

C H A P. V.

* *An ACT to punish Traitors and disaffected Persons.*

Passed Oct. 4, 1776.

Preamble.

WHEREAS in the present Time of Danger the Safety of the People more especially requires, that all Persons who are so wicked as to devise the Destruction of good Government, or to aid or assist the Enemies of the State, shall suffer condign Punishment. AND WHEREAS all Persons abiding within this State, and deriving Protection from the Laws thereof, do owe Allegiance to the Government of this State, established under the Authority of the People, and are to be deemed as Members thereof: And all Persons passing through, visiting or making a temporary Stay in this State, being entitled to the Protection of the Law during such Passage, Visitation or temporary Stay, do owe, during the same Time, Allegiance to this Government.

High-Treason, who adjudged guilty thereof.

Sec^t. I. BE IT ENACTED by the Council and General Assembly of this State, and it is hereby Enacted by the Authority of the same, That every Person who is a Member of, or owes Allegiance to this Government, as before described, and who, from and after the Publication hereof, shall levy War against this State, within the same, or be adherent to the King of *Great-Britain*, or others the Enemies of this State within the same, or to the Enemies of the United States of *North-America*, giving to him or them Aid or Comfort, or by giving to him or them Advice or Intelligence either by Letters, Messages, Words, Signs or Tokens, or in any Way whatsoever, or by procuring for, or furnishing to him or them any Kind of † Provisions or Warlike Stores, and thereof shall be provably attainted of open Deed by People of his or her Condition, shall be adjudged guilty of High Treason, and be punished accordingly, saving the § Corruption of Blood.

Persons maintaining the Authority of *G. Britain*, how punished.

2. AND BE IT ENACTED by the Authority aforesaid, That if any Person who is a Member of this State, or owes Allegiance to this Government, as before described, shall, from and after the Publication hereof, by any Speech, Writing, open Deed, or Act, advisedly and wittingly, maintain and defend the Authority, Jurisdiction or Power of the King or Parliament of *Great-Britain*, heretofore claimed or used within this State, or shall attribute any such Authority, Jurisdiction or Power to the King or Parliament of *Great-Britain*, the Persons so offending, being duly convicted thereof, shall be punished by Fine and Imprisonment at the Discretion of the Court, so that the Fine exceed not *Three Hundred Pounds*,

* See two Supplements to this Act, Chap. XXXVII and CCCXXVIII. See also Chap. XXXI and XLI.

† The Crime of supplying the Enemy with Provisions, &c. and the Punishment consequent thereon, have been mitigated by sundry posterior Laws, which have from Time to Time been altered, and amended—The Law now in Force on that Subject may be seen Chap. CCCXVII.

§ By Corruption of Blood, according to the English Law, is meant, that the inheritable Quality of the Blood is extinguished and blotted out for ever; so that the Person attainted becomes not only incapable of inheriting Lands or other Hereditaments from his Ancestors, of retaining those he is already possessed of, or of transmitting his own Property by Heirship, but also obstructs the Descent of Lands or Tenements to his Posterity even to the twentieth Generation in all Cases where they are obliged to derive their Title through him from any remote Ancestor; so that his Sons can neither inherit to him, nor to any other Ancestor, at least on the Part of their attainted Father; but his Lands and Tenements shall escheat to the Lord of the Fee, subject to the King's superior Right of Forfeiture.

Blackstone passim.

Pounds, nor the Imprisonment the Term of one Year. And if any such Offender, after such Conviction as aforesaid, shall commit the said Offences, or any of them, in Manner and Form aforesaid, and be thereof duly convicted, he or she shall be set in the Pillory, and imprisoned for any Term not exceeding one Year.

3. AND BE IT ENACTED by the Authority aforesaid, That any Person, who shall maliciously and advisedly revile or speak contemptuously of the Government of this State, or of the Honourable Congress of the United States of *America*, or of the Measures adopted by the said Congress, or by the Legislature of this State, or who shall maliciously and advisedly say or do any Thing whatever, which will encourage Disaffection, or manifestly tend to raise Tumults and Disorders in the State, or who shall maliciously and advisedly spread such false Rumours concerning the *American* Forces, or the Forces of the Enemy, as will tend to alienate the Affections of the People from the Government, or to terrify or discourage the good Subjects of this State, or to dispose them to favour the Pretensions of the Enemy; every Person so offending shall be punished with Fine and Imprisonment in Manner aforesaid.

Punishment
for reviling
the Govern-
ment, &c.

4. AND BE IT ENACTED by the Authority aforesaid, That any two Justices of the Peace shall, and they hereby are empowered and directed to convene by Summons or Warrant, any Person whatsoever, whom they shall suspect to be dangerous or disaffected to the present Government, and to tender and administer to him the Oaths of Abjuration and Allegiance, set forth in an Act, intituled, * *An Act for the Security of the Government of New-Jersey*, passed the nineteenth of *September* One Thousand Seven Hundred and Seventy-six. And if any Person, to whom the said Oath shall be tendered, shall neglect or refuse to take the same, the said Justices shall bind him over with sufficient Sureties, to appear at the next Court of General Quarter-Sessions of the Peace, and to be in the mean-while of good Behaviour; and in Default of sufficient Sureties, or on Refusal to be bound, the said Justices are hereby empowered and directed to commit such Offender to close Gaol, and certify the same, with the Cause of Commitment, under their Hands and Seals, to the next Court of General Quarter-Sessions of the Peace, where, if such Offender refuse to take the said Oaths, he shall continue bound to his good Behaviour, or be fined or imprisoned, as the said Court shall deem necessary.

Two Justices
to tender the
Oaths, &c. to
suspected Per-
sons.

C H A P. VI.

An ACT for the Inspection of Gun-Powder.

Passed Oct. 4, 1776.

THIS Act is singular in its Form, consisting of one Section composed of seven Paragraphs; it appears by the fourth Paragraph to have been passed in Expectation that Gun-Powder would be pretty generally manufactured through the State. In some Counties considerable Quantities have accordingly been made; but the Manufacture not being general, the Office of Inspector, and Practice of Inspection, have fallen into Disuse, for which Reason nothing appeared necessary in this Compilation but the Title.

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CHAP.

* Chap. II.