paper, one for the Use of each Loan Office, and to contain above two third Parts of the Bigness of the Book of Mortgages for the same County, to be delivered as aforesaid, with the Books of Mortgages.

AND BE IT ENACTED, That the Commissioners shall, in one End of the last Book, minute or insert the Substance of every Mortgage (to wit,) the Number thereof, the Date, the Mortgager's Name, the Sum lent, and the Boundaries of the Lands mortgaged; and that when one of the Com-

missioners has the Custody of the Book of Mortgages, another shall have the Custody of this Book, that Fire or other Accidents which may happen, may be guarded against, and shall make an Alphabet to it like that of the Book of Mortgages: And to prevent any Deception of the Mortgager, he shall examine, or shall see the Minute examined with the Original, and he with the Witnesses shall sign to the same.

AND BE IT ENACTED *by the Authority aforesaid,* That the Commissioners, beginning at the other End of the said Book, shall insert the Minutes of their Proceedings, (to wit) 1. The Days they meet, Place and House, and Commissioners present. 2. If any is absent, shall the next Time minute the Cause of his Absence. 3. Shall enter down the Hour that every One demands the Loan of Money, and the Quantity he demands. 4. Shall enter down the Reason, why a prior Demand has not been granted. 5. The last Day of their Meeting yearly, shall enter whose Mortgages are foreclosed, and the Number of them. 6. Shall enter the Orders for, and a Copy of the Advertisement of Sale, and Places at which they were to be set up, and Persons Names that are to set them up. 7. Shall enter the Buyer's Name of Lands, and Price sold for, and Payment of the Overplus to the Mortgager, with the Time and Witnesses to such Payment. 8. Shall enter the Causes of all Suits, and the Information they have received, at length, or if too long, refer to them, minuting the Substance. 9. Shall enter their Meeting with the Justices and Freeholders and Persons present, together with the Minutes of all Things acted with them, particularly what Bills were cancelled, what were the Deficiencies, &c. 10. Every other Thing remarkable concerning the Duty of their Office, shall be entered in the Minute Book of their Proceedings, except their Accounts.

AND BE IT FURTHER ENACTED That the Printer shall also bind up other Thirteen Books of clean Paper, one for the Use of each Loan Office, about Two Third Parts of the Bigness of the Book of Mortgages, for the same County, to be delivered as aforesaid with the Book of Mortgages.

AND BE IT ENACTED *by the Authority aforesaid,* That therein shall be entered, all the Accounts of the Loan Office; that at the Beginning there shall be an Alphabet, wherein shall be inserted every Man's Name, and the Leaf where his Account stands; and that this Book be kept in the fairest and best Manner the Commissioners can.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the several Sums lent out in Pursuance of this Act, shall be paid in again in Manner following; that is to say; each Borrower shall annually and every Year after the Time of his borrowing, on the *Twenty-fifth* Day of *March,* or within Thirty Days thereafter, in each Year, pay into the Loan Office, One Twentieth Part of the Sum borrowed, together with the Interest computed at the Rate of Five *per Cent. per Annum,* for the Sum borrowed or remaining in his Hands, so that the last Payment of the Sum borrowed, with the Interest annually computed at the Rate aforesaid, shall be paid in on the *Twenty-fifth* Day of *March,* Twenty Years after the Date of the said Bills. *Provided always,*

That the first Payment shall be made on the *Twenty-fifth* Day of *March* next following the Time of letting out the said Bills.

AND BE IT FURTHER ENACTED, That all the principal Sums of Money, which shall be so paid in by the Borrowers, during the first Ten Years of the Time limited for the Outstanding of the said Bills of Credit, but not after *May,* and shall be annually re-emitted by the said Loan Officers respectively upon Loan, to any Person or Persons whatsoever; and at the Interest aforesaid, they the said Loan Officers, in the re-emitting or lending out again the said principal Sums so paid in, taking such Security, and observing the like Rules, as are directed in Relation to the first lending thereof, so always that Care be taken therein, from Time to Time, that the whole Sum so re-emitted, shall be again paid in, in equal proportional Parts, that the Whole thereof, and the Interest annually, shall be repaid on the *Twenty-fifth* Day of *March,* Twenty Years after the Date of said Bills.

AND BE IT FURTHER ENACTED, That the said Loan Officers, on receiving any of the Sums aforesaid, shall enter a Receipt on the Back of the Mortgages for the same, and likewise give the Payer a separate Receipt, if required, and also give Credit for the same in the Loan Office Book of Accounts aforesaid, and that without Fee or Reward. And the said Loan Officers shall also state and annually keep up one general fair Account between their Office and the Treasury of the Colony.

AND BE IT FURTHER ENACTED, That if any Borrower, his or her Heirs, Executors, Administrators or Assigns, or any other Person, on their or either of their Behalf, shall see Cause to pay in all the Principal and Interest which shall be due from Time to Time to the said Loan Office; the said Commissioners are hereby required and empowered to receive the same, at the Times appointed by this Act for the said Commissioners to meet together; and they the said Commissioners shall give a Release of the said Mortgage in the Name of the said Borrower, his Heirs or Assigns, and deliver the same to the Payer, and take off the Seal and Name from the Mortgage Deed, and make an Entry in the Margin of the Mortgage, and in the Margin of the Minute made thereof, of the Day and Year of such Payment, Release and Discharge; for which they shall be paid by the Mortgager, or the Person who pays the Money, the Sum of *One Shilling,* and no more. And when any such Monies are paid in, then the said Commissioners are hereby directed and empowered, to let out again so much of the Principal so paid in, as ought not before that Time to have been sunk, to any Person or Persons who will apply for the same, and who can and will give Security as before in this Act is directed, at the Interest of *Five per Cent.* taking the Deed, so that such Borrower or Borrowers, shall pay in such equal and proportional Part thereof, that the whole Sum so again let out, may be repaid with Interest as aforesaid, on the *Twenty-fifth* Day of *March,* Twenty Years after the Date of the said Bills.

AND BE IT FURTHER ENACTED, That at all Times on full discharge of any Mortgage Deed, the above Method of taking off the Name and Seal, and making the Entry in the Margin of the Mortgage Deed, and

Minute Book, and Book of Accounts, and giving a Release, shall be punctually observed.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons who shall borrow Money out of the Loan Office of any of the respective Counties of this Province, shall neglect to bring in and pay, or cause to be brought in and paid yearly, and every Year, on the *Twenty-fifth* Day of *March,* or within Thirty Days thereafter, on one of the Days which the Commissioners aforesaid are hereby directed to attend the respective Loan Offices, the Part or Parts of the Principal and Interest become due by the Mortgage or Mortgages given as aforesaid; then and in such Case, the Commissioners of the Loan Office to which the same Mortgage or Mortgages were granted, shall be seized of an absolute and indefeazable Estate, in the Lands, Houses, Tenements, Hereditaments thereby mortgaged to them, their Successors and Assigns, to the Uses in this Act mentioned, and the Mortgager or Mortgagers, his, her or their Heirs and Assigns, shall be utterly foreclosed and barred of all Equity of Redemption of the mortgaged Premises, any Law, Usage, Custom, or Practice in Courts of Equity to the Contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That the said Commissioners respectively, shall forthwith, after the Thirty Days before mentioned, yearly and every Year, give sufficient Directions, which they are to take Care shall be observed, for fixing up Advertisements at Three of the most publick Places, in at least three or more distinct Towns or Precincts of the County where the Premises are situate, of all the Lands contained in the Mortgages whereof the Equity of Redemption is foreclosed as aforesaid, describing the Quantities and Situations of the same, and that on the second *Tuesday* in *June* thereafter, they are to be sold at the Court House of the respective County, where the Lands lie, by Way of publick Vendue, to the highest Bidder.

AND BE IT ENACTED *by the Authority aforesaid,* That the Commissioners of the respective Counties, shall on the second *Tuesday* in *June* yearly, expose the Lands contained in the Mortgage or Mortgages, (whereof the Equity of Redemption is foreclosed as aforesaid) to Sale, by Way of publick Vendue; and upon Sale, shall convey them to the Buyer or Buyers thereof, who shall pay for their Deed no more than *Five Shillings*. And when the said Lands and Hereditaments shall be sold as aforesaid, the Person or Persons to whom they shall be sold, shall and may hold and enjoy the same, with their Appurtenances, for such Estate as they were sold, clearly discharged and freed from all Benefits and Equity of Redemption, and all other Incumbrances made and suffered by the Mortgager, his or her Heirs or Assigns, and such Sales shall be available in Law and Equity.

AND BE IT ENACTED *by the Authority aforesaid,* That the Deeds to be granted by the Commissioners, for any Lands to be sold by them, whereof the Equity of Redemption is foreclosed, shall be in Form following, (*to wit.*)

THIS *Indenture Made the Day of in the Year of the Reign of our Sovereign Lord by the Grace of God, of* Great Britain, France

and Ireland, *King, Defender of the Faith,* &c. Anno Domini *One Thousand Seven Hundred and* BETWEEN the Commissioners of the Loan Office of the County of *on the one Part, and of the County of of the other Part,* witnesseth: *That* the Commissioners of the Loan Office of the County of *for and in Consideration of the Sum of to them in Hand paid, whereof they grant the Receipt, and discharge the said his Heirs, Executors and Administrators thereof forever; have pursuant to an Act of the General Assembly of this Province, entitled,* An *Act* for striking *One Hundred Thousand Pounds* in Bills of Credit, *granted, bargained, sold, released, enfeoffed and confirmed, and by these Presents do grant, bargain, sell, release, enfeoff and confirm, unto the said his Heirs and Assigns forever, all that*

together with all, and all Manner of Woods, Underwoods, Trees, Mines, Minerals, Quarries, Hawkings, Huntings, Fowlings, Fishings, Buildings, Fences, Improvements, Hereditaments and Appurtenances whatsoever to the same belonging, or in any wise appertaining, and all the Estate, Right, Title, Interest, Claim, Possession, Property and Demand whatsoever of the Commissioners of the Loan Office of the County of *and their Successors, to the above bargained Premises, and every Part thereof, To* have and to hold *the above bargained Premises, and every Part thereof, with the Appurtenances, to the said his Heirs and Assigns forever. In Witness whereof* the Commissioners of the Loan Office of the County of *have hereunto set the Seal of their Corporation, together with their Hands, the Day and Year above written.*

Sealed and Delivered
in the Presence of

To which Deed the Commissioners are to put only one Seal, as the Seal of the Loan Office, and jointly take off the Seal from the Wax, and sign their Names.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Money or Price for which the same Lands shall be sold, upon the Sale thereof, shall be paid unto the said Commissioners, out of which they shall retain in their Hands, what has not before been paid in, of the whole Principal lent, together with the Interest that has become due thereon, until the Day of the Sale thereof, as also the Expence of the Advertisements, and of the Sale, the same not exceeding *Fifteen Shillings,* and the Remainder (if any be) the Commissioners shall pay to the Mortgager, his or her Heirs or Assigns.

PROVIDED ALWAYS, That in Case the Buyer, or any other Person or Persons, have then an Inclination to borrow the Whole, or any Part of the Principal so paid in, (which ought not to have been sunk before that Time) upon the Terms herein before mentioned, and the Commissioners being satisfied of the Security to be given by him or them, in Manner aforesaid,

may either lend him or them the same, or let the Buyer retain it in his Hands, upon giving Security by Mortgage as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That if after any Lands, Tenements or Hereditaments, are mortgaged to any of the aforesaid Commissioners of the respective Loan Offices in this Province, according to the Directions of this Act, it shall appear to the same Commissioners, upon good sufficient Grounds, which they shall insert in the minute Book of their Proceedings, that the Mortgager had no good Right or Title to the Lands, Tenements or Hereditaments, or any of them, so mortgaged as aforesaid, so that the Publick may be in Danger of losing the Monies, or any Part thereof, advanced in Loan, upon the Credit of the said Premises; it shall and may be lawful for the said Commissioners, and they are hereby required and impowered to commence any Action or Actions of Debt or Covenant, upon the said Mortgage, against the said Mortgager, his or her Heirs, Executors or Administrators, and the same to prosecute to Judgment and Execution, in any Court of Record within this Province, or any other of his Majesty's Governments, for the Recovery of the whole Monies lent upon the said Mortgage, and Interest become due, with Costs and Charges, by all lawful Ways and Means whatsoever; in which Action or Actions, the Defendant shall be held to special Bail, and the Court or Courts in which the same Action shall be brought, are hereby authorized and directed, to give such short Days for the Rules of pleading therein, that Judgment or a Trial and final Determination of the said Actions, may be had the first Court after the Court before which the Defendant appeared to the same Action; and such Actions (if the Defendant can be found within this Province) shall be brought in the County where the Cause of Action arises.

AND BE IT ENACTED *by the Authority aforesaid,* That the Bills of Credit to be made and issued by Virtue of this Act, shall continue to be taken by the said Commissioners of the said Loan Offices respectively, in all Payments to them to be made, for any Debts due on any Mortgage in their said Books, for the Term of Twenty Years, to be computed from the Date of the said Bills.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall counterfeit, or be aiding or assisting in counterfeiting, or altering any of the said Bills of Credit emitted by Virtue of this Act, so as to make them pass, or appear to be of greater Value than they were made current for, or utter or cause to be uttered, any Bill or Bills, knowing the same to be counterfeit or altered as aforesaid, and be thereof legally convicted, he, she or they, shall incur the Pains and Penalties of Felony, without Benefit of Clergy, and shall suffer Death accordingly.

AND BE IT FURTHER ENACTED, That the respective Loan Offices in this Colony, shall be kept at the Court-House of each respective County, or at some other convenient Place near the same: And the said Commissioners shall attend the Loan Offices every Year, to receive the Monies by this Act directed to be paid in to them, upon the last *Tuesday* in *March,* and thereafter on the *Tuesday* in each Week, for the Term of Three Weeks.

And *Whereas* it is directed by this Act, that the Interest of Five *per Cent.*

per Annum, shall be paid annually to the Commissioners for all the Monies to be let out upon Loan as aforesaid: BE IT ENACTED *by the Authority aforesaid,* That the said Commissioners respectively, shall retain in their Hands, so much of the said Interest Money as will pay themselves their Salaries appointed by this Act; and the Remainder of the said Interest Money shall be annually paid unto the Treasurers of this Colony, on or before the first Day of *August* yearly; which Treasurer shall give a Receipt for the Sum received, which Receipt shall be to the Commissioners, and every of them, their Heirs, Executors and Administrators, a sufficient Discharge for the Sum so paid.

AND BE IT FURTHER ENACTED, That in the Payment to be made as aforesaid, the County of *Morris* shall be included in the Eastern Division, and *Sussex* in the Western Division of this Colony.

AND BE IT ENACTED *by the Authority aforesaid,* That the yearly Salaries of the Commissioners aforesaid, for the Services required of them by this Act, shall be as follows, *to wit.*

For each of the Commissioners of the County of *Bergen,* the Sum of *Fifteen Pounds.*

For every of the Commissioners of the County of *Essex,* the Sum of *Twelve Pounds.*

For every of the Commissioners of the County of *Middlesex,* the Sum of *Twelve Pounds Ten Shillings.*

For every of the Commissioners of the County of *Monmouth,* the Sum of *Fifteen Pounds.*

For each of the Commissioners of the County of *Somerset,* the Sum of *Sixteen Pounds.*

For each of the Commissioners of the County of *Morris,* the Sum of *Fifteen Pounds.*

For each of the Commissioners of the County of *Sussex,* the Sum of *Fifteen Pounds.*

For every of the Commissioners of the County of *Hunterdon,* the Sum of *Eighteen Pounds.*

For every of the Commissioners of the County of *Burlington,* the Sum of *Fifteen Pounds.*

For every of the Commissioners of the County of *Gloucester,* the Sum of *Twelve Pounds.*

For each of the Commissioners of the County of *Salem,* the Sum of *Fifteen Pounds.*

For each of the Commissioners of the County of *Cumberland,* the Sum of *Nine Pounds.*

For each of the Commissioners of the County of *Cape-May,* the Sum of *Eight Pounds.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Commissioners of the said several Loan Offices, on the second *Wednesday* in *May,* yearly, and every Year, shall lay before the Justices of the Peace of the respective Counties, or any three of them, *Quorum unus,* and the Majority

of the Freeholders elected for the same County, by Virtue of an Act of the General Assembly of this Colony, entitled, *An* Act *for raising Money for building and repairing Gaols and Court Houses within each respective County of this Province,* the Accounts relating to the Principal Sums by them annually received and again let out during the first ten Years aforesaid, by them the said Justices and Freeholders to be inspected and considered of. And the said Loan Officers shall also, in like Manner, lay before the said Justices and Freeholders, the Accounts of all Bills paid in after the Expiration of the first ten Years, by them the said Justices and Freeholders to be inspected and accounted; and such principal Sums of the said Bills, which shall be paid in after the said Time, shall by the said Justices and Freeholders be carefully examined, inspected and accounted; the Bills shall be cancelled, by laying some Number of them orderly, one above another, and cutting a Triangle out of the Top of the said Bills, whose Base may be about half the Length of the said Bills, and whose Depth may be about half the Width of the said Bills, leaving the two Ends of the said Bills joined together at Bottom, by about half its Width, which Pieces separated will appear in Form thus,



And all the Bills being so cut, the Triangles cut out shall be burned and destroyed in Presence of said Justices and Freeholders: And the Bottom of the said Bills joined as aforesaid, shall be carefully put up, and tied and sealed with the Seals of the Justices, Freeholders and Commissioners, and the Sum in each Bundle, and the Day and Year the same were cancelled, with the Name of the County, endorsed thereon; and a Certificate under the Hands of the said Justices and Freeholders of the Sum of the Bills so cancelled, shall be sufficient for the Commissioners to account with the General Assembly in that Affair. And which Bundles so tied and sealed as aforesaid, shall be by the said Commissioners, yearly, delivered to the Treasurer of the Division to which they belong, on or before the first Day of *August* yearly, and every Year; which Treasurer shall give his Receipt for the said Bundles of cancelled Bills, mentioning therein the Number and Marks of the Bundles; and shall carefully preserve them, in order that they may be inspected by the General Assembly of this Colony, and compared with the said Certificates of the said Justices and Freeholders; and if any Suspicion should thereafter arise of Fraud or Counterfeits, that the same may be detected, and such Course taken therein as to the General Assembly shall seem meet, and finally by the said General Assembly burned and destroyed. And the said Treasurers of this Province, for the Time being, and also every of the said Commissioners of the respective Counties, in all Things relating to the Duties enjoined them by this Act, are hereby made accountable to the Council and Assembly of this Colony, before whom they are hereby commanded to submit their Accounts of all Monies emitted by Virtue of this

Act, which shall come into their Offices respectively, for the Inspection and Approbation or Disallowance of the said Council and Assembly; and that as often as they shall be thereunto, by the said Council and Assembly required, that such Course may be taken in the Premises, as shall be found needful.

AND BE IT FURTHER ENACTED That if through any Deficiency of the said Borrowers, or any of them, the Bills brought in after the first Ten Years as aforesaid, to be cancelled, shall be less in Quantity or Value, than by this Act are directed to be cancelled, or in Cases wherein any Failure or Failures, at any Time or Times, shall happen to be made in the Payment of the Principal Sums and Interest Money, or any Part thereof, which annually and every Year, from the Time of lending, ought to be paid; then the said Justices and Freeholders shall cause the same to be levied on the Inhabitants of that County where such Deficiency shall happen, in such Manner as other Taxes shall be assessed and levied on the Inhabitants of this Colony; and the same being levied, shall cause to be cancelled in Manner aforesaid, on the second *Wednesday* in *May,* then next to come. And in Case the said Justices and Freeholders, shall on any Pretence whatsoever, neglect causing the whole Sum that is wanting to be levied; every of them neglecting their Duty therein, shall forfeit to his Majesty *Ten Pounds,* to be recovered in any Court of Record within this Colony, where the same is cognizable, one Half to the Use of such Justices and Freeholders of the same County, endeavouring to perform their Duty herein, who will sue and inform against the Rest, and prosecute their Suit to Effect, and the other Part to be applied towards cancelling the Bills of Credit, in such Manner as shall be directed by the Governor, Council, and General Assembly. And in Case none of the Justices and Freeholders aforesaid, shall within Three Months after such Neglect, sue and inform against the Rest, or shall by Coven or Collusion delay prosecuting their said Suit to Effect; then every of the said Justices and Freeholders are hereby declared to be equally guilty of the said Neglect, and every of them shall forfeit the said Sum of *Ten Pounds,* to be recovered by any Person or Persons who will sue for the same, in any Court of Record within this Colony, where the same shall be cognizable, one Third Part to the Use of the Prosecutor, and the other two Thirds to be applied towards cancelling the said Bills of Credit. *Provided always,* that no such Sum or Sums of Money shall be levied to make good any such Deficiency or Deficiencies upon the Inhabitants of any County or Counties, before a Sale or Sales shall be made of the Premises mortgaged, (Cases where it appears, the Mortgagers or any of them, have no Title to the Premises mortgaged, only excepted) pursuant to the Direction of this Act; and upon such Sale or Sales at any Time made, and any Deficiency or Deficiencies happening, the Commissioners of the Loan Offices shall forthwith acquaint the Justices and Freeholders thereof, to the End such Deficiency or Deficiencies, may then be levied of the Inhabitants of the said Counties respectively, so as that the Money may be ready to pay unto the said Commissioners, on or before the *Twenty-fifth* Day of *March* next following such Sale or Sales.

AND BE IT FURTHER ENACTED, That in Case any of the Bills

emitted by this Act, shall remain Three Months in the Commissioners Hands for Want of Borrowers; the same Commissioners are hereby impowered to let out the same, to Persons who will give Security for it as aforesaid, in Sums not exceeding *Two Hundred Pounds,* any Thing in this Act notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall falsely swear or affirm, in any of the Cases where an Oath or Affirmation is required to be taken by this Act, or shall wilfully act contrary to the Oath or Affirmation, he, she or they hath before taken, such Offender or Offenders being convicted of such Offence, shall suffer all the Pains and Penalties of wilful and corrupt Perjury.

AND to prevent Fraud that may happen by Executors or Administrators in their Non-payment of any Part of the Money borrowed as aforesaid, by the respective Testators or Intestates. BE IT FURTHER ENACTED *by the Authority aforesaid,* That any Person or Persons, that shall borrow any of the Bills of Credit by this Act emitted, and shall thereafter make his, or their last Will and Testament in due Form of Law, thereby devising the Premises so mortgaged, to any other Person or Persons, leaving personal Estate sufficient to pay his or her Debts, with an Overplus, not otherwise in the said Will disposed of, and not expressly providing in other Manner by the said Will; in such Case, it shall be understood, that the Devisor intended, that the mortgage Money in Arrear at the Time of his Death, should be paid out of his personal Estate; and his Executor or Executors, shall be accordingly compelled to pay the same thereout, in Aid of such Devisee or Devisees: But in Case the said last Will was made before the Premises were mortgaged, then it shall be understood, that the Testator's Intent was (unless otherwise expressed in the said Will,) that the Devisee or Devisees should pay the Residue of the mortgage Money in Arrear at the Time of such Testator's Death. And in Case any Executor or Executors, contrary to the Intent of this Act, having Effects sufficient, shall permit a Sale to be made of the Premises mortgaged; such Devisee or Devisees, may immediately have his, her, or their Action, either in proper Person or by Guardian, or next Friend, if under Age, against such Executor or Executors, and recover double the Damages sustained, with Costs of Suit: And in Case any Executor or Executors, shall in such Case be a Purchaser of the Premises so mortgaged, or any other in Trust for him, or for his Use; or such Executor shall thereafter purchase it, or any Part thereof, from any other Person, he or they shall be deemed duly seized of the Premises for the Use of the said Devisee or Devisees: And such Executor or Executors, are hereby disabled from making any Conveyance thereof from such Devisee or Devisees; and if any such Conveyance shall be made, the same is hereby declared fraudulent and void against such Devisee or Devisees.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any such Mortgager shall die Intestate, the mortgage Money aforesaid, or any Part thereof, being in Arrear and unpaid, and having personal Estate sufficient to pay his Debts, with an Overplus, his Heir at Law, being under

Age when any Part of the said mortgage Money shall become due; in such Cases, the Mortgage shall be paid out of the personal Estate, if sufficient, and the Profits of the Premises mortgaged, shall be applied towards the Repayment of the said Money, to such Person or Persons as may be intituled to the same, where it so happens, that the Part of the said personal Estate coming to the said Heir at Law, is not sufficient to discharge such Mortgage; and in Case the Profits of the said mortgaged Premises, shall not be sufficient to make such Repayment, the Heir at Law shall be compelled to make it up with Interest, when he or she comes of Age. And when any Sales shall happen to be made, pursuant to the Tenor of this Act, after the Death of the Testator or Intestate, because of the Deficiency of the personal Estate of the Testator or Intestate, his or her Heirs or Devisees, being under Age, in such Case, the Money arising by such Sale, after the Deduction of the Principal, Interest and Cost due to the Loan Office, shall be placed out at Interest, by the Executors or Administrators, for the Benefit of such Heir or Devisee, or Persons intituled to such Land.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That out of the *Twenty-five Thousand Pounds* aforesaid, the Treasurers of this Colony respectively, are hereby required and commanded, as often as Application shall be made to either of them, at any convenient Time, without Fee or Reward, to issue the same to any Person or Persons so applying for any other Bills of Credit of this Emission, which shall become ragged, torn, defaced or otherwise unfit to pass; and the said ragged or defaced Bills, so by the said Treasurers received in Exchange, shall by the Eastern Treasurer be laid before the Justices and chosen Freeholders (aforesaid) of the County of *Middlesex;* and by the Western Treasurer, before the Justices and chosen Freeholders of the County of *Burlington,* on some of the usual Days of their Meeting, by the said Justices, Freeholders and Treasurer to be inspected, accounted, cancelled, bundled up, numbered and sealed, in Manner as touching the other Bills are directed; and the said Bundles of cancelled Bills, and a Certificate of the Quantity or Sum in each Bundle left with the said Treasurer, by him to be laid before the General Assembly, to whom they are hereby made accountable, by them to be inspected and burned: Which Treasurers shall have *One per Cent.* for attending the cancelling the said Bills.

AND BE IT FURTHER ENACTED, That as for and concerning the Residue of the Interest Money, that from Time to Time, shall by Virtue of this Act, be payable into the Treasurers of this Colony, or either of them, the same shall be applied to the Support of the Government of this Colony, and to such other publick Uses, and in such Sort, Manner and Form, as by Acts of the General Assembly of this Colony shall hereafter be directed. And if all the said *Twenty-five Thousand Pounds,* shall not be used for exchanging ragged and torn Bills as aforesaid, by or before the second *Tuesday* in *June* next ensuing the Twenty-fifth Day of *March,* which will be Twenty Years after the Date of the said Bills, the Treasurers of this Colony for the Time being, are hereby directed to lay the Ballances remaining in their respective Hands, before the Council and Assembly of this Colony for the Time being, by them

to be inspected and burned. And the said Treasurers, shall at all Times when thereunto required by the said Council and Assembly, render and lay before the said Council and Assembly for the Time being, just, true and stated proper Accounts, of all the Monies which by Virtue of this Act shall come into their Hands respectively, by the said Council and Assembly to be allowed or disallowed as they shall esteem just.

PROVIDED ALWAYS, That Nothing in this Act contained shall be in Force, until his Majesty's Royal Assent be obtained thereto.

Passed 6 Dec. 1769
Disallowed 6 June 1770.
Parker (1769), pp. 25-54.

An ACT *to settle the Quotas of the several Counties in this Colony, for the levying Taxes.*

WHEREAS in the last War against *France,* there was struck in this Colony, for the Use of the Crown, the Sum of *Three Hundred Forty-seven Thousand Five Hundred Pounds,* Proclamation Money, in Bills of Credit, on which Account there now remains a Debt of *One Hundred and Ninety Thousand Pounds,* to be sunk by Taxes to be raised in this Colony, at the respective Periods directed by Law for sinking the same. *And whereas,* since the last Settlement of the Quotas of the several Counties in this Colony, by the Act passed in the Twenty-sixth Year of the Reign of his late Majesty King *George* the Second, entitled, *An* Act *for levying a Fund at different Periods, by Provincial Taxes, for sinking the Sum of* Fifteen Thousand Three Hundred and Two Pounds and Four Pence, *now outstanding in Bills of Credit, made current for his Majesty's Service in the late War;* the Circumstances of this Colony are much altered, by the great Improvements made therein, by its Increase and Population, and the Erection of one new County, whereby it has become necessary, that a new Settlement be made of the Proportions each County shall raise in future Taxes, for supplying the Treasury of this Colony with the said Sum of *One Hundred and Ninety Thousand Pounds.*

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said Sum of *One Hundred and Ninety Thousand Pounds,* shall be fully levied and paid into the Treasury of this

Colony, agreeable to the Directions of the several Acts by which the same was granted, so that the last Payment thereof be made on or before the Twenty-first Day of *November,* in the Year of our Lord One Thousand Seven Hundred and Eighty-three, the Payments thereof to be made in Money as it now passes in the Western Division of this Colony, in the Proportions, and at the Periods following, that is to say.

The Sum of *Twelve Thousand Five Hundred Pounds,* the first Payment thereof to be levied and paid into the Treasury of this Colony, on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy; and the further Sum of *Twelve Thousand Five Hundred Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-one; and the further Sum of *Twelve Thousand Five Hundred Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-two; and the further Sum of *Twelve Thousand Five Hundred Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-three; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-four; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-five; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-six; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-seven; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-eight; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-nine; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-one; and the further Sum of *Fifteen Thousand Pounds,* on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-two; and the further Sum of *Five Thousand Pounds,* residue thereof, on or before the Twenty-first Day of *November,* which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-three.

AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Treasurers of the respective Divisions of this Colony for the time being; and they are hereby respectively authorized, required and commanded, to accept all, or any Part of the said Bills of Credit now

outstanding, in Payment of any Sum or Sums of Money herein directed to be levied, if such Bills or any Part thereof, shall be offered to be paid them the said Treasurers, or either of them, in discharge of such Sum or Sums of Money, by any County Collector, or Collectors of this Colony, on all or any of the Days herein prefixed for that Purpose, by Virtue of the Directions of this Act. But in Case the said Treasurers or either of them, should not happen to receive such Bills in discharge of such Sum or Sums of Money aforesaid, but on the Contrary, do receive other Money in lieu thereof; then and in such Case, they the said Treasurers respectively, on Application to them made, are hereby required and commanded to exchange such other Money by them so received, for the Bills of Credit aforesaid, and shall yearly, and every Year, until the Year One Thousand Seven Hundred and Eighty Four, inclusive, on the second *Wednesday* in *May,* in each respective Year, lay such Bills to the Value of the Sum herein directed to be raised the preceeding Year, or so much thereof as they shall have received, before the Justices and Freeholders of the Counties of *Middlesex,* and *Burlington,* by them to be inspected, cancelled, bundled up, tied and sealed; and shall also take a Certificate of the respective Quantities so sealed, and lay the same before the General Assembly at their next sitting after the said Bills shall be cancelled as aforesaid, to be by them inspected, burned, and destroyed.

AND to the End, the said Sum of *One Hundred and Ninety Thousand Pounds,* Money aforesaid, may be equitably and effectually raised, according to the respective Periods herein specified, for supplying the Treasury for sinking the said Sum of *One Hundred and Ninety Thousand Pounds:* IT IS HEREBY ENACTED *by the Authority aforesaid,* That the said Sum of *One Hundred and Ninety Thousand Pounds,* shall be assessed, levied and raised, on the several Inhabitants of this Colony for the Time being, their Lands and Tenements, Goods and Chattels, in Manner following, that is to say: In each and every of those Years aforesaid, wherein the Sum of *Twelve Thousand Five Hundred Pounds,* is to be raised.

All Housholders, the Tax of whose rateable Estate, exclusive of Certainties, does not amount to *Eight Shillings,* shall be rated at the Discretion of the Assessors, not under *Two Shillings,* nor above *Four Pounds.*

All Merchants and Shop-keepers, shall be rated at the Discretion of the Assessors, not under *Five Shillings,* nor above *Five Pounds.*

All Saw-Mills, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Five Pounds.*

All Grist-Mills, for each Pair of Stones, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Five Pounds.*

All Fulling-Mills, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Five Pounds.*

All Furnaces, shall be rated at the Discretion of the Assessors, not under *Thirty Shillings,* nor above *Ten Pounds.*

All Forges, that work Pig Iron, and all Forges and Bloomaries, that make Bar Iron immediately out of the Ore, shall be rated at the Discretion of the Assessors, not under *Five Shillings,* nor above *Forty Shillings* for each

Fire; always saving to the respective Iron Works in *Evesham* and *Northampton,* in the County of *Burlington,* and to the *Hibernia* Iron Works, in the County of *Morris,* such Privileges, Immunities and Exemptions, as are or shall be granted to them or any of them, their Owners, Occupiers, Overseers and Workmen respectively, by a Bill now under Consideration of the Legislature of this Colony, if the same shall pass into a Law, entitled, *An* Act *to grant certain Privileges to the Owners of the Iron Works, in the Townships of* Evesham *and* Northampton, *in the County of* Burlington, *and of the* Hibernia *Iron Works, in the Township of* Pequanack, *in the County of* Morris.

All Glass-Houses shall be rated at *Ten Pounds.*

All Stills that distil spirituous Liquors for Sale or Hire, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Five Pounds.*

All Brew-Houses that brew for Sale or Hire, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Two Pounds.*

Every Ferry shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Ten Pounds.*

Every coasting Sloop, Schooner, Shallop, Flat, Boat that carries for Hire, Passage Boat, Pilot Boat and Wood Boat, shall be rated at the Discretion of the Assessors, in Proportion to their Burthen and Business, not under *Five Shillings,* nor above *Forty Shillings.*

Every single Man that works for Hire, and keeps a Horse, Mare or Gelding, shall be rated at the Discretion of the Assessors, not under *Fifteen Shillings,* nor above *Thirty Shillings.*

Every single Man that works for Hire, and does not keep a Horse, Mare or Gelding, shall be rated at the Discretion of the Assessors, not under *Ten Shillings,* nor above *Twenty Shillings.*

Provided always, That single Men who live at Home with their Parent or Parents, and work for them, and do not otherwise work for Hire, except in Harvest Time, shall not be rated as a single Man; and all single Men possessed of a rateable Estate, the Tax whereof amounts to *Ten Shillings,* shall be assessed for such Estate only, and not as a single Man.

Every bought Servant and Slave, being a Male of Sixteen Years old and upwards, (except such Slaves as are not able to work) shall be rated at the Sum of *Four Shillings.*

Every Coach, Chariot or Four-wheeled Chaise, shall be rated the Sum of *Ten Shillings.*

Every Two-wheeled Chaise shall be rated the Sum of *Five Shillings.*

Every riding Chair and Kittereen, shall be rated the Sum of *Two Shillings.*

Every Curricle or Pole Chair, shall be rated the Sum of *Five Shillings.*

All Waggons, the Bodies of which hang on Springs, shall be rated at *Five Shillings.*

All Cattle, Horses, Mares and Geldings of two Years old, and upwards, shall be valued at *Twenty-five Shillings,* each Head.

All profitable Tracts of Land, held by Deed, Patent or Survey, whereon any Improvement is made, the whole Tract shall be valued at the Discretion

of the Assessors, in each respective County of this Colony, as follows, *viz.*

In the County of *Bergen,* not above *Forty Pounds* per Hundred Acres, nor under *Eight Pounds* per Hundred Acres.

In the County of *Essex,* not above *Forty-five Pounds* per Hundred Acres, nor under *Nine Pounds* per Hundred Acres.

In the County of *Middlesex,* not above *Forty Pounds* per Hundred Acres, nor under *Five Pounds* per Hundred Acres.

In the County of *Monmouth,* not above *Forty-five Pounds* per Hundred Acres, nor under *Five Pounds* per Hundred Acres.

In the County of *Somerset,* not above *Fifty Pounds* per Hundred Acres, nor under *Nine Pounds* per Hundred Acres.

In the County of *Morris,* not above *Forty Pounds* per Hundred Acres, nor under *Five Pounds* per Hundred Acres.

In the County of *Sussex,* not above *Thirty-five Pounds* per Hundred Acres, nor under *Four Pounds* per Hundred Acres.

In the County of *Hunterdon,* not above *Forty-five Pounds* per Hundred Acres, nor under *Six Pounds* per Hundred Acres.

In the County of *Burlington,* not above *Forty-five Pounds* per Hundred Acres, nor under *Six Pounds* per Hundred Acres.

In the County of *Gloucester,* not above *Forty Pounds* per Hundred Acres, nor under *Three Pounds* per Hundred Acres.

In the County of *Salem,* not above *Fifty Pounds* per Hundred Acres, nor under *Five Pounds* per Hundred Acres.

In the County of *Cumberland,* not above *Thirty-five Pounds* per Hundred Acres, nor under *Five Pounds* per Hundred Acres.

In the County of *Cape-May,* not above *Thirty Pounds* per Hundred Acres, nor under *Eight Pounds* per Hundred Acres.

AND BE IT ENACTED *by the Authority aforesaid,* That every Hawker, Pedlar, Petty-Chapman and wholesale Trader, travelling on Foot, and exposing his or her Goods to Sale, excepting Linen, or other Goods manufactured within this or the neighbouring Colonies, shall, before he or she offers such Goods to Sale, in any County of this Colony, first pay, over and above the Rates he or she is to pay by other Acts of Assembly, unto the Collector of the said County, where he or she proposes to sell Goods, the Sum of *Thirty Shillings:* And every Hawker, Pedlar, Petty-Chapman or wholesale Trader, travelling with a Horse or Horses, or any other Beast of Burthen, or a Carriage, and exposing his, her or their Goods and Wares to Sale, (except such as are before excepted) shall, before he, she or they offer any such Goods to Sale, in any County of this Colony, first pay unto the Collector of the said County, where he, she or they propose to sell Goods, the Sum of *Three Pounds.* And if the said Hawker, Pedlar, Petty-Chapman or wholesale Trader, does not produce a Certificate to any Person demanding the same, from the Collector of that County wherein such Demand is made, and wherein he, she or they shall so offer his, her or their Goods to Sale, purporting that he, she or they hath or have paid the Rate aforesaid to such Collector, shall forfeit for every such Offence, the Sum of *Five Pounds,* Money aforesaid, to be recovered

before any One Justice of the Peace of the said County, one Half to the Use of his Majesty, his Heirs and Successors, to and for the Support of Government, to be applied towards the Quota of that County, where such Offence shall be committed as aforesaid, and the other Half to the Use of the Person so suing for and recovering the same, with Costs of Suit. And the said Justice is hereby authorized, impowered and commanded to hear and determine the same, upon his own View, or the Information of any Person or Persons whatsoever.

AND BE IT ENACTED *by the Authority aforesaid,* That in each and every of those Years, in which the Sum of *Twelve Thousand Five Hundred Pounds* is to be raised in this Colony, that is to say; in each and every of the Years One Thousand Seven Hundred and Seventy, One Thousand Seven Hundred and Seventy-one, One Thousand Seven Hundred and Seventy-two, and One Thousand Seven Hundred and Seventy-three, the said Sum shall be annually assessed, levied and raised in Manner aforesaid, and yearly and every Year, paid into the Treasury of this Colony, on or before the Twenty-first Day of *November,* in each and every of the said respective Years, in the Proportions following, *viz.*

By the County of *Bergen,* the Sum of *Eight Hundred and Thirty Pounds Ten Shillings.*

By the County of *Essex,* the Sum of *Nine Hundred and Twenty-eight Pounds Fourteen Shillings.*

By the County of *Middlesex,* the Sum of *One Thousand and Ninety Pounds Eight Shillings.*

By the County of *Monmouth,* the Sum of *One Thousand Three Hundred and Thirty-six Pounds Eight Shillings.*

By the County of *Somerset,* the Sum of *One Thousand One Hundred and Thirty Pounds Two Shillings.*

By the County of *Morris,* the Sum of *Nine Hundred and Four Pounds Five Shillings.*

By the County of *Sussex,* the Sum of *Seven Hundred and Forty-one Pounds Twelve Shillings.*

By the County of *Hunterdon,* the Sum of *One Thousand Seven Hundred and Four Pounds Sixteen Shillings.*

By the County of *Burlington,* the Sum of *One Thousand Three Hundred and Thirty-nine Pounds Eleven Shillings.*

By the County of *Gloucester,* the Sum of *Nine Hundred and Fifty-three Pounds Eighteen Shillings.*

By the County of *Salem,* the Sum of *Eight Hundred and Forty-nine Pounds Ten Shillings.*

By the County of *Cumberland,* the Sum of *Four Hundred and Eighty-one Pounds Thirteen Shillings.*

By the County of *Cape-May,* the Sum of *Two Hundred and Eight Pounds Thirteen Shillings.*

AND BE IT FURTHER ENACTED, That in each and every of those Years, in which the Sum of *Fifteen Thousand Pounds* is to be raised in this

Colony, namely, in each and every of the Years One Thousand Seven Hundred and Seventy-four, One Thousand Seven Hundred and Seventy-five, One Thousand Seven Hundred and Seventy-six, One Thousand Seven Hundred and Seventy-seven, One Thousand Seven Hundred and Seventy-eight, One Thousand Seven Hundred and Seventy-nine, One Thousand Seven Hundred and Eighty, One Thousand Seven Hundred and Eighty-one, and One Thousand Seven Hundred and Eighty-two, the said Sum shall be annually assessed, levied and raised in Manner aforesaid, that is to say: All Land, Horses and Cattle, shall be valued as aforesaid: And all and every of the above mentioned Certainties shall be rated at One Fifth Part more than the Sums they are above respectively assessed at, so as to agree in the same Proportion as Twelve and a Half is to Fifteen. And the said Sum of *Fifteen Thousand Pounds,* shall be yearly and every Year, paid into the Treasury of this Colony, on or before the Twenty-first Day of *November,* in each and every of the Years last mentioned, in the Proportions following, *viz.*

By the County of *Bergen,* the Sum of *Nine Hundred and Ninety-six Pounds Twelve Shillings.*

By the County of *Essex,* the Sum of *One Thousand One Hundred and Fourteen Pounds Seven Shillings.*

By the County of *Middlesex,* the Sum of *One Thousand Three Hundred and Eight Pounds Ten Shillings.*

By the County of *Monmouth,* the Sum of *One Thousand Six Hundred and Three Pounds Fourteen Shillings.*

By the County of *Somerset,* the Sum of *One Thousand Three Hundred and Fifty-six Pounds Three Shillings.*

By the County of *Morris,* the Sum of *One Thousand and Eighty-five pounds Two Shillings.*

By the County of *Sussex,* the Sum of *Eight Hundred and Eighty-nine Pounds Eighteen Shillings.*

By the County of *Hunterdon,* the Sum of *Two Thousand and Forty-five Pounds Fifteen Shillings.*

By the County of *Burlington,* the Sum of *One Thousand Six Hundred and Seven Pounds Ten Shillings.*

By the County of *Gloucester,* the Sum of *One Thousand One Hundred and Forty-four Pounds Fourteen Shillings.*

By the County of *Salem,* the Sum of *One Thousand and Nineteen Pounds Eight Shillings.*

By the County of *Cumberland,* the Sum of *Five Hundred and Seventy-eight Pounds.*

By the County of *Cape-May,* the Sum of *Two Hundred and Fifty Pounds Seven Shillings.*

AND BE IT ENACTED, That in the Year One Thousand Seven Hundred and Eighty-three, the further Sum of *Five Thousand Pounds,* shall be assessed, levied and raised in Manner aforesaid, and paid into the Treasury, on or before the Twenty-first Day of *November,* in that Year, in similar Proportions as aforesaid, that is to say; in the Year One Thousand Seven

Hundred and Eighty-three, there shall be levied in each respective County of this Colony, one Third Part of the Sum as is above ordered to be levied in the Year One Thousand Seven Hundred and Eighty-two; and all the aforesaid Certainties shall be assessed at one Third Part of the Sum they were in One Thousand Seven Hundred and Eighty-two.

AND BE IT ENACTED *by the Authority aforesaid,* That the Monies hereby to be raised in the County of *Morris,* shall be paid by the Collector of the said County to the Treasurer of the Eastern Division of this Colony; and the Monies to be raised by Virtue of this Act, in the County of *Sussex,* shall be paid to the Treasurer of the Western Division.

AND BE IT ENACTED *by the Authority aforesaid,* That the Assessors for assessing the several and respective Sums aforesaid, shall be such as hereafter shall be chosen, during the Continuance of this Act, by the several Towns, Precincts and Districts, according to the Directions of an Act of General Assembly, entitled, *An* Act *for the more regular choosing and electing Assessors and Collectors, in the respective Towns and Counties in this Province;* which said Assessors shall, before they do any Thing in Pursuance of this Act, severally take the following Qualification, before any one Justice of the Peace, in the respective Counties, to wit, *That you will truly and impartially value and assess the rateable Estates of the Inhabitants of the Township or Precinct of pursuant to the Directions of this Act, and also assist the other Assessors in settling the Quotas, according to the best of your Skill and Understanding.*

AND BE IT ENACTED *by the Authority aforesaid,* That the Town, Precinct and District Collectors, for collecting the several and respective Sums aforesaid, to be delivered to the Collectors of the several Counties, for them to transmit to the Treasurers of this Colony, shall be such as hereafter shall be chosen during the Continuance of this Act as aforesaid, by the several Towns, Precincts and Districts as aforesaid, according to the Directions of the Act of General Assembly above referred to, entitled as aforesaid.

AND BE IT ENACTED *by the Authority aforesaid,* That the County Collectors for collecting and receiving from the Town, Precinct or District Collectors aforesaid, the several and respective Sums aforesaid, shall be such as hereafter shall be chosen, during the Continuance of this Act, as aforesaid, in each respective County of this Colony, according to the Directions of an Act of General Assembly, entitled, *An* Act *to enable the Freeholders, in Conjunction with three Justices of the Peace, to choose a Collector for each respective County within this Province.*

AND to the End the several and respective Sums aforesaid, may be equitably assessed and levied; BE IT ENACTED *by the Authority aforesaid,* That all and every of the Inhabitants and Householders of each County in this Colony, on Application to them made by the Assessors of the respective Towns, Precincts or Districts chosen as aforesaid, shall forthwith give a true Account of their Names and Sir-Names, and of their Estates real and personal, made rateable by this Act, where the same doth lie; which the

Assessors shall take down in Writing, in order to be enabled thereby, to make just and true Assessments of such rateable Estate, and to render Duplicates thereof to the Town, Precinct and District Collectors, chosen as aforesaid, by the Times herein after prescribed for that Purpose. And in Case any of the Inhabitants or Housholders shall at any Time, neglect or refuse to give in such Account of their said Estates real and personal; such Person or Persons so neglecting or refusing, shall forfeit the Sum of *Three Pounds,* Money aforesaid, and be assessed and rated the double of the Sum of what the said Assessors, in their Discretion may suppose the said Person or Persons so neglecting or refusing, might otherwise, in Proportion to their Estates, have been rated at. And in Case the said Assessors, or any of them, shall at any Time within the Space of Thirty Days after such Accounts are given in, have certain Knowledge or Reason to believe or suspect, that any Person or Persons have concealed or not given in a full Account of their Estates real and personal made rateable as aforesaid; then and in such Case, it shall and may be lawful for the said Assessors respectively, and they are hereby commanded and enjoined, to make a List or Catalogue of the Names of the Persons so offending, or supposed to have offended, and deliver the same to some one Justice of the Peace of the respective County, who is hereby authorized, impowered and commanded, to summon such Person or Persons so delinquent, or supposed to be delinquent, at a Day and Place to be by him appointed and prefixed, and then and there to examine such Person or Persons, touching the Lists of their respective Estates, so as aforesaid given in, or touching any other Matters, which may any Way concern the Premises. And if upon such Examination, or otherwise, it shall appear that such Person or Persons have been guilty of concealing, or not giving in any Part of their Estates, made rateable as aforesaid, such Person or Persons shall forfeit and pay the Sum of *Three Pounds,* Money aforesaid, and shall be rated double the Value of what the Part of his Estate so concealed would have been rated at. And if any Person or Persons, duly summoned to be examined as aforesaid, shall neglect to appear on the Day and Place to be prefixed him, her or them, every Person so making Default, his, her or their rateable Estates shall be rated double the Value of what the said Assessors respectively, may in their Discretion suppose the said Delinquents might otherwise have been rated at, in Proportion to their Estates, and also be subject to the aforesaid Fine of *Three Pounds,* for not giving in a true Account of his Estate as aforesaid; for all which Penalties aforesaid, the said Justices on due Conviction as aforesaid, shall give Judgment with reasonable Costs, and thereupon issue his or their Warrant, directed to the Constable of the respective Town, Precinct or District, for distraining the same, on the Goods and Chattels of such Offender; and in Case no such Goods and Chattels can be found, then to take the Bodies of the Offenders, which shall be committed to the Gaol of the said County, there to remain in close Custody until the said Penalties and Costs shall be paid. And the same Penalties, when recovered, shall be paid to the Collector of such respective County, to be disposed of for and towards the Support of Government as aforesaid. *Provided always,* that if

any Person or Persons, shall think him, her or themselves aggreived by any such Judgment, it shall and may be lawful for such Person or Persons, in the Space of Ten Days then next following, to appeal from the said Judgment, to the then next Court of General Quarter Sessions of the Peace of the same County, but not after, who, upon due Examination thereof, shall and may give such Relief therein, as may be agreeable to Justice, whose Judgment shall be final to all Intents and Purposes.

AND BE IT ENACTED *by the Authority aforesaid,* That for assessing all and singular the aforesaid yearly Payments, to be assessed, levied and paid into the Treasury yearly, and every Year during the Continuance of this Act, the Assessors aforesaid, respectively shall take a true Account, and make an exact List, with Columns therein, of all those Persons and Things made rateable as aforesaid, on or before the First Day of *August,* yearly and every Year, and on the First *Monday* in *September* following, shall meet at the Court Houses of all the Counties, except in the County of *Middlesex,* for which they shall meet at *Piscataway,* and for the County of *Hunterdon,* at the now Dwelling House of *John Ringo,* in *Amwell;* and at the said respective Places, shall compute what the Sum total of all the Certainties laid by this Act, in the said County, shall amount unto, and the Rates and Penalties received by the Collector thereof, to and for the Support of Government as aforesaid, (if any such Rates and Penalties shall happen to be so received) and shall also then and there likewise compute the Value of all the Estates real and personal given in to the said Assessors, within each of the said Towns, Precincts or Districts, in each and every County of this Colony, at the Value in this Act mentioned and expressed, and at such other Value as they or the Majority of them then present, in their Discretion shall think reasonable to fix, according to the Restrictions and Directions herein before limited and prescribed; and after deducting the Certainties, Rates and Penalties aforesaid, (if any such Rates and Penalties shall happen to be so received) from the Quotas by this Act directed and appointed to be paid by each of their respective Counties, the said Assessors shall add their own and the Collectors Fees to the Remainder, and assess such Remainder and Addition of Fees, equally on the Pound Value of all the real and personal Estates, within each of their several and respective Counties, so as to make up their several and respective Quotas, with the additional Charges of assessing and collecting, receiving and paying the same into the Treasury, by the Times abovementioned. And the Assessors aforesaid respectively, within Ten Days after making such Assessments, shall deliver to the Collectors of each Town, Precinct or District, of the several Counties within this Colony, true and exact Duplicates of each respective Assessment, containing, in distinct Columns therein to be made for that Purpose, as well an exact Account of the Certainties, Rates and Penalties aforesaid, and the rateable Estates given in by each Person, as also the Assessment thereon, made in the Form following.

A LIST *of all the* Rateables *in the Township of* *in the County of* *in the Colony of* NEW-JERSEY, *with the Assessments made thereon, in the Month of* *in the Year of our Lord* 177

PERSONS NAMES	Acres of Land.	Value of the Land.	Horses and Cattle, 25 *s.* each.	Servants and Slaves.	Single Men who keep a Horse.	Single Men.	Vessels.	Merchants.	Grist-Mills and Number of Stones.	Saw-Mills.	Fulling-Mills.	Furnaces.	Bloomaries & Forges, with Numb. of Fires.	Stills.	Brew Houses.	Ferries.	Coaches, Chariots and four wheel'd Chaises.	Two wheel'd Chaises.	Riding Chairs and Kittereens.	Waggons whose Bodies hang upon Springs.	Curricles and Pole Chairs.	Housholders.	Glass Houses.	£.	s.	d.

Here caft up the Total of each.

AND BE IT ENACTED *by the Authority aforesaid,* That in Case any of the Assessors chosen as aforesaid, shall neglect or refuse to accept the said Office,

or shall neglect or refuse to deliver unto the Collectors aforesaid, true and exact Duplicates of such Assessments, by the Times above particularly prefixed, or shall otherwise neglect or refuse to do any other Duty, Matter or Thing, required or enjoined them by this Act; every such Assessor so offending, shall forfeit for each Offence the Sum of *Five Pounds,* Money aforesaid, to be recovered by the Collector of each respective County within this Colony where such Offence or Offences shall be committed, in any Court of Record where the same shall be cognizable, with Costs of Suit, one Half to his Majesty, his Heirs and Successors, to and for the Support of Government, to be applied as aforesaid, and the other Half to such Collector so recovering the same, with Costs of Suit; and the said County Collectors respectively, are hereby authorized, enjoined and required to sue for the same accordingly. And in Case the said Collectors, or either of them, shall knowingly conceal or neglect to sue any such Assessors so delinquent as aforesaid, for the Space of Ten Days after Notice of such Offence or Offences; then and in that Case, such Collector so offending, shall forfeit the Sum of *Five Pounds,* Money aforesaid, for every such Offence, to be recovered by any Person who will sue for the same, one Half to the Use of his Majesty, his Heirs and Successors, to and for the Support of Government, to be applied towards the Quota of such County or Counties respectively, where such Collector or Collectors so offending shall reside, and the other Half, with Costs of Suit, to the Person so suing: And the Assessors aforesaid shall have and receive of and from the County Collectors aforesaid, the Sum of *Six Pence* per Pound, for their Trouble of assessing the several and respective Sums directed to be raised by this Act as aforesaid.

PROVIDED ALWAYS, That if any Person or Persons, shall think him, her or themselves aggrieved, by any Assessment made by any Assessor, it shall and may be lawful, for such Person or Persons (within Six Days after the same is demanded) to appeal to the next adjacent Justice of the Peace for the said County, who shall proceed in a summary Way, to hear and determine the same, and give such Relief as appears to be agreeable to Justice and Equity. *Provided also,* That the said Justice shall not reduce any Assessment below the Sum fixed by this Act.

AND BE IT ENACTED *by the Authority aforesaid,* That the Collectors aforesaid, of each respective Town, Precinct or District, within the several Counties of this Colony, within Sixty Days after the Receipt of the Duplicates from the Assessors aforesaid, shall gather in the several and respective Sums assessed thereon as aforesaid, and deliver the same to the Collectors of the respective Counties aforesaid. And if in Case any of the Town, Precinct or District Collectors aforesaid, shall neglect or refuse to deliver such Money, or any Part thereof, so collected, and such Duplicates whereon the same shall be assessed as aforesaid, to such County Collectors, by the Time above prefixed them for that Purpose, every such Collector so offending, shall forfeit for each Offence the Sum of *Five Pounds,* Money aforesaid. And in Case any of the Town, Precinct or District Collectors aforesaid, shall in any other Duty, Matter or Thing required or enjoined them by this Act, neglect or refuse the

same, every such Collector, for each Offence, shall forfeit the Sum of *Five Pounds,* Money aforesaid. All which Penalties, the County Collectors aforesaid, respectively, are hereby authorized, impowered and commanded to sue for, in any Court of Record in this Colony, where the same shall be cognizable, one Half to his Majesty, his Heirs and Successors, towards the Support of Government, to be applied as aforesaid; and the other Half to such County Collector so suing, with Costs of Suit. And in Case the said County Collectors aforesaid, or either of them, shall knowingly conceal or neglect to sue any such Town, Precinct or District Collector, so delinquent as aforesaid, for the Space of Ten Days after Notice of the said Offence or Offences, then and in that Case, such County Collector so offending, shall forfeit the Sum of *Five Pounds,* for neglecting to sue for the Recovery of such Sum or Sums of Money, so collected by such Town, Precinct or District Collectors; and the Sum of *Three Pounds,* for neglecting to sue for any other less Breach of Duty, Matter or Thing, required or enjoined them by this Act as aforesaid. All which Penalties, may and shall be recovered, by any Person who will sue for the same, in any Court of Record within this Colony; one Half to his Majesty, his Heirs and Successors, to and for the Support of Government, to be applied in Manner aforesaid, and the other Half to the Person so suing, with Costs of Suit. And the Town, Precinct or District Collectors aforesaid, shall and may retain in their Hands the Sum of *Four Pence per Pound,* for all such Money as they shall respectively gather and pay to the County Collectors aforesaid, by Virtue of the Directions of this Act. And if any Person or Persons shall refuse or neglect to pay his, her or their Tax, to the Town, Precinct or District Collector or Collectors, when demanded or Notice given at their respective Places of Abode, such Collector or Collectors within Twenty Days after making such Demand, or giving such Notice, shall make out a List of the Name and Sirname of such Delinquent or Delinquents, with what Sum or Sums he, she or they is or are to pay, and make Return thereof to any one Justice of the Peace of such County where such Delinquency shall happen; which Justice is hereby impowered and required to administer an Oath or Affirmation to the said Collector, that the Monies in the List mentioned had been demanded of, or Notice thereof given to, the Delinquent, and thereupon make out his Warrant to the Constable of such Town, Precinct or District, to make Distress on the Delinquent or Delinquents Goods and Chattels, and make Sale thereof at a publick Vendue, in any Town or County within this Colony, and pay the Tax or Taxes for which such Distress shall be made, unto the Collector of such Town, Precinct or District, to be by him paid unto the Collector of said County, and after Payment made, to retain *Two pence* for each Name inserted in the Warrant, to be paid to the Justice of the Peace that shall make out the same, and *One Shilling* to the Constable for each Distress and Sale; And the said Constable shall pay the same to the Collector within six Days after receiving it; and shall forfeit *Forty Shillings* for Breach of any Part of his Duty enjoined him by this Act, to be recovered and applied as aforesaid; and if any Overplus shall then remain, the same to be returned to the Owner or Owners

thereof; and where Goods and Chattels cannot be found, the Constable or Constables of such Towns, Precincts or Districts, is and are hereby impowered and required, to take the Body or Bodies of such Delinquent or Delinquents, if to be found in said County, and deliver him or them to the Sheriff of such County, who is hereby impowered and required to keep such Delinquent or Delinquents in safe Custody, until Payment shall be made, and all Charges accrued thereby defrayed.

AND BE IT ENACTED *by the Authority aforesaid,* That if any of the County Collectors aforesaid, shall receive any Sum or Sums of Money for Rates or Forfeitures, by Virtue of the Directions of this Act, before the Taxes herein before mentioned shall be assessed, every such Collector, shall immediately render an Account thereof, to the Assessors of the County, respectively, where such Money shall be so received, to the End the said Assessors may deduct the same from the Quota of such County, and assess the Remainder thereof, equally upon those Persons and Things made rateable as aforesaid. And in Case such Collector or Collectors, shall neglect or refuse to give such Account as aforesaid, every such Collector, so neglecting or refusing, shall forfeit for every such Neglect or Refusal, the Sum of *Five Pounds,* Money aforesaid, to be recovered by any Person who will prosecute the same to Effect, in any Court of Record where the same shall be cognizable, one Half to his Majesty, his Heirs and Successors, for and towards the Support of Government of this Colony, to be applied as aforesaid, and the other Half to the Person so prosecuting, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That the Collectors aforesaid, of the several Counties within this Colony, shall pay the particular Sums by them severally received, for the Quotas of the said Counties, to be levied by Virtue of the Directions of this Act, unto the Treasurers of the Divisions to which the said Collectors shall severally belong, on or before the Twenty-first Day of *November,* yearly, and every Year, during the Continuance of this Act; for which Sums of Money, the said Treasurers shall give the said Collectors a Receipt; which Receipt shall be a sufficient Voucher to discharge them the said Collectors severally, of and from the same; but if in Case the said Collectors, or either of them, shall neglect or refuse to pay such Sums of Money unto the said Treasurers as aforesaid, by the Times above prefixed for that Purpose, every such Collector so offending, shall forfeit for every such Offence, the Sum of *Fifty Pounds,* Money aforesaid; to be recovered by the said Treasurers, or either of them, in any Court of Record within this Colony, where the same shall be cognizable, one Half thereof to his Majesty, his Heirs and Successors, for and towards the Support of Government, to be applied to the defraying the Quota or Quotas of such County or Counties to which the Collector or Collectors so offending shall respectively belong, and the other Half to the said Treasurers, or either of them, so suing, with Costs of Suit.

AND in Case the said Treasurers, or either of them, shall knowingly conceal or neglect, for the Space of Twenty Days, to sue any such County Collector or Collectors, so offending as aforesaid, such Treasurer or Trea-

surers, so concealing or neglecting to sue as aforesaid, shall forfeit the Sum of *Fifty Pounds,* Money aforesaid, for every such Concealment or Neglect; to be recovered in any Court of Record within this Colony, where the same shall be cognizable, by any Person who will sue for the same, one Half to his Majesty, his Heirs and Successors, for and towards the Support of Government, to be applied in Manner aforesaid, and the other Half to the Person so suing as aforesaid; and the County Collectors aforesaid, shall have and retain in their Hands, the Sum of *Two Pence per Pound,* for all such Money as they shall respectively receive, and pay unto the Treasurers aforesaid, by Virtue of the Directions of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Justices of the Peace of each County in this Colony, or any Three of them, *Quorum unus,* and the Majority of the Freeholders chosen for the said County, to call the County Collectors aforesaid to an Account, concerning the Money they shall receive by Virtue of the Directions of this Act, in the said Counties, at such Time or Times, and as often as the said Justices and Freeholders may deem convenient. And in Case any of the said County Collectors, shall have any of the Money by them received as aforesaid, remaining in their Hands, after the Quota of the County shall be paid unto the Treasurer of the Division to which such Collector shall respectively belong, and the Fees by this Act allowed for assessing, collecting, receiving and paying the same unto the Treasurers aforesaid; then and in that Case, it shall and may be lawful for the said Justices and Freeholders, to order the Money so remaining in such Collector's Hands, to be continued therein, and likewise to order him to notify the Assessors aforesaid, chosen for the said County, of the Sum so remaining in his Hands, before the next Assessment to be made therein, to the End the said Assessors may deduct the same from the Quota of said County, and assess the Remainer on those Persons and Things made rateable by this Act as aforesaid.

AND in Case the said Collectors, or any of them, shall neglect or refuse to render Account as aforesaid, on reasonable Notice to them given, or shall neglect or refuse to notify the said Assessors, of the Money remaining in their Hands as aforesaid, or shall neglect or refuse to pay such Money unto the Treasurer of the Division to which they shall severally belong; every such Collector, so neglecting or refusing to render Account as aforesaid, shall forfeit for every such Neglect or Refusal, the Sum of *Fifty Pounds,* Money aforesaid: And every such Collector, so neglecting or refusing to notify the Assessors aforesaid, of the Money so remaining in his Hands as aforesaid, shall forfeit for every such Neglect or Refusal, the Sum of *Five Pounds,* Money aforesaid: And every such Collector, so neglecting or refusing to pay such Money so remaining in his Hands, unto the Treasurer of the Division to which he shall respectively belong, as Part of the Quota of the County for which he shall be Collector, shall forfeit for every such Neglect or Refusal, the Sum of *Five Pounds,* Money aforesaid. All which Penalties, shall be recovered in any Court of Record of this Colony, where the same shall be cognizable,

by any Person who will sue for the same; one Half to his Majesty, his Heirs and Successors, to and for the Support of Government, to be applied towards the Payment of the Quota of such County where such Penalties shall become due, the other Half to the Person so suing, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That the said County Collectors respectively, are hereby required and commanded, to lay Copies of the respective Assessments, and Accounts of Deficiencies, and of all Monies assessed and levied on the County, as shall be so delivered to them, by the said Town Collectors, before the Justices and Freeholders of the respective Counties at their stated Meeting.

AND BE IT ENACTED *by the Authority aforesaid,* That in Case any Assessor or Collector of either of the Townships, Precincts or Districts in the Counties aforesaid, shall refuse to act, or shall die or remove, before another can be chosen in his Room, by Virtue of an Act of General Assembly herein referred to; then and in that Case, the Constable or Constables of such Town, District or Precinct, is hereby commanded, immediately to give Notice thereof to any Justice of the County, who is hereby required to issue out his Warrant to the Constable or Constables of such Township, District or Precinct, requiring him or them to warn the Freeholders and Inhabitants, Housholders thereof, to meet at the usual Place of their Town-Meetings, within Six Days, who shall then and there proceed to elect another Assessor or Collector, in the same Manner as by the said former Act referred to, is directed and appointed. And if any County Collector shall refuse to act, or shall die or remove, then the Justice who lives nearest to such Collector, or other Justice, shall issue his Warrant to the Constables, to summon the Justices and Freeholders chosen for such County, to meet within Ten Days, who shall choose a Collector in the Room of such so refusing, dying or removing, in the same Manner as by a former Act referred to, is directed and appointed: And the Assessor or Collector so elected, shall transact, do and perform all whatsoever the other Assessor or Collector was obliged to, and be subject to the like Pains and Penalties for Misbehaviour.

AND BE IT ENACTED *by the Authority aforesaid,* That if any of the Justices of the Peace within this Colony, shall neglect or refuse to do any Duty, Act, Matter or Thing, by this Act enjoined them to do and perform, every such Justice so neglecting or refusing, shall forfeit for each Offence, the Sum of *Five Pounds,* Money aforesaid, to be recovered by any Person who will sue for the same, in any Court of Record of this Colony, where the same shall be cognizable; one Half to his Majesty, his Heirs and Successors, for and towards the Support of Government, to be applied towards the Quota of the County where such Offence shall be committed, the other Half to the Person so suing, with Costs of Suit.

AND *Whereas* many Persons residing within this Colony, have seated themselves on certain large Tracts of Land, neither having Property therein, or paying Rent for the same, yet nevertheless to actually hold and occupy certain Parts thereof, and therefrom do receive the like common Benefits that the Freeholders of this Colony do generally receive from their Fee Simple

Estates; and to exempt such Persons seated as aforesaid, from Payment of their just Proportion of the Taxes herein directed to be levied, for the Lands they severally hold and occupy as aforesaid, would be a manifest Injury to the said Freeholders, and other Inhabitants of this Colony, made rateable by this Act; for remedying of which, BE IT ENACTED *by the Authority aforesaid,* That all and every Person or Persons residing within this Colony, seated on, occupying and holding Lands, not having the Property thereof, or paying Rent for the same, shall notwithstanding give a true Account of the particular Parts of all such Lands which they are respectively seated on, both cleared and Woodland, as much as they pretend to hold, to the Assessors of this Colony respectively, when thereunto required; and shall pay their several and respective Taxes for the same, in the like Manner as the Freeholders aforesaid are liable to do by Virtue of the Directions of this Act: And for neglecting or refusing to give such Account, and pay such Taxes as aforesaid, shall be subject to the like Pains and Penalties as the said Freeholders are subject to, by Virtue of the Directions of this Act as aforesaid, any Thing in this Act contained to the Contrary hereof, in any wise notwithstanding.

AND *Whereas* some Owners of profitable Tracts of Land whereon Improvements are made, may not reside in the same County or Township where such Land lies, whereby it may be difficult to recover the Tax assessed on said Land; for Remedy whereof, BE IT ENACTED *by the Authority aforesaid,* That the Tenant or other Person, residing on and having the Care of such Lands, their Goods and Chattels, and the Goods and Chattels of the Landlord, (on his Refusal or Neglect to pay) if there found, shall be liable to be distrained for Payment of said Tax; and in Case the Tenant, or Person having the Care thereof, shall pay, or their Goods be distrained for the same, then it shall and may be lawful to and for the said Tenant, to deduct the Tax so paid, out of the Rent agreed for, and for the Tenant or Tenants, or Person having the Care of said Land, to recover the same from the Owner, by Action of Debt, in any Court where the same shall be cognizable, together with Costs of Suit. *Provided,* That Nothing in this Act shall in any Manner alter any Contract heretofore made between any Landlord and Tenant, provided that the Tenant shall not be liable to pay more than his yearly Rent. And if it shall so happen, that the Tenant by his Lease shall be obliged to make sundry Improvements, and not to pay any Money as Rent, and also if the Tenant or Tenants Rent does not amount to the Tax assessed, for what he leases, it shall be lawful for the County Collector to recover the same from the Landlord, by Action of Debt, in any Court where the same shall be cognizable. *Provided always,* That it is the true Intent and Meaning of this Act, that all Lands purchased from a larger Patent or Survey, shall be esteemed a separate Tract.

AND BE IT ENACTED *by the Authority aforesaid,* That every Collector and Assessor aforesaid, shall deliver over to his Successor in Office, the Acts of Assembly allowed and belonging to such Officer.

AND BE IT ENACTED *by the Authority aforesaid,* That where Provision

is made by this Act, for Payment of any Collector, Assessor or other Officer, all Clauses in any former Law in this Colony providing for Payment of the same Services, is, and are hereby repealed.

Passed 6 Dec. 1769.
Parker (1769), pp. 54-75.

An ACT *to erect Courts in the several Counties in this Colony, for the Trial of Causes of* Ten Pounds, *and under.*

WHEREAS an Act, entitled, *An* Act *to erect and establish Courts in the several Counties of this Colony for the Trial of small Causes,* has, by Experience, been found very beneficial to the Inhabitants of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly, now met and assembled, and it is hereby Enacted by the Authority of the same,* That all Actions of Debt, and other Demands, for and under the real Value of *Ten Pounds,* Money according to the Proclamation of the late Queen ANNE, except such Actions as are herein after excepted, shall, from and after the Publication of this Act, be, and are hereby made cognizable before any one Justice of the Peace, of any of the Counties, Cities or Towns Corporate, within this Colony, in the County, City, or Town Corporate, in which the Defendant shall be or reside: And the said Justices are hereby respectively impowered and required, upon Application to either of them made, for the Recovery of any such Debt or Demand, to issue a Summons or Warrant, as the Case may require; on which Summons or Warrant shall be indorsed by the Justice, the Plaintiff's Demand, directed to the Constable of the City, Township, Precinct or District, where the Defendant dwells or can be found, commanding him to bring or cause such Defendant to come, with the Plaintiff, before him, at the Time, and in the Manner following, (that is to say) In Case, where the Process shall be in Nature of a Capias, forthwith after the Service thereof; but where the Summons shall be issued, then on some certain Day therein to be expressed, not less than five, nor exceeding fifteen Days, from the Date of such Process; and at the Time appointed for hearing any such Cause, or on some such other Day, as such Justice shall think reasonable to appoint, the said Justice shall proceed to hear and examine the Allegations and Evidences of the Plaintiff and Defendant, and give his Judgment thereupon, in such Manner as shall appear to him

agreeable with Equity and Justice, together with such Costs as are herein after allowed.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Process against all Freeholders, that are Inhabitants, shall be by Summons only; which Summons shall be signed by the Justice that shall grant it, and served on the Person of the Defendant; or that, or a Copy thereof, left at his House, in the Presence of one or more of his Family or Neighbours, who shall be informed of the Contents thereof, at least five Days before the Time appointed for a Hearing: And in Case the Defendant does not appear at the Time and Place that shall be appointed in such Summons; then on Oath or Affirmation made by the Constable, that the said Summons was duly served in Manner aforesaid, and no sufficient Reason appearing to the said Justice, why the said Defendant did not appear on the Day appointed in said Summons, the said Justice shall proceed to hear and determine any such Cause or Causes, in the Defendant's Absence, and give Judgment, and award Execution thereupon, in the same Manner as if the Defendant had been personally present: But if there shall appear any sufficient Reason, why the said Defendant did not obey said Summons, then the Justice shall and may, in his Discretion, defer the Hearing of the said Cause.

PROVIDED ALWAYS, *and be it Enacted by the Authority aforesaid,* That if any such Plaintiff so applying, or any other Person for him or her, shall upon Oath or Affirmation, declare, that he or she does sincerely believe, that if such Process be only by Summons against such Freeholder, he or she will be in Danger of losing the Debt thereby; or that he or she doth really and sincerely believe, that such Freeholder will depart the County, City or Town, or otherwise abscond before such Time; then the said Justice shall issue out his Warrant in such Manner as if the Defendant had not been a Freeholder: And if any Defendant shall require a longer Time than is first appointed by the said Justice, and will, if required, give sufficient Security, to appear and stand Trial on such other Day as shall be appointed; then the said Justice is hereby required and impowered to adjourn the Trial of such Cause, to any Day he shall think most convenient, not exceeding twelve Days, nor less than three, from that Time, unless the Justice and Parties shall otherwise consent and agree.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in every Action that shall hereafter be brought in this Colony, by Virtue of this Act, when the real Debt or Demand exceeds the Sum of *Forty Shillings,* Money aforesaid, it shall and may be lawful for either of the Parties to the Suit, if on Summons, at least three Days before the Day of Appearance mentioned in the Summons; and if on Warrant upon the Defendant's giving Security for his Appearance, at least three Days before the Day appointed for Trial, to demand a Jury; and upon such Demand, the said Justice is hereby required and commanded, to issue a *Venire* to the Constable of any of the Towns, Districts or Precincts of the said County, commanding him to bring, or cause to come, at such certain Time and Place, as shall be in the *Venire* expressed, Six good and lawful Men of the County, being Freeholders, to whom legal

Challenges, by either Party, shall be allowed, and the Constable directed to summon others forthwith, in Lieu of those legally challenged, to which six Men, approved of by the Justice, he shall administer an Oath or Affirmation, in the Words following, *viz.*

YOU *shall well and truly try this Matter in Difference between* A.B. *Plaintiff, and* C.D. *Defendant, and a true Verdict give according to Evidence.*

AND after the six Persons have taken the Oath or Affirmation aforesaid, they shall sit together, and hear the several Proofs and Allegations of the Parties, which shall be delivered in publick, in their Presence; after which they shall be kept together, in some convenient private Place, without Meat, Drink, Fire or Lodging, till they all agree upon a Verdict; which shall be given in to the said Justice, who is hereby required to give Judgment agreeable to such Verdict, and to award Execution in the Manner herein after directed.

Provided always, That if any Plaintiff or Defendant in any such Suit, shall Demand a Jury, and upon the Trial of said Cause, the Jury do find the Sum due to either Party to be under *Forty Shillings,* Money aforesaid; then, and in such Case, the Justice before whom the said Cause shall be so tried, shall give Judgment, that the said Party shall recover his Debt or Damages, so found by the Jury, and further shall give Judgment, that the Person or Persons that did demand the Jury, shall pay all the Cost and Charges that have accrued by the Reason of the demanding the said Jury.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Plaintiff, in any such Suit or Action, shall be Non-suited, or discontinue his Suit, without the Leave of the Defendant, then Judgment shall be given against him for the Cost accrued; or if he shall appear to be indebted to the Defendant, then Judgment shall be given against him for the said Debt or Demand, and Costs as the Case may require; and whenever Judgment shall be given against either Plaintiff or Defendant, in any of the before-mentioned Cases, the Justice that pronounced the said Judgment, shall grant Execution thereupon, directed to one of the Constables of the said County, City or Town Corporate, commanding him to levy the Debt, or Demand and Cost, as the Case may require, on the Goods and Chattels of the Person against whom such Execution shall be granted, and take an Inventory of the same, and return a Copy thereof to the Magistrate who shall grant said Execution; and for Want of sufficient Effects whereon to levy the Execution, to take the Body of the Person against whom such Execution shall be granted, and him or her, convey and deliver to the Keeper of the Common Gaol of the County; which said Constable, after his taking such Goods or Chattels into his Custody, by Virtue of such Execution, shall give publick Notice, by an Advertisement, put up at the most publick Place of the Town or Precinct, where such Goods shall be taken, of the Sorts of Goods, and of the Time and Place when they will be exposed to Sale, at least five Days before the Time appointed for selling them; and at the Time and Place so appointed, shall expose them to Sale by publick Vendue to the highest Bidder, and pay the Money forthwith to the Plaintiff, or in his Absence to the Justice, and return

the Overplus, if any be, to the Owner; and for Want of sufficient Goods and Chattels whereon to levy the Execution, the Constable to whom any such Execution shall be directed, shall, according to the Tenor of the said Execution, take the Body of the Person against whom any such Execution shall be granted, and deliver him or her unto the Sheriff, Under Sheriff or Gaol-Keeper, at the Common Gaol of that County, City or Town Corporate; which said Sheriff, Under Sheriff or Gaol-Keeper, is hereby commanded to keep such Prisoner in his safe Custody in the Common Gaol, until the Debt or Demand, with the Cost, shall be fully paid, or until he or she, shall be from thence delivered by due Course of Law.

PROVIDED NEVERTHELESS, That no Execution of any Judgment given by Virtue of this Act, where the real Value of such Judgment shall exceed the Sum of *Forty Shillings,* Money aforesaid, shall issue against any Freeholder in less than THREE Months after Judgment, unless the Party in whose Favour such Judgment is given, shall make it appear to the said Justice, on Oath or Affirmation, that he or she is in Danger of losing their Debt, if such Delay be allowed; in which Case a Justice shall issue his Warrant of Execution immediately, as herein before directed, (unless the Party against whom such Judgment is given, shall thereupon give Security to the Party in whose Favour Judgment went, to pay the full of the Debt and Cost, at or before the Expiration of the said THREE Months) And it is the Intent and Meaning of this Act, that if any Defendant in any Action shall appear at the Return of the Precept, and procure any Freeholder to confess Judgment with Interest, he shall be intituled to the same Privileges as any Freeholder is intituled to, by Virtue of this Law.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if either of the Parties to any Cause determined by Virtue of this Act, shall think him or themselves aggrieved, by any Judgment given as aforesaid, for the Sum of *Twenty Shillings* or more, Money aforesaid, it shall and may be lawful, for such Person or Persons, to appeal from any such Judgment, to the next Court of General Quarter Sessions of the Peace, to be held for the County, City or Town Corporate, after the Judgment given; and the Justice before whom the said Cause was tried, is required to grant an Appeal upon the Condition following, and no other: That is to say; the Party demanding an Appeal, shall enter into Bond to the other Party, with at least one sufficient Security, in double the Debt, and sufficient to answer all Cost; the Condition of which Bond shall be, that the Appellant shall appear, and prosecute the Appeal in the Court above, and shall stand the Award of the Court, and pay such further Cost as shall be taxed, in Case the Judgment of the Justice is affirmed; and the said Justices of the said Court of General Quarter Sessions of the Peace, shall in a summary Way, hear and determine all such Appeals from a single Justice, give Judgment and award Execution thereon, with Cost. *Provided always,* That in every Cause wherein a Jury of Six Men give a Verdict as aforesaid, there shall be no Appeal allowed; but it is the true Intent and Meaning of this Act, that the Judgment given upon such Verdict, shall be final to all Intents and Purposes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Justices shall cause fair Entries to be made, in Books by them to be kept for that Purpose, of the Names of the Plaintiff and Defendant, in all such Cases as shall come before them, with the Debt and Cost adjudged, and the Time when such Judgment was given; and in Case where there shall be a Jury as aforesaid, he shall set down the Verdict by them given; and where any Appeal shall be granted, the Justice who pronounced the Judgment appealed from, shall send a Transcript of such Entry under his Seal, together with the Bond aforesaid, to the Clerk of the Court to which such Appeal shall be made, on or before the first Day of the Court next following such Appeal; for which Transcript the Justice shall be allowed *One Shilling,* and no more. *Provided always,* That none of the Justices, who by Virtue of this Act, shall have heard and determined any of the Causes aforesaid, out of the Court, shall afterwards sit on the hearing and determining the same Cause, on an Appeal made to any of the Courts of General Sessions aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, shall commence, sue or prosecute, any Suit or Suits, for any Debt or Demand, made cognizable as aforesaid, in other Manner than is directed by this Act, and shall obtain a Verdict or Judgment thereon for Debt or Damages, which without Cost of Suit, shall not amount to more than *Ten Pounds,* Money aforesaid, not having caused an Oath or Affirmation, to be made before the obtaining the Writ, and filed the same in the Clerk's Office, that he, she or they, so making Oath or Affirmation, did believe the Debt due, or Damages sustained, exceeded the Sum of *Ten Pounds,* Money aforesaid; he or they so prosecuting, shall not recover or have any Cost in such Suit; any Law, Usage or Custom to the Contrary in any wise nothwithstanding. *Provided always,* That neither this Act, nor any Thing herein contained, shall be deemed, construed or understood, to extend to Actions of Replevin or Slander, or to Actions of Trespass for Assault and Battery, or Imprisonment, or to such Actions where the Titles of Lands shall or may in any Ways come in Question.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That whensoever any Person within this Colony, shall be sued or prosecuted before any Justice of the Peace, for Rent, and the Title of Land shall be pleaded; it shall and may be lawful for such Justice, whenever the Sum demanded shall not exceed *Ten Pounds,* Money aforesaid, to proceed and determine, notwithstanding any Claim the Defendant may make to the Land whereon he lives, or did live, when such Rent became due; unless the Defendant or Defendants, shall immediately enter into a Bond to the Plaintiff, with one or more sufficient Sureties, being Freeholders, in the Sum of *Thirty Pounds,* conditioned for his Appearance in the Supreme Court of this Colony, and enter his, her or their Appearance, to a Suit to be there entered, for the Recovery or determining the Right and Title to the Lands, for which the Rent was demanded, and to pay the Debt and Damages found against him, with Costs of Suit; any Law, Usage or Custom to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Constable neglecting all or any of the Duties enjoined by this Act, shall forfeit and pay the Sum of *Five Pounds,* to be recovered by any Person suing for the same, one Half to the Use of the Person so suing, the other Half for the Use of the Poor of the Township of which he is Constable.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, the Justices of the Supreme Court, shall not allow any Writ or Writs of Certiorari, for the Removal of any Action, made cognizable before a single Magistrate, and by him determined by Virtue of this Act, unless the Reasons for granting such Certiorari be first assigned, and filed in the Office of the Clerk of the Supreme Court, within one Month after Judgment given in the original Action, any Law to the Contrary notwithstanding.

AND to prevent Delays in prosecuting Writs of Certiorari: BE IT ENACTED *by the Authority aforesaid,* That the Party obtaining such Writ, shall, upon the Delivery of the said Certiorari, also serve the Magistrate or Party, with a Copy of the Reasons by him assigned and filed as aforesaid, and that the Justices of the Supreme Court, shall, and they are hereby directed to hear and determine the same, on some Day in the Term to which such Writs shall be returned, and award Costs of Suit; any Usage or Custom to the Contrary notwithstanding.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That no greater or other Fees, shall be allowed, taxed or taken, in Actions brought in the Manner by this Act directed, than as in this Act is appointed to be taken; *that is to say,*

JUSTICES FEES.

A Summons, *Six Pence.*
A Warrant, *One Shilling.*
A Judgment, *Nine Pence.*
Administring every Oath or Affirmation, *Four Pence.*
Summons for Evidence, *Six Pence.*
Every Execution, *One Shilling.*
Issuing the *Venire Facias,* to summons a Jury, *One Shilling.*
Swearing or attesting the Jury, *Eighteen Pence.*

EVIDENCES.

Attending on Summons, or otherwise, *Two Shillings per Day,* and so in Proportion for a longer or shorter Time.

CONSTABLE.

Serving every Warrant or Summons, *Two Shillings.*
Every Execution, *Two Shillings and Six-pence.*
Summoning every Jury, *Two Shillings and Six-pence.*

JURIES.

All Causes tried, *One Shilling* per Man.

All Causes when summoned, and the Cause not tried, *Six-pence* per Man.

Drawing a Bond on an Appeal, or any other Bond, to the Person drawing the same, *One Shilling*.

PROVIDED ALWAYS, That no Fees shall be allowed for the Service of any Subpoenas for more than two Witnesses, nor shall Fees be allowed to more than two Witnesses for each Party in each Cause, on any Pretence whatever.

AND BE IT ENACTED *by the Authority aforesaid,* That no Justice or Justices of the Peace, shall hold any Court or Courts, for the Trial of Causes made cognizable before them by Virtue of this Act, in any Tavern or Publick-House; and if any Justice or Justices shall presume so to do, he or they shall forfeit the Sum of *Five Pounds,* for each and every Offence; to be recovered by Action of Debt, with Costs of Suit, and applied to the Use of the Poor of the City, Township or Precinct wherein the Fact was committed, by the Overseer of the Poor of the same Township, City or Precinct.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act, together with all Things therein contained, shall continue and be in Force for Two Years after the Publication thereof, and from thence to the End of the next Session of General Assembly, and no longer.

AND BE IT ENACTED *by the Authority aforesaid,* That the Act passed in the Eighth Year of his present Majesty's Reign, entitled, *An* Act *to erect and establish Courts in the several Counties in this Colony, for the Trial of small Causes,* shall be, and the same is hereby repealed.

Passed 6 Dec. 1769.
Disallowed 7 June 1771.
Parker (1769), pp. 75-82.

An ACT *for the Relief of Insolvent Debtors.*

WHEREAS great Numbers of poor and insolvent Debtors, appear now to be in Confinement in the several Gaols in this Colony, who are willing to

deliver up all their Effects to their Creditors; and great Injury may arise to the Publick from their Bodies being continued in Gaol: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, every Debtor in actual Confinement in any Gaol in this Colony, shall, in order to a Discharge, present a Petition to the Judges of the Inferior Court of Common Pleas, of the County in which the Debtor shall be confined, or in the Vacation, to two or more of the Judges of the said Courts, praying, that the said Debtor's Estate may be delivered to one or more such Persons, as the Creditors, or the Majority of them, shall nominate, to receive and dispose of the same, for the Use of all his or her Creditors.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, within two Days after the presenting such Petition, shall deliver in Writing, a full and true Account of all his or her Creditors, and the Monies owing to them by the said Debtor; and also a full and true Inventory and Account of all such Debtor's Estate, both real and personal, in Law and Equity, and all Books, Vouchers and Securities, relating to the same, except the necessary Apparel and Bedding of such Debtor, and of his Wife, and his or her Children, and Tools and Implements of his Trade or Calling, not exceeding the Value of *Ten Pounds* in the Whole, in the Estimation of the said Judges; on which the said Judges are hereby required to administer or tender an Oath or Affirmation, to the following Effect:

I A.B. *do solemnly swear, in the Presence of Almighty God, (or being of the People called Quakers, do solemnly, sincerely and truly declare and affirm) that the Account by me delivered, is a just and true Account of all my Creditors, and the Monies owing, to the best of my Knowledge or Remembrance, by me: And that the Inventory and Account delivered by me, is a just and true Account of all my Estate, real and personal, both in Law and Equity, either in Possession, Reversion or Remainder, the necessary wearing Apparel of myself and Wife, and Children, and the Tools and Implements of my Trade or Calling excepted: And that I have not directly or indirectly, sold, leased, assigned, or otherwise disposed of, or made over, either in Trust for myself or otherwise, except as set forth in the same Account, any Part of my Estate, real or personal, for my future Benefit, or in order to defraud my Creditors.* So help me God.

Which Oath or Affirmation, being taken by such Debtor, Notice shall be given by the Petitioner or Petitioners, to all the Creditors of such Debtor, by fixing Advertisements in five of the most publick Places of that County where such Debtor lives; and also by advertising the same in one or more of the publick News-Papers of *New-York,* if the Debtor lives in *East-Jersey;* but if the Debtor lives in *West-Jersey,* then in one or more of the News-Papers in *Pennsylvania,* to be continued at least three Weeks in such Paper, to shew Cause if any they have, on a Day to be appointed by the Court or Judges, and mentioned in the Advertisement, why an Assignment of the Debtor's Estate should not be made, and the Debtor discharged: At which Day, if no sufficient Cause to the contrary appears, the Court, or any two of the Judges, shall direct a legal Grant or Assignment of all such Debtor's Estate, if any he hath, both in Law and Equity, to be made by such Debtor, to the Person or

Persons nominated by the aforesaid Creditors; and upon such Debtor's producing a Certificate, under the Hands and Seals of the Assignee or Assignees, executed in the Presence of two Witnesses, that he or she has legally granted, conveyed, assigned, and delivered up, for the Use of the Creditors, all his or her Estate, real and personal, both in Law and Equity; and all the Books, Vouchers, and Securities relating to the same, they shall discharge such Debtor from his Imprisonment; which Discharge, or the Record thereof, in the Minutes of the Court from whence the Process issued, shall be a sufficient Warrant to the Sheriff or Gaoler, for setting such Prisoner at Large.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Debtor, who shall before the Delivery of the Petition before directed, have become Bail in any Cause, on Account of which he has Reason to think Judgment may be had against him; and shall make Oath or Affirmation as aforesaid, that at the Time he so became Bail, he had a clear Estate, sufficient to answer any Demand that could with any Probability be made upon him as Bail, may add to the Account of the Creditors, and the Monies owing by him, before directed to be given, an Account of the Manner of his becoming Bail, and annex such a Sum as he imagines he will be liable to pay on that Account; and then the Assignees shall reserve in their Hands, for the Space of one Year and a Half, such a Dividend as a Creditor for the like Sum would have a Right to receive: And after Judgment obtained against any such Debtor, the Person obtaining the same, shall be considered in every Respect as another Creditor, whose Debt was due before the Delivery of the Petition: But if in the Space of one Year and a Half after the Petition is delivered, no Judgment shall be obtained against the Insolvent, the Monies so reserved, shall be divided among the other Creditors, in the same Manner as the Rest of the Insolvent's Estate; and the Insolvent shall be discharged from all Obligations as Bail, in the same Manner as if the Sum so annexed to the Account of his Creditors, was paid: And if Judgment shall be obtained against such Debtor, as Bail for any Sum, within one Year and a Half after the Petition is delivered, and after the Division of his or her Effects, among his or her Creditors, and the said Debtor should have omitted either wholly or in Part, to annex the said Sum to the Account delivered; the Person obtaining such Judgment, shall recover against the said Debtor, either for the Whole, or the Part omitted, as the Case shall happen to be, so much as the other Creditors of the said Debtor ought to have received for a like just Debt, and no more.

AND BE IT FURTHER ENACTED, That all other Persons, who have given Credit to such an Insolvent Debtor, on a valuable Consideration, for any Sum of Money, or other Matter or Thing, which is or shall not be due or payable, at or before the Time of the Delivery of the Petition, shall and may be admitted and considered as Creditors, whose Debts are then due; and shall receive a Dividend of the Insolvent's Estate, in the same Proportion as the other Creditors, deducting thereout only a Rebate of Interest, at the Rate of *Seven per Cent.* for what shall be received on such Debts, to be

computed from the actual Payment thereof, to the Time they would have become due.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That such Assignee or Assignees, shall have full Power and Authority to dispose of all Estates which shall be assigned to him or them, or which ought by Virtue of this Act, to be assigned to him or them, to execute good and sufficient Deeds for the same, to redeem all Mortgages and conditional Contracts; and to recover in his or their own Names, every Thing belonging or appertaining to the Estate, real or personal, of such Debtor: And shall have full Power and Authority, by and with the Consent of the Creditors, to refer to Arbitration, settle, compound, or agree with any Person indebted to such Debtor, in such a Manner as shall from Time to Time be agreed upon between them; and shall proceed to convert the Estate or Estates of every such Debtor into Money, as soon as conveniently may be, and upon such Credit as the major Part in Value of the Creditors shall direct; and shall within the Space of one Year and a Half, proceed to make a Division of all the Money, which shall come to his or their Hands, of the Estate aforesaid, first giving three Months Notice of the Time and Place of making such Dividend, by advertising the same in one or more of the publick News-Papers, in Manner as aforesaid: And if the Whole be not then distributed, shall, within the Space of six Months thereafter, make a second Division of what Monies may come to his or their Hands, after the first Division; and so from Year to Year, till a final Settlement thereof, and a just and equal Distribution of the whole Estate be made.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignees shall at least one Month before a Division be made, appoint a Day by publick Notice, as herein before is directed, for a general Meeting of all such Creditors as shall choose to attend, to examine and ascertain the Debts due to each Creditor; and in Case of any Controversy relating to such Debts, it shall be determined in the following Manner; the Assignees shall nominate two Referees, not being Creditors of the Insolvent; and the Creditor, whose Debt is in Controversy, shall nominate two others; and their Names shall be separately written on four Pieces of Paper, as nearly of the same Size as possible, which shall be rolled up in the same Manner, and put into a covered Box, and from thence one of the Assignees shall draw out three of the said Pieces of Paper, and the Persons whose Names are so drawn, shall finally settle such Controversy: And if any Referee so appointed, shall refuse or be incapable of acting in a reasonable Time, a new Choice shall be made in the same Manner; and in Case any such Creditor shall refuse to nominate Referees on his Part, the Assignees are hereby impowered to nominate them for him.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Assignee or Assignees shall immediately after the Assignment, take an Oath or Affirmation as aforesaid, to be administred by the Court, or any one of the Judges, well and faithfully to manage the Insolvent's Estate, and keep and render a true Account of all that shall come to his or their Hands of the same;

and for that Purpose, shall keep regular Books of Accounts, to which every Creditor, at all reasonable Times, may have Recourse: And for the Care and Trouble incumbent on the Assignees, they shall be allowed out of the Insolvent's Estate, *Five per Cent.* on all Sums they shall distribute, by Virtue of this Act.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the more full Discovery of the Estate and Effects of such Debtors, the Court, or any one of the Judges, at the Request of the Assignees, shall have full Power, and are hereby required, to summon and examine, on Oath or Affirmation as aforesaid, the Wife of such Debtor, and every other Person whatsoever, known or suspected to detain any Part of the said Debtor's Estate and Effects, or to be indebted to it; and in Case any Person on such Summons shall refuse to attend, having no reasonable Excuse, or shall refuse to be sworn; or if a Quaker, to affirm; then it shall and may be lawful for the said Court, or any of the Judges, to commit the Person refusing to Gaol, till he or she shall submit to be examined, concerning what they know relating to such Insolvent's Estate or Effects; and in Case any such Person shall wilfully or knowingly affirm or swear falsely, the Person so offending, shall be liable to the same Pains and Penalties, as those who are convicted of wilful and corrupt Perjury.

AND BE IT FURTHER ENACTED, That no Suit in Equity shall be commenced by any Assignee, without the Consent of the major Part in Value of the Creditors, at a Meeting held for that Purpose; and if any Creditor shall neglect or refuse to give Notice of, and prove his or her Debt, within one Year and an Half after the Assignment, and a Division of the whole Estate be made, such Creditor shall not be intituled to a Dividend; and the whole Money shall be divided by the Assignees among the other Creditors: But in Case the Whole of such Debtor's Estate shall not be divided and settled by the Time hereby appointed for the first Division, and such Creditor shall prove his Debt before the Time appointed for a second Division; then such Creditor shall, before a second Division be made among the other Creditors, have his first Dividend, or so much Money as he would have been intituled to on the first Division, had his Debt then been proved; but no Creditor shall be admitted to prove his Debt, in order to intitle himself to a Share in the Insolvent's Estate after the second Division, but shall by this Act be debarred from any Share thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every such Insolvent Debtor, having given up all his or her Estate, and conformed in all Things to the Directions of this Act, shall forever thereafter be discharged from all Debts due at the Time of the Assignment, or contracted for before that Time, though payable afterwards, so far as regards the Arresting, Imprisonment or Detention of his or her Person.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That in Case any such Debtor shall be guilty of Perjury, by concealing any Part of his or her Estate or Effects, or shall after the Assignment of their Estates, by Virtue of this Act, receive any Debt or Debts due to him or her before, or he

or she shall secrete any Part of his or her Estate, or any Book or Writings relating thereto, with an Intent to defraud his or her Creditors, and being thereof legally convicted on Indictment, shall be adjudged guilty of wilful and corrupt Perjury, and suffer accordingly, and shall be totally precluded from all Benefit and Advantage whatever, which he, she or they might otherwise be intituled to by this Act.

PROVIDED ALWAYS, AND BE IT ENACTED *by the Authority aforesaid,* That Debts due from the Insolvent to His Majesty, his Heirs and Successors, shall be first paid, then those due to this Colony, then Diet whilst in Prison, then all Costs of Suit, Prison and Gaol Fees; and then deducting all such Costs, Charges and Expences, as shall be necessarily laid out and expended by the Assignee or Assignees, together with their Commissions for their Care and Trouble therein, the Residues shall be proportionably divided among the Creditors; in which Division no Preference shall be given to Debt due by Specialty, or on a Judgment; but if there should be an Overplus, after all the Creditors are fully satisfied for all their Demands, it shall be paid by the Assignees to the Debtor, his or her Executors or Administrators. *Provided,* That Nothing in this Act contained, shall be construed to deprive Landlords of the Right of distraining or securing their Rents, which by Law they had before the making this Act.

AND BE IT FURTHER ENACTED, That if any Person be sued for any Matter or Thing done by this Act, it shall be lawful for him to plead the General Issue, and give the special Matter in Evidence.

AND BE IT ENACTED *by the Authority aforesaid,* That no Person or Persons whatever, who hath made his, her or their Escape from any Sheriff or Goaler in this Colony, (for which Escape the Sheriff or Goaler shall be liable) shall have, or be intitled unto any Advantage or Benefit of this Act, until the Creditor or Creditors, at whose Suit or Suits he, she or they were so arrested, shall, under his, her or their Hands, release to such Sheriff or Goaler, all Cause of Action therefor: And the said Sheriff or Goaler, shall be fully paid such Sum or Sums of Money, as such Sheriff or Goaler may have laid out or expended, for, or by Reason of such Escape. *Provided always,* That no single Person or Persons, able of Body, and under the Age of Thirty-five Years, shall be intitled to the Benefit of this Act, unless he, she or they, shall signify their Willingness to make Satisfaction by Servitude; in which Case it shall and may be lawful for the Court or Courts aforesaid, to adjudge such Debtor or Debtors to render Satisfaction by Servitude, for the Debt or Debts, or any Part thereof, due to the said Creditor or Creditors, and cause such Prisoner or Prisoners to bind him, or themselves, to be Servants by Indenture accordingly, to serve for such Time as the said Court or Courts shall adjudge to be reasonable, not exceeding seven Years, to the Assignees to be appointed by the Court as aforesaid, and to be by them sold and assigned for the Use of such Creditor or Creditors; in which Case, such Prisoner or Prisoners, shall, and may be released and discharged from his, her or their Imprisonment, and the Body of such Person shall be free from Arrests in Civil Actions, during the Time of such Service expressed in the Indenture.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall not extend to discharge any Person or Persons, whose Creditor or Creditors shall oppose the Discharge of such Prisoner or Prisoners, and shall insist that such Prisoner or Prisoners be continued in Gaol; and that then, and in such Case, such Creditor or Creditors opposing the Prisoner's Discharge, shall, at his, her and their own proper Costs and Charges, allow and pay a Maintainance of *Three Shillings and Six Pence,* Proclamation Money, per Week, to the said Prisoner; and upon Non-Payment of the same for the Space of two Weeks, the said Prisoner, upon Application to the said Judges, shall be discharged, pursuant to the Intent and Meaning of this Act.

PROVIDED ALWAYS, *And it is hereby Enacted,* That Nothing in this Act contained shall be deemed or construed to discharge any Person or Persons from his or their Confinement, who shall have given up his, her or their Estate, Rights and Credits, by Assignment, or otherways, to any particular Creditor or Creditors, to prejudice his, her or their other Creditor or Creditors; any Thing in this Act before to the Contrary notwithstanding.

PROVIDED ALWAYS, *And be it Enacted by the Authority aforesaid,* That Nothing in this Act contained, shall extend, or be construed to extend, to the Discharge of *John De Camp,* jun. now confined in the Gaol of the Borough of *Elizabeth-Town;* to *Peter Adams,* now confined in the Gaol of *Burlington; John Sealy,* now confined in the Gaol of the County of *Cumberland,* or to *John Atkinson,* in the Gaol of the County of *Monmouth;* any Thing herein before to the Contrary notwithstanding.

AND *Whereas John Budd* hath shewn his particular Difficulties and Distress, and therefore prayed Relief: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That no Person or Persons whatsoever, shall presume to sue or prosecute the said *John Budd,* for the Term of three Years from and after the Publication of this Act; and that all Suits commenced, sued or prosecuted against him, within the Term and Time aforesaid, for Debts contracted before the Publication of this Act, shall be, and hereby are declared void.

AND *Whereas Robert Lettis Hooper,* jun. and *George Reading,* of the County of *Hunterdon, William Brown, William Gerrard, Simon Sparks* and *William Clothier,* of the County of *Gloucester,* have shewn, that they have already delivered up all their Effects, and assigned the same for the Use of their Creditors, or the same hath been seized and taken in Execution for the Benefit of their Creditors; and as it seems but reasonable that they should have Relief: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That the Persons of the said *Robert Lettis Hooper,* jun. *George Reading, William Brown, William Gerrard, Simon Sparks* and *William Clothier,* shall not be imprisoned for any Debts by them contracted before the passing of this Act, and that all and every Process now issued, or that hereafter shall be issued, for Debts contracted before the Publication of this Act, by which their or either of their Persons shall be confined or imprisoned, shall be, and hereby are declared void and of no Effect. PROVIDED ALWAYS, That the Lands, Goods, Chattels or other Effects, which they or either of them, the said *Robert Lettis*

Hooper, jun. *George Reading, William Brown, William Gerrard, Simon Sparks* and *William Clothier,* shall, or may hereafter acquire, shall be, and hereby are made liable to be taken and seized for the Use of their Creditors; any Thing before to the Contrary notwithstanding.

Passed 6 Dec. 1769.
Parker (1769), pp. 83-90.

An ACT *appointing Commissioners for supplying the several Barracks erected in the Colony of* New-Jersey; *with Furniture and other Necessaries for accommodating the King's Troops in, or marching through the same; for supplying Deficiencies, and for defraying incidential Charges.*

WHEREAS it is expedient, that further Provision be made, for supplying the King's Troops in, or occasionally marching through this Colony, during their Continuance therein: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That *Daniel Ellis, Isaac Pierson Rodman, Abraham Hunt, Alexander Chambers, Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden* and *John Blanchard,* be, and they are hereby appointed Commissioners, for the several Barracks in this Colony; that is to say, *Daniel Ellis* and *Isaac Pierson Rodman,* for the Barracks at *Burlington; Abraham Hunt* and *Alexander Chambers* for the Barracks at *Trenton; Hendrick Fisher* and *Reuben Runyon,* for the Barracks at *New-Brunswick; Samuel Sarjant* and *Thomas Skinner,* for the Barracks at *Amboy; Robert Ogden* and *John Blanchard,* for the Barracks at *Elizabeth-Town.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place for which they are appointed Commissioners, as aforesaid, and they, or the Survivors of them, are hereby impowered, as often as Occasion may require, to purchase Fire-Wood, Bedding, Blankets, and other Necessaries, as has heretofore been usually furnished to the several Barracks in this Colony, and as in and by this Act is further directed; and it shall and may be lawful for either of the Treasurers of this Colony, to pay to the said *Daniel Ellis, Isaac Pierson Rodman, Abraham Hunt, Alexander Chambers,*

Hendrick Fisher, Reuben Runyon, Samuel Sarjant, Thomas Skinner, Robert Ogden, John Blanchard, or to any two of them, such Sums of Money as may be wanted for the Service aforesaid, not exceeding the Sum of *Five Hundred Pounds per Annum,* for the Use of each of the said five Barracks in this Colony, out of the Money made current for the Service of the late War, or now in the Treasury; and their Order, with a Receipt thereon, or Receipt signed by any two of them, when produced by the said Treasurers, or either of them, to the General Assembly, shall discharge the said Treasurers respectively, their Heirs, Executors, and Administrators, of and from so much as they shall have paid by Virtue of this Act: And the said Commissioners, their Heirs, Executors, and Administrators, are hereby made accountable to the Council and General Assembly of this Colony, for all such Sums of Money as they shall respectively receive, in Pursuance of this Act.

Provided always, That not any Thing in this Act contained, shall be construed or intended to impower the aforesaid Barrack Masters, or either of them, to draw out of the Treasury, any Part of the Monies aforesaid, at any Time, until Troops are actually removed to, and quartered in the respective Barracks for which they are appointed Commissioners: *Provided also,* That the Monies hereby given, shall not be applied to purchasing Necessaries for more than one Regiment in the Colony at any one Time, except during the Time of the relieving of the Regiment quartered in the same.

AND *Whereas* it is necessary, that the Troops quartered in the Barracks in this Colony, should be supplied with Vinegar and Small Beer: AND *Whereas* Difficulties may arise to the Commissioners, in providing and serving Beer to the said Troops; to prevent which, and that the Troops may be enabled to supply themselves therewith: BE IT ENACTED, That it shall and may be lawful for the said Commissioners, and the Survivors of them, at each respective Place for which they are appointed Commissioners as aforesaid, to find and provide Vinegar for the Use of said Troops, at the Rate of two Jills for each Man per Week; and in Lieu and Stead of four Pints of small Beer hereby allowed for each Man per Day, it shall and may be lawful for the said Commissioners, to provide and allow to the said Troops, a Quantity of Molasses, not exceeding one Gallon to a Barrel of Small Beer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Commissioners aforesaid, and the Care of the several Barracks within this Colony, shall be under the same Regulations as is directed in and by an Act of this Colony, passed in the Fifth Year of His present Majesty's Reign, entitled, *An* Act *for appointing Commissioners to take Care of and let the Barracks erected in this Colony of* New-Jersey, *at such Times as the same shall not be needed for the Use of Soldiers; and to sell such Articles therein as are perishable, and have been purchased at the Expence of this Colony.*

AND *Whereas* divers Disputes have arisen touching the Quantity of Fire-Wood to be allowed to the Troops quartered in the Barracks; to remedy which, BE IT ENACTED, That from the first Day of *November,* to the first Day of *April,* to Twelve Men shall be allowed weekly, and every Week, Half a Cord of Wood, and no more; and from the first Day of *April,* to the first Day

of *November,* weekly and every Week, one Quarter of a Cord of Wood to Twelve Men, and no more. To the Commanding Officer, and each Captain, Half a Cord per Week; and to two Subalterns Half a Cord per Week, from the first Day of *November,* to the first Day of *April* aforesaid; and from the first Day of *April* aforesaid, to the first Day of *November,* one Quarter of a Cord per Week, and no more: And that to the Chaplain and Surgeon, the same Allowance shall be made, as hereby is allowed to a Captain; and for the Use of the Guard-Room, there shall be allowed one Cord per Week, from the first of *November,* to the First of *April.*

AND BE IT ENACTED *by the Authority aforesaid,* That there shall be paid out of the public Money now in the Treasury, the following Sums, *viz.*

To the Barrack Masters of *New-Brunswick* and *Perth-Amboy,* not exceeding the Sum of *Sixty Pounds,* to each Barrack, to be laid out in purchasing Bedding, Axes, Platters, and the necessary Reparation of the said Barracks.

To the Barrack Masters of *Elizabeth-Town,* not exceeding the Sum of *Forty Pounds,* to be laid out in purchasing Bedding, Axes, Platters, and the necessary Reparation of the said Barracks.

To the Masters of the Barracks in which Troops are not quartered, *Five Pounds* a Year each, and no more; any Law to the Contrary notwithstanding.

To his Excellency the Governor, *One Hundred and Twenty-two Pounds Six Shillings and Nine Pence,* in full for his own and the Chief Justice's Expences on the Journey to and from the *Indian* Treaty held at Fort *Stanwix,* in *October,* One Thousand Seven Hundred and Sixty-eight.

To *Charles Pettit,* Esq; Deputy Secretary of this Colony, *Three Pounds Two Shillings and Six Pence,* in full of his Account of Cash paid for printing Proclamations and Advertisements relative to the Robbery of the Eastern Treasury.

To Mr. Speaker, *Five Pounds Five Shillings and Seven Pence,* in full of his Account, for a Book Press in the Assembly Room at *Amboy,* Postage of Letters, and Carriage of the Assembly Boxes.

To the Honourable *Charles Read,* Esq; *Ten Pounds* (over and above what is provided for by former Acts) for holding a Court extraordinary in the County of *Sussex,* in *December,* One Thousand Seven Hundred and Sixty-seven.

To *Joseph Smith,* Esq; *Three Pounds Ten Shillings,* in full of his Account for providing Fire Wood, Candles, and so forth, for the Use of the Assembly this Sitting.

To *Joseph Smith,* Esq; *Twenty Shillings* per Week, during this present Sitting of General Assembly, to pay for Fire Wood, Candles and Room, for the Use of the Council.

To *Hendrick Fisher,* one of the Barrrack Masters of *New-Brunswick, One Hundred and Ten Pounds Thirteen Shillings and Four Pence,* being the Ballance due to him on Settlement of his Accounts.

To *Daniel Ellis,* one of the Barrack Masters of *Burlington, Thirteen Pounds Eleven Shillings and Four Pence,* being the Ballance due to him on Settlement of his Accounts.

To *John Carty, Thirty-one Pounds,* in full of his Account for Expresses.

To *Daniel Cooper,* jun. *Six Pounds Three Shillings,* in full of his Account of Expences, for bringing one *John Stevens* before his Excellency the Governor and the Council, for Examination, relative to the Robbery of the Treasury.

To *Reuben Runyon,* one of the Barrack Masters of *New-Brunswick, One Hundred and Eighty-nine Pounds Five Shillings and Three Pence Halfpenny,* being the Ballance due to him on Settlement of his Accounts.

AND *Whereas* the Treasurer of the Western Division of this Colony, hath in his Hands a Bond of the late Colonel *Peter Schuyler,* conditioned for the Payment of *Six Thousand Pounds,* which being lodged with him by Act of Assembly, cannot be delivered up upon the Payment of the Ballance of the said Colonel *Schuyler's* Account, unless provided for by Law: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Treasurer, to deliver the Bond aforesaid to the Attorney General of this Colony or his Order, that he may demand and receive the Ballance due from the said Colonel *Schuyler's* Estate for the Use of this Colony, and when received, be enabled to deliver up the said Bond to the Person paying the said Ballance; and the Receipt or Order of the Attorney General for the said Bond, shall be a sufficient Discharge to the said Treasurer of and from the same.

AND *Whereas* it is necessary, that the Agent of this Colony for the Time being, should have Monies remitted to him, as may be necessary, to defray the Expences attending the soliciting such Bills as now are or after this Session, may be transmitted for his Majesty's Allowance.

BE IT ENACTED *by the Authority aforesaid,* That *Cortland Skinner, John Wetherill, Hendrick Fisher, Joseph Smith, Aaron Leaming, Ebenezer Miller, Henry Paxson,* and *Abraham Hewlings,* Esquires, appointed the Committee to correspond with the said Agent; be and are hereby impowered, from Time to Time, as Occasion may require, to draw out of either of the Treasuries of this Colony, such Sum or Sums of Money, not exceeding the Sum of *Four Hundred* Pounds Proclamation Money, as to them or any Three of them, shall be thought necessary, to be by them transmitted to the Agent for the Purposes aforesaid; and that their Receipt, or the Receipt of any Three of them, shall be a sufficient Discharge to the Treasurer so paying the same.

PROVIDED ALWAYS, *and be it Enacted by the Authority aforesaid,* That this Act so far as it relates to the Barracks and former Deficiencies, and the supporting of Troops quartered in them, shall commence from the Tenth Day of *May* last past, and be and continue from thence to the First Day of *November,* next after the Publication thereof, and no longer.

Passed 6 Dec. 1769.
Parker (1769), pp. 91-95.

An ACT *for the more effectual Discovery and Punishment of the Crime of Horse-Stealing.*

WHEREAS it has been found by long Experience in this Colony, that the Punishment, which, by the Law as it now stands, is directed to be inflicted upon every Person indiscriminately convicted of Horse-Stealing, has not answered the good Purposes thereby intended; but on the Contrary, from an Idea of its extreme Severity operating upon the Minds of the Inhabitants of this Province, has destroyed that Vigilance usually exerted by them, in the apprehending of Criminals, and thereby prevented a great Number of Persons, suspected to have been guilty of that atrocious Crime, from being discovered and brought to Justice. *And whereas* an Abatement in the Punishment of this Crime, in the first Instance of its Commission, has, by Experience, been found to be a very happy Remedy against these Inconveniencies, in some of the neighbouring Colonies, and it is hoped will be productive of the same desirable Effects in this: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful for the Justices of the Supreme Court, or the Justices of any of the Courts of Oyer and Terminer, and General Gaol Delivery, to be held in this Colony, when ever any Person shall be duly convicted before them, of the Crime of Horse-Stealing, instead of pronouncing Sentence of Death upon such Offender or Offenders, to order such corporal or other Punishment, to be inflicted upon such Person or Persons, so convicted as aforesaid, (not extending unto Life) as they, in their Discretion, shall judge most proper, according as the Circumstances of the said Crime shall appear to them to be more or less aggravated.

PROVIDED ALWAYS, AND BE IT ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the said Justices, to pronounce Sentence of Death upon any Person or Persons, who shall appear by Record of Court, to have been before duly convicted of the said Crime of Horse-Stealing; any Thing herein contained to the Contrary thereof, in any wise notwithstanding.

Passed 6 Dec. 1769.
Parker (1769), pp. 95-96.

An ACT *for the more effectual Preservation of Deer in this Colony.*

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That if any Person or Persons, shall presume, at any Time after the Publication hereof, to carry any Gun, or hunt or watch for Deer, or set in any Dog or Dogs to drive Deer or any other Game, on any Lands not his own, (and for which the Owners pay Taxes) or is in his lawful Possession, unless he have Licence or Permission in Writing from the Owner or Owners or legal Possessor; such Person or Persons so offending and convicted thereof, either upon the View of any Justice of the Peace within this Colony, or by the Oath or Affirmation of one or more Witness or Witnesses, before any Justice of the Peace, of either of the Counties, Cities, or Towns Corporate of this Colony, in which the Offender or Offenders may be taken or reside; he shall, for every Offence, forfeit and pay to the Owner of the Soil, or his Tenant in Possession, the Sum of *Forty Shillings;* with Costs of Suit. *Provided,* that Nothing herein contained, shall be construed to extend to prevent any Person carrying a Gun upon the King's Highways in this Colony.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Person or Persons offending against this Act, be Non-Residents of this Colony, he or they shall forfeit and pay for every such Offence *Five Pounds,* and shall forfeit his or their Gun or Guns to any Person or Persons, who shall inform and prosecute the same to Effect, before any Justice of the Peace, in any County of this Colony, wherein the Offender or Offenders may be taken or apprehended.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall kill, destroy, hunt or take any Doe, Buck, Fawn, or any Sort of Deer whatsoever, at any other Time or Season, except only between the First Day of *September* and the First Day of *January,* yearly and every Year; he, she or they so offending, shall forfeit and pay the Sum of *Forty Shillings* for each and every Offence, to be sued for, recovered, and applied as aforesaid.

AND for the better and more effectual convicting of Offenders against this Act, BE IT ENACTED *by the Authority aforesaid,* That any and every Person or Persons, in whose Custody shall be found, or who shall expose to Sale any green Deer Skins or fresh Venison, killed at any Time after the First Day of *January,* and before the First Day of *September* aforesaid, and shall be thereof convicted by the Oath or Affirmation of one or more creditable Witnesses, shall be deemed guilty of offending against this Act, and be subjected to the Penalties of killing Deer out of Season.

AND *Whereas* the Practice of shooting at Deer with Shot, is not only prejudicial to the Skins, but also in too many Instances only occasions Wounds which do not bleed, and with which the Deer escape and pine away and die: Therefore, BE IT ENACTED, that from and after the First Day of

September next, no Person or Persons whatsoever, shall presume to shoot at any Deer with Shot of any Kind whatever, but with a single Slug, Bullet or Ball only. And that if any Person or Persons, shall presume to shoot at, wound, or kill any Deer, with any other Shot than a single Ball, Slug or Bullet, the Person or Persons so offending, shall forfeit and pay for every such Offence the Sum of *Twenty Shillings,* to be recovered and applied as is herein before directed, for any Person hunting on Lands not his own.

AND *Whereas* great Numbers of idle and disorderly Persons make a Practice of hunting for Deer on waste and unimproved Lands in this Colony, whereby their Families are neglected, and the Public is prejudiced by the Loss of their Labour, BE IT THEREFORE ENACTED *by the Authority aforesaid,* That from and after the first Day of *September* next, no Person or Persons whatsoever, (except such Persons as are by the Laws of this Colony qualified to vote for Representatives in General Assembly, and their Sons being of the Age of Eighteen Years or upwards, and living with their Parent or Parents, or being Freeholders) shall on any Pretence whatever, hunt or kill any Deer on the waste and unimproved Lands in this Colony; and if any Person or Persons, not qualified as aforesaid, shall presume to hunt Deer as aforesaid; he or they so offending, shall forfeit and pay for every such Offence, the Sum of *Twenty Shillings,* to be recovered by Action of Debt, with Costs, by any Person who shall sue for the same, to be applied one Half to the Prosecutor, and the other Half to the Use of the Poor of the Township or Precinct where the Fact was committed.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons within this Colony, shall set any Trap of Steel or Iron, larger than what is usually and commonly set for Foxes or Musk Rats, or which Trap when set shall exceed the Weight of *Five Pounds;* such Person setting such Trap, shall pay the Sum of *Five Pounds,* and forfeit the Trap, or (in Default of Payment for Twenty-four Hours after Conviction) shall suffer Three Months Imprisonment, and shall also be liable to make good all Damages any Person shall sustain by setting such Trap; and the Owner of such Trap, or Person to whom it was lent, shall be esteemed the Setter thereof, unless it shall be proved on Oath or Affirmation, what other Person set the same, or that such Trap was lost by said Owner or Person to whom it was lent, and absolutely out of his Power. And if the Setter of the Trap be a Slave, and it be his own voluntary Act, he shall (unless the Master or Mistress shall pay the Fine) in lieu of such Fine, be publickly whipt with Thirty Lashes, and committed till the Costs are paid; and that the said Traps shall be broken and entirely destroyed, in the View and Presence of the Justice of the Peace before whom they are brought, and shall be delivered to the Overseer of the Poor, to be by him sold for the Use of the Poor. And if any Person or Persons shall have Possession of, or there shall be found in his or their House, any Iron or Steel Trap or Traps, the Weight whereof shall exceed Five Pounds, or shall have in his Possession, any other Device for taking of Deer, such Person or Persons shall be subjected to the same Penalty as if he or they were convicted of setting such Trap or Traps, or other Device for taking of Deer.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Smith or other Artificer, who shall hereafter make or mend any Steel or Iron Trap of greater Weight than Five Pounds, he shall forfeit and pay the Sum of *Forty Shillings;* and the Person carrying the said Trap to the Artificer aforesaid, shall forfeit and pay the Sum of *Twenty Shillings:* And every Person who shall bring into this Colony any new or repaired Trap above the Weight aforesaid, shall forfeit and pay the Sum of *Forty Shillings.* And if the Person who shall carry the same to the Smith or Artificer, shall be so poor, as that he shall not be able to pay the Forfeiture aforesaid, he shall be committed to the Common Gaol, until he shall prove who is Owner of said Trap, or delivered the same to him; and in such Case, the Forfeiture aforesaid shall be levied on the Goods, or in Failure of Goods, on the Body of the Owner of said Trap, or the Person who delivered the same to the Pauper, and the Trap shall be forfeited, worked up and intirely destroyed.

AND *Whereas* a most dangerous Method of setting Guns has too much prevailed in this Province; BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons within this Colony, shall presume to set any loaded Gun, in such Manner as that the same shall be intended to go off or discharge itself, or be discharged by any String, Rope or other Contrivance, such Person or Persons shall forfeit and pay the Sum of *Six Pounds;* and on Non-Payment thereof shall be committed to the Common Gaol of the County, for Six Months.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Fines and Forfeitures in this Act expressed, and not particularly provided for, shall be paid, one Half to the Prosecutor, and the other Half to and for the Use of the Poor of the Town, Precinct or District where the Offence is committed; and that the Execution of this Act, and every Part thereof, shall be within the Cognizance and Jurisdiction of any one Magistrate or Justice of the Peace.

AND BE IT ENACTED *by the Authority aforesaid,* That Nothing in this Law shall be construed to extend to restrain the Owners of Parks, or of Tame Deer, from killing, hunting or driving their own Deer.

AND BE IT ALSO ENACTED *by the Authority aforesaid,* That if any Justice of the Peace or other Officer within this Province, coming to the Knowledge of any Offence against this Act, and shall not prosecute the same to Effect, within Two Months after such Knowledge, shall forfeit and pay the Sum or Sums to which the Offender against this Act would have been liable; and the Justices at every Sessions shall give the Substance of this Law in Charge to the Grand Jury, who shall make particular Inquiry thereof, and present all such Persons offending against this Act, against whom no Actions have been brought and Recoveries had for the Penalties in this Act contained; and on Conviction for any of the Offences herein mentioned, to set and impose the Fines and Penalties herein mentioned, with Costs of Suit.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons whatsoever, whether the Accused or Accuser, Plaintiff or Defendant, shall think themselves aggrieved, by any of the Judgments given by the said

Justices, or other Magistrates, for any Suit commenced by Virtue of this Act, then it shall and may be lawful for such Person or Persons, to appeal (on giving sufficient Security for the Forfeitures and Costs) to the next Court of General Quarter Sessions, held for such County, where such Judgment shall be given; which Court is hereby impowered to hear and determine all and every such Appeal or Appeals.

AND BE IT ENACTED *by the Authority aforesaid,* That if any Person or Persons within this Colony, shall, after the Publication of this Act, watch with a Gun, on any uninclosed Land, within two hundred Yards of any Road or Path, in the Night-time, whether the said Road is laid out by Law or not, or shall stand or station him or themselves upon or within two Hundred Yards of any Road as aforesaid, for shooting at Deer driven by Dogs, he or they so offending, shall on Conviction, forfeit and pay the Sum of *Five Pounds,* for every such Offence, to be recovered by Action of Debt, or Presentment of the Grand Jury, as aforesaid, and pay all Damages.

PROVIDED ALWAYS, That the Fifth, Seventh and Eighth Sections of this Law, shall not be construed to extend, or any Ways affect the Counties of *Essex, Bergen, Morris* or *Sussex. Provided also,* That the sixth Section of this Act, shall not be construed to affect any native Indian.

AND BE IT ENACTED *by the Authority aforesaid,* That all the Laws now in Force for the Preservation of Deer, and regulating the Size of Traps, shall be, and they are hereby repealed.

Passed 6 Dec. 1769.
Parker (1769), pp. 96-100.

An ACT *for the better preserving of Oysters, in the Colony of* New-Jersey.

WHEREAS the Act passed in the First Year of the Reign of King GEORGE the First, hath not been sufficient to preserve the Oysters within the said Colony; and that Practices are made Use of, not provided against by the said Act, which, if permitted to continue, will in a short Time, destroy the Oysters in the Rivers and Bays of this Colony: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this*

Colony, and it is hereby Enacted by the Authority of the same, That from and after the Tenth Day of *May,* and until the First Day of *September,* yearly, and every Year, no Person or Persons whatsoever, shall, under Pretence of taking Clams, or other Shell Fish, rake upon any Oyster Beds or Banks, within the said Colony; and if any Person or Persons, shall so presume to do, whether Oysters are taken or not, he or they so offending, shall, for each and every Offence, severally forfeit and pay the Sum of *Forty Shillings,* to be recovered by Action of Debt, before any Justice of the Peace of the City or County wherein the Fact is committed, or the Offender or Offenders do live, or shall be taken, to be applied, two Thirds thereof to the Use of the Informer, or Person that shall prosecute the same to Effect, and the remaining Third to be applied to the Use of the Poor of the City or Township, wherein the Offender or Offenders shall be convicted.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Mayor, Recorder, or any one Alderman of any City or Town Corporate in this Colony, or the Justices of the Peace of the several Counties of this Colony, or either of them, shall and may, and they are hereby impowered and directed, upon his or their own View, or the Information of any credible Person or Persons, to issue his or their Warrant, to the Constable or Constables of any Township or Precinct in this Province, commanding him or them, to summon and require in his Majesty's Name, such and so many Persons, as he or they shall think necessary, to aid and assist such Constable or Constables, in apprehending and seizing all and every Person or Persons, that shall be found offending against this Act, in any of the Bays or Rivers of this Colony.

AND *Whereas* a Practice hath prevailed of raking and gathering great Quantities of Oysters, with Intent to burn the same for Lime only, whereby great Waste is made, and the Oyster Beds thereby in Danger of being intirely destroyed: BE IT THEREFORE ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, if any Person or Persons whatsoever, shall rake or gather Oysters in any of the Rivers and Bays of this Colony, for the Intent of burning Lime only, he or they so offending, shall forfeit and pay, for each and every Offence, the Sum of *Three Pounds,* to be recovered by Action of Debt, before any Magistrate of any City or Town Corporate, or before any Justice of the Peace of this Colony, and applied, one Half to the Prosecutor or Prosecutors, and the other Half to the Use of the Poor of the City or Township in which the Fact was committed.

AND for the more effectual Execution of this Act; BE IT ENACTED *by the Authority aforesaid,* That in all and every Action, commenced for all or any of the Forfeitures in this Act mentioned, the Proof shall be on the Part of the Defendant or Defendants, any Law, Usage or Custom to the Contrary notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That this Act shall

continue in Force for the Term of three Years, and from thence to the End of the next Session of General Assembly, and no longer.

Passed 6 Dec. 1769.
Parker (1769), pp. 101-102.

An ACT *to indemnify the Treasurers of this Colony, for advancing certain Sums of Money to the Agents appointed by Law, to manage the Controversy touching the Settlement of the Line, between* New-Jersey *and* New-York, *and for other Purposes therein mentioned.*

WHEREAS by an Act passed in the Fourth Year of his Majesty's Reign, entitled, *An* Act *for submitting the Property of Lands, which are held or claimed by any of his Majesty's Subjects, as lying within this Colony, and are affected by the Controversy, about the Boundary or Partition Line between this Colony and the Colony of* New-York, *to such a Method of Decision, as his most gracious Majesty shall think proper, by his Royal Commission, or otherwise, to appoint;* no Provision is made to indemnify the Treasurers, for the Payment of Monies they shall issue by Virtue or in Pursuance of the said Act.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the said Treasurers, or either of them, and they are hereby directed and impowered, to advance and pay to the said *John Stevens, James Parker, Henry Cuyler, William Donaldson* and *Walter Rutherford,* Esquires, or the major Part of them, or the major Part of the Survivors of them, such Sum or Sums of Money, not exceeding *Three Thousand Pounds,* for which they, or the major Part of them, or the major Part of the Survivors of them, shall procure a Warrant or Warrants, from his Excellency the Governor, or Commander in Chief for the Time being, in Council, issued in Pursuance of the said recited Act; for which Monies, the said Treasurer or Treasurers, or either of them, shall take the Bonds of the said *John Stevens, James Parker, Henry Cuyler, William Donaldson* and *Walter Rutherford,* Esquires, or any Three of them, conditioned for the replacing such Sum or Sums of Money, without Interest, into the Treasury, when demanded by such Treasurer, by Order of the House of Assembly; which Bonds shall be sufficient Vouchers to the said Treasurers, or either of them, for the paying out such Monies.

Passed 6 Dec. 1769.
Parker (1769), pp. 102-103.

An ACT *the more effectually to regulate Ferry-Men and Ferries, within this Colony.*

BE IT ENACTED *by the Governor, Council, and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That the Ferry-Men owning, possessing or employed in all or any of the Boats, Flats, Wherries, or other Vessels, for carrying Passengers to and from any Place or Places within this Colony, or to and from the Colonies of *New-York* and *Pennsylvania,* and the Lower Counties on *Delaware,* or any of them, shall and are hereby required, to give constant and diligent Attendance, and to keep their Boats and other Craft at all Times in Order, with sufficient and able Hands to attend the same, and not to deny, or unnecessarily delay the speedy carrying over any Passenger or Passengers, applying for that Purpose, singly or together, with Horse or Carriage, or with any other Creature, or any Creature or Creatures singly or together, or any Thing else whatsoever, that may be lawfully carried over, upon the Penalty of forfeiting, for every such Denial, Neglect or Delay, the Sum of *Twenty Shillings,* and the Damages such Person or Persons may have sustained by any such Denial, Neglect or Delay. And they are also hereby farther enjoined and commanded, upon the Penalty aforesaid, not to exact or take any unaccustomed or unreasonable Ferriage; which said Penalties and Damages, respectively shall be recovered, upon due Conviction of such Offender or Offenders, before any neighbouring Justice of the Peace, and applied, one Half to the Person who shall complain and prosecute the same to Effect, the other Half to the Overseers of the Highways, of the Township where such Ferry is situate, to be applied towards repairing the publick Roads and Bridges of the said Township.

AND *Whereas* it is necessary that a General Table of the Rates of Ferriages throughout this Colony, should be ascertained and established; BE IT ENACTED *by the Authority aforesaid,* That *Richard Smith,* Esq; one of the Clerks of the Assembly of this Colony, shall cause this Act to be published in the Gazettes of *New-York* and *Pennsylvania,* and also in detached printed Copies, to be fixed up to public View at every Ferry in this Colony, by the Owner or Possessor of such Ferry, on or before the first Day of *May* next, as well that no Person or Persons whatsoever, may plead Ignorance of the Penalties hereby imposed, as that the respective Owners and Possessors of Ferries throughout this Colony, may be regularly informed that such Rates will come under the Consideration of the Legislature, at the next Sitting of General Assembly, in order that the same may be ascertained and established, and that such Owners and Possessors of Ferries may then attend, if they think proper: And the said *Richard Smith,* shall lay his Account of the

Expences that shall accrue in performing the Duties enjoined him by this Act, before the next General Assembly.

Passed 6 Dec. 1769.
Parker (1769), pp. 103-104.

An ACT *for recovering of Damages for Trespasses done by Swine.*

WHEREAS an Act of Assembly of this Colony, passed in the Twelfth and Thirteenth Years of her late Majesty Queen ANNE, entitled, *An* Act *concerning Swine,* does not sufficiently provide for the Recovery of Damages, by Reason whereof, several expensive Controversies have arisen; for Remedy whereof for the Future,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful for any Freeholder within this Colony, Himself, Servant or Tenant, finding Swine trespassing on his, her or their Lands, for which he, she or they shall pay Taxes, whether the same be inclosed or not, to kill such Swine, and inform the Owner thereof, if easily to be found; and if no Owner can be found, or if found, shall not appear, and take such Swine away, then the Person injured, shall, within Fifteen Hours after such killing, give Notice to the Overseer of the Poor of the Township or District, who shall dispose of the said Swine so killed, for the Use of the Poor of the Town, Division or Precinct where such Swine were killed. And if any Person or Persons injured, do not choose to kill such Swine, so found trespassing as aforesaid, then it shall and be lawful for such Person or Persons, to take and put such Swine trespassing on his, her or their Lands as aforesaid, into his, her or their Yard, or other Inclosure, and give Notice to the Owner, if easily to be found, who shall pay double Damage to the Person or Persons injured, to be appraised by two Freeholders to be chosen by the Parties: And if the Owner or Owners of such Swine, refuse or neglect, for Twenty-four Hours after Notice, to join in choosing the Appraisers as aforesaid, or if such Owner cannot easily be found, then the Person or Persons injured, shall and may choose both the Appraisers, and the Damages so appraised, shall and may be recovered by Action of Debt, in any Court where the same is cognizable, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if Inquiry be made, and no Owner appears and pays the Damages as aforesaid, within Three Days after such Appraisement; that then it shall and may be lawful, for the Person who sustained the Damage, to set up Advertisements

at Four of the most publick Places, next adjacent to where the Damage was done, therein describing the Number of said Swine, and the natural or artificial Marks thereon; and if no Owner shall appear within two Weeks from the Date of such Advertisement, and pay the Damage and Expence of Keeping, to be appraised as aforesaid, that then and in such Case, it shall and may be lawful for the Overseer of the Poor of the City, Township or Precinct, wherein the Trespass shall be committed, to sell the said Swine so advertised as aforesaid, at publick Vendue, and after paying the Damages, with the Expence of Keeping, appraised as aforesaid, and deducting *Two Shillings* in the Pound, for his Attendance on the Sale, and collecting the Money, to apply the Surplus, if any be, to the Use of the Poor of the City, Township or Precinct, wherein the Trespass was committed.

AND BE IT ENACTED *by the Authority aforesaid,* That the aforesaid Act entitled, *An* Act, *concerning Swine,* shall be and is hereby repealed.

Passed 6 Dec. 1769.
Parker (1769), pp. 104-106.

An ACT *to maintain and repair the publick Roads in the Township of* Hanover, *in the County of* Morris, *by a Tax on the Inhabitants of the same.*

WHEREAS a great Number of the Freeholders of the Township of *Hanover,* in the County of *Morris,* have, by their Petition, set forth, that the Mode of repairing the publick Roads in the said Township by Tax, hath proved beneficial; and that the late Act, passed in the sixth Year of his Majesty's Reign, will expire at the End of this Session of Assembly, by its own Limitation: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That all publick Roads or Highways, now laid out, or hereafter to be laid out, within the said Township, shall be repaired, amended, cleared out and kept in good Order, by a Rate and Assessment, to be made from Time to Time, as Occasion may require, upon the Goods, Chattels, Lands and Tenements of the Inhabitants of the said Township of *Hanover;* and the said Inhabitants, at their annual Town Meetings, shall, by Plurality of the Voices of the Inhabitants so met,

fix the Sum to be assessed and collected for the Year ensuing, and choose one or more Overseers (not to exceed Three in Number) in the usual Manner, who shall be under Oath or Affirmation, for the faithful Performance of their Offices, and shall be allowed the Sum of *Four Shillings* per Day, for every Day they shall work themselves, or attend faithfully on the Roads with the Labourers, and have full Power to hire Labourers, as often as the said publick Roads may necessarily require. And if any of the Inhabitants of said Township, should offer to labour on said Roads, towards discharging his or their Taxes, then and in that Case, the said Overseer or Overseers, are hereby commanded to allow of the same, provided they labour faithfully: And the said Overseers shall allow him or them reasonable Wages, and his or their Receipt for the same, shall be sufficient Vouchers for the same, to the Collector; and the said Overseer or Overseers, shall settle their Accounts, either before one Justice of the Peace for said County of *Morris,* or on the Day of the said annual Town Meeting, before a Committee of the same Meeting, and shall pay the Money remaining in his or their Hands, if any be, to their Successors in Office. And the Assessor and Collector, which are to be chosen at their annual Town Meetings, by Virtue of former Laws, shall assess and collect all such Money, as may be wanted and directed as aforesaid, for the Purposes aforesaid: And the said Collector, within Thirty Days after he hath received the Duplicate or Assessment, shall pay the Money so raised, to the said Overseers, for the Purposes aforesaid, and take their Receipts for the same: And in Case the said Assessor, shall at any Time, within the Space of Thirty Days after his taking the Rateables, have Reason to believe or suspect, that any Person or Persons, have concealed or not given in a full Account of their Estates real and personal, or shall neglect or refuse to pay his, or her or their Tax; then and in such Case, it shall and may be lawful, for the said Assessor or Collector, and he is hereby commanded to proceed against such Person or Persons, as is directed in the Sinking Fund Acts. And in Case the said Overseer or Overseers, shall neglect or refuse to do his, or their Duty, herein enjoined, or refuse to take upon him or them the said Office or Offices, then he or they so refusing, shall suffer the same Pains and Penalties as is directed by an Act, entitled, *An* Act *for regulating Roads and Bridges.* And if said Assessor or Collector, shall neglect or refuse to take upon him or them the Office or Offices herein required, they shall be subject to the same Pains and Penalties, as is directed in the said Sinking Fund Acts.

AND IT IS HEREBY FURTHER ENACTED *by the Authority aforesaid,* That in Case it shall so happen that the Sum voted as aforesaid, at the annual Town Meeting, shall not prove sufficient for the Purposes designed, that then and in such Case, the Overseer or Overseers, shall lay his or their Accounts before one or more Justice or Justices for the County aforesaid; and if it appears such Money is wanted, the said Justice or Justices, are hereby commanded to issue his or their Order in Writing, to the said Assessor or Assessors, who shall assess the same, as is hereby before directed, within Thirty Days after receiving said Order.

AND BE IT ENACTED *by the Authority aforesaid,* That the Assessor or

Assessors of the said Township of *Hanover,* shall not, on any Pretence whatever, levy, charge or take any Fee or Reward, for their or either of their Services, enjoined by this Act, but that instead of the Fees or Rewards usually allowed to Assessors, they and each of them, shall, during their Continuance in Office, be exempted from paying any Tax or Taxes, levied by Virtue of and in Pursuance of this Act; and that in all and every Assessment by them hereafter to be made, the Surveyors of the Highways, chosen and appointed for the said Township, shall, during their Continuance in Office, be also exempted from any Tax or Assessment made or levied for the Purposes aforesaid.

AND *Whereas* there may Disputes arise on the Roads, that may be the Division of the said Township of *Hanover,* and the adjacent Townships, respecting the Equality of dividing the Work to be done thereon, between the said Overseer or Overseers of said Township of *Hanover,* and the Overseer or Overseers of the adjacent Townships; for the preventing of which, and amicably settling the same; BE IT FURTHER ENACTED *by the Authority aforesaid,* That when any Dispute may arise of that Nature, that then and in such Case, it shall and may be lawful for the said Overseer or Overseers, of said Township of *Hanover,* to repair to any one Justice of the Peace for said Townships adjacent where the Dispute may arise, who are hereby commanded, in Behalf of the said Township, to which he or they belongs, to choose one substantial Freeholder of known Honesty and Fidelity, and the Overseer or Overseers are hereby commanded to choose one in the same Manner; which Freeholders, so chosen as aforesaid, are hereby authorized and commanded, to make the Divisions for each Township, as near as may be, according to Quantity and Quality; which Divisions, when made, shall be and remain during the Continuance of this Act; and either Party neglecting or refusing to amend his or their Part of said Road, shall incur the same Penalties as the before recited Act, entitled, *An* Act *for regulating Roads and Bridges,* prescribes.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That this Act shall continue and be in Force from and after the Publication of the same, for five Years, and from thence to the End of the next Session of General Assembly, and no longer.

Passed 6 Dec. 1769.
Parker (1769), pp. 106-108.

An ACT *to grant certain Privileges to the Owners of the Iron Works, in the Townships of* Evesham *and* Northampton, *in the County of* Burlington, *and of the* Hibernia *Iron Works, in the Township of* Pequanack, *in the County of* Morris.

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, it shall and may be lawful, to and for the Owners of the Iron Works in the Townships of *Evesham* and *Northampton,* their Managers or Clerks, and for the Owners of the said *Hibernia* Iron Works, their Managers or Clerks, to deliver out to the Persons in the actual Employ and Service of the said Works, Rum, or other strong Liquor, in such Quantity as they shall from Experience find necessary; and that if any other Person or Persons, residing within Four Miles of said Works, or any of them, shall entertain, in or about their House, in Idling or Drinking, or shall sell any strong Drink, to any Wood-Cutter, Collier or Workman employed at said Works, he, she or they so offending, shall forfeit and pay for each and every such Offence, the Sum of *Ten Shillings,* to be recovered by the Owner, Manager or Clerk of the Works, where the Person to whom the Liquor was sold, is employed, by Action of Debt, before any Justice of the Peace, with Costs; which Penalty, so recovered, shall be paid to the Overseer of the Roads nearest the Works, to be by him laid out and expended in the Repair of the publick Roads.

AND BE IT ENACTED *by the Authority aforesaid,* That where either of the Iron Works aforesaid, lie in one Township, and Part of the Lands in another, the Person or Persons employed about the said Works, shall be taxable in the Township where the Works are, and not elsewhere, whilst he or they is, or are employed at said Works, excepting such real Estate as he or they may have or possess; and it shall and may be lawful to and for the Owners of the said Iron Works, to retain out of the Wages of any Person or Persons employed at the same, such Sum as such Owner shall have advanced for his or their Tax.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Grist Mill built at *AEtna* Furnace, in the Township of *Evesham,* for the sole Purpose of supplying the Persons and Teams necessary at said Works, and not taking Toll, or manufacturing Flour for Exportation, and the Store kept for the Supply of the Workmen and Labourers only, shall be free and exempt from Tax. *Provided always,* That if any of the Owners of the said Iron Works, their Managers or Clerks, shall not sell and dispose of the said strong Liquors, at as low Prices, the Quality considered, as they are ordinarily sold at other Places in the Neighbourhood; *Provided also,* That if the said Grist Mill do at any Time hereafter take Toll by Order of the Owner; then, and in either of these Cases, the Privileges and Immunities granted by this Act, shall cease, determine and be void, any Thing herein contained to the Contrary, in any wise notwithstanding.

AND BE IT ENACTED *by the Authority aforesaid,* That this Law shall continue and be in Force for the Space of Seven Years, and from thence to the End of the next Session of General Assembly, and no longer.

Passed 6 Dec. 1769.
Parker (1769), pp. 109-110.

An ACT *to constitute and make* Great Timber Creek, *in* Gloucester *County, a lawful Fence, from the Mouth thereof, to the Fork of the same, and to build and maintain a Bridge over said Creek, near said Fork, from the Lands late* Samuel Clement's, *deceased, to the Lands late* George Marple's, *deceased.*

WHEREAS there is a considerable Body of Meadow and Marsh, situate between the River *Delaware,* and the Fork of *Great Timber Creek,* that lieth low, and much exposed to the Ice, high Tides and Freshes, which renders it impracticable to keep up and maintain a Fence upon the same.

BE IT THEREFORE ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the First Day of *March* next, the said *Timber Creek* is hereby declared, constituted and made a lawful Fence, from the Mouth thereof, unto the Place commonly known by the Name of the Forks of the same Creek, and all Cattle or Horses swimming over the said Creek, into the Premises of any of the Proprietors, or Owners of the said Meadows and Marshes, shall and may be impounded, and all Damages accrued thereby, shall be recovered against the Owner or Owners of such Cattle and Horses, in the same Manner and Form, as is directed in and by an Act, entitled, *An* Act *for regulating Fences.*

AND *Whereas* many of the Inhabitants on both Sides of said Creek, (some living a considerable Distance therefrom) have frequent Occasion to pass and repass over the same, and for Want of a Bridge, labour under great Inconveniencies; for Remedy whereof, BE IT FURTHER ENACTED *by the Authority aforesaid,* That from and after the Publication of this Act, it shall and may be lawful for *John Hillman, Samuel Clement* and *Joseph Clement,* or any two of them, to erect and build a Bridge, by voluntary Subscription, over *Great Timber Creek,* near the Fork thereof, from the Lands late of *Samuel Clement,*

deceased, to the Lands late of *George Marple,* deceased, and to Causeway from the same, along the Marsh or Meadow Ground, to the Fast Land; which Bridge or Causeway, shall be erected and made, from and to the Lands aforesaid, at a Place which shall or may be agreed on by *John Hinchman,* Esq; *George Marple, Samuel Clement, Joseph Clement, John Gill,* of *Haddonfield,* and *John Hillman,* or any four of them, and so constructed, that Flats shall and may pass and repass under the same, as heretofore hath been usual; and the said *John Hillman, Samuel Clement* and *Joseph Clement,* or the Survivor or Survivors of them, are hereby authorized and impowered, to ask for, and receive Subscriptions, and apply the same for the Purposes aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after the Publication hereof, the Bridge and Causeway aforesaid, may be erected and built, at the Place affixed or agreed on as aforesaid, in such Manner and Form as the said *John Hillman, Samuel Clement* and *Joseph Clement,* or any two of them, shall direct and think proper, without the Hindrance or Molestation of any Person or Persons whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That upon the Death or Refusal of any of the aforesaid Commissioners appointed by this Act, for erecting said Bridge and Causeway, that it shall and may be lawful, to and for the Persons who have already subscribed, or shall hereafter become Subscribers, or the Majority of them, to meet at some convenient Place, and there, by Plurality of Voices, to elect and choose any other Person or Persons in their Place and Stead; who shall have the same Power and Authority, to apply and dispose of all or any of such Sum or Sums of Money, as shall be raised for the Purposes aforesaid, in as full and ample a Manner, to all Intents and Purposes, as the aforesaid Commissioners appointed by this Act are invested with.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any Person or Persons, shall presume to molest or interrupt any Commissioner or Commissioners, appointed, or hereafter to be chosen by this Act, in erecting, making or repairing said Bridge and Causeway, or wilfully hurt, damage or destroy the same, when erected; he, she or they so offending, shall forfeit and pay the Sum of *Ten Pounds,* for every such Offence, together with all Damages done to the said Bridge or Causeway, to be recovered by any one of the said Commissioners, or their Successors as aforesaid, who will sue for the same, in any Court of Record, where the same is cognizable, with Costs of Suit, to be applied towards the repairing of said Bridge and Causeway.

Passed 6 Dec. 1769.
Parker (1769), pp. 110-112.

An ACT *for maintaining the Banks and Sluices, and draining the Meadows on* Manington *Creek, in the County of* Salem; *and repealing an Act, entitled,* An *Act* to enable the Owners of the Meadows and Marshes adjoining to, and on both Sides of *Manington* Creek, to stop out the Tide from overflowing them.

WHEREAS the Act passed in the Twenty-sixth Year of the Reign of his late Majesty King GEORGE the Second, entitled, *An* Act *to enable the Owners of the Meadows and Marshes adjoining to, and on both Sides of* Manington *Creek, to stop out the Tide from overflowing them,* is not altogether sufficient for the good Purposes thereby intended: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly and it is hereby Enacted by the Authority of the same,* That the Bank already made across the said *Manington* Creek, and Meadows and Marshes adjoining to, and running from the Fast Land of *Bartholomew Wyatt,* over the said Creek, and then down the said Creek, as many Rods as the old Bank measured across, where *John Hunt* formerly lived, and where *Jost Miller* now lives, with Flood Gates and Sluices, sufficient to stop and let out the Tide and Water, together with Ditches and Races necessary for the same, by the Owners and Possessors of the said Meadows, shall be upheld and maintained proportionably, according to the Quantity of Meadow and Marsh, that each respective Owner or Possessor hath or may have, within the said Bank.

AND BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the aforesaid Marshes and Meadows, shall and may meet and assemble yearly, on the next *Thursday* after the second *Tuesday* in *March,* at the now Dwelling-House of the said *Bartholomew Wyatt,* or at such other Place, as they, or the major Part of them, shall appoint; and then and there, by the Majority of Voices of those so met, choose two Managers, to maintain and uphold the said Work; and shall also choose and appoint two Assessors, to assess such Sum and Sums of Money, as shall be necessary for defraying the Charge of upholding and maintaining the said Work, equally and proportionably, according to the Number of Acres of Marsh and Meadow, each Owner or Possessor doth or shall hold; and shall also choose a Collector, to collect and receive all such Sum and Sums of Money, as shall from Time to Time be assessed as aforesaid; which said Assessor or Assessors, shall deliver Lists of the Names of the Owners and Possessors, with the respective Sum and Sums of Money, that each respective Person is to pay, signed by them, to the Collector aforesaid, who shall demand of each Owner and Possessor of the said Meadows and Marshes, the Sum that he, she or they are to pay; and upon Neglect or Refusal of any or either of the Owners and Possessors, to pay their or either of their Assessments, it shall and may be lawful, to and for the said Collector, within Twenty Days after

the same hath been demanded, to sue all and every such Person or Persons, so neglecting or refusing, in his own Name, for the respective Sum or Sums of Money, such Owner or Possessor shall or may be assessed, in an Action of Debt, in any Court of Record, where the same may be cognizable, and give the said Assessment in Evidence; and the said Court or Courts, are hereby impowered to give Judgment, and grant Execution for the same, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the said Collector, shall, within Forty Days after Demand made, by the Manager or Managers, pay all such Sum and Sums of Money, as he shall receive as aforesaid, to such Manager or Managers, chosen as aforesaid, or to their or either of their Order: And upon Neglect or Refusal of the said Collector, it shall and may be lawful, to and for the said Managers, or either of them, to sue the said Collector, in his or their own Name or Names, for the respective Sum or Sums of Money, which such Collector shall have received as aforesaid, and recover the same in Manner aforesaid; and the said Managers and Collector, shall give an Account yearly, of all Monies collected and expended, to the Owners and Possessors of the said Marshes and Meadows, at their said Meeting; which Managers shall be allowed *Nine Pence per Pound,* Collector *Six Pence per Pound,* and Assessors *Four Pence per Pound,* for all Monies assessed, collected and expended as aforesaid: And in Case any Manager or Managers, shall refuse to pay what Monies remain in his or their Hands, to the succeeding Manager or Managers, chosen as aforesaid, the said succeeding Manager or Managers, are hereby impowered to sue for and recover the same, with Costs of Suit, in Manner aforesaid.

AND *Whereas* it will be necessary, for the Benefit of some, or all of the said Possessors or Owners of the said Marshes or Meadows, that Ditches should be cut through the same, as well up the said main Creek, as the several Branches thereof, and that the said Ditches should be kept open and clear: Therefore, to prevent any Disputes or Controversies in making and clearing the same; BE IT ENACTED *by the Authority aforesaid,* That the Owners and Possessors of the said Marshes and Meadows, shall and may, and they are hereby directed and required, at their annual Meeting, by Plurality of Voices, to elect and choose three disinterested Persons in the Neighbourhood, who, or any two of them, shall stake and mark out the Place or Places, in which such Ditch or Ditches shall be cut, and shall, under their Hands, or the Hands of any two of them, certify by which, and how many of the said Owners and Possessors, and in what Proportions, the Expences of cutting the said Ditches, and maintaining and cleaning of the same, shall be borne and paid; upon which Certificate being delivered to the Assessor or Assessors, chosen by Virtue of this Act, the said Assessor or Assessors, shall assess the Owners or Possessors, in the said Certificate named, according to the Proportions in the said Certificate mentioned; and the Assessment so made, shall within Ten Days thereafter, deliver to the Collector aforesaid, who is hereby directed to collect, sue for, and recover the same, in the same Manner and Form, and under the same Penalties, as herein before is directed

and provided, and the same shall pay to the Manager or Managers aforesaid, by them to be laid out and expended, in cutting and clearing the Ditches, so certified and directed to be cut out and cleared.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That every Collector, shall within Forty Days after demanded, pay all such Sum and Sums of Money, as he shall receive as aforesaid, to such Manager or Managers, to be chosen as aforesaid, or to their or either of their Order; and the said Managers and Collector, shall give an Account yearly, of all Monies collected and expended in Manner and Form aforesaid; which Managers, and other Officers, shall be allowed the several Rates aforesaid: And in Case any Manager or Managers, shall refuse to pay what Money remains in his or their Hands, to the succeeding Manager or Managers, chosen as aforesaid, the said succeeding Manager or Managers, are hereby impowered to sue for, and recover the same, in Manner aforesaid, with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the Manager or Managers, shall get the said Creek cleared, where he or they shall think it necessary; and the Money to be paid for clearing the same, shall be raised and collected in the same Proportion, Manner and Form, as the Money to be raised for cutting the said Ditch or Ditches.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Manager or Managers, at all Times hereafter, to dig Mud, Loam or Sand, in any Place most convenient, and least detrimental to the Owners or Possessors of the said Meadows, for the raising and repairing the said Dam and Bank.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if any or either of the Managers or other Officers should die, or remove away, that then and in such Case, it shall and may be lawful for any Owner or Possessor, to warn in the other Owners or Possessors of the said Meadows and Marshes, to meet at the Place abovesaid, on a Day by him to be appointed, giving them and each of them, at least six Days Notice, to choose a Manager or Managers, or other Officer, in the Room of him or them so dead or removed as aforesaid; and the said Manager or Managers, or other Officers so chosen, shall be invested with the same Authority, as if he or they had been chosen on the next *Thursday* after the second *Tuesday* in *March.*

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That if the Manager or Managers, chosen by Virtue of this Act, shall at any Time refuse, or unnecessarily neglect, for the Space of three Days, after Notice given, to repair and make up any sudden Breach that may happen in the said Tide Bank, he or they so neglecting, shall forfeit and pay the Sum of *Ten Pounds,* for every such Refusal or Neglect, to be recovered in Manner aforesaid, by any of the Owners or Possessors of the said Marshes or Meadows, and applied to repairing such Breach, and the Overplus (if any be) paid to the succeeding Managers, to be applied to the Maintainance of the said Tide Bank.

AND for the more speedy and expeditious repairing of any sudden Breach in the said Bank: BE IT FURTHER ENACTED *by the Authority*

aforesaid, That if the Managers for the Time being, shall at any Time neglect, for the Space of three Days, to repair any sudden Breach that may happen in the said Bank, that then any Person injured thereby, shall have equal Authority with the Managers, to repair such Breach, and the Expence thereof, shall be paid out of the said Penalty, the said Managers are hereby subjected to, for such Neglect, and if that should not be sufficient, the Remainder shall be paid out of the Common Stock.

AND BE IT FURTHER ENACTED, That if the said Managers, or any other Person or Persons except the Persons to be appointed for laying out the Ditches aforesaid, shall refuse or neglect to do and perform any Matter or Thing, enjoined him or them by this Act, he or they shall forfeit and pay the Sum of *Five Pounds,* for every such Default, to be recovered by any Persons interested in the said Meadows, in Manner aforesaid, and applied towards repairing and maintaining the said Bank and Ditches.

AND *Whereas* it appears likely, that the Wash of the Tide, may in Years to come render it necessary to erect a new Dam across the said Creek; Therefore, BE IT ENACTED *by the Authority aforesaid,* That whenever the Owners and Possessors of the said Meadows and Marshes, or the Owners and Possessors of at least two Thirds thereof, shall, at any Time of their publick Meetings, agree to have a new Dam erected and built, it shall and may be lawful, to and for the said Owners or Possessors, to erect and build such new Dam, in such Manner, and at such Place as they shall think proper and direct; and that the said Owners and Possessors, may build new Sluices in, and cut Races through the Marshes of *Jonathan Woodnutt* and *Jost Miller,* where it shall be thought most convenient and proper, by Three disinterested Persons to be chosen as aforesaid, doing as little Damage to the Marshes as may be.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful, to and for the Tenant or Tenants, that now is, or hereafter may be, in Possession of any Part of the said Meadows and Marshes, to bring their respective Charges of Money paid, and Services done, pursuant to this Act, against their respective Landlords, and the same to deduct out of their Rent, any Law to the Contrary notwithstanding. *Provided always,* That Nothing in this Act shall oblige any Tenant to clear any Part of the abovesaid Ditch or Ditches, or impower any Tenant or Tenants, to charge his or their Landlord or Landlords for the same, except his or their said Landlord or Landlords, do or shall reside out of the said County.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That the above recited Act, and every Part thereof, shall be and continue in Force, until the first *Thursday* after the second *Tuesday* in *March* next, and then and from thenceforth is hereby repealed, made null and void.

Passed 6 Dec. 1769.
Parker (1769), pp. 112-117.

A Supplementary ACT *to the Act, entitled, An* ACT *for explaining and amending an* Act *of the General Assembly of this Province, entitled,* An *Act* for enabling the Owners of the Meadows and Marshes adjoining to, and on both Sides of the Creek that surrounds the Island of *Burlington,* to stop out the Tide from overflowing them.

WHEREAS the Inhabitants of the Town of *Burlington,* have, by their Petition, set forth, That in and by the Act above recited, the Owners of the Meadows were to make, uphold and maintain the Dam, Flood-Gate and Sluice at *Yorkshire* Bridge, from the Fast Land, on that Side of the Creek where *Samuel Furniss* then lived, to the Flood-Gate, and from thence two Rods further towards *Burlington;* that since the passing of the said Act, a Fresh hath washed away the Fast Land, and overthrew the House of the said *Samuel Furniss,* specified in said Act, leaving a great Chasm between the Sluice and Fast Land, concerning the filling up and Reparation of which, great Contentions arose between the Owners of the Meadows aforesaid, and the said Inhabitants; for Remedy thereof, for the Future,

BE IT ENACTED *by the Governor, Council and General Assembly, now met and assembled,* AND IT IS HEREBY ENACTED *by the Authority of the same,* That from and after the Publication of this Act, the Owners and Possessors of the said Meadows, shall from Time to Time, and at all Times hereafter, make, uphold and maintain the said Sluice, and two Rods of the said Dam, on the Side of the Sluice next and towards the House now *William Hewlings's,* and four Rods of the said Dam towards the Island of *Burlington;* which Dam shall at all Times hereafter be kept a sufficient Breadth for Carriages to pass and repass over the same; any Thing in the before recited Act to the Contrary thereof, in any wise notwithstanding. And if the Owners of the said Sluice, shall at any Time find it necessary to remove the said Sluice from where it now is, to any other Part of said Causeway, within the said six Rods they are to maintain, they shall be at Liberty so to do, but always under the Provision enjoined by this Act, of upholding and maintaining two Rods next adjoining the Sluice on the Side where *William Hewlings* lives, and four Rods next adjoining on the Side of the Island of *Burlington;* the said two Rods and four Rods always to be computed from the Place where the said Sluice now stands.

PROVIDED ALWAYS, *And be it Enacted,* That whenever the Meadow Owners, shall erect a Dam and Sluice on their own Grounds, that then and from thenceforth, they shall not be compelled to contribute to the Main-

tainance of the present Sluice and Dam, other than as Inhabitants of the said City of *Burlington,* any thing before to the Contrary notwithstanding.

Passed 6 Dec. 1769.
Parker (1769), pp. 117-118.

A Supplementary ACT *to an Act, entitled,* An *Act* to enable the Rev. Mr. *Colin Campbell,* the present Rector of St. *Mary's* Church in *Burlington,* with the Church Wardens and Vestrymen of said Church, or the major Part of them, to sell two Hundred and Six Acres of Land in *Somerset* County, devised to the Ministry of said Church, and to enable Trustees to put the same to Interest until a convenient Glebe can be purchased near the said Church, and other Purposes therein mentioned.

WHEREAS the good Intentions of the Legislature in the above recited Act, have not been fully answered, and now cannot be answered by Reason of the Death of several Persons therein mentioned, and for other Reasons suggested in the Petition of the Rev. *Jonathan Odell,* the present Minister, together with the Church Wardens and Vestrymen of the said Church: Therefore,

BE IT ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That it shall and may be lawful for the said *Jonathan Odell,* and for the Minister of the said Church, for the Time being, together with the Church Wardens and Vestrymen of the said Church for the Time being, or the major Part of them, (the Minister for the Time being always to be one) to sell and convey the said Lands mentioned in the said recited Act, and to make a good and sufficient Deed or Deeds of Conveyance in the Law for the same, in Fee Simple, unto the Purchaser or Purchasers thereof.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That it shall and may be lawful for the Minister, Church-Wardens and Vestrymen of the said Church, for the Time being, or the major Part of them, (the Minister for the Time being always to be one) to receive the Monies which may arise from any such Sale or Sales of the said Lands, and when received, to lend out the same upon Interest, with such Sureties, and for such Time, and in such Way and Manner, as they, or the major Part of them, (the Minister for the Time being always to be one) shall judge proper; and the annual Interest arising upon the said Monies, is hereby directed to be paid

to the Minister of the said Church for the Time being, for his own proper Use.

PROVIDED ALWAYS, *And be it further Enacted by the Authority aforesaid,* That if at any Time after the Sale of the said Lands, and Reception of the said Monies thence arising, the Minister, Church-Wardens and Vestrymen of the said Church, for the Time being, or the major Part of them (the Minister of the said Church for the Time being always to be one) shall judge it expedient, for the better supporting of the Minister of the said Church, to purchase other Lands with the said Monies; then and in such Case, it shall and may be lawful for the Minister, Church-Wardens and Vestrymen of the said Church, for the Time being, or the major Part of them, (the Minister of the said Church for the Time being always to be one) to make such Purchase; and the Conveyance or Conveyances, for the said Lands so to be purchased, shall be given and executed to the Minister, Church-Wardens and Vestrymen of the said Church forever, for the Use and Support of the Minister of the said Church for the Time being, any Thing in this, or the said recited Act contained to the Contrary, in any wise notwithstanding.

Passed 6 Dec. 1769.
Parker (1769), pp. 118-119.

An ACT *to vacate the Sale of certain Lands, in the County of* Middlesex, *late of* Thomas Leonard, *jun. deceased, and for other Purposes therein mentioned.*

WHEREAS a fraudulent and illegal Sale of certain Lands in the County of *Middlesex,* Part of the Estate of *Thomas Leonard,* jun. deceased, hath been lately made by *James Brooks,* Esq; late Sheriff of said County, and a Conveyance executed thereupon for Part of said Lands, manifestly unjust and prejudicial to the Creditors of said *Leonard. And whereas* also just and competent Relief cannot be given to the Sufferers, in the ordinary Course of Justice: Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same,* That the Sale made by the said *James Brooks,* during his Sheriffalty of the County of *Middlesex,* to *Whitehead Leonard,*

deceased, of Two several Tracts of Land, lying and being in said County, in the South Ward of the City of *Perth-Amboy,* the one lying between *Deep Run,* and *Tenant's* Creek, the other adjoining said *Deep Run,* and thereby parted from the Lands of *Peter Buckalew,* be, and the same is hereby declared to be absolutely null and void, to all Intents and Purposes whatsoever.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That all and every Deed, Conveyance or other Instrument, made and executed by the said *James Brooks,* for the granting or conveying the said Tracts of Land, or either of them, upon the Sale aforesaid, to any Person or Persons whatsoever, be, and the same is hereby declared to be absolutely void and of no Effect, but the said Premises shall remain subject to the Executions against the said *Thomas Leonard,* and be disposed of, pursuant to the Act of Assembly of this Colony, by the present Sheriff of said County, in such Manner as is herein after directed, any Sale or Conveyance heretofore made by the said *James Brooks,* in any wise notwithstanding.

AND *Whereas* the said *James Brooks* is at present unable to attend any Sale to be made of said Premises, and thereby finish the Execution by him begun of the several Writs of *Fieri Facias,* against the Lands herein before-mentioned, by which a farther unnecessary Delay may be occasioned to the Sufferers; for Remedy whereof, BE IT ENACTED *by the Authority aforesaid,* That Writs of *Venditioni Exponas,* may issue in the said Actions respectively, directed to the Sheriff of the County of *Middlesex,* for the Time being, who is hereby authorized and impowered, upon Receipt thereof, to proceed to make Sale of the said Tracts of Land respectively, and execute Deeds thereof to the Purchaser or Purchasers, which shall be as effectual to all Intents and Purposes, for granting and conveying the said Premises, or any Part thereof, as if executed by the said *James Brooks,* pursuant to the Authority given him by the Writs of *Fieri Facias* aforesaid.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That for the preventing Waste and Destruction of the Timber on the said Premises, before the Sale thereof, any Person or Persons cutting down, destroying or carrying away any Timber or Trees, or committing any Manner of Waste on said Premises, before Sale be made thereof as above, shall be liable to the Penalties inflicted by an Act of Assembly of this Colony, entitled *An* Act *for further Preservation of Timber within the Colony of* New-Jersey; to be recovered in an Action of Debt, in any Court of Record in this Province, where the same may be cognizable, by the Plaintiff or Plaintiffs, or either of them, in the said Executions against the said *Thomas Leonard,* levied on said Premises, together with Costs of Suit.

AND BE IT FURTHER ENACTED *by the Authority aforesaid,* That after Sale made of the said Premises, or any Part thereof, as directed by this Act, the said Sheriff is hereby authorized and impowered, to put the Vendee or Vendees thereof, in Possession of the said Tracts of Land, or either of them, or any Part thereof, in as full and ample a Manner as he might or could do by Virtue of any Writ of Possession, directed to him for that Purpose; saving nevertheless, the just Rights and Claims of every Person or Persons, other

than those claiming under any Sale or Conveyance so made by the said *James Brooks,* as aforesaid, and hereby repealed, disannulled and vacated.

Passed 6 Dec. 1769.
Parker (1769), pp. 120-121.

An ACT *for the Relief of* Isaac Bonnel, *Esq; High Sheriff of* Middlesex, *with respect to Escapes.*

FORASMUCH as *Isaac Bonnel,* Esq; present High Sheriff of the County of *Middlesex,* by his humble Petition, has set forth, that the Gaol of the said County, was by Accident burnt down, on the Fourteenth Day of *September* last past, whereby the Prisoners then confined for Debt upon Arrest, or under Execution, are in a Manner set at Liberty, as the Petitioner hath no other proper Place to confine them in; and although the Justices and Freeholders of the said County, have made Provision for building a new Gaol, it may be some Time before the same is compleated; and as the Petitioner is daily liable to Prosecutions, for Want of a Gaol in the said County, and may be put to much Trouble, Charge and Difficulty, and hath prayed Relief; and it appearing very reasonable, that the Petitioner should be relieved from all Actions of Escape, that may be brought against him, till a Gaol is built; Therefore,

BE IT ENACTED *by the Governor, Council and General Assembly of this Colony, and it is hereby Enacted by the Authority of the same,* That from and after the Publication of this Act, no Person or Persons, shall presume to sue or arrest the said *Isaac Bonnel,* Esq; present High Sheriff of *Middlesex,* for, or on Account of the Escape of any Prisoner out of his Custody, from the Fourteenth Day of *September,* in the Year of our Lord One Thousand Seven Hundred and Sixty-nine, when the Gaol of the County of *Middlesex* aforesaid, was burnt down, until a new Gaol for the said County may be erected for the Custody of Prisoners; and if any such Suit shall be so commenced, the same shall be, and is hereby declared null and void.

Passed 6 Dec. 1769.
Parker (1769), p. 122.

An ACT *to naturalize* Christopher Bishop, John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Saurbeck, Thomas Whisler, John Martin Fulkemer, Jacob Akeley, Frederick Smith, Matthew Marton, John Bohn, Gerhart Winter, Peter Brown, Andrew Congle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthaser Harff, Walter Wob, Christopher Rob, John Cosman, John Marlin, *and* Henry Stricklan.

WHEREAS *Christopher Bishop, John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Saurbeck, Thomas Whisler, John Martin Fulkemer, Jacob Akeley, Frederick Smith, Matthew Marton, John Bohn, Gerhart Winter, Peter Brown, Andrew Congle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthaser Harff, Walter Wob, Christopher Rob, John Cosman, John Marlin* and *Henry Stricklan,* by their humble Petition, have set forth, That they were born under the Dominion of Foreign Powers, in Amity with *Great-Britain;* but are now settled, or are desirous of settling within this Province of *New-Jersey,* and of enjoying the Privileges of his Majesty's natural free-born Subjects therein; and as they profess the Protestant Religion, and have given Testimony of their Duty, Loyalty and Affection to his Majesty King GEORGE the Third, and the Succession of the Crown in the Protestant Line; and in Confidence of their conforming themselves in all dutiful Manner to the Laws and Customs of this Colony:

BE IT THEREFORE ENACTED *by the Governor, Council, and General Assembly, and it is hereby Enacted by the Authority of the same,* That the said *Christopher Bishop, John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Saurbeck, Thomas Whisler, John Martin Fulkemer, Jacob Akeley, Frederick Smith, Matthew Marton, John Bohn, Gerhart Winter, Peter Brown, Andrew Congle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthaser Harff, Walter Wob, Christopher Rob, John Cosman, John Marlin* and *Henry Stricklan,* shall be from henceforth deemed, taken and esteemed, to be as his Majesty's natural free-born Subjects within this Province; and they, and each of them, and each of their Heirs, shall enjoy, and are intituled unto the same Laws, Liberties, Rights and Privileges, as any of his Majesty's natural free-born Subjects, can, or ought to enjoy within the same; any Act, Ordinance, Usage, or Custom to the Contrary in any wise notwithstanding.

PROVIDED ALWAYS, *and it is hereby Enacted and declared,* That nothing in this Act contained, shall be construed or taken to enable the said *Christopher Bishop, John Lame, Peter Lame, Henry Lishman, Francis Ralph, George Saurbeck, Thomas Whisler, John Martin Fulkemer, Jacob Akeley, Frederick Smith, Matthew Marton, John Bohn, Gerhart Winter, Peter Brown, Andrew Congle, Peter Slim, John Hartman, Johannes Hofses, Johannes Balthaser Harff, Walter Wob, Christopher Rob, John Cosman, John Marlin* and *Henry Stricklan,* or either of them,

to be of his Majesty's Council, or of the General Assembly, or to hold, or enjoy any Post or Office of Trust or Profit within this Province, any Thing herein contained to the Contrary notwithstanding.

Passed 6 Dec. 1769.
Parker (1769), p. 123.