Sect. 60. AND IT IS HEREBY FURTHER ENACTED AND DECLARED, That the Act, intitled, * *An* Act *for the better regulating of the Militia*, paſſed the fifteenth Day of March One Thouſand Seven Hundred and Seventy-ſeven, and the three ſeveral Acts † ſupplementary thereto, be, and they hereby are repealed and made void. Acts repealed.

CHAP. LXXXV. *An* Act *to empower and direct the Commiſſioners of the Loan-Offices in the reſpective Counties in the State of* New-Jerſey, *to pay certain Monies by them received into the Treaſury, and alſo for applying certain Monies now therein.* Repealed by Chap. CCLXIV.

Paſſed April 17, 1778.

See a Supplement to this Act, Chap. CLXXXIX.—See alſo Chap. CCIV, CCLXIV.

CHAP. LXXXVI. ‡ *An* Act *further to provide for the Clothing of the* New-Jerſey *Regiments, in the Service of the United States.* Repealed by Chap. CCLXXXII.

Paſſed April 18, 1778.

By this Act *Enos Kelſey*, State-Clothier, was authorized immediately to proceed to ſuch Place or Places, in any of the Eaſtern States, as he might think expedient to purchaſe Clothing, or Materials whereof to prepare Clothing, for the Troops of this State, in the Service of the United States, *&c.* with an Allowance of *Forty Shillings* per Day, and to draw from the Treaſury any Sum not exceeding *Nine Thouſand Pounds* for the Purpoſe.

C H A P. LXXXVII.

§ *An* ACT *for taking Charge of and leaſing the Real Eſtates, and for forfeiting the Perſonal Eſtates of certain Fugitives and Offenders, and for enlarging and continuing the Powers of Commiſſioners appointed to ſeize and diſpoſe of ſuch Perſonal Eſtates, and for aſcertaining and diſcharging the lawful Debts and Claims thereon.*

Paſſed April 18, 1778.

WHEREAS many of the Offenders mentioned and deſcribed in an Act paſſed the fifth Day of *June*, in the Year of our Lord One Thouſand Seven Hundred and Seventy-ſeven, intitled, ‖ *An* Act *of free and general Pardon, and for other Purpoſes therein mentioned*, have neglected to avail themſelves of the Benefit thereof; Preamble.

Sect. 1. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That the Commiſſioners of the reſpective Counties appointed in the ſaid Act, or that have been or hereafter may be appointed by Virtue thereof, Commiſſioners to make Return, *&c.*

* Chap. XX.
† Chap. XXXII, XLIV, LXXIII.
‡ See Chap. LXI, CXLVI, CCIX, and CCLXX.
§ See Chap CCXCI, by which the Commiſſioners are diſcharged, and one Agent appointed in each County in their Room.
‖ Chap. XXXIII—See Appendix, No. 4.

thereof, and any or either of them be, and they hereby are empowered and directed to make Return to any Juſtice of the Peace within the reſpective County, of the Name and Place of the late Abode of each Perſon whoſe Perſonal Eſtate and Effects the ſaid Commiſſioners, or any of them, have ſeized by Virtue of the ſaid Act, and thereupon to demand of ſuch Juſtice a Precept for ſummoning a Jury of the Freeholders of the County, to enquire whether each Perſon whoſe Perſonal Eſtate and Effects have been ſo ſeized, is an Offender within the Meaning and Deſcription of the ſaid Act; the Tenor of which Precept ſhall be as follows, *to wit*,

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

Form of the Precept.

THESE are, in the Name of the State, to require you, that immediately upon Sight hereof you ſummon and warn twenty-four good and lawful Men of the ſaid County, to be and appear before me Eſq. one of the Juſtices of the Peace of the ſaid County, at in the County aforeſaid, on the Day of Inſtant, (or, *next enſuing the Date hereof,* as the Caſe may be) *to enquire, upon their Oaths or Affirmations, on Behalf of the State, whether late of in the County aforeſaid, hath, ſince the* **fourth Day of* October, *One Thouſand Seven Hundred and Seventy-ſix, and before the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven, joined the Army of the King of* Great-Britain, *or hath otherwiſe offended againſt the Form of his Allegiance to this State, as ſet forth in the Act, intitled,* An *Act* of free and general Pardon, and for other Purpoſes therein mentioned, *paſſed the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven, or the Act therein referred to, intitled,* † An *Act* to puniſh Traitors and diſaffected Perſons; *and be you then there to certify what you ſhall have done in the Premiſes. Given under my Hand and Seal, at the Day of* 177

Which Precept, returnable in fifteen Days at moſt, ſuch Juſtice is hereby required to iſſue; and the Conſtable to whom the ſame is delivered ſhall forthwith ſummon twenty-four reputable Freeholders to be and appear at the Time and Place in the ſaid Precept mentioned; and the Commiſſioner or Commiſſioners who applied for ſuch Precept, ſhall give Notice of the Day, Place and Purpoſe of the Meeting of the ſaid Jurors, by Advertiſements ſet up in five of the moſt publick Places of the County, at leaſt ten Days before the Return of the Precept; at which Time and Place the ſaid Juſtice is required to attend, and to empannel and ſwear or affirm at leaſt twelve of the Jurors returned by the Conſtable; which Oath or Affirmation ſhall be to the Effect following, *to wit*,

Jurors, their Qualification.

YOU ſhall well and truly enquire and true Inquiſition make, whether late of in the County of hath, ſince the fourth Day of October, *One Thouſand Seven Hundred and Seventy-ſix, and before the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven, joined the Army of the King of* Great-Britain, *or hath otherwiſe offended againſt the Form of his Allegiance to this State, as ſet forth in the Act, intitled,* An *Act* of free and general Pardon, and for other Purpoſes therein mentioned, *paſſed the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven, or the Act therein referred to, intitled,* An *Act*

* The Date of the Treaſon Act. † Chap. V.

Act to puniſh Traitors and diſaffected Perſons, *and proceed therein according to Evidence. So help you God.*

And thereupon the ſaid Commiſſioner or Commiſſioners ſhall exhibit to the ſaid Jury ſuch Evidence touching the Premiſes as he or they may be able to procure, and the ſaid Juſtice ſhall adjudge to be lawful; and the Oath or Affirmation of each Witneſs ſhall be as follows, *to wit*,

Witneſſes, their Qualification.

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

And in every Caſe where the Jury ſhall find that the Perſon whoſe Goods and Effects have been ſo ſeized by the ſaid Commiſſioners, or any or either of them as aforeſaid, is an Offender as aforeſaid, they ſhall certify the ſame in Writing, under the Hands and Seals of at leaſt twelve of the ſaid Jurors, to the ſaid Juſtice; which Inquiſition ſhall be in the Words or to the Effect following, *to wit*,

Form of the Inquiſition.

County, ſſ.

AN Inquiſition taken and made at in the ſaid County of the Day of in the Year of our Lord One Thouſand Seven Hundred and Seventy by the Oaths or Affirmations of good and lawful Men of the ſaid County, before Eſquire, one of the Juſtices of the Peace of the ſaid County, who, upon their Oath or Affirmation aforeſaid, ſay, that late of in the County aforeſaid, did, ſince the fourth Day of October, *One Thouſand Seven Hundred and Seventy-ſix, and before the fifth Day of* June, *One Thouſand Seven Hundred and Seventy-ſeven*, to wit, *on or about the Day of One Thouſand Seven Hundred and Seventy join the Army of the King of* Great-Britain, *(or otherwiſe howſoever offend*, as the Caſe may be) *againſt the Form of his Allegiance to this State, and againſt the Peace of this State, the Government and Dignity of the ſame.*

WE, whoſe Names are hereunto ſet, and Seals affixed, being the Jurors above named, do, upon the Evidence to us produced, find the Inquiſition aforeſaid true.

And the Juſtice before whom ſuch Inquiſition is taken ſhall certify thereon, under his Hand and Seal, that the ſame was ſo taken by the Jurors therein named.

Inquiſition to be returned to Court, and Proclamation made, &c.

2. AND IT IS HEREBY FURTHER ENACTED, That the Inquiſition certified as aforeſaid, ſhall be returned by the Juſtice before whom it was taken, to the next Inferior Court of Common-Pleas holden in the County; and Proclamation ſhall thereupon be made in open Court, that if the Perſon againſt whom ſuch Inquiſition hath been found, or any Perſon on his Behalf, or who ſhall think himſelf intereſted in the Premiſes, will appear and traverſe the ſaid Inquiſition, and put in Security in the Sum of *One Thouſand Pounds*, or ſuch other Sum as the Court may direct, by Recognizance or Bond, to the Governor or Commander in Chief of the State for the Time being, and his Succeſſors, for the Uſe of the State, with Condition to proſecute the Traverſe to Effect, and to pay all ſuch Coſts as ſhall be awarded in caſe Judgment ſhall be given againſt the Perſon ſo traverſing, then the ſaid Traverſe ſhall be received

and a Trial thereon awarded; but if no Perſon ſhall appear to traverſe, the Effect of the ſaid Proclamation ſhall be advertiſed by the Commiſſioner or Commiſſioners who applied for the Precept as aforeſaid, in five of the moſt publick Places of the County, and alſo inſerted in the *New-Jerſey Gazette*, if the ſame ſhall be then publiſhed, within thirty Days after ſuch Court; and if the Perſon againſt whom ſuch Inquiſition ſhall have been found, or any Perſon in his Behalf, or who ſhall think himſelf intereſted in the Premiſes, ſhall, at the next Court after the Return of ſuch Inquiſition, appear and offer to traverſe the ſame as aforeſaid, and put in Security as aforeſaid, the ſaid Traverſe ſhall then be received and a Trial thereon awarded; otherwiſe ſuch Inquiſition ſhall be taken to be true, and final Judgment ſhall be entered thereon in Favour of the State: And all and ſingular the Goods and Chattels, Rights and Credits, and other Perſonal Eſtate whatſoever of the Offender, againſt whom Judgment is ſo entered, ſhall be, and they are hereby declared to be forfeited to and for the Uſe of the State; and the Commiſſioners, or any or either of them, ſhall thereupon ſell at publick Vendue all ſuch of the Goods, Chattels and Perſonal Eſtate of ſuch Offender as remain unſold, giving at leaſt ten Days Notice of the Time and Place of Sale, by Advertiſements ſet up in not leſs than five of the moſt publick Places within ten Miles of the Place of Sale, therein deſcribing the Principal Articles therein to be ſold.

Commiſſioners to ſell perſonal Eſtates, forfeited, &c.

3. AND BE IT ENACTED *by the Authority aforeſaid*, That the ſaid Commiſſioners, or any or either of them, be, and they hereby are empowered and directed from Time to Time to take Poſſeſſion of, and ſell in like Manner as aforeſaid, all ſuch other Goods, Chattels and Perſonal Eſtate whatſoever of the Perſon againſt whom Inquiſition ſhall be found, and Judgment thereupon entered in Favour of the State as aforeſaid, which they may come to the Knowledge of, and to take Poſſeſſion of all the Books of Accounts, Bonds, Bills, Mortgages, Notes and other Inſtruments of Writing whatſoever of ſuch Offender, whereſoever found, and to receive the Monies due and to grow due on all ſuch Books of Accounts, Bonds, Bills, Mortgages and other Writings, and to give Receipts, Acquittances and Diſcharges therefor. And if any Perſon poſſeſſed of any Goods, Chattels, Bonds, Bills, Mortgages, Notes or Writings whatſoever, of any ſuch Offender, ſhall neglect or refuſe to deliver the ſame to the Commiſſioners, or any or either of them making Demand thereof; or if any Perſon indebted to ſuch Offender ſhall neglect or refuſe to pay and ſatisfy the Debt, on Demand thereof being made by the ſaid Commiſſioners, or any or either of them, it ſhall and may be lawful for ſuch Commiſſioner or Commiſſioners to proſecute, ſue for, and recover the ſame, with Coſts, in the Name of ſuch Offender, or in the Name of ſuch Offender and of ſuch Perſon as ought legally to be joined with him in any Court where the ſame ſhall be cognizable, to and for the Uſe of the State, notwithſtanding any Diſcontinuance, Acquittance, Releaſe or Diſcharge ordered or given by ſuch Offender, or any Perſon for him, after the Time the ſaid Goods, Debts and Perſonal Eſtate became forfeitable to the State, and the Receipts, Acquittances and Diſcharges given by the reſpective Commiſſioners on the Delivery of any Goods or Chattels, or the Payment of any Debts or Sums of Money, ſhall for-ever bar the Offender or any Perſon claiming or to claim under him in the Premiſes.

4. AND IT IS HEREBY FURTHER ENACTED, That if any Perſon, having

having in his or her Cuſtody or Power any Goods or Chattels, Bonds, Bills, Mortgages, Notes or other Inſtruments of Writing of any ſuch Offender, ſhall neglect to make Diſcovery thereof to ſome one or more of the Commiſſioners of the County where ſuch Offender reſided, within two Months after Judgment ſhall be entered as aforeſaid; or if any Perſon indebted to ſuch Offender ſhall neglect to make Diſcovery thereof to ſuch Commiſſioner or Commiſſioners within the ſaid Term; or if any Perſon ſhall, at any Time thereafter, become poſſeſſed of any ſuch Goods, Chattels, Bonds, Bills, Mortgages, Notes or other Inſtruments of Writing, and ſhall not, within one Month after his or her ſo becoming poſſeſſed thereof, make Diſcovery as aforeſaid, each and every Perſon ſo offending in the Premiſes ſhall forfeit double the Value of the Goods, Chattels, Writings, Debts and Sums of Money by him or her ſo withheld or concealed, to be ſued for and recovered, with Coſts, by the ſaid Commiſſioners, or any or either of them, in his or their own Name or Names, to and for the Uſe of the State.

Perſons not diſcovering Offenders Goods, *&c.* what to forfeit.

5. AND BE IT ENACTED *by the Authority aforeſaid*, That it ſhall and may be lawful to and for the Commiſſioners of any County, or any two or more of them, to ſend their Precepts for, and to examine upon Oath or Affirmation, to be adminiſtered by either of them, any Perſon whatſoever, reſpecting the Goods, Chattels and Perſonal Eſtate, Books, Bonds and other Writings whatſoever of any Offender againſt whom Inquiſition ſhall have been found and Judgment entered as aforeſaid; and if any Perſon ſo ſummoned ſhall neglect or refuſe to appear or to give Evidence in the Premiſes, ſuch Perſon ſhall for the ſaid Neglect or Refuſal be fined at the Diſcretion of the ſaid Commiſſioners, in any Sum not exceeding *One Hundred Pounds*, to be by them ſued for and recovered, with Coſts, in their own Names, to and for the Uſe of the State; and if the ſaid Commiſſioners ſhall have Reaſon to believe or ſuſpect that any of the Goods, Chattels or Effects, Books of Accounts, or other Writings of any ſuch Offender, are fraudulently detained or concealed by any Perſon or Perſons whatſoever, it ſhall and may be lawful for ſuch Commiſſioners, or any two or more of them as aforeſaid, by Warrant under their Hands and Seals, to cauſe to be opened and ſearched any Houſes, Shops, Chambers, Cheſts, Trunks and other Places whatſoever, in which they may have Reaſon to believe ſuch Goods, Chattels and Effects, Books of Accounts or other Writings are hidden or ſecreted; and all Sheriffs and Conſtables are hereby ſtrictly enjoined and required to obey and execute ſuch Orders, Warrants and Precepts as may be ſent to them or any of them, by the ſaid Commiſſioners, or any two or more of them, as they will anſwer the contrary at their Perils.

Commiſſioners may examine an Oath, *&c.*

6. AND WHEREAS ſome of the Commiſſioners appointed in the Act, intitled, *An Act of free and general Pardon, and for other Purpoſes therein mentioned*, paſſed the fifth Day of *June*, One Thouſand Seven Hundred and Seventy-ſeven, did decline ſerving purſuant to ſuch their Appointment, whereby the Perſonal Eſtates and Effects of ſeveral Offenders within the Meaning of the ſaid Act were left liable to periſh and at Waſte: AND WHEREAS divers well-diſpoſed Perſons, unacquainted with the Mode of proceeding by Law in ſuch Caſe directed, have taken Charge of and ſecured for the State ſome of the ſaid Perſonal Eſtates and Effects; and it being reaſonable that they ſhould be indemnified in the Premiſes, and have the Expences which they were neceſſarily put to, defrayed;

Perſons having ſecured the Effects of Offenders, for the State, to be indemnified and accountable to Commiſſioners, *&c.*

frayed; BE IT THEREFORE ENACTED *by the Authority aforeſaid*, That the ſaid Perſons reſpectively ſhall forthwith account to the Commiſſioners appointed in the Room and Stead of thoſe who declined to act as aforeſaid, or other the Commiſſioners of the County, or any two of them, for all ſuch Perſonal Eſtates and Effects by them ſo taken Charge of and ſecured; and the ſaid Commiſſioners ſhall thereupon give to the Perſons ſo accounting, proper Receipts for the ſame, and ſhall alſo allow them ſuch neceſſary Expences as they may have been put to in the Premiſes; which ſaid Receipts ſhall in every Caſe operate as a full Diſcharge for the Goods and Effects ſo accounted for; and the ſaid Commiſſioners, or any or either of them, ſhall proceed upon and diſpoſe of ſuch Perſonal Eſtates, Goods and Effects, in Manner as is by this Act directed, and as if the ſame had been originally ſeized, inventoried and ſecured by them.

Commiſſioners, how to proceed in caſe of Offences committed after *June* 5, 1777.

7. AND WHEREAS ſundry Perſons, Inhabitants and Subjects of this State, have, ſince the Paſſing of the ſaid Act, intitled, *An* Act *of free and general Pardon, and for other Purpoſes therein mentioned*, joined the Army of the King of *Great-Britain*, or otherwiſe offended againſt the Form of their Allegiance, as ſet forth in the ſaid Act, or the Act therein referred to, intitled, * *An* Act *to puniſh Traitors and diſaffected Perſons*, and others may in Future be guilty of the like Defection; BE IT ENACTED *by the Authority aforeſaid*, That the Commiſſioners appointed in the Act, intitled, *An* Act *of free and general Pardon, and for other Purpoſes therein mentioned*, paſſed the fifth Day of *June*, One Thouſand Seven Hundred and Seventy-ſeven, or who have been or hereafter may be appointed by Virtue thereof, or any or either of them in each reſpective County, be, and they hereby are empowered and directed in every ſuch Caſe to apply for an Inqueſt in Manner herein before ſet forth, in which Caſe the Proceedings ſhall be ſimilar to thoſe deſcribed in the firſt Section of this Act, or as far as Circumſtances may agree; and if the Inquiſition ſhall be found, the Commiſſioner or Commiſſioners who may have applied for the ſame, ſhall immediately take Poſſeſſion of and ſafely keep or ſecure all and ſingular the Goods, Chattels and Perſonal Eſtate, Books of Accounts, Bonds, Bills, Mortgages, Notes and other Inſtruments of Writing whatſoever, of the Perſon againſt whom the Inquiſition ſhall have been ſo found, and in the Preſence of two reputable Freeholders of the County ſhall make out or cauſe to be made out true and perfect duplicate Inventories of ſuch Goods, Chattels, Books of Accounts and Writings whatſoever, to be teſted by the ſaid Freeholders; one of which Inventories ſhall be kept by the Commiſſioner or Commiſſioners for his or their Uſe, and the other by the ſaid Freeholders or one of them, to be laid before the Legiſlature when required; and if, upon Return of the ſaid Inquiſition in Manner as ſet forth in the ſecond Section of this Act, Judgment ſhall be entered thereon in Favour of the State, all and ſingular the Goods and Chattels, Rights and Credits, and Perſonal Eſtate whatſoever of the Perſon againſt whom Judgment is ſo entered, ſhall be, and they hereby are declared to be forfeited to and for the Uſe of the State; and the ſaid Commiſſioner or Commiſſioners ſhall forthwith ſell all ſuch Goods, Chattels and Perſonal Eſtate ſo as aforeſaid by him or them taken Poſſeſſion of and ſecured, and ſhall in every other Reſpect proceed as is herein before directed, with the like Powers to be exerciſed in the like Manner and to the like Purpoſes as if the ſaid Goods and Chattels, Rights, Credits and Perſonal Eſtate, had been forfeited by the above

* Chap. II.

above recited Act, intitled, *An Act of free and general Pardon, and for other Purpoſes therein mentioned;* and all Perſons with-holding, concealing or ſecreting any ſuch Goods, Chattels, Debts, Effects, Bonds, Bills or other Writings whatſoever, or refuſing to appear and give Evidence for the Purpoſe of diſcovering ſuch Goods, Chattels, Debts or Writings, ſhall be ſubject to the like Penalties as are herein before declared and enacted for the Puniſhment of Perſons committing the like Offences.

Real Eſtates to be leaſed.

* 8. AND WHEREAS many of the Offenders whoſe Perſonal Eſtates are by this Act and the Act, intitled, *An Act of free and general Pardon, and for other Purpoſes therein mentioned*, made forfeitable to the State, for the Uſe of the ſame, have left Real Eſtates without legal or rightful Occupants, and great Waſte and Damage have been committed thereon, and the Real Eſtates of other ſuch Offenders may hereafter be left in like Manner: In order therefore that the ſame may be occupied to the Advantage of the State, until the Legiſlature ſhall take further Order therein; BE IT ENACTED *by the Authority aforeſaid*, That the Commiſſioners of the reſpective Counties, appointed in the ſaid Act, or which have been or hereafter may be appointed by Virtue thereof, or any or either of them, be, and they hereby are empowered and directed from Time to Time, as Occaſion may require, to take into their or his Care, Poſſeſſion and Management all and ſingular the Hereditaments, Real Eſtates, Lands and Tenements of each and every Perſon againſt whom Inquiſition ſhall have been found and Judgment thereon entered in Favour of the State as aforeſaid, and to let and leaſe out the ſame to the beſt Advantage, for a Term not exceeding one Year from the twenty-fifth Day of *March* laſt, by publick Vendue, the ſame having been advertiſed at leaſt five Days in different Parts of the County, and the Rents, Iſſues and Profits thereof to receive, and Acquittances and Diſcharges for the ſame to give; and ſuch Acquittances and Diſcharges by the ſaid Commiſſioners, or any or either of them, given, ſhall for-ever bar the Perſon againſt whom Inquiſition may have been found and Judgment thereon entered in Favour of the State as aforeſaid, and every Perſon claiming or to claim under him: PROVIDED ALWAYS, That it ſhall and may be lawful for the Commiſſioners of the reſpective Counties, or any or either of them, immediately upon Inquiſition found, and without waiting for Entry of Judgment as aforeſaid, to take into their Care, Poſſeſſion and Management, all ſuch Hereditaments, Real Eſtates, Lands and Tenements which have been or hereafter may be left unoccupied by any Perſon claiming any legal Right or Title thereto, and the ſame forthwith to let and leaſe out as aforeſaid.

Proviſo.

Tenants to be reſponſible for Rents.

9. AND IT IS HEREBY FURTHER ENACTED, That every Perſon whatſoever, who has entered into or upon, and taken Poſſeſſion of any of the ſaid Hereditaments, Real Eſtates, Lands and Tenements, or any Part thereof, ſince the Time they were left by the reſpective Owners, ſhall be reſponſible for the Rents and Profits of the ſame during the Time of ſuch Occupation; and every Perſon ſeated on and holding any Lands and Tenements of any ſuch Offender, in Quality of a Tenant, ſhall be reſponſible for the Rents and Profits thereof, from the Time of the Commiſſion of the Offence by which the Perſonal Eſtate of the Proprietor became forfeitable to the State; which Rents and Profits, in every Caſe where they are not aſcertainable by other Means, ſhall be aſcertained

* See Chap. CXXII, and CCLXIX.

and fixed by three reputable Freeholders of the Neighbourhood, for that Purpoſe nominated by the Commiſſioner or Commiſſioners having Charge of ſuch Real Eſtate, and ſhall in all Caſes be paid to the ſaid Commiſſioner or Commiſſioners, for the Uſe of the State: And if any Perſon, reſponſible as aforeſaid, ſhall neglect or refuſe to make Payment when duly required, ſuch Rents and Profits ſhall be ſued for and recovered by the ſaid Commiſſioner or Commiſſioners, in his or their own Name or Names, for the Uſe of the State; and if any ſuch Perſon, or any other Perſon whatſoever, hath heretofore committed or ſhall hereafter commit Waſte or Damage on any of the Hereditaments, Real Eſtates, Lands or Tenements, of any Offender againſt whom Inquiſition may be found and Judgment thereupon entered as aforeſaid, he ſhall forfeit treble Damages, to be ſued for and recovered by the Commiſſioners of the County, or any or either of them, in their or his own Names or Name, to and for the Uſe of the State.

Sales of Offenders, after joining the Enemy, declared void.

10. AND BE IT ENACTED *by the Authority aforeſaid*, That all Sales and Alienations of any Eſtate, Perſonal or Real, made by any Perſon againſt whom Inquiſition ſhall be found and Judgment entered as aforeſaid, or any his Agent or Attorney, or other Perſon whatſoever by him authorized, from and after the Time ſuch Perſon joined the Army of the King of *Great-Britain*, or went into any Place in their Poſſeſſion, or remained with them, or openly adhered to them againſt the Form of his Allegiance, are hereby declared to be utterly null and void to all Intents and Purpoſes.

Quarter-Maſters, *&c.* taking forfeited Property, accountable therefor.

11. AND WHEREAS divers Commiſſaries, Quarter-Maſters, Forage-Maſters, their Deputies and Aſſiſtants, and others, have, from Time to Time, taken Cattle, Grain, Hay and other Articles, the Property of ſundry Offenders, whoſe Perſonal Eſtates are or may be forfeited as aforeſaid, and have appropriated the ſame to the Uſe of the Army, or otherwiſe; BE IT ENACTED *by the Authority aforeſaid*, That all ſuch Commiſſaries, Quarter-Maſters, Forage-Maſters, their Deputies and Aſſiſtants, and others, and each and every of them, ſhall forthwith render an Account of the Articles ſo by them ſeverally taken, to the Commiſſioner or Commiſſioners having Charge of the reſpective Eſtates from which they were taken, and pay for the ſame; and in Default thereof the Commiſſioner or Commiſſioners to whom ſuch Payment ought to be made, is, and are hereby empowered and directed to ſue for and recover the Price or Value of the ſeveral Articles ſo taken, with Coſts, in his or their own Name or Names, to and for the Uſe of the State.

The twelfth Section, which provided for the Payment of Demands againſt the Eſtates of Fugitives, is virtually repealed and ſupplied by Chap. CXXII.

Fees allowed Juſtices, *&c.*

13. AND BE IT ENACTED *by the Authority aforeſaid*, That the following Fees and Rewards ſhall be allowed for the Services to which they are reſpectively annexed, *that is to ſay*, To each Juſtice, for taking and returning an Inquiſition, *Ten Shillings*; to each Conſtable, for ſummoning an Inqueſt, *Fifteen Shillings*; to each Juror ſerving on ſuch Inqueſt, *Seven Shillings and Six-pence*; to each Witneſs attending at taking the Inquiſition, *Five Shillings*; to each Freeholder who ſhall attend at the taking of the Inventory of any Perſonal Eſtate, *Ten Shillings* by the Day while

while he is employed in that Service; * and to each Juſtice, who ſhall aſſiſt the Commiſſioners in examining and adjuſting the Claims againſt any Eſtate, *Ten Shillings* by the Day while he is employed in that Service: Which Fees ſhall be paid by the Commiſſioner or Commiſſioners having Charge of the reſpective Eſtates, out of any Monies in his or their Hands, or which may come into his or their Hands in conſequence of the Sale of any Eſtate or Property forfeited as aforeſaid; and if the ſaid Commiſſioner or Commiſſioners ſhall have no ſuch Monies, they are hereby authorized and directed to draw on the Treaſurer for ſuch Sum or Sums as may be neceſſary for the Payment of ſuch Fees.

Forfeitures for Neglect of Duty.

14. AND IT IS HEREBY FURTHER ENACTED, That if any Juſtice of the Peace ſhall neglect or refuſe to do any Duty, Matter or Thing required of him by this Act, he ſhall for each Offence forfeit the Sum of *Thirty Pounds;* and if any Conſtable ſhall neglect or refuſe to perform any Duty of him by this Act required, he ſhall for each Offence forfeit the Sum of *Fifteen Pounds;* and if any Juror ſummoned on an Inqueſt ſhall neglect or refuſe to attend and ſerve, he ſhall for ſuch Offence forfeit the Sum of *Ten Pounds;* and if any Witneſs, ſummoned to give Evidence to any Inqueſt, ſhall neglect or refuſe to attend and give Evidence accordingly, he ſhall for ſuch Offence forfeit the Sum of *Ten Pounds:* Which ſeveral Penalties ſhall be recovered by the Commiſſioners, or any of them, with Coſts of Suit, in any Court where the Action ſhall be cognizable, to and for the Uſe of the State.

Commiſſioners to keep Books, *&c.*

15. AND BE IT ENACTED *by the Authority aforeſaid*, That the reſpective Commiſſioners ſhall keep a Book or Books, in which ſhall be regularly and fairly entered the Names of the ſeveral Perſons whoſe Eſtates are by them taken Poſſeſſion of as aforeſaid, with a true and perfect Inventory of ſuch Part of each Eſtate as is directed to be ſold, and the Prices for which the ſeveral Articles are ſold; and alſo an Account of all Bonds, Bills, Notes and other Inſtruments of Writing; of all Debts and Sums of Money received or recovered, and the Names of the Perſons of whom they are received or recovered; of all Debts and Claims allowed and paid, and the Names of the Perſons to whom they are paid; the Name of the Perſon to whom each Real Eſtate is rented, and the Sum for which it is rented; and generally, a fair and diſtinct Account of their Proceedings in the Execution of the Duties and Truſts committed to them by this Act; and the ſaid Commiſſioners ſhall, as a Compenſation for their Services, be entitled to † *Five per Cent.* Commiſſions upon all Monies by them received on Behalf of the State, and alſo be reimburſed ſuch Sums as they ſhall expend for drawing of Leaſes and other ſuch extra Services, of which they ſhall keep fair Accounts.

Their Commiſſions.

The ſixteenth Section directing the Commiſſioners after adjuſting and Payment of Demands againſt Eſtates, to pay the Balance or net Proceeds into the Treaſury, and to lay their Accounts and Vouchers before the firſt Sitting of every Legiſlature, is ſuperceded and ſupplied by Chap. CXCI, which directs the Agents to ſettle their Accounts with the Auditor, *&c.* on the ſecond *Tueſday* in *November* annually.

And take the Oaths of Abjuration.

17. AND BE IT ENACTED *by the Authority aforeſaid*, That each Commiſſioner, previous to his engaging in the Duties of his Appointment,

* The latter Part of this Section is become unneceſſary, ſince the Paſſing of Chap. CXXII.
† By Chap. CXXII, Sect. 13, *Two per Cent.* Commiſſions are allowed on Real Eſtates.

ment, ſhall repair to ſome Juſtice of the Peace or other Perſon duly authorized by *Dedimus Poteſtatem* to adminiſter the Oaths of Abjuration and Allegiance, and there take and ſubſcribe the ſame in due Form, agreeably to the Directions of the Act, intitled, *An* Act *for the Security of the Government of* New-Jerſey, paſſed the nineteenth Day of *September*, One Thouſand Seven Hundred and Seventy-ſix, together with an Oath for the faithful and impartial Execution of the Truſt repoſed in him as a Commiſſioner.

CHAP. LXXXVIII. *An* Act *to defray ſundry Incidental Charges.*

Paſſed April 18, 1778.

At a GENERAL ASSEMBLY held at Princeton, from the twenty-ſeventh Day of May to the twenty-ſecond Day of June 1778, the following Laws were paſſed.

SESSION SECOND—SITTING THIRD.

CHAP. LXXXIX.

An ACT *for the ſpeedy and effectual Recovery of Debts due to the United States of* America.

Paſſed June 17, 1778.

Preamble. WHEREAS it is juſt and reaſonable in itſelf, and eſſential to the common Intereſt, that all Perſons indebted to the United States of *America*, ſhould be amenable to the Courts of Juſtice within any of the ſaid States, and that ſuch Debts ſhould be ſpeedily and effectually recovered;

Congreſs empowered to ſue. BE IT THEREFORE ENACTED *by the Council and General Aſſembly of this State, and it is hereby Enacted by the Authority of the ſame*, That it ſhall and may be lawful for the Congreſs of the United States of *America*, or any Perſon or Perſons by them for that Purpoſe authorized, to commence and proſecute in any Court of this State, in which an Action to that Amount is cognizable, an Action of Debt, Account, or upon the Caſe, in the Name of the United States of *America*, who are hereby created a Body politick and corporate within this State for that Purpoſe, by the Style and Title of *The United States of America*, againſt any Perſon or Peaſons whomſoever, his or their Heirs, Executors or Adminiſtrators, who now are, or hereafter ſhall be, indebted or accountable to the ſaid United States, for any Monies, Goods or Chattels, received by him or them, by Virtue of any Warrant or Order from the ſaid Congreſs, or of any Perſon or Perſons appointed by, or acting under them, or who ſhall otherwiſe be poſſeſſed of any Money, Goods or Chattels, belonging to the ſaid United States; and in ſuch Actions to recover the ſame, or Damages for the Detention thereof, according to the Laws and Uſages of ſuch Courts reſpectively, together with Coſts of Suit.

CHAP.